

# Wrongful Conviction of a General Partner & Veteran who honorably served implicates New York State Judicial officials

*Wrongful conviction of Veteran by New York State Judicial Official referred to Trump Administrations DOJ Civil Rights Division*

NEW YORK, NY, UNITED STATES, April 30, 2019 /EINPresswire.com/ -- [Wrongful Conviction of a General Partner](#) implicates Judicial Misconduct



It is well-settled law in New York State that Joint or Common owners to include General Partners, Limited Partners, Tenants in Common, Joint Owners cannot be charged or found guilty of larceny"

*L. Penn*

[New York State Officials and Supreme Court Justices Sued for Deprivation of Rights Under the Color of State Law](#)

The City of New York, Manhattan District Attorney, Seven New York State Court Justices and other officials were sued for deprivation of rights under the color of law a civil violation under the law (42 U.S. Code §1983) and a criminal violation under the law (18 U.S. Code §242). The Civil Rights Complaints, Penn v. City of New York, et. al., 19-cv-02106 (under 42 U.S. Code §1983) and Penn v. Amelia

Cottrell, et. al., 19-cv-02741 (under Bivens) alleges that an indictment dated February 10, 2014 (New York Supreme Court Indictment #073/2014) and conviction of Lawrence E. Penn III, the Founder of Private Equity firm, The Camelot Group was unlawful from the very beginning. Civil Rights and Bivens actions allege that members of the Securities and Exchange Commission submitted a Complaint to the Manhattan District Attorney with false statements on January 30, 2014 resulting in an unlawful larceny-based indictment under the color of law in order to gain a civil case benefit by use of an unlawful conviction.

See full press release from PR Newswire: [http://www.prnewswire.com/news-releases/new-york-state-officials-and-supreme-court-justices-sued-for-deprivation-of-rights-under-the-color-of-state-law-by-the-camelot-group-founder-300827895.html?tc=eml\\_cleartime](http://www.prnewswire.com/news-releases/new-york-state-officials-and-supreme-court-justices-sued-for-deprivation-of-rights-under-the-color-of-state-law-by-the-camelot-group-founder-300827895.html?tc=eml_cleartime)

COURT OF APPEALS OF THE STATE OF NEW YORK CLARIFIED LARCENY STATUE BY DECLARATORY DECREE TO JUDGES AND PROSECUTORS: JOINT OR COMMON OWNERS CANNOT BE CHARGED OR FOUND GUILTY OF LARCENY

The lawsuits allege that the top count of larceny and the associated counts which rely on larceny are in direct violation of statutory and common law as decided by the Court of Appeals of the State of New York (the highest court in New York State) which ruled by declaratory decree over 25 years ago in long-established law in *People v. Zinke*, 556 N.Y.S.2d 11, 76 N.W.2d 8 (1990), that a “general partner in limited partnership cannot be found guilty of larceny for misappropriating partnership funds” because they are joint or common owners. Specifically, it is unlawful to charge a joint or common owner with interests in rights to distributions in limited partnership with larceny.

MR. PENN WAS A JOINT AND COMMON BENEFICIAL OWNER OF RIGHTS TO DISTRIBUTIONS FROM THE LIMITED PARTNERSHIP AND ACTING GENERAL PARTNER BY VIRTUE OF HIS INVESTED CAPITAL AND MANAGEMENT RIGHTS SIMILARLY SITUATED TO OTHERS

Mr. Penn, a joint and common beneficial owner with interests in rights to distributions in the limited partnership and the sole acting General Partner in the Limited Partnership called Camelot Acquisitions Secondary Opportunities, LP. Like other General Partners around the country, Mr. Penn established the Partnership, raised all the money, invested the capital, and met the contractual essence of the Partnership Agreement. The Complaints allege that the larceny-based indictment has no basis in law, was used to justify an arrest warrant and a bail of \$2.5 million at arraignment as evidenced by Hearing Minutes.

The Securities and Exchange Commission acknowledges in a February 22, 2019 letter that, “From 2007 through 2014, he [Mr. Penn] was the general partner of Camelot Acquisitions Secondary Opportunities, LP (the Fund).” As part of Mr. Penn’s plea, he was required to forfeit his beneficial ownership in the partnership based on the money he put in the partnership. Obviously, you can’t forfeit something you do not own. Complaints alleges that the courts knew Mr. Penn was an owner and that his money was in the partnership.

MR. PENN WAS KNOWN AS A COMMUNITY LEADER WITH A SPOTLESS RECORD, MODEL CITIZEN WHO SUPPORTED VETERANS, WOMEN AND MINORITY CAUSES

The lawsuits allege Mr. Penn was detained in Manhattan Detention Center (MDC) for 14 months under the color of state law from February 10, 2014 to at least March 16, 2015, where a plea under the color of state law was entered. Mr. Penn states, “his plea and conviction are unconstitutionally void and invalid” because he was not informed of the law after direct inquiries to his defense attorney Benjamin Brafman. Prior to his incarceration, Mr. Penn had never been arrested, let alone detained or incarcerated. On the contrary, Mr. Penn is a former military officer who served honorably in the U.S. Army after graduation from the United States Military Academy at West Point with 3 masters’ degrees to include a Columbia MBA, executive education from Harvard, Peking, Oxford and Dartmouth, as well as 20 years of professional management, executive experience in private equity, mergers and acquisitions, and community leadership. He was one of the pioneer private equity secondary market.

## LAWSUITS ALLEGE RECORD, FACTS AND LAW ARE CLEAR: NEW YORK OFFICE OF PERKINS COIE, LLP REPRESENTED MR. PENN PRO BONO FOR 2 YEARS REFUTING THE VALIDITY OF THE CONVICTION

Lawsuits allege that Appellate Division First Department's ruling defies the record, facts, law and logic. as implied by. "Here, it is undisputed that Mr. Penn was the sole owner...of the ownership interest in the limited partnership. As such, Mr. Penn's conviction of larceny should be vacated, just as the defendant in Zinke's conviction of larceny was vacated by this Court."

## COMPLAINTS ALLEGE NON-JUDICIAL ACTIONS BY STATE JUDGES AND PROSECUTORS SHOWING THAT QUALIFIED AND ABSOLUTE IMMUNITY MUST FALL

The Complaints allege that both state and federal judges must uphold New York State law and declaratory decrees and that Federal Judges reliance on an unlawful conviction "on its face" is unconstitutional. Letters referring the cases to several federal and state officials were sent out to New York State legislators, Chief Judge Colleen McMahon of SDNY, U.S. Congressman Hakeem Jeffries of the Judiciary Committee, Department of Justice Civil Rights Division and President Trump.

The lawsuits bring to light unequal treatment of African-American litigants, wrongful convictions of U.S. veterans who honorably serve, the shortcomings of state level plea deals, unfair treatment of those who defend themselves, deprivations of immunities and privileges under long-established law as well as questions as to when immunity falls for state and federal prosecutorial and judicial officials.

Press inquiries can be sent to Goldman McCormick Public Relations at <https://goldmanmccormick.com/> mark@goldmanmccormick.com, ryan@goldmanmccormick.com and press@thecamelotgroup.com.

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