

Simpson Thacher Wins New Parole Hearing For New York State Inmate

06.29.15



On June 23, Simpson Thacher successfully secured a new parole hearing on behalf of a client who has been incarcerated in New York State for almost 27 years, seven years longer than the minimum sentence imposed. The New York Supreme Court found that the Parole Board's decision to deny release was "arbitrary and capricious" because the Board did not "explain in its decision how releasing petitioner...would so deprecate the serious nature of the crime as to undermine respect for the law." The court highlighted our client's positive achievements while behind bars and held that "the record before the Court...raises the inference that the Board's stated reasons for denying petitioner parole release are merely pretextual." The court ordered a *de novo* parole hearing, with at least two Parole board members who were not involved in the previous hearings, to occur within 30 days.

The Simpson Thacher team included Michael Garvey, Lara Pomerantz (who argued the petition), and Matthew Bricker.

Team and Contacts

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