

#15.

COMMONWEALTH OF MASSACHUSETTS

BRISTOL, SS SUPERIOR COURT, BRISTOL, SS.
FILED

NO. CR2013-01141

AUG 14 2014

MARC J. SANTOS, ESQ. COMMONWEALTH
CLERK/MAGISTRATE

V.

SHAYANNA JENKINS

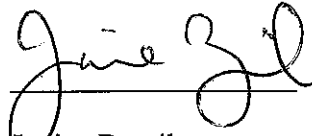
**MOTION TO DISMISS FOR INSUFFICIENT EVIDENCE
AND FOR IMPAIRING THE INTEGRITY OF THE GRAND JURY**

Now comes the defendant, Shayanna Jenkins, and moves to dismiss the above indictment for failure to provide sufficient evidence to the grand jury, pursuant to Commonwealth v. McCarthy, 385 Mass. 160, 163 (1982). The defendant also moves to dismiss the charges as the integrity of the grand jury was impaired when the Commonwealth set out to deliberately charge her with perjury.

The defendant relies on the affidavit of counsel and attached exhibits as well as the Memorandum of Law attached and incorporated herein.

The defendant moves for said motion pursuant to her due process rights under the 5th Amendment to the United States Constitution and Article 12 of the Massachusetts Declaration of Rights.

Shayanna Jenkins
By her attorneys:

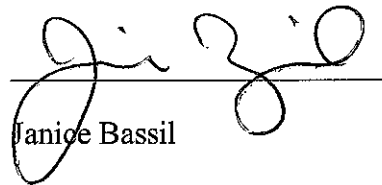


Janice Bassil
B.B.O. # 033100
Bassil, Klovee & Budreau
20 Park Plaza, Suite 1005
Boston, MA 02116
617-338-5566
JBassil@bkandblaw.com

August 13, 2014

Certificate of Service

I, Janice Bassil, state that I have sent by email and mailed the within motion, affidavit, memorandum, exhibit list, motion to file under seal and transcripts of interviews to ADA William McCauley, 888 Purchase Street, 5th Floor, New Bedford, MA 02740 on August 14, 2014.



Janice Bassil

COMMONWEALTH OF MASSACHUSETTS

BRISTOL, SS.

NO. CR 2013-01141

COMMONWEALTH

V.

SHAYANNA JENKINS

AFFIDAVIT OF COUNSEL IN SUPPORT OF
MOTION TO DISMISS FOR INSUFFICIENT EVIDENCE AND
FOR IMPAIRING THE INTEGRITY OF THE GRAND JURY

I, Janice Bassil, state the following to be true:

1. I am counsel of record in the above-entitled matter.
2. I have reviewed all of the grand jury minutes and exhibits presented which resulted in the defendant's indictment.
3. I am attaching a copy of these minutes and exhibits in support of my motion to dismiss.

Signed under the pains and penalties of perjury this 13th day of August, 2014

Janice Bassil