

Larry Ruffin Exonerated Posthumously Of 1979 Mississippi Murder

Larry Ruffin and two co-defendants, Phillip Bivens and Bobby Ray Dixon, were convicted of Eva Gail Patterson's 1979 rape and murder in Hattiesburg, Mississippi.

The lone eyewitness, Patterson's four-year-old son initially told the police there was one assailant and he didn't identify Ruffin, Bivens, or Dixon.

The three men were charged with capital murder and faced the death penalty. Bivens and Dixon confessed to the crime and pled guilty in exchange for life sentences. They also testified against Ruffin during his trial in 1980. After Dixon testified that Ruffin raped Patterson and Bivens slit her throat, he recanted that testimony telling the jurors he had never seen Patterson in his life and all three men were innocent.

Ruffin was also sentenced to life in prison. He died in 2002 from a heart attack after he was accidentally electrocuted. He was 43.

The New Orleans Innocence Project accepted the case of the three men, and pursued DNA

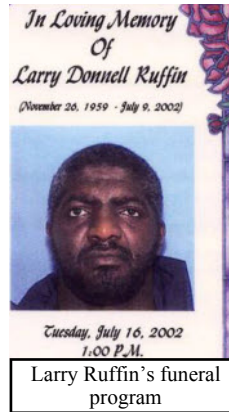
testing of the victim's rape kit. In June 2010 the DNA testing excluded all three men. However, those tests implicated another man – Andrew Harris – who was serving a life sentence for a 1981 rape in Hattiesburg, where Patterson had been raped and murdered.

Dixon and Bivens filed motions to vacate their convictions based on the new evidence. Dixon was dying of lung cancer and he was released on compassionate parole on August 20, 2010. On September 16, 2010 Forrest County, Mississippi Circuit Judge Robert Helfrich vacated Dixon and Bivens' convictions and Bivens was released on bail.

The 53-year-old, Dixon died on November 7, 2010, less than three months after his release.

In December 2010 a Forrest County grand jury formally dismissed the charges against Dixon and Bivens, 59.

Judge Helfrich signed an Order on February 18, 2011 that stated: "Larry Ruffin is officially exonerated and declared innocent of the crime of capital murder for which he was convicted in 1980 in Forrest County. That conviction is



null and void."

Ruffin's daughter Nikki Ruffin Smith was less than a year old when her father was arrested. She said after his exoneration, "It's wonderful. It can't bring him back, but justice is served. So is the truth."

Ruffin is the second person in the United States posthumously exonerated based on DNA evidence. Timothy Cole died in 1999, and he was exonerated in Texas in 2009 of a 1985 rape.

Bivens and the estates of Ruffin and Dixon are eligible under Mississippi's wrongful conviction compensation law for a maximum of \$500,000.

The same Forrest County grand jury that dismissed the charges against Bivens and Dixon indicted Harris for capital murder in Patterson's death. Harris is currently awaiting trial.

Sources:

Ex-inmate cleared after his death, *Clarion-Ledger* (Jackson, MS), 2-21-2011
Bobby Ray Dixon – Rest in Peace, Say It Ain't So Already, November 9, 2010.



Arab Sheik Cleared Of Assault In Swiss Bar Sued For Defamation

Sheik Falah bin Zayed bin Sultan Al Nahyan was convicted in 2008 of inflicting "bodily harm with the use of a dangerous object" for whipping Silvano Orsi with his belt buckle in the bar of the La Reserve hotel in Geneva, Switzerland. Nahyan was fined 540,000 Swiss francs (\$532,000), with all but 10,000 francs suspended for three years based on his good conduct.

Orsi, 35 from Rochester, New York, was in the bar talking with a friend when Nahyan sent an expensive bottle of champagne over to him. Orsi declined the champagne. He didn't know Nahyan, 33, who is a brother of the ruler of the United Arab Emirates. About fifteen minutes later Nahyan came over, sat on Orsi's lap, and tried to kiss and fondle him. When Orsi pushed him off, Nahyan became angry. He threw Orsi to the floor, punched and stomped him, and smashed his glasses. Nahyan then removed his belt and whipped Orsi with the metal buckle. While he was beating Orsi witnesses said that Nahyan yelled, "no stupid American or Italian is going to tell me what to do!"

Nahyan appealed his conviction. In March 2009 a Geneva appeals court overturned his conviction on the ground Nahyan's belt wasn't a "dangerous object" under Swiss law. On June 9, 2009 Switzerland's Supreme Court upheld the lower court's ruling. The European Human Rights court in Strasbourg declined to hear Orsi's appeal of the Swiss court's ruling.

Orsi suffered a herniated disc, nerve damage to his right leg, and he was diagnosed with post-traumatic stress from the assault.

In September 2010 Orsi filed a civil lawsuit in Switzerland against the Le Reserve hotel where the attack occurred and Nahyan.

On March 16, 2011 Orsi filed a \$7 million defamation suit in U.S. District Court in Boston against Nahyan. The lawsuit claims Orsi was slandered by Nahyan's false testimony and in statements he and his associates have made to news organizations that portray him as being anti-Islamic, homophobic, and a generally violent person. Orsi alleges that Nahyan's slander has resulted in his inability to get employment and resulted in further mental anguish as



Silvano Orsi

well as a great loss to his professional reputation and his professional standing in the community. The lawsuit is, *Orsi v. H.H. Sheik Falah bin Zayed bin Sultan Al-Nahyan*, 1:11-cv-10451-NG (USDC Boston), March 16, 2011.

Orsi is currently a law student at Boston University. His lawsuit is assigned to U.S. District Court Judge Nancy Gertner. In 2007 Judge Gertner awarded a total of \$101.7 million in compensation for the FBI's frame-up of Louis Greco, Henry Tameleo, Peter Limone, and Joseph Salvati for a 1965 Boston murder they were not involved in. The four men were wrongly imprisoned for a total of 107 years. Tameleo and Greco died in prison before evidence of the FBI's cover-up was discovered in December 2000.

Sources:

UAE president's brother beat man with belt over 'gay insult', *The Independent*, July 2, 2008
"Boston man sues UAE sheik for defamation," *Wall Street Journal*, March 17, 2010
"FBI's Legacy of Shame," *Justice Denied* magazine, Issue 27, Winter 2005,
"US ordered to pay \$101.7m in false murder convictions," *The Boston Globe*, July 27, 2007

