

#115

COMMONWEALTH OF MASSACHUSETTS

BRISTOL, ss  
BRISTOL, SS SUPERIOR COURT  
FILED

SUPERIOR COURT DEPARTMENT  
OF THE TRIAL COURT  
NO. 2013-983

SEP - 8 2014

MARC J. SANTOS, ESQ.  
CLERK/MAGISTRATE

COMMONWEALTH

v.

AARON HERNANDEZ

**DEFENDANT'S MOTION TO SUPPRESS  
CELLULAR TELEPHONE 203-606-8969  
AND FRUITS THEREOF**

Pursuant to Rule 13 of the Massachusetts Rules of Criminal Procedure, the Fourth Amendment to the U.S. Constitution, Article 14 of the Massachusetts Declaration of Rights, and Mass. Gen. Laws ch. 276, §1, defendant Aaron Hernandez moves that the Court order the suppression of cellular telephone 203-606-8969, and all evidence derived from the unlawful seizure of the phone and search of its contents.

In support of this motion, defendant states that the police obtained two search warrants on June 18, 2013. One was to search his home at 22 Ronald C. Meyer Drive, North Attleboro, Massachusetts and seize a home video surveillance system and his cellular telephone, identified by its number (203-606-8969). The second warrant authorized police to search the contents of the cellular phone once it was seized. When they arrived at the house at 7:00 p.m. on June 18, 2013, police interrogated Hernandez and learned from him that the cell phone had been given to his attorney earlier that day. Assistant District Attorney Patrick O. Bomberg telephoned Hernandez's attorney and explained that the police had a warrant to seize the phone.

Hernandez's attorney verified that the law firm had the phone. Rather than return to the Clerk Magistrate to seek a search warrant for the law firm (a task greatly complicated by the stringent limitations upon warrants to search law firms imposed by Mass. Gen. Laws ch. 276, § 1), ADA Bomberg simply relied upon the existing warrants to claim legal authority to seize the phone. This was a false claim of legal authority since neither warrant authorized seizure of the cell phone from Hernandez's lawyers or their law office. Accordingly, the seizure of the phone violated Hernandez's constitutional rights against unreasonable searches and seizures embodied in the Fourth and Fourteenth Amendments to the United States Constitution and Article XIV of the Massachusetts Declaration of Rights.

Respectfully submitted

The defendant Aaron Hernandez

By his attorneys



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(617) 880-4600

**CERTIFICATE OF SERVICE**

I certify that I have served the foregoing upon counsel of record by email and by first class mail on William McCauley, Patrick O. Bomberg, and Roger Michel to District Attorneys Office, 888 Purchase Street, New Bedford, MA 02740 on September 5, 2014.

  
\_\_\_\_\_  
Charles W. Rankin

#115

COMMONWEALTH OF MASSACHUSETTS

BRISTOL, ss

SUPERIOR COURT DEPARTMENT  
OF THE TRIAL COURT  
NO. 2013-983

COMMONWEALTH

v.

AARON HERNANDEZ

**MEMORANDUM OF LAW IN SUPPORT OF  
MOTION TO SUPPRESS  
CELLULAR TELEPHONE 203-606-8969**

**INTRODUCTION**

The defendant Aaron Hernandez has moved to suppress his cell phone (the phone assigned number 203-606-8969) which was seized on June 18, 2013, purportedly on the strength of a warrant authorizing the search of the contents of the phone once it had been seized. The truth is that this phone was seized from the attorneys representing Mr. Hernandez at their Boston law office without any warrant at all! Because the seizure without a warrant was unlawful, the phone, its contents, and all evidence derived from the illegal seizure of the phone must be suppressed.

