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Name and State Bar No.: Alan Baskin/#013155
Attorneys for Stephen Barry Beizer

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA**

STATE OF ARIZONA,

Plaintiff,

vs.

STEPHEN BARRY BEIZER,

Defendant.

No. CR2001-003702 DT
SENTENCING MEMORANDUM

(Assigned to Honorable Jeffrey Cates)

Defendant Stephen Barry Beizer submits this sentencing memorandum in support of his request that the Court place him on probation and not impose any jail time.

DATED this 11th day of March, 2004.

BADE & BASKIN PLC

By [Signature]
Alan Baskin
80 East Rio Salado Parkway
Suite 515
Tempe, Arizona 85281
Attorneys for Defendant

1 Mr. Beizer has pled guilty and accepts full responsibly for his conduct. His actions
2 were part of a series of personal and professional mishaps that ultimately led to him
3 exercising some poor judgment. Mr. Beizer does not dispute that he misused Ms. Bradley and
4 Ms. Goppert's funds and he regrets his wrongdoing. Indeed, in September 1999, Mr. Beizer,
5 with the help of a friend, offered to pay Ms. Bradley back, but she rejected him.
6

7 This pleading provides some background information regarding Mr. Beizer and asks
8 the Court to conclude that no jail time, or a minimal amount of jail time is appropriate.
9

10 Stephen Beizer is 56 years old. He has been married for 37 years to his high school
11 sweetheart, Helene Beizer. In 1968, Mr. Beizer graduated from the City College of New
12 York with a B.A. in Political Science and in 1969 he earned a Masters in History. From the
13 late '60s to the early '70s Mr. Beizer taught special education in Brooklyn, New York.
14

15 In 1973 Mr. Beizer started a rare coin company called Numisma Gems, Inc. This was
16 a successful business that he operated until 1988. During that timeframe Mr. Beizer's
17 business grew and the Beizers lived in a house they bought in South Bellmore, New York.¹
18

19 In 1988, Mr. Beizer sold the coin business and the Beizers moved to Phoenix. The
20 sole reason for the move was their son Jaret's health. Mr. Beizer started some other
21 businesses which were unsuccessful, and the Beizers had to declare bankruptcy in 1991.
22

23 After the bankruptcy, Mr. Beizer opened a sports card and memorabilia business,
24 which is how he first met Ms. Bradley. Unfortunately, this business was unsuccessful. While
25

26 ¹ In 1980 and early 1981, Mr. Beizer was incarcerated in connection with his prior conviction
27 for conspiracy to distribute marijuana. This was Mr. Beizer's only previous contact with the
criminal justice system. While Mr. Beizer was incarcerated he was nevertheless able to
operate Numisma Gems, with the help of a partner.

1 Mr. Beizer was working in the sports memorabilia business, he also began to learn about the
2 hydroponic farming venture at issue. Mr. Beizer dedicated hundreds of hours of time and
3 energy toward researching and attempting to make the hydroponics venture work. The
4 project was just not meant to be.
5

6 After the hydroponic venture was unsuccessful, the Beizers ultimately relocated to Las
7 Vegas. From March 2001 until Mr. Beizer's arrest last summer the Beizers lived in an
8 apartment in Las Vegas. Since then, the Beizers have relocated to their present address.
9

10 Since Mr. Beizer's release from custody he has re-entered the sports memorabilia
11 business and he works for his brother-in-law at Numis Gems, Inc.², which is duly authorized
12 to do business in Arizona. Mr. Beizer's previous time in the sports memorabilia business was
13 before the internet boom, and he believes prospects are very good for the business, which he
14 has been working at diligently since August 2003. The company has a website, which is
15 "numisgems.com", and it has made several sales.
16

17 Mr. Beizer is dedicated to helping Numis Gems grow and paying back Ms. Bradley
18 and Ms. Goppert. He cannot do this if he is in jail. Although he has had some misfortune in
19 his life, he is actually a very stable individual. He has been married for 37 years; for over the
20 past 30 years he has lived primarily in either New York or Arizona; he had one long-standing
21 business; he is educated and he is painfully aware of the poor decisions he has made. Mr.
22 Beizer should have an opportunity to make amends.
23
24

25
26 ² The company was originally formed to sell both coins and sports memorabilia. When Mr.
27 Beizer learned that in Arizona the sale of coins could implicate securities laws, he abandoned
that aspect of the business plan, and has focused entirely on sports memorabilia.

