

**For Immediate Release:
February 11, 2011**

Contact:
Diana Palotas
Monroe County District Attorney's Office
(585) 314-1046 (cell)
(585) 753-4532 (office)

Body Parts Conviction Upheld in Appellate Court

The Supreme Court of the State of New York upheld the conviction of former funeral director Jason Gano.

In January 2009, a jury convicted the 36-year old of a scheme to defraud in the first degree, and 17 counts of body stealing, opening graves and unlawful dissection of the body of a human being.

The court ruled Gano's contentions that the Monroe County District Attorney's Office failed to prove that body parts were removed from bodies that were "buried" or "awaiting burial", lacked merit.

Gano also said statements he gave to the King's County District Attorney's Office, which started the body parts investigation in New York, were not to be used against him in court. The Court of Appeals ruled that there was no provision that his statements would not be used in another jurisdiction to prosecute him.

Gano, who formerly worked at the Thomas E. Burger Funeral Home in Hilton, was sentenced to 6-18 years in prison for the crimes. He was one of seven Rochester Area people charged with unlawfully taking tissue and bone from bodies awaiting cremation.

Gano appealed the sentence saying it was unduly harsh and severe.

The Appellate Court disagreed.

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