

Suit: Marin deputy DA scammed dying man out of Plumas cabin

By Paul Liberatore, Marin Independent Journal

Thursday, August 17, 2017



A Marin County deputy district attorney has been accused in a lawsuit of conning a dying man into signing over the deed to the mountain cabin where he lived all his life.

The defendant, Robert Ashley, 30, who has worked in the Marin DA's office since May, said "the allegations are entirely false, and I think that will be very successful in the courts."

The suit against Ashley and his mother, Marilyn, is being brought by Nate Accomazzo, a San Anselmo electrician who is the nephew of Stacey Accomazzo, who owned the cabin free and clear before he died of cancer in May at age 69. The Ashleys were his next door neighbors in a rustic part of Plumas County 90 miles northwest of Lake Tahoe.

According to Nate Accomazzo's suit, his uncle — who had inherited the cabin from his father — wanted it placed in a revocable trust so that he and his brothers would inherit it after his death. Ashley volunteered to handle the legalities of that for free as a neighborly gesture.

Instead, the suit alleges, he and his mother visited him while he was hospitalized in the intensive care unit and was on a morphine drip after surgery. Without speaking to a doctor or anyone at the hospital about whether Accomazzo was competent, Ashley had him sign over the deed to the cabin to him as a gift and had a notary certify it.

"Stacey Accomazzo had no recollection of this when he got home from the hospital," said Bill Ford, a San Rafael lawyer representing Nate Accomazzo. "He was extremely distressed. He didn't know how any of this happened."

According to Ashley's lawyer, Albert Cordova, Stacy Accomazzo's longtime personal lawyer was present in the intensive care unit and spoke to him before he signed the deed.

"If he was out of his mind at the time, someone (his lawyer) who had known him for years would see that," Cordova said.

Asked why Accomazzo would give his property to a neighbor instead of his own family, Cordova said "they had a longstanding personal relationship. They spent a lot of time together. Their families were close. And he told his lawyer that's what he wanted to do."

Nate Accomazzo doesn't buy that.

"He (Ashley) tried to play me like he was over there all the time," he said. "He made it sound like he was my uncle's second son, his best friend, and that he wanted him to have the house."

Accomazzo said Ashley allowed him and his father, Steve, to go into the cabin to retrieve a gun collection and other personal property that had belonged to his uncle.

"I felt like we were ransacking our own house," he said.

His suit, which asks for the return of the property as well as punitive and compensatory damages, is still in its early stages. A lawyer familiar with the case said it could drag on in the courts for two years before it's resolved. In addition, it's being investigated by the state bar.

"To be totally honest, I'm still in shock," Accomazzo said. "This is the place where my dad had planned on retiring himself. This whole thing has brought on so much anxiety."

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