

Jenner & Block Secures Appellate Victory for Pro Bono Client in Rap Lyrics Case

News

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Jenner & Block, in partnership with non-profit public defender organization Appellate Advocates, secured a victory on appeal for a pro bono client after he was wrongfully convicted based on his rap lyrics.

The client was convicted in connection with a 2016 Brooklyn shooting. An appellate court reversed the conviction, finding prosecutors improperly introduced his rap lyrics into evidence through the expert testimony of an unqualified police investigator.

The New York appellate court recognized that rap music is artistic expression, that lyrics should not always be taken literally, and that the expert's testimony was improper and inflammatory. The published opinion reinforces important legal boundaries around the use of creative expression as evidence.

Associate Ben Alter briefed and argued the appeal, with support from New York Office Managing Partner Tony Barkow and former associate Adina Hemley-Bronstein. Moot court assistance was provided by Associates Nikita Lalwani, Hilary Ledwell, Andy Osborne, and Anna Windemuth.

Related Attorneys



Ben Alter

Partner

balter@jenner.com

+1 212 407 1755



Anthony Barkow

Managing Partner, New York

abarkow@jenner.com

+1 212 891 1662

Hilary Ledwell

Partner

hledwell@jenner.com

+1 202 639 5353

Anna M. Windemuth

Associate

awindemuth@jenner.com

+1 212 407 1771

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