**STATEMENT OF RELEVANT FACTS**

**The Night of June 17 into the Early Morning of June 18, 2013**

On the night of June 17, 2013, and continuing into the early morning hours of June 18, 2013, Michael K. Fee and Robert G. Jones, attorneys who were with the law firm of Ropes & Gray LLP, represented Aaron Hernandez, who had appeared voluntarily at the North Attleboro

Police Station in North Attleboro, Massachusetts. Upon arriving around midnight, they asked to see Mr. Hernandez, and were allowed to confer with him. They informed the law enforcement authorities present that they represented Mr. Hernandez and that all communications by law enforcement relating to their investigation should be directed to them as counsel for Mr. Hernandez. Affidavit of Michael K. Fee, ¶ 2.

Present at the Police Station that night was Bristol County Assistant District Attorney Patrick Bomberg, as well as officers from the Massachusetts State Police and the North Attleboro Police Department. During the course of the night, ADA Bomberg asked Mr. Fee if Mr. Hernandez would provide his consent for a search of a Chevrolet Suburban that Mr. Hernandez had rented from a car rental agency. In response to this request, Mr. Hernandez voluntarily executed a written consent to permit a search the Suburban, though he was under no obligation to do so. Id., ¶¶ 3-4.

During the course of the night, ADA Bomberg also requested that Mr. Hernandez participate in a videotaped interview at the Police Station. On behalf of Mr. Hernandez, Mr. Fee informed Mr. Bomberg that he would not consider allowing Mr. Hernandez to speak with anyone from law enforcement until his attorneys had ample time to meet with Mr. Hernandez privately and thoroughly assess the situation. Mr. Fee added that this assessment process could not be conducted nor completed at the Police Station in the early morning hours of June 18. Between the early morning hours of June 18 and the evening hours of June 18, Mr. Fee never changed this position or informed Mr. Bomberg that law enforcement personnel were free to speak to Mr. Hernandez. Id., ¶ 5

During the course of the night, ADA Bomberg stated that he and his police colleagues had noticed that Mr. Hernandez had a mobile phone in his possession. ADA Bomberg asked the

attorneys whether Mr. Hernandez would voluntarily surrender his phone to law enforcement authorities immediately so its contents could be examined. On behalf of Mr. Hernandez, Mr. Fee declined Mr. Bomberg's request for access to Mr. Hernandez's phone. He told ADA Bomberg that he would not permit any client to surrender voluntarily a phone to law enforcement before having a meaningful opportunity to examine the phone and discuss its contents with his client. Id., ¶ 6.

### **The Two Search Warrants of June 18**

The police obtained two search warrants on June 18, 2013. One was to search Mr. Hernandez's home at 22 Ronald C. Meyer Drive, North Attleboro, Massachusetts and seize a home video surveillance system and his cellular telephone, identified by its phone number. A copy of this warrant, along with the application, affidavit and return, is attached to the Affidavit of Charles W. Rankin as Exhibit A.

That warrant (Attleboro District Court Search Warrant Docket Number 1334-SW-23) authorized police to seize the following items at "# 22 Ronald C. Meyer Drive in North Attleboro, MA":

Video surveillance system/components used at the residence. Investigators are also interested in seizing any electronic data stored as part of the video surveillance system to include but not limited to hard drives, external storage devices, compact discs, computers, laptops, flash drives or any other data storage devices used for storing and viewing video data from this system. Investigators are also requesting to seize a cellular phone with the number of 203-606-8969.

Search Warrant, 1334-SW-23.

The second warrant authorized police to search the contents of the cellular phone once it was seized. A copy of the second warrant is attached to the Affidavit of Charles W. Rankin as

Exhibit B. That warrant (Attleboro District Court Number 1334-SW-22) authorized police to search the phone once it was obtained from Mr. Hernandez. Specifically, it provided that police could search a “cellular phone with phone number 2036068969 which is occupied by and/or in the possession of: Aaron Hernandez.” Search Warrant 1334-SW-22. The phone could be searched for the following items:

All data files including call logs, text messages, image files, videos, voice mails, locations, contact lists and other data files that can reasonably be related to the death of Odin Lloyd.

Search Warrant 1334-SW-22.

### **Police Interrogation of Aaron Hernandez**

When they arrived at the house at 7:00 p.m. on June 18, 2013 to execute the warrant, police interrogated Hernandez and learned from him that his cell phone had been given to his attorney earlier that day. See Exhibit C to Affidavit of Charles W. Rankin (Report of Trooper Giossi).

