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June 11, 2003

The Honorable Xiao Yang  
Chief Justice  
Supreme People's Court  
27 Dongjiaominxiang  
Beijing  
The People's Republic of China, 100745

Dear Chief Justice Yang:

I am writing in regard to Jude Shao who currently has a petition before the Supreme People's Court. Mr. Shao is an American citizen who was convicted of tax fraud by the Shanghai No. 1 Immediate Court in March 2000. Since that time, Mr. Shao has made two petitions to appeal his conviction on grounds that the evidence presented in his trial was inconclusive.


In 1993, Mr. Shao established China Business Ventures (CBV) in Shanghai, a medical equipment vending company. Four years into conducting business in Shanghai, local tax auditors seized Mr. Shao's accounting records, and refused to return these records unless a "tax audit bond" was paid. When he refused to pay, police arrested Mr. Shao, and in May 2000 Mr. Shao was convicted of tax fraud for failure to pay import taxes.

In an independent report from the Experts' Committee convened by the Center for Research in Criminal Legal Science at National People's University, a panel of six prominent Chinese legal experts concluded that Mr. Shao deserves retrial because the evidence did not substantiate that Jude Shao orchestrated the false issuance of exclusive value-added invoices. Moreover, the panelists agreed that the additional pieces of evidence offered by Mr. Shao, such as CBV's May 1996 payment warrant, would have proven that CBV defrayed all necessary expenses for importing goods; thereby exonerating Mr. Shao of the tax fraud charges.

I respectfully request that you immediately retry Mr. Shao's case in accordance with Article 204 of Criminal Procedure Law of the People's Republic of China. Mr. Shao's case must be fully and fairly investigated in light of the questionable evidence and he must be afforded the protection of due process applied to American citizens participating in Chinese commerce.

Thank you for your prompt attention to this matter. I look forward to your reply.

Sincerely,



NANCY PELOSI  
Democratic Leader

June 11, 2003 Pelosi page 2  
Letter to Chief Justice Xiao Yang

cc: Ambassador Yang Jiechi  
Procurator General Jia Chunwang  
Chief Procurator Wu Guangyu  
Vice Chairman Gong Xueping  
Secretary of State Colin L. Powell  
Senator Richard G. Lugar  
Ambassador Clark T. Randt, Jr.