

Former Fugitive Wants New Trial in Miami DUI Manslaughter Case

**Sean Casey says he has tape of Miami
lawyer Milton Hirsch telling him to flee country**

By Mike Clary

MIAMI — A Miami Beach man who lived in South America as a fugitive before pleading guilty to a DUI manslaughter charge in 2006 has asked a judge to toss out his conviction because of tape recordings that he says prove prominent defense attorney Milton Hirsch urged him to flee.

Sean Casey, 36, a former Inter American Press Association staff member, was sentenced to 12 years in prison after, he says, Hirsch also pressured him to confess rather than let the case be tried.

Hirsch, who is now running for judge, has denied the allegations.

In a motion argued Thursday in Miami-Dade Circuit Court, attorneys for Casey asked Judge John Thornton to lift a temporary seal on transcripts of the recordings, issued at the request of the State Attorney's Office.

The state has possession of the tapes, which presumably were made by Casey or his mother, Genevieve Casey. When questioned about the tapes during a 2007 evidentiary hearing before now retired Judge Leonard Glick, both Casey and his mother invoked their Fifth Amendment rights and declined to answer.

Also in the transcripts are recordings of Casey and his mother talking to Miami psychologist Michael Rappaport.

Casey fled to Chile in 2004 and lived there until he was deported two and a half years later. Back in the United States, he pleaded guilty in the 2001 hit-and-run death of Mary Montgomery, 71.

He said that he decided to flee to Chile, where he had spent a semester while a student at Georgetown University, after Hirsch and Rappaport suggested that conviction was likely, and that he could be jailed for up to 45 years.

Thomas Julin, representing Casey, asked Thornton to make the transcripts public.

Joining the legal fray this week were the Reporters Committee for the Freedom of the Press and the San Francisco Bay Guardian. Each filed motions to intervene in the case in opposing the state's motion to seal the transcripts. The Bay Guardian's founder and editor, Bruce Brugmann, is director of the California First Amendment Coalition.

In a letter to the judge, the Inter American Press Association asked that the transcripts be made public. The IAPA is a nonprofit organization that encourages freedom of the press in the United States and Latin America.

"Now you have representatives of the press coming forward, saying, 'We want to know what is happening in this case,'" said Julin, who also represents the Reporters Committee and the newspaper.

Thornton scheduled another hearing for Tuesday, when he said he would rule on the motions.

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