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**07-2018**  
**For Immediate Release**  
**January 26, 2018**

**BRONX DISTRICT ATTORNEY DARCEL D. CLARK ANNOUNCES SHE WILL  
MOVE TO VACATE MURDER CONVICTION OF BRONX MAN  
AND CONSENT TO HIS RELEASE AFTER 20 YEARS IN PRISON  
Conviction Integrity Unit Re-Investigated 1996 Case,  
Discovered Evidence and Determined That Defendant Did Not Receive Fair Trial**

Bronx District Attorney Darcel D. Clark today announced that she will move to vacate the conviction of a Bronx man in a 1996 murder, after a review of the case by the District Attorney's Conviction Integrity Unit determined that the defendant did not receive a fair trial.

District Attorney Clark said, "Larry McKee is serving 24 years-to-life for murder, but the Conviction Integrity Unit has uncovered potentially exculpatory evidence that was not provided to the defense at the time of trial. Because of this, I will ask the Court on Monday, January 29, 2018, to vacate McKee's conviction in the interest of justice so he can be freed as soon as possible.

"The Conviction Integrity Unit did an exhaustive re-investigation of this case, which involved the killing of Theodore Vance, a 29-year-old man shot and killed in 1996. Once again, our Conviction Integrity Unit has corrected a wrong from the past. We will never stop in our quest to ensure fairness and integrity in the criminal justice system. "

The hearing on vacating the conviction will take place at 2:30 p.m. on Monday, January 29, 2018 before Administrative Judge of Supreme Court, Criminal Term, Hon. Robert E. Torres in Room 620 in the Bronx Hall of Justice.

McKee, 46, was sentenced to 24 years-to-life in prison after a trial in Bronx Supreme Court in 1997. He was convicted by a jury of second-degree Murder in the fatal shooting of 29-year-old Theodore Vance on February 19, 1996, on 176<sup>th</sup> Street between Andrews and Montgomery Avenues.

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McKee's attorney, Michael Talassazan, contacted the CIU six months ago, provided some new evidence and asked the unit to review the case. Assistant District Attorney Risa Gerson re-interviewed witnesses and examined thousands of pages of the trial file. Gerson discovered grand jury testimony of a witness who had heard the victim's last words, which indicated "a Spanish guy."

The evidence raised a question as to whether the shooter had been correctly identified because McKee is black, and it should have been turned over to the defense. Once ADA Gerson determined that the testimony had not been turned over to the defense, she gave it McKee's attorney.

The reinvestigation of the case was conducted by Assistant District Attorney Risa Gerson with Assistant District Attorney Seth Steed under the supervision of Gina Mignola, Chief of the Conviction Integrity Unit, and the overall supervision of Julian Bond O'Connor, General Counsel to the District Attorney.

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