### **The Night of June 18**

At approximately 7:00 p.m. on June 18, as Mr. Fee drove to an evening appointment in Boston, ADA Bomberg telephoned him on his mobile phone and informed him that the investigators had obtained a warrant authorizing a search of Mr. Hernandez’s home (22 Ronald C. Meyer Drive in North Attleboro), as well as a warrant authorizing the seizure of Mr. Hernandez’s mobile phone, the same phone they had discussed in the early morning of June 18. Mr. Bomberg told Mr. Fee that the warrant for the home was in the process of being executed.

Id., ¶ 7.

With regard to the phone, ADA Bomberg stated that he understood the phone they were seeking was currently located at the offices of Ropes & Gray. Mr. Fee confirmed that this was true. Id., ¶ 8. The law firm had obtained the cell phone earlier that day and was maintaining custody of it as part of its representation of Mr. Hernandez. Affidavit of Robert G. Jones, ¶ 2. ADA Bomberg stated that he would send a representative of the State Police to the law office that evening to retrieve the phone. Mr. Fee told ADA Bomberg that he was out of the office, but his partner Rob Jones was still there. After ending the call with ADA Bomberg, Mr. Fee telephoned Mr. Jones from his car and told him what he had learned from ADA Bomberg. Mr. Fee also informed Mr. Jones that the State Police would be coming to seize Mr. Hernandez's phone under the authority of a warrant. Fee Affidavit, ¶ 8, Jones Affidavit, ¶ 2.

Mr. Jones received a call from a State Trooper to discuss the logistics of seizing the cell phone. Mr. Jones also received via text message from ADA Bromberg a picture of a search warrant. A copy of the picture of that warrant is attached to the Jones Affidavit as Exhibit A. Later that evening, a State Trooper met Mr. Jones in the lobby of the Ropes & Gray office building, and Mr. Jones turned over the cell phone. Jones Affidavit, ¶ 3. Later that evening the Trooper called Mr. Jones again, asking for the pass code for the cell phone. Mr. Jones did not provide the pass code. Id., ¶ 5.



## SUMMARY OF APPLICABLE LAW

### Requirement of a Search Warrant

#### 1. The Fourth Amendment

The Fourth Amendment to the Constitution of the United States provides:

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and *particularly describing* the place to be searched, and *the persons or things to be seized*.

(*Emphasis added*). The Supreme Court held long ago:

The requirement that warrants shall particularly describe the things to be seized makes general searches under them impossible and prevents the seizure of one thing under a warrant describing another. As to what is to be taken, nothing is left to the discretion of the officer executing the warrant.

*Marron v. United States*, 275 U.S. 192, 196 (1927); *see also Commonwealth v. Hawkins*, 361 Mass. 384, 387-88 (1972) (*quoting same*). The Court has made it clear that "...the presumptive rule against warrantless searches applies with equal force to searches whose only defect is a lack of particularity in the warrant." *Groh v. Ramirez*, 540 U.S. 551, 559 (2004). "[A] warrant that fails to conform to the particularity requirement of the Fourth Amendment is unconstitutional." *Massachusetts v. Sheppard*, 468 U.S. 981, 988 n.5 (1984).

The reasonableness of a search executed pursuant to a warrant that violates the particularity requirement is irrelevant to the constitutional analysis. In *Sheppard*, the Court flatly rejected an argument by the prosecution that a warrant that failed the particularity requirement "was [still] constitutional because it was reasonable within the meaning of the Fourth Amendment." 468 U.S. at 988 n.5. "That rule is in keeping with the well-established principle

that ‘except in certain carefully defined classes of cases, a search of private property without proper consent is ‘unreasonable’ unless it has been authorized by a valid search warrant.’” *Groh*, 540 U.S. at 560 (citing *Camara v. Municipal Court*, 387 U.S. 523, 528–29 (1967)).

