

**SUPREME COURT
OF THE RUSSIAN FEDERATION**

7/3 Ilyinka ul., 103289 Moscow

To: O. A. Yegorova,
Chairman of the Moscow City Court

Copy to: Lawyer T. K. Dolbneva

A. S. R. Said

27.05.2002 OPG No. 5f02-1131

Please find enclosed the appeal by Said Abaz Said Rakhman against the decision of the Basmanny District Court of Moscow dated January 16, 2001, accepted during personal meeting.

Please demand and obtain this case and check it in the exercise of supervisory powers. Please pay special attention to the arguments of the case about the material violation by the court of procedural law rules, which, by virtue of Article 330 of the Code of Civil Procedure of the RSFSR, constitutes the grounds for overruling the court's decision by way of supervision, .

In compliance with Article 197 of the Code of Civil Procedure of the RSFSR the motivation part of the decision must state the arguments under which the court rejects this or that evidence.

The appellant points to the fact that according to the expert opinion available in the case materials his stay in the territory of Afghanistan is fraught with a real threat to become a victim of persecution for political reasons.

However, the court did not evaluate the above expert opinion in violation of Articles 14, 50 and 56 of the Code of Civil Procedure. The decision does not contain any arguments as to why the court rejected that evidence.

Please inform the appellant of the results of checking the case and send to the Supreme Court a copy of the supervisory protest or motivated opinion on the dismissal of the appeal.

Attached hereunder: documents.

Judge of the Supreme Court
of the Russian Federation /Signed/ V. B. Khamenkov