

NEWSDAY

Jesse Friedman's defamation suit against Nassau DA Kathleen Rice and aides can go forward, says judge

September 29, 2014 8:57 PM By BRIDGET MURPHY bridget.murphy@newsday.com



Jesse Friedman, with his wife Lisabeth, announces on Tuesday, June 24, 2014, in Mineola that he is filing a motion to dismiss his 1988 guilty plea for sexually molesting children. (Credit: Howard Schnapp)

A judge will let a convicted sex offender go forward with a defamation lawsuit against Nassau District Attorney Kathleen Rice and two of her aides after first dismissing the claim, a court official said Monday.

State Supreme Court Justice Angela Iannacci granted a defense motion to dismiss the complaint on Sept. 22 after plaintiff Jesse Friedman didn't file paperwork opposing the dismissal, court records show.

Friedman, 45, pleaded guilty in 1988 to sexually abusing boys who were students in computer classes at his family's Great Neck home.

He claims police manipulated children into false claims and that he pleaded guilty to avoid life in prison if convicted. He got out of prison in 2001 after 13 years. In the June lawsuit, Friedman claimed Rice defamed him in a June 2013 report that resulted from a review of his case that found his conviction justified. Rice's report cited a psychiatric report calling Friedman a "psychopath." Rice's report also stated he had pornography in prison, including stories he wrote. Prosecutors later acknowledged in court that prison officials had cleared Friedman of possessing pornography.

The suit said the psychiatric report was the work of "a novice psychologist" and had unsubstantiated allegations. It also named as defendants two Rice employees who deal with the media -- John Byrne and Shams Tarek -- and sought unspecified monetary damages.

Lonnie Soury, a spokesman for Friedman's attorney, Ronald Kuby, said Monday that Friedman never intended to drop the suit and blamed a paperwork mix-up. Soury said attorneys for both sides had agreed to more time for the plaintiff to respond to the defendant's dismissal motion, and that the plaintiff had sent paperwork to the court by courier on Sept. 18.

Court spokesman Dan Bagnuola said neither the judge's chambers nor the court system got the paperwork. He said lawyers for both sides agreed in a phone call with the judge's chambers that the judge and her staff weren't aware of the extension request before her dismissal order.

"Therefore it was agreed that the decision will be vacated," Bagnuola said. Rice's office declined to comment. Soury said the plaintiff was "appreciative that the judge has been nothing but accommodating in terms of fixing this matter."