

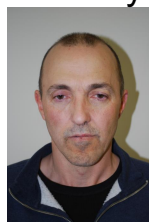
## PRESS RELEASE

### FOR IMMEDIATE RELEASE

April 2, 2010

Plattsburgh, N.Y. Clinton County District Attorney Andrew J. Wylie announced today that the Clinton County Grand Jury has returned an indictment against Anthony Pavone charging him with two counts of Murder First Degree, Penal Law section 125.27, subdivision 1(a)(viii) and b; two counts of Murder Second Degree, Penal Law section 125.25, subdivision 1, and one count of Criminal Possession of a Weapon Second Degree, Penal Law section 265.03, subdivision 1(b).

Anthony Victor Pavone, dob: 08/28/57, of 2164 State Route 22B, Morrisonville, New York appeared in Clinton County Court this morning with his attorney William T. Meconi before Hon. Patrick R. McGill, for arraignment on the five count indictment. Pavone entered a plea of not guilty to each count. The Clinton County District Attorney's office requested that the defendant be held without bail pending further court action.



Pavone is alleged to have gone to the residence of Timothy Carter located at 2032 Rte 374 in the Town of Dannemora, New York in the early morning hours of January 31, 2010 to confront his former girlfriend of many years Patricia Howard and Timothy Carter. While Pavone was at the Carter residence, Patricia Howard contacted Emergency Services 911 and the New York State Police to obtain assistance in having her ex-boyfriend Anthony Pavone leave the Dannemora residence. When the New York State Police arrived on scene, they discovered the deceased bodies Patricia Howard, age 43, and Timothy Carter, age 52. Autopsies conducted by Dr. Michael Ladwig at C.V.P.H. Medical Center on February 1<sup>st</sup> and February 2<sup>nd</sup> determined the cause of death for Patricia Howard and Timothy Carter to be by gun shot wound.

Following an extensive search of the Clinton County area and New York State for Anthony Pavone, Pavone's 2001 Siera GMC truck was located at the Del Motel in the Town of Kirkwood, Broome County, New York by a Broome County Sheriff's Deputy Thomas Sienko.



Upon locating the vehicle, contact was made with Pavone inside room 20 of the motel by Broome County Detective Sgt., Jason Ellis. Following several hours of negotiations, Detective Sgt. Ellis was able to have Pavone exit the hotel room at approximately 4:00 a.m., at which time Pavone was arrested on two counts of Murder Second Degree.

New York State Police Troop C Forensic Investigation Unit executed a search warrant in room 20 of the Del Motel, at which time a fully loaded 357 Magnum hand gun, serial number 7K63109 was secured from within Pavone's motel room which is suspected to be the murder weapon.



Pavone was returned to Plattsburgh on February 5, 2010 and arraigned on the original charges. He has been held at the Clinton County Jail since February 5, 2010.

Anthony Pavone is rescheduled to appear in Court on May 3, 2010 at 1:30 p.m. for a scheduling conference.

District Attorney Wylie and, on behalf of Major Richard Smith and Captain Robert LaFountain of the New York State Police, would like to once again, extend our appreciation to all law enforcement agencies for their efforts during this investigation that lead up to the filing of this indictment. The Broome County Sheriff's Department, Sheriff Harder, Deputy Sienko, Sgt. Detective Ellis; the Binghamtom Police Department; Metro SWAT; United State's Marshalls; U.S. Customs and Border Protection; U.S. Border Protrol; New York State D.E.C.; New York State Forrest Rangers; Clinton County Sheriff's Department, Plattsburgh City Police Department; and Clinton County Coroner David Donah.

If Anthony Pavone is convicted on the charges of Murder First Degree, he faces a maximum sentence of Life without parole or a minimum determinate term of not less than 20 years nor more than 25 years.

Within the New York State Penal Law, the provision for the death penalty exists as a possible sentence, but *People v. LaValle*, 3 NY3d 88 (2004) held that those provisions violated the State constitution and therefore, unless there is corrective legislation, the death sentence may not be imposed.

The charges of Murder in the Second Degree carry a mandatory minimum determinate sentence of 15 years to life and a maximum determinate sentence of 25 years to life.

Anthony V. Pavone is presumed innocent until proven guilty.

Clinton County District Attorney Andrew Wylie is prosecuting the case.