



(Hell Gate)

MORNING SPEW

# After 28 Years Trapped in a Legal Nightmare, Anthony Sims Is No Longer 'Guilty'

A state appeals court judge overturned Sims' conviction for a 1998 murder after years of resistance from the Brooklyn DA's office.

 Hell Gate

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On Wednesday, Anthony Sims, a 50-year-old man from Brooklyn who spent 23 years incarcerated after being convicted of depraved indifference murder in 1999, had that conviction [vacated](#) by a state appeals court after years of [advocacy](#) and [media scrutiny](#) of the evidence against him—and [vehement pushback](#) from the district attorney's office that convicted him.

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"While I am overjoyed to finally walk free, my relief is tempered by the profound frustration I feel toward a judicial system that took over two decades of my life," Sims said in a [statement](#) after the decision was released.

The reasons for Sims' frustration are well-documented: He was convicted of shooting Li Run Chen, a 27-year-old Chinese restaurant worker, based largely on eyewitness testimony from the only other person present when the shooting occurred, Sims' then-friend Julian Graves—who subsequently [gave conflicting reports](#) about whether or not police coerced him into testifying. Sims alleged for years that the Brooklyn DA's office suppressed evidence that Graves was actually the shooter, including another eyewitness report from a neighbor who knew Graves and said that she [saw him running out of the Chinese restaurant holding a shotgun](#) after Chen was killed. Sims did not testify at his own trial, and he was found guilty and sentenced to 25 years to life in prison.

Sims maintained his innocence throughout his 23 years of incarceration. The Brooklyn DA's conviction review unit rejected his first request to have his case reexamined in 2016. At the time, the attorney leading the review unit, Mark Hale, was the [same attorney who had served as lead prosecutor](#) in the case against Sims. "I wrote in bold letters, 'I AM INNOCENT,'" Sims said in a

statement to New York Focus in 2021. But instead of reaching out to Sims, the conviction review unit sent him what appeared to be a form rejection letter.

Sims finally got a wrongful conviction hearing in September 2021, coinciding with Brooklyn District Attorney Eric Gonzalez's announcement that his office would [vacate 378 convictions](#) that relied on testimony from NYPD officers convicted of misconduct while on duty. Still, the DA's office defended its case against Sims, even as at least one witness for the prosecution in Sims' 1999 trial [recanted her testimony](#) implicating him in the murder. When Hale (then retired) took the stand, [the CITY reported](#), he repeatedly testified he did not remember major elements of the case against Sims, including Graves' testimony, the murder victim, or even his own closing argument that successfully convicted Sims.

In December 2022, Sims was [released from prison on parole](#) after his first petition was successful; in March 2023, Brooklyn Supreme Court Judge Danny Chun [ruled](#) that Sims' legal team had "failed to provide clear and convincing evidence that the defendant is actually innocent." It was that decision that the Appellate Division Second Department, after a January hearing, reversed on Wednesday, finally vacating Sims' conviction.

In his fight to have his case overturned, Sims received support from other Brooklyn exonerees, his sons, and both his ex-wife and his current wife. In his statement to the media on Wednesday, he said the court's decision was "not just a victory for me, but also a testament to the power of unwavering support. I am eternally grateful to my incredible family, the tireless legal team, and every supporter who stood by me and never lost faith."

A spokesperson for the Brooklyn DA's office told Hell Gate that it is currently "reviewing the decision" from the Appellate Division Second Department.

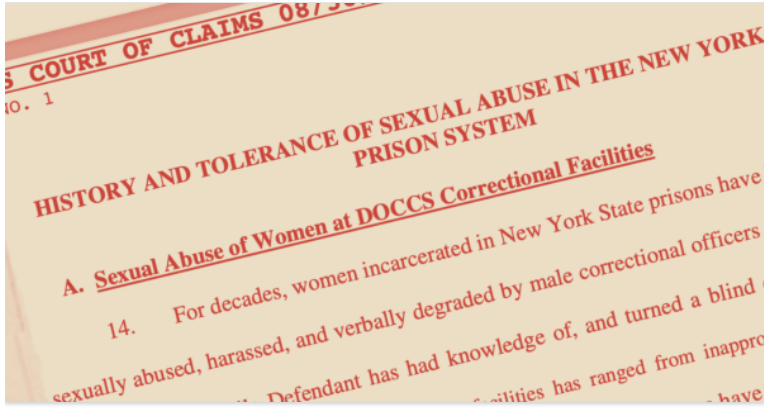
### **These links will be hard not to remember:**

- Mayor Zohran Mamdani's [kinder, gentler](#) homeless encampment sweeps [launched yesterday at 11 locations](#), with a City Hall spokesperson telling Gothamist that most were of sites where people were no longer sleeping. "This is not a new day," said one formerly homeless activist. "Same thing that we've been seeing for all past administrations."

- The State Assembly's proposed budget includes [sending checks of up to \\$500](#) to New Yorkers to ease rising energy costs. Governor Kathy Hochul [still wants to revamp](#) the state's law to combat climate change, but hasn't said how. Instead, she's "waiting until she has maximum leverage in budget negotiations" to reveal her plans, writes City & State.
- Moody's has [downgraded New York City's financial rating](#) to "negative" because of its projected budget deficits (honesty doesn't work, kids), though it's largely meaningless since the City still has a solid "Aa2" bond rating.
- A Brooklyn Frontiers High School student from Guinea who was [seized by ICE agents last August during an immigration hearing](#) told BK Reader the Pennsylvania facility where he was detained for four months kept detainees from sleeping by turning on lights and making noise in the middle of the night: "They treated us like criminals or murderers or worse."
- The number of [drivers ignoring tolls-by-mail](#) has more than doubled since 2022, and the MTA wants the legislature to take action against chronic scofflaws.
- [Expanding free child care beyond the end of the school day](#) could help working parents, but will Mamdani do it?
- A Streetsblog investigation into Hochul's claim that staged car crashes are driving up insurance premiums finds that [this is not really a thing](#).
- Developers are seeking to [convert the former Watchtower headquarters](#) on the Brooklyn waterfront into more than 600 units of housing, 20 to 30 percent of it affordable, though their [initial presentation](#) doesn't specify at what income range.
- DSA congressional candidate Darializa Avila Chevalier revealed she [ranked Brad Lander last on her mayoral primary ballot](#) last year in part due to what she saw as his lackluster support for Mahmoud Khalil, but now supports him in his own congressional campaign against Dan Goldman because "New Yorkers everywhere deserve a Representative who isn't bought by AIPAC."
- Another day, another [pedestrian killed by a hit-and-run driver](#). The latest victim is a 58-year-old woman in Jamaica who was struck by a car while crossing the street.
- Doja Cat says actually, never mind, Timothée Chalamet, [she doesn't really care about opera or ballet either](#).

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