All searches and seizures conducted outside the scope of a valid warrant are presumed to be unreasonable. *Commonwealth v. Balicki*, 436 Mass. 1, 8 (2002). When a search or seizure is conducted outside of the scope of a warrant, the burden is on the Commonwealth to demonstrate that the activity falls within an exception to the warrant requirement. *Balicki*, 436 Mass. at 8.

## 2. Article 14

Article 14 of the Massachusetts Declaration of Rights provides:

Every subject has a right to be secure from all unreasonable searches, and seizures, of his person, his houses, his papers, and all his possessions. All warrants, therefore, are contrary to this right, if the cause or foundation of them be not previously supported by oath or affirmation; and if the order in the warrant to a civil officer, to make search in suspected places, ... or to seize their property, be not accompanied with a special designation of the persons or objects of search, ... or seizure: and no warrant ought to be issued but in cases, and with the formalities prescribed by the laws.

In order to be valid under Article 14, a search warrant must particularly describe the place to be searched and the things to be seized. *Commonwealth v. Rutkowski*, 406 Mass. 673, 675 (1990). “The manifest purpose of this particularity requirement was to prevent general searches.” *Commonwealth v. Gonzalez*, 39 Mass. App. Ct. 472, 476 (1995) (quoting *Commonwealth v. Carrasco*, 405 Mass. 316, 323 (1989)). “By limiting the authorization to search to the specific areas and things for which there is probable cause to search,” the particularity requirement ensures that searches will be “carefully tailored to its justifications,”

and that they will not become like the “wide-ranging exploratory searches the Framers intended to prohibit.” *Gonzalez*, 39 Mass. App. Ct. at 476 (*quoting Carrasco*, 405 Mass. at 323).

### 3. Law Respecting Search of Law Offices

Mass. Gen. Law ch. 276, § 1, provides, in relevant part:

A court or justice authorized to issue warrants in criminal cases may, upon complaint on oath that the complainant believes that any of the property or articles hereinafter named are concealed in a house, place, vessel or vehicle or in the possession of a person anywhere within the commonwealth . . . , if satisfied that there is probable cause for such belief, issue a warrant identifying the property and naming or describing the person or place to be search and commanding the person seeking such warrant to search . . .

...

Notwithstanding the foregoing provisions of this section, . . . no search warrant shall issue for any documentary evidence in the possession of a lawyer . . . unless, in addition to the other requirements of this section, a justice is satisfied that there is probable cause to believe that the documentary evidence will be destroyed, secreted, or lost in the event a search warrant does not issue. . . . For purposes of this paragraph, “documentary evidence” includes, but is not limited to, writings, documents, blueprints, drawings, photographs, computer printouts, microfilms, X-rays, files, diagrams, ledgers, books, tapes, audio and video recordings, films or papers of any type or description.

There is presently pending in the Supreme Judicial Court an impounded case which raises questions about the scope and meaning of Mass. Gen. Laws ch. 276, § 1. In re: Grand Jury Investigation, No. SJC-11697. While the briefs and record in the case are impounded, the Court invited amicus participation and phrased the question to be considered as follows:

Where the Commonwealth sought and obtained judicial approval, pursuant to Mass. R. Prof. C. 3.8(f), for a grand jury subpoena to compel a law firm that formerly represented the target of a grand jury investigation to produce a cellular telephone allegedly provided by the target to the firm for purposes of bona fide legal representation, and where the judge found probable cause to search the contents of the telephone, whether the subpoena may be challenged on the ground that it is inconsistent with G. L. c. 276, § 1, the target’s constitutional rights under

the Fifth Amendment to the United States Constitution and art. 12 of the Massachusetts Declaration of Rights, or otherwise.

Oral argument took place on September 4, 2014, and is available on the Suffolk University Law School website.

