

**News Release from**  
**The Honorable Sandra Doorley**  
**Monroe County District Attorney**

December 13, 2013

FOR IMMEDIATE RELEASE  
COMMUNICATIONS DIRECTOR: David Marion  
Monroe County District Attorney's Office  
47 South Fitzhugh Street  
Rochester, NY 14614  
(585) 753-4532

**Verdict: Vinh Pham Guilty of Murdering Nephew**

Rochester, NY- Today, Judge John DeMarco found Vinh Dac Pham, 55, guilty of Murder in the Second Degree for the shooting death of his nephew, 33 year old Tai Viet Ho, on October 6, 2012 in the City of Rochester. On that date, the men, who were engaged in an ongoing dispute involving the victim's 8 year old son, arranged to meet in a parking lot located near the intersection of South Avenue and Alexander Street for the victim to pick up the boy, who had spent the day with Pham. When Ho arrived at the meeting, Pham approached his vehicle with a 9mm handgun and shot the victim 6 times through the drivers-side window as the victim's son looked on from Pham's nearby car. Ho was pronounced dead at the scene. Pham, who discarded the gun in a nearby dumpster before fleeing, turned himself in to police hours later. Both men were Vietnamese immigrants, with Ho a successful business owner and the defendant a twenty-year employee of Eastman Kodak.

During the 7 day bench trial, the defense did not attempt to deny Pham's culpability, but instead argued that Pham was experiencing an Extreme Emotional Disturbance, or "EED", the day of the event, entitling him to the lesser charge of Manslaughter. Assistant District Attorney Kyle Rossi, however, presented evidence that Pham was both aware and in complete control of his actions on October 6, 2012. Through his ruling, Judge DeMarco effectively rejected the defense's claims of EED, finding that Pham's actions rose to the level of murder.

"Like all murders, the death of Mr. Ho will leave a void in this community. Both of these men were contributing members of society with strong community and family ties," said Rossi. "The defendant, in an incredible act of selfishness, robbed the victim's wife of a husband, his children of a loving father, and the community of a caring and active neighbor."

Vinh Dac Pham faces 25 Years to Life when he is sentenced on February 12, 2014. He has been held without bail since the shooting.

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