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# Court Clears Head of Black Self-Help Unit

NEW YORK, March 3 (UPI) —An appeals court today overturned the conviction of Dr. Thomas Matthew, head of the N.E.G.R.O. self-help organization, who had been charged with misappropriating Medicaid funds.

The unanimous decision by the Brooklyn Appellate Division held, "There is not one fragment of testimonial or documentary evidence to suggest that the defendant acted with larcenous intent."

Matthew was sentenced on Dec. 26, 1973, to three years in prison following his conviction in Queens Supreme Court of misappropriating Medicaid funds from Interfaith Hospital.

The five-man appellate panel noted that "the defend-

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ant's motion to dismiss should have been granted at the close of the people's case."

It also said that if the indictment against Matthew was not dismissed, a new trial would have been granted "because of substantial defects in the charge to the jury" by Supreme Court Justice Thomas Agresta.

In addition, the court members held that the sentence was excessive and if they had not overthrown the conviction, they would have imposed a sentence of probation or conditional discharge.

Matthew, 50, a neurosurgeon, was an advocate of "black capitalism" and a supporter of former President Nixon during the early days of the Nixon administration. He was charged with misappropriating funds from Interfaith Hospital to other N.E.G.R.O. projects, such as light industries in East Harlem which eventually failed. N.E.G.R.O. stands for National Economic Growth and Reconstruction.

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