### APPLICATION OF LAW TO FACTS

The Commonwealth had a warrant authorizing the seizure of the cell phone from Mr. Hernandez's home at 22 Ronald C. Meyer Drive, North Attleboro. The cell phone was not there, having been given to Mr. Hernandez's lawyer earlier.<sup>1</sup> What happened next was truly extraordinary. Police interrogated Mr. Hernandez and determined that his lawyers had the cell phone. ADA Bomberg then called Attorney Fee, claiming that the Commonwealth had a warrant authorizing seizure of the cell phone. When Mr. Fee confirmed that the cell phone was at the offices of Ropes & Gray, ADA Bomberg directed a State Trooper to go to the law firm to seize the cell phone. **There was, however, no warrant authorizing the seizure of the cell phone from Ropes & Gray.** One warrant authorized a search of the house; the other authorized a search of the data on the phone once it had been seized from Mr. Hernandez. Neither authorized seizure of the phone from Mr. Hernandez's lawyers or their law office.

The Commonwealth thus deliberately induced Mr. Hernandez's lawyers to turn over his cell phone based upon a false claim of legal authority. They misled his lawyers in order to get access to evidence they had no legal right to obtain. In doing so, they violated Mr. Hernandez's

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<sup>1</sup> Put to one side the improper conduct of the police in seizing two other phones from the house, and of the District Attorney's Office in seeking to justify the seizure of those phones as an effort to seize the phone with number 203-606-8969. The Court has already addressed that in its August 26, 2014 Memorandum and Order.

constitutional rights under the Fourth Amendment and art. XIV, and violated Mass. Gen. Laws ch. 276, § 1. Such prosecutorial misconduct must not be countenanced. Suppression is required.

Respectfully submitted

The defendant Aaron Hernandez

By his attorneys



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Boston, MA 02116  
(617) 880-4600

**CERTIFICATE OF SERVICE**

I certify that I have served the foregoing upon counsel of record by email and by first class mail on William McCauley, Patrick O. Bomberg, and Roger Michel to District Attorneys Office, 888 Purchase Street, New Bedford, MA 02740 on September 5, 2014.



Charles W. Rankin

#115

COMMONWEALTH OF MASSACHUSETTS

BRISTOL, ss

SUPERIOR COURT DEPARTMENT  
OF THE TRIAL COURT  
NO. 2013-983

\_\_\_\_\_  
COMMONWEALTH

v.

AARON HERNANDEZ  
\_\_\_\_\_

**AFFIDAVIT OF CHARLES W. RANKIN**

Being duly sworn, Charles W. Rankin states:

1. I am a member of the bar of the Supreme Judicial Court. I am co-counsel of record for the Defendant, Aaron Hernandez, in the above-captioned case. I make this affidavit upon personal knowledge and my best recollection.

2. Attached hereto as Exhibit A is a true copy of the June 18, 2013 Search Warrant, Application for Search Warrant, Affidavit, and Return, Attleboro District Court No. 1334-SW-23, authorizing the search of the house at 22 Ronald C. Meyer Drive and the seizure of a video surveillance system and cell phone 203-606-8969 from that house.

3. Attached hereto as Exhibit B is a true copy of the June 18, 2013 Search Warrant, Application for Search Warrant, Affidavit, and Return, Attleboro District Court No. 1334-SW-22, authorizing a search for data contained in the phone after its seizure.

4. Attached hereto as Exhibit C is a true copy of a police report by State Trooper Daniel Giossi describing the execution of the warrant at 22 Ronald C. Meyer Drive, including the questioning of Mr. Hernandez as to the whereabouts of his phone.

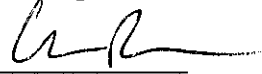
Signed under the penalty of perjury on September 5, 2014.



Charles W. Rankin

**CERTIFICATE OF SERVICE**

I certify that I have served the foregoing upon counsel of record by email and by first class mail on William McCauley, Patrick O. Bomberg, and Roger Michel to District Attorneys Office, 888 Purchase Street, New Bedford, MA 02740 on September 5, 2014.



