

Attorney-at-law  
**OLEKSANDR IVANOVYCH TELESHETSKIY**  
Certificate of right to practice law ЧП № 000173 of 28.07.17  
01032, Kyiv, Saksahanskoho, str., 112-B, office 22, tel./fax: (044) 235 08 42, 235 06 97  
mobile tel.: 4.38 (050) 671 71 92. E-mail: [teleshetskiy.oleksandr@gmail.com](mailto:teleshetskiy.oleksandr@gmail.com)

11 February, 2020, original № 307-к / 00299/2019-3144

Stamp:  
/State Bureau of Investigation  
Income no.4244-20  
From 11.02.2020

To the Director of the State Bureau of Investigation  
Iryna Valentynivna Venediktova  
01032, Kyiv, Symona Petliury, str. 15  
*in the interest of the victim Shokin Viktor Mykolaiovych,*  
*born on 04.11.1952*

### REQUEST FOR LEGAL PROCEDURE

On 28 January 2020, Shokin Viktor Mykolaiovych, born on 4 November 1952, filed an application to the SBI concerning the commission of a criminal offence against him by Joseph Biden, a citizen of the United States of America, in Ukraine and abroad: interference in the activities of a law enforcement officer, that is punishable under paragraph 2 Article 343, of the Criminal Code of Ukraine (hereinafter referred to as the “CC of Ukraine”).

This application has been accepted by the Office of the State Bureau of Investigation and registered under registration № 763VMI of 28 January 2020.

Taking into account the fact that the investigators of the State Bureau of Investigation were not provided with the requirements of Article 214 of the Criminal Procedure Code of Ukraine (hereinafter referred to as the “CPC of Ukraine”), information about the criminal offense according to the application of V.M. Shokin about the crime, within 24 hours from its receipt, was not entered in the (Unified Registry of pre-trial investigations (hereinafter referred to as the “URPI/YERDR (original), on 30 October, 2019, his representative filed a complaint to the Pecherskyi District Court of Kyiv about the inaction of the investigator, which consists in failing to provide information about a criminal offence to the URPI (original № 307-к / 00299 / 2019-3104).

As a result of this complaint consideration, the investigating judge of the Pecherskyi District Court of Kyiv I.V. Lytvynova, on 06.02.2020, has issued a decision on its satisfaction in case № 757/4597/20-к and obliged the authorized officials of the State Bureau of Investigation to enter into the Unified Register of Pre-trial Investigations the information from the V.M. Shokin application under registration № 763VMI of 28 January 2020 about the commission of criminal offences and to start a pre-trial investigation of the reported data.

According to paragraph 2 Article 21 of the Criminal Procedure Code of Ukraine (hereinafter referred to as the “CPC of Ukraine”), the judgments and rulings of the court which has entered into force, in the manner prescribed by the CPC of Ukraine, are binding and subject to unconditional enforcement throughout the territory of Ukraine.

Article 369 of the CPC of Ukraine defines a court order as a type of judgment.

The provision of Article 129-1 of the Constitution of Ukraine establishes that a judgment is binding. The state shall enforce the judgment in the manner prescribed by the law. The court shall monitor the enforcement of the judgment.

According to paragraph 4 Article 38 of the CPC of Ukraine the pre-trial investigation body is obliged to take all measures provided by law to ensure the effectiveness of the pre-trial investigation.

It is determined with paragraph 3 Article 93 of the CPC of Ukraine that the initiation by the defence party, the victim, the representative of the legal entity in charge of the proceedings, the conduct of investigative actions is carried out by submitting to the investigator, prosecutor the relevant motions, which are considered in the manner stipulated with Article 220 of the CPC of Ukraine.

According to Article 220 of the CPC of Ukraine, the request of the defence party, the victim and his representative or legal representative, the representative of the legal entity undergoing proceedings, the investigator, the prosecutor shall be obliged to consider within a maximum of three days from the moment of filing and to satisfy them, if there are appropriate grounds.

The outcome of the request consideration shall be communicated to the person who submitted the request. A full or partial rejection of the request shall be notified by a reasoned decision, a copy of which shall be handed over to the person submitting the request, and if the app request lication cannot be handed over for objective reasons, it shall be forwarded to the person submitting it.

My authority to represent V.M. Shokin under Article 50 of the CPC of Ukraine has already been attached to his application on committing a criminal offence of 28.01.2020 (registration № 763VMI).

Taking the above into account, pursuant to Article 129-1 of the Constitution of Ukraine, Articles 21, 38, 50, 93, 220, 369 of the CPC of Ukraine, -

#### **I ASK:**

1. To execute the decision of the investigating judge of the Pecherskyi District Court of Kyiv I.V. Lytvynova in case № 757/4597/20-к on 06.02.2020.

2. To submit to the Unified Register of Pre-trial Investigations information on the application (registration № 763VMI of 28.01.2020) from V.M. Shokin concerning the commission of a criminal offence against him by Joseph Biden, a citizen of the United States of America, in Ukraine and abroad, interference in the activities of a law enforcement officer , when such actions prevented the detention of persons who committed crimes, the responsibility for which is provided for in paragraph 2 Article 343 of the CPC of Ukraine (not later than 24 hours after receiving this request).

3. To submit an extract from the Unified Register of Pre-trial Investigations on the results of entering the information stated in the V.M. Shokin application on committing a criminal offence (registration № 763VMI of 28.01.2020).

4. To oblige investigators of the State Bureau of Investigation in the manufacture of which the criminal proceedings will be conducted on the application of V.M. Shokin on a criminal offence of 28.01.2020, to hand over to V.M. Shokin a note on the rights and obligations of the victim and to interrogate him as a victim.

5. To inform of the request consideration in the order and terms determined by the criminal procedural legislation.

LAW ASSOCIATION “LESHCHENKO, DOROSHEHKO AND PARTNERS”

**Additions:**

> a copy of the cover letter of the Pecherskyi District Court of Kyiv from I.V. Lytvynova of 07.02.2020, in case № 757/4597/20-к on 1 sheet;

> a copy of the decision of the Pecherskyi District Court of Kyiv from I.V. Lytvynova in case № 757/4597/20-к of 06.02.2020 on 1 sheet.

**Representative of the victim V.M. Shokin,  
attorney-at-law \_\_\_\_\_ O.I. Teleshetskiy**  
(signature)

\*Stamp / State Bureau of Investigation / registration № 4244-20 / of 11.02.2020 / number of sheets – 2 / main document – 2 / additions – 2 \*