

LOCAL // BAY AREA & STATE

Lawyer conned dying man into signing over Sierra cabin, lawsuit claims

Michael Bodley , San Francisco Chronicle

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A photo from March 2017 just after Stacey got out of the hospital. Tyler Accomazzo (left), Steve Accomazzo (center), Nate Accomazzo (right), and Stacey Accomazzo in the wheel chair. Stacey Accomazzo died ...

Inside his hospital room, Stacey Accomazzo's brain swam in a cocktail of drugs, designed not to cure the cancer that had breached his body but to keep the pain at bay until he died.

Doctors and nurses made the 63-year-old Plumas County man as comfortable as possible with morphine and other drugs as his lung cancer spread. But with Accomazzo's mind scrambled, a lawyer who is now a Marin County prosecutor conned the dying man out of a Sierra cabin that had been in the family for generations, according to a lawsuit filed on behalf of Accomazzo's nephew.

The lawyer, Robert Ashley, and his mother, Marilyn Ashley, who is also named in the suit filed last month, "vigorously dispute the allegations," said Albert Cordova, an attorney representing both of them. Accomazzo's nephew "has made allegations under oath that we believe will be demonstrated to be false," Cordova said.

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The State Bar of California has opened an investigation into the affair, according to a letter from the association obtained by The Chronicle.

Robert Ashley, 30, was hired as a deputy district attorney in Marin County in May, the month Accomazzo died. Barry Borden, an assistant district attorney for Marin County, said that the district attorney's office was aware of the lawsuit, but that it would be inappropriate to comment on the "unresolved allegations."

The suit, filed in Plumas County Superior Court, seeks unspecified damages and legal fees.

Accomazzo's nephew, 44-year-old Nate Accomazzo, said his uncle was a "mountain man" who worked odd jobs like laying tiles. He would spend his afternoons on the porch of his cabin, located on a spread at the edge of Plumas Pines Golf Course, about 90 miles northwest of Lake Tahoe.

It's a simple building with a sloped metal roof. In a recent photo, a homemade sign above the front door reads "Accomazzo" in orange block letters; a Weber charcoal grill is propped in a cluttered yard.

Members of the Accomazzo family have lived in the cabin for generations, Nate Accomazzo said. He said he visited the cabin when he was growing up, feeding raccoons on the back porch with his grandmother and watching his grandfather split logs.

Stacey Accomazzo loved guns, a swig of Budweiser and a drag from a hand-rolled cigarette, his nephew said. In December he was diagnosed with lung cancer, which metastasized to his spine, liver and brain in short order.

Robert Ashley and his mother had a vacation home near the Accomazzo cabin, and knew by early 2017 that Stacey was having health problems, the nephew's lawsuit says. Bill Ford, an attorney who filed suit on behalf of the nephew, said that the Ashleys and Accomazzo weren't close, but that Stacey knew Robert Ashley was a lawyer who had a private practice in Napa.

In mid-January, before Accomazzo went into the hospital, the Ashleys visited him at the home of a friend who was caring for him, according to the lawsuit. The suit claims that in that initial meeting, Accomazzo "stated that he wanted his property placed in a revocable trust" for his family. That designation, Ford said, would have allowed the property deed to be transferred to Nate Accomazzo when Stacey died.



Nate Accomazzo at his business in San Anselmo, Calif., on Tuesday, July 25, 2017. Accomazzo is fighting the transfer of his uncle's home to a Marin County DA, claiming in a lawsuit that the transfer was done when his uncle was medically incapacitated.

Ashley offered to oversee the trust, the suit claims. Ford said that pivotal action laid the groundwork for Ashley to obtain the property.

Within days, Accomazzo was admitted to Renown Regional Medical Center in Reno, suffering from a ruptured bowel. On Feb. 5, as Accomazzo “was administered continuous doses of morphine and other medication throughout the day,” Robert Ashley, another attorney and an independent notary paid him a visit, according to the suit.

Accomazzo signed over his cabin property to Ashley as he lay in the intensive care unit, the lawsuit says. The transfer is recorded in Plumas County records as a “gift,” meaning it was not sold.

Ford said the terminally ill man was “drugged up out of his mind” when he signed the transfer. Medical records confirm that Accomazzo was receiving morphine throughout that day and into Feb. 6.

After Accomazzo was taken off the morphine, he sued in Plumas County Superior Court, seeking to have the transfer overturned. The court placed a temporary hold on the property, preventing it from being sold or altered, pending the resolution of the legal action, but in the meantime, Ashley got to keep the land and cabin.

Nate Accomazzo, who works as an electrician in San Anselmo, said his uncle had told him that he and other family members would inherit the cabin.

“I remember my father getting in touch with me, and going, ‘Hey, you know, Stacey’s got cancer. We’ve got to go up and see him. We’ve got to deal with the house and what’s going to happen with this thing,’” Nate Accomazzo said. “We knew it was bad. ... That’s when the Ashleys made their move and beat us to Stacey.”

The Reno hospital’s records show that Robert Ashley was barred from visiting Stacey Accomazzo because he had been “accused of financial exploitation.” The records do not show who made the accusation.

The records also show that Marilyn Ashley tried to visit Accomazzo on a separate occasion, but was kicked out by hospital security.

After that, the hospital moved Accomazzo to another room, where he was listed under the alias “Rvdurango Seventeen,” the records show. Listing a patient under an alias is a rare occurrence that is often reserved for victims of violent crimes, Ford said.

In the spring, Ashley gave Nate Accomazzo and his father permission to visit the cabin to gather some things, the nephew said. They took out military service rifles dating from the Korean War and other heirlooms. The TV set on which his uncle watched “MASH” and “Jackass” reruns did not make it into the bed of Nate’s black Chevy Silverado.

“We basically ransacked our own house,” Nate Accomazzo said.

Stacey Accomazzo spent his last days in the nearby living room of a friend and registered nurse, Karin Roosenschoon. “He had his moments of railing at the great beyond,” she said. “But he really tried to enjoy what he had left.”

Accomazzo liked to watch old Westerns on TV. When he could muster the energy to sit up, he looked out the bay window and watched birds at a nearby feeder.

The end came May 4. By then, Roosenschoon said, Accomazzo had made his peace with the world — “a beautiful thing.” But he could not let go of the loss of the cabin.

“Stacey could not believe it,” she said. “He could not believe it.”

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