Charles W. Rankin



# SEARCH WARRANT

G.L. c. 276, §§ 1-7

TRIAL COURT OF MASSACHUSETTS

DISTRICT

COURT DEPARTMENT

ATLEBORO

DIVISION

SEARCH WARRANT DOCKET NUMBER

1334 SW 23

**TO THE SHERIFFS OF OUR SEVERAL COUNTIES OR THEIR DEPUTIES, ANY STATE POLICE OFFICER, OR ANY CONSTABLE OR POLICE OFFICER OF ANY CITY OR TOWN, WITHIN OUR COMMONWEALTH:**

Proof by affidavit, which is hereby incorporated by reference, has been made this day and I find that there is **PROBABLE CAUSE** to believe that the property described below:

- has been stolen, embezzled, or obtained by false pretenses.
- is intended for use or has been used as the means of committing a crime.
- has been concealed to prevent a crime from being discovered.
- is unlawfully possessed or concealed for an unlawful purpose.
- is evidence of a crime or is evidence of criminal activity.
- other (specify) \_\_\_\_\_

**YOU ARE THEREFORE COMMANDED** within a reasonable time and in no event later than seven days from the issuance of this search warrant to search for the following property ~~SYSTEM COMPONENTS USED AT THE RESIDENCE. INVESTIGATORS ARE ALSO INTERESTED IN SEIZING ANY ELECTRONIC DATA STORED AS PART OF THE VIDEO SURVEILLANCE SYSTEM TO INCLUDE BUT NOT LIMITED TO HARD DRIVES, EXTERNAL STORAGE DEVICES, COMPACT DISCS, CARTRIDGES, LAPTOPS, FLASH DRIVES OR ANY OTHER DATA STORAGE DEVICES USED FOR STORING AND VIEWING VIDEO DATA FROM THIS SYSTEM. INVESTIGATORS ARE ALSO INTERESTED TO SEIZE A CELLPHONE WITH THE NUMBER OF 203 606 8984~~

at: #22 RONALD C. MEYER DRIVE IN NORTH ATLEBORO, MA IS DESCRIBED AS A THREE STORY, BRICK FRONT, WOOD FRAME HOUSE WITH THE NUMBERS "22" ON THE MAILBOX THE MAILBOX IS LOCATED ADJACENT TO THE STREET NEXT TO THE DRIVEWAY. THERE ARE A PAIR OF WOODEN DOORS LEADING INTO THE FRONT OF RESIDENCE which is occupied by and/or in the possession of: \_\_\_\_\_

on the person or in the possession of: \_\_\_\_\_

You  are  are not also authorized to conduct the search at any time during the night.

You  are  are not also authorized to enter the premises without announcement.

You  are  are not also commanded to search any person present who may be found to have such property in his or her possession or under his or her control or to whom such property may have been delivered.

**YOU ARE FURTHER COMMANDED** if you find such property or any part thereof, to bring it, and when appropriate, the persons in whose possession it is found before the

ATLEBORO

Division of the

TREAL

Court Department.

DATE ISSUED

6/18/13

SIGNATURE OF JUSTICE, CLERK-MAGISTRATE OR ASSISTANT CLERK

X *Mark E. Sturdy*

FIRST OR ADMINISTRATIVE JUSTICE

WITNESS: Daniel J. O'Shea

PRINTED NAME OF JUSTICE, CLERK-MAGISTRATE OR ASSISTANT CLERK

MARK E. STURDY

# RETURN OF OFFICER SERVING SEARCH WARRANT

A search warrant must be executed as soon as reasonably possible after its issuance, and in any case may not be validly executed more than 7 days after its issuance. The executing officer must file his or her return with the court named in the warrant within 7 days after the warrant is issued. G.L. c. 276, §3A.

