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**AFTER 23 YEARS IN PRISON FOR A MURDER HE DID NOT COMMIT,  
NEW YORK SUPREME COURT TO RULE ON MOTION TO VACATE  
CARMINE CARINI'S CONVICTION**

*Two notorious mobsters "Fat Sal" and Frank Smith—now prized federal informants—offered testimony establishing Carmine Carini's innocence.*

**WHAT:** Ruling on Motion to Vacate Conviction of Carmine Carini  
**WHEN:** Thursday, May 10, 2007; 10:00 a.m.  
**WHERE:** Kings County State Supreme Court; 320 Jay Street; Brooklyn, NY  
Hon. Guy J. Mangano, Jr., Courtroom 1728 (17<sup>th</sup> Floor)

After serving 23 years in prison for a murder he did not commit, Justice Guy J. Mangano, Jr. is expected to announce his ruling tomorrow on Carmine Carini's motion to vacate his conviction.

A brief summary of the case and relevant proceedings is attached.

Mr. Carini is represented by Ronald L. Kuby and David Pressman of Kuby & Perez LLP.

A full set of motion papers is available by contacting Kuby & Perez LLP.

## **CARMINE CARINI: WRONGFULLY IMPRISONED FOR 23 YEARS**

### *A Brief Summary*

Carmine Carini filed a motion in Kings County State Supreme Court demanding a new trial in his conviction for the murder of Bay Ridge record-store owner Verdi Kaja, citing new evidence from mob informants that the real killer was his own cousin, the late Vincent Carini. An evidentiary hearing—featuring the testimony of federally protected witnesses, “Fat Sal” Mangiavillano and Frank Smith—was held on February 27-28, 2007. Oral argument before the Court was conducted on April 23, 2007. Justice Mangano is expected to hand down his decision tomorrow, May 10, 2007.

Vincent Carini was a rising star in organized crime until he bungled the 1987 murder of then federal prosecutor William Aronwald, killing his father instead. In retaliation, Vincent Carini and his brother Enrico, also part of the Aronwald hit team, were killed by organized crime. The third member of the Aronwald murder team, Frank Smith, became a government witness.

The truth about Carmine’s innocence and Vincent’s guilt surfaced by accident, in the course of a federal debriefing of Frank Smith. During that debriefing, Smith informed prosecutors that he had stolen the car that was used to abduct Kaja and kill him. Smith had done so on Vincent Carini’s orders. Vincent Carini had subsequently told Smith that Carmine had been convicted of the Kaja murder, but the killing was committed by Vincent Carini and Sally the Geep. Smith provided federal authorities with details of the killing that were corroborated by the evidence that had been adduced at Carmine Carini’s trial. Smith’s truthful cooperation with federal authorities was deemed so useful that he himself was rewarded with a reduced sentence and is currently in the witness protection program.

Corroboration of Smith’s account also came in the course of another federal prosecution. During the trial of Thomas “Huck” Carbonaro and Peter Gotti for the attempted murder of Salvatore “Sammy the Bull” Gravano, the government’s star witness, one Salvatore “Fat Sal” Mangiavillano, was cross-examined about his own extensive criminal history. During that cross-examination, he acknowledged his involvement with Vincent Carini and told the jury that Vincent had admitted committing a murder for which his cousin was convicted. According to Fat Sal, Vincent Carini wept through the revelation. Fat Sal, too, was deemed to be fully truthful by federal prosecutors and the federal court.

Kaja was shot dead on November 18, 1983, after he was picked up at his Bay Ridge home by a man known to Kaja who driving a stolen Buick Century. Kaja’s wife and minor daughter originally claimed not to have seen the man, but later, at trial, identified Carmine Carini as the driver. Kaja and Carmine Carini had done some business together. There was no forensic evidence linking Carmine Carini to the crime. No motive was ever established. Years later, mob informant Frank Smith came forward and told federal investigators that Vincent Carini had borrowed money from Kaja that he refused to repay. When Kaja threatened to go to the police, Vincent Carini killed him for “being a rat.”