

## Crowell & Moring Client Crosley Green Freed from Prison

### *Pro Bono Client Released after 30 Years of Wrongful Incarceration*

**Washington, DC – April 8, 2021:** Crowell & Moring client Crosley Green walked out of prison last night into the open arms of his family after spending more than three decades incarcerated for a murder he did not commit.

U.S. District Court Judge Roy B. Dalton granted a motion on April 7 filed by Crowell & Moring's *pro bono* team to release Mr. Green from the Calhoun Correctional Institution in Florida, citing health risks stemming from the COVID-19 pandemic and the fact that Mr. Green's conviction in the 1989 shooting death of Charles "Chip" Flynn was overturned nearly three years ago by the same court, a decision that the state appealed to the 11<sup>th</sup> Circuit Court of Appeals in 2018. In addition, Judge Dalton found that Mr. Green has been a "model prisoner" who would pose no danger to the public, based on a declaration from the prison's warden obtained by Crowell & Moring.

"The public has a strong interest in the release of a prisoner whom the Court has found to be incarcerated in violation of the Constitution. The Court finds that the public interest weighs in favor of granting release pending appeal," Judge Dalton wrote. "The Court determines that, because of the impact of the COVID-19 pandemic and the length of time to resolve Petitioner's appeal ... Petitioner would be substantially injured since the Court has already reversed his conviction and ordered a new trial."

The ruling allows Mr. Green, now 63, to reside with family on conditional release until the 11th Circuit Court of Appeals rules on his case. In 1990, an all-white jury convicted Mr. Green of first-degree murder of Mr. Flynn, a 22-year-old Titusville, Fla. man, and sentenced him to death. Crowell & Moring took Mr. Green's case *pro bono* in 2008. One year later, the firm won Mr. Green's release from Florida's death row.

In 2018, Crowell & Moring secured a landmark victory for Mr. Green when the federal court in Orlando granted his petition for *habeas corpus*, ordering the state to set him free or grant him a new trial. The court found that Mr. Green's constitutional rights had been violated when Brevard County prosecutors withheld key exculpatory evidence of Mr. Green's innocence in his original trial. The Florida Attorney General has fought his release during the appeal despite the fact that no physical evidence ties Mr. Green to the crime, and four of the prosecution's witnesses have recanted their testimony, alleging prosecutorial misconduct occurred at the time of their original testimony.

"After fighting to prove his innocence for more than three decades, Crosley Green is finally free and will be with his family once again," said Keith J. Harrison, a partner at Crowell & Moring. "We are extremely grateful to Judge Roy Dalton, Jr. for granting Mr. Green's immediate release as he awaits his ruling in the 11th Circuit Court of Appeals. There was never a shred of credible evidence that Crosley Green committed this crime. We have fought relentlessly since 2008 to prove his innocence, and we have faith that justice will prevail."

"It is incredibly rewarding to see Mr. Green with his family and to know that he will soon get to meet grandchildren he has never seen before. This is the moment Mr. Green has been dreaming about for decades, and it is an honor for our firm to play a role toward helping him achieve justice," said Jeane A. Thomas, a partner at Crowell & Moring.

"It's been three decades since Mr. Green's original trial, nearly 12 years since he was removed from death row, and nearly three years since his conviction was overturned. Mr. Green is an innocent man who never lost faith

that, one day, the justice system would recognize his wrongful conviction, and he would reunite with his family once again,” said [Vincent J. Galluzzo](#), a Crowell & Moring partner.

Mr. Green’s counsel includes Crowell & Moring partners Keith J. Harrison, Jeane A. Thomas, Vincent J. Galluzzo; Crowell & Moring *pro bono* specialist Virginia Martin; former Crowell & Moring partner Robert Rhoad; and Florida counsel Mark E. Olive. For more information on the case, visit: [Crosley Green information page](#).

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