This search warrant was issued on 06-18, 192013, and I have executed it as follows:  
DATE

The following is an inventory of the property taken pursuant to this search warrant:

1. Apple iPhone 5 Cell Phone
2. Blackberry "Bold" Cell Phone
3. Apple IPAD 16 GB tablet
4. Apple IPAD Mini tablet
5. Apple IPAD mini tablet
6. 1 Digital Video Recorder Model DVR800HS
7. 1 Hard Drive Seagate Barracuda 1000GB Model ST1000DM003

8. \_\_\_\_\_

9. \_\_\_\_\_

10. \_\_\_\_\_

11. \_\_\_\_\_

12. \_\_\_\_\_

13. \_\_\_\_\_

14. \_\_\_\_\_

15. \_\_\_\_\_

16. \_\_\_\_\_

17. \_\_\_\_\_

18. \_\_\_\_\_

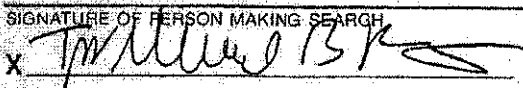
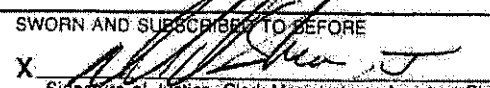
19. \_\_\_\_\_

20. \_\_\_\_\_

(attach additional pages as necessary)

This inventory was made in the presence of: TROOPER MICHAEL B. BATES #2124

I swear that this inventory is a true and detailed account of all the property taken by me on this search warrant.

<small>SIGNATURE OF PERSON MAKING SEARCH</small> 	<small>DATE AND TIME OF SEARCH</small> 06-18-2013 @ 1901 hrs	<small>SWORN AND SUBSCRIBED TO BEFORE</small> 
<small>PRINTED NAME OF PERSON MAKING SEARCH</small> Michael B. Bates	<small>TITLE OF PERSON MAKING SEARCH</small> TROOPER #2124	<small>DATE SWORN AND SUBSCRIBED TO</small> 6/24/13

Filed 6/24/13

untitled  
List of Electronics seized/removed from the HERNANDEZ residence upon execution  
of the initial Search warrant for Electronic / GPS Capable Devices

(1) Apple iPhone 5 [Cell] phone] - color white with a "bedazzled" case

\*LOCKED with a PASSCODE  
\*Model A1428  
\*FCC ID: BCG-E25999A  
\*IMEI: 013327007548219

(2) Blackberry "bold" [Cell] phone] - color black with no case

\*Blackberry 9900  
\*Model: RDV71UW  
\*IMEI: 356840040494733  
\*MAC: A0:6C:EC:2F:68:UW  
\*FCC ID: J6ARDV70UW

(3) Apple iPad [16 GB tablet] - color silver and black with no case

\*Model A1396  
\*FCC ID: BCGA1396  
\*IMEI: 012799008909684  
\*Serial #: DMPG82TXDFJ1

(4) Apple iPad [mini tablet] - color silver and white with no case - Front Screen  
badly cracked / damaged

\*LOCKED with a PASSCODE  
\*Model A1454  
\*FCC ID: BCGA1454  
\*Serial #: FAKJN9YMF19G

(5) Apple iPad [mini tablet] - color silver and white with a pink rubber case

\*LOCKED with a PASSCODE  
\*Model A1432  
\*FCC ID: BCGA1432  
\*Serial #: FAKK2DYMF198

END OF List - Five (5) Items Removed.



The Commonwealth of Massachusetts  
 Department of State Police  
 Forensic Services Group

DEVAL L. PATRICK  
 GOVERNOR

ANDREA J. CABRAL  
 SECRETARY

COLONEL TIMOTHY P. ALBEN  
 SUPERINTENDENT

124 Acton Street

Weymouth, MA 01754

Telephone: (978) 451-3300 Facsimile: (978) 451-3320

Returned to MSP Detective Unit

Lab Code / Case No.:	SEL 13-11925	Case Type:	Fatal
Department Name:	MSP Bristol County Detective Unit	Offense Location:	North Attleborough
Department Case No.:	13-15736	Offense Date:	06/17/2013
Case Officer:	Trooper Eric J. Benson #3389	Offense Type:	Fatal Shooting

Reference(s):

13-11925      13-15736      Media Coverage

Comment:

Container #	Submission #	Item #	Quantity	Description / Source
F	5	5-1	1	One plastic bag containing Digital Video Recorder (DVR) IC Realtime Security Solution DVR, Model: DVR800HS, S/N: 1007444995. Submitted with power cord and mouse.
F	5	5-1.1	1	One plastic bag containing Hard Drive Seagate Barracuda 1000GB SATA, Model: ST1000DM003, S/N: S1D7KWZ3.