1 The Court should be aware of another issue directly relevant to sentencing. When Mr.
2 Beizer was arrested last June he was living in Las Vegas. Although he almost immediately
3 waived extradition, it still took approximately a month before he was transported to Phoenix.
4 During that timeframe, Mr. Beizer lived in intolerable conditions. He was kept in small,
5 overcrowded pens with several other individuals; he did not have air conditioning; he did not
6 take a shower or get regular meals for the last couple of weeks of his confinement; and he was
7 transported to several different counties in Arizona before he made it to Maricopa County.
8 Mr. Beizer was then in custody for another month until his bond was reduced and he was able
9 to obtain his pretrial release.
10

11
12 This period of incarceration allowed Mr. Beizer to reflect upon the choices he had
13 made in the past, and the opportunity he had to make better choices in the future. Since his
14 release from custody he has thrown himself into his new business venture; he remains
15 committed to his family and he is well aware that he needs to work in order to pay back the
16 victims. Mr. Beizer is very committed to doing the right thing, and he just asks for the
17 opportunity to do so.
18

19
20 Mr. Beizer's pre-sentence incarceration was far worse than any jail time the Court
21 could impose. The previous jail time taught Mr. Beizer the valuable lesson he needed about
22 his bad choices. We respectfully submit that Mr. Beizer should not be sentenced to any
23 additional jail time.
24

25 The Beizers have a 29 year old son named Jaret. Ordinarily, undersigned counsel
26 would not make much reference to a client's child in a pleading such as this, but Jaret
27 deserves special mention. He is developmentally disabled. Although he is 29, he functions at

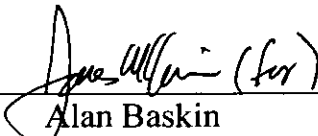
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1 or below the level of a 5 year old. He also suffers from some physical disability, and his
2 condition is readily apparent when you meet him. Undersigned counsel has met Jaret several
3 times, and he is delightful. His mother is not able to care for him by herself, and he very
4 much needs his father's help. If Mr. Beizer is away from his son for an extended period it
5 could have terribly negative effects on Jaret. We ask the Court to factor this into its
6 recommendation, because it is a legitimate concern.
7

8
9 We ask that the Court place Mr. Beizer on standard probation, and not sentence him to
10 any jail time. Mr. Beizer is not a bad person, but he has exercised very poor judgment and
11 deeply regrets his actions. He should be placed on probation and not receive any jail time.
12 This way Mr. Beizer can begin to repay Ms. Bradley and Ms. Goppert. The following
13 mitigating factors support a grant of probation: Mr. Beizer's age, the length of Mr. Beizer's
14 marriage, his child, his complete acceptance of responsibility, his willingness to repay the
15 victims and his remorse.
16

17 DATED this 11th day of March, 2004.

18 BADE & BASKIN PLC

19
20
21 By 
22 Alan Baskin
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24 Suite 515
25 Tempe, Arizona 85281
26 Attorneys for Defendant
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COPY of the foregoing hand-delivered
this 11th day of March, 2004 to:

Honorable Jeffrey Cates
Maricopa County Superior Court
201 West Jefferson
Phoenix, AZ 85003-2243

COPY of the foregoing mailed
this 11th day of March, 2004 to:

Jeffrey A. Rueter
Assistant Attorney General
Office of the Attorney General
1275 W. Washington
Phoenix, AZ 85007
Attorneys for Plaintiff



beizer.ag/pld/sentencing mm.doc