

Special deputy city attorney ready to take on any Mount Soledad cross legal challenges

By Arthur Lighbourn

San Diego's politics gets "curiouser and curiouser."

Take Charles LiMandri and the controversial 29-foot-high Mount Soledad memorial cross, for example.

LiMandri is a Rancho Santa Fe trial lawyer and pro bono West Coast director of the Christian-oriented Thomas More Law Center. For the past year, LiMandri has been in the forefront of efforts to transfer the concrete cross and its surrounding walls and plaques located on a half-acre of city-owned land to the federal government for use as a national war memorial.

LiMandri, a Republican, was instrumental in getting Republican congressmen Randy "Duke" Cunningham and Duncan Hunter to author a bill signed into law by President Bush last December in which the federal government agreed to accept the land if San Diego should donate it.

"The city council of San Diego, in a divided vote, voted on March 8 of this year not to donate the land because they thought it would just continue the litigation and at the time (City Attorney) Mike Aguirre was advising them that he thought personally that it would be unconstitutional," LiMandri said.

In a special election July 26, San Diego voters approved the donation by a "yes" vote of 76 percent.

Then, in a move that surprised some city council members, Aguirre appointed LiMandri as a pro bono special deputy city attorney to handle any future court challenges to the transfer.

Although Aguirre was on record opposing the vote, he appointed LiMandri because, as he said, the "voters deserve their day in court" and LiMandri concurred that the voters' views should be presented "by someone who passionately believes in them."

ACLU-funded (American Civil Liberties Union) lawyer James McElroy, whose client Philip Paulson, a Vietnam vet and avowed atheist, filed the first lawsuit challenging the presence of the cross on public land in 1989, accused the city attorney's office of shirking its responsibility by appointing LiMandri and opening the city to a new constitutional challenge by showing a preference for religion.

The first court challenge to the transfer is scheduled for Oct. 3. LiMandri will be representing the city before Superior Court Judge Patricia Yim Cowett who issued a temporary restraining order on the transfer after tentatively ruling that the transfer is unconstitutional.

We interviewed LiMandri in his law offices located in the Fairbanks Village Plaza.

The 50-year-old trial attorney looks a bit like actor Danny Aiello. He's 5 foot 10, 205 pounds,

with a full head of black hair that is beginning to silver, and a smile that undoubtedly goes a long way in and out of court.

He's also a practicing Catholic and father of five children.

On the wall of his conference room is a portrait of his favorite lawyer of all time: Sir Thomas More (1478-1535). As Chancellor of England, More got into deep trouble when he refused to sign an oath accepting Henry VIII as the Supreme Head of the Church in England which cleared the way for Henry to have the Church of Queen, Katherine of Aragon, so he could marry Anne Boleyn. More resigned, was subsequently arrested, tried, found guilty of treason and beheaded.

More, renowned for his piety, integrity and balanced judgment, in his lifetime, was regarded by contemporaries as a "man for all seasons" and 400 years after his death was canonized a saint by the Roman Catholic Church.

Of Sicilian heritage, LiMandri was born in San Diego's Mercy Hospital in 1955. He grew up in East County. His father, Joseph, was a union official.

"Curiously I went to grade school, St. John of the Cross in Lemon Grove, and I remember the old monsignor there in 1966 coming into our class and telling us about this movie that had just come out, 'A Man for All Seasons,' and that we should see."



Charles LiMandri
Photo/Carla Van Wagoner

As it turned out, LiMandri didn't get to see the film until 10 years later after graduating from USD and while interning at the City Attorney's office in San Diego.

"It really inspired me that much more to want to be a lawyer and to try to build it up to some of

the ideals that Thomas More reflected."

LiMandri attended St. Augustine High School, earned his B.A. in English, magna cum laude, from the University of San Diego; did graduate studies in 16th century English literature and the life