Daniel M Grossi  
 Print Name (Released To)

MSP  
 Print Agency

Trooper John M. Conroy *inc 6/23/13*  
 Returned By:

[Signature]  
 Signature (Released To)

6/23/13  
 Date

[Signature] *2389 06-23-13*  
 Signature (Returned By)

The items and/or sub-items listed on this receipt were assigned by the laboratory and are returned in sealed packages. The accountability for the contents of these sealed packages is the responsibility of the submitting officer and/or laboratory examiner.

APPLICATION FOR SEARCH WARRANT

G.L. c. 276, §§ 1-7

TRIAL COURT OF MASSACHUSETTS



NAME OF APPLICANT

MICHAEL F. CHERVEN

DISTRICT

COURT DEPARTMENT

ATTLEBORO

DIVISION

POSITION OF APPLICANT

TROOPER - MASS STATE POLICE DETECTIVE

SEARCH WARRANT DOCKET NUMBER

1334 SW 23

I, the undersigned APPLICANT, being duly sworn, depose and say that:

1. I have the following information based upon the attached affidavit(s), consisting of a total of \_\_\_\_\_ pages, which is (are) incorporated herein by reference.

2. Based upon this information, there is PROBABLE CAUSE to believe that the property described below:

- has been stolen, embezzled, or obtained by false pretenses.
- is intended for use or has been used as the means of committing a crime.
- has been concealed to prevent a crime from being discovered.
- is unlawfully possessed or concealed for an unlawful purpose.
- is evidence of a crime or is evidence of criminal activity.
- other (specify) \_\_\_\_\_

3. I am seeking the issuance of a warrant to search for the following property (describe the property to be searched for as particularly as possible): VIDEO SURVEILLANCE SYSTEM / COMPONENTS USED AT THE RESIDENCE. INVESTIGATORS ARE ALSO INTERESTED IN SEIZING ANY ELECTRONIC DATA STORED AS PART OF THE VIDEO SURVEILLANCE SYSTEM TO INCLUDE BUT NOT LIMITED TO HARD DRIVES, EXTERNAL STORAGE DEVICES, COMPACT DISCS, COMPUTERS, LAPTOPS, FLASH DRIVES OR ANY OTHER DATA STORAGE DEVICES USED FOR SCOPING AND VIEWING VIDEO DATA FROM THIS SYSTEM. INVESTIGATORS ARE ALSO REQUESTING TO SEIZE A CELLULAR PHONE WITH THE NUMBER OF 203-606-8989.

4. Based upon this information, there is also probable cause to believe that the property may be found (check as many as apply):

at (identify the exact location or description of the place(s) to be searched):

#22 RONALD C. MEYER DRIVE IN NORTH ATTLEBORO, MA IS DESCRIBED AS A THREE STORY, BRICK FRONT, WOOD FRAME HOUSE WITH THE NUMBERS "22" ON THE MAILBOX. THE MAILBOX IS LOCATED ADJACENT TO THE STREET NEXT TO THE DRIVEWAY. THERE ARE A PAIR OF WOODEN DOORS LEADING INTO THE FRONT OF RESIDENCE. which is occupied by and/or in the possession of:

on the person or in the possession of (identify any specific person(s) to be searched):

on any person present who may be found to have such property in his or her possession or under his or her control or to whom such property may have been delivered.

THEREFORE, I respectfully request that the court issue a Warrant and order of seizure, authorizing the search of the above described place(s) and person(s), if any, to be searched, and directing that such property or evidence or any part thereof, if found, be seized and brought before the court, together with such other and further relief that the court may deem proper.

- have previously submitted the same application.
- have not previously submitted the same application.

PRINTED NAME OF APPLICANT

TROOPER MICHAEL F. CHERVEN

SIGNED UNDER THE PENALTIES OF PERJURY

*[Signature]*  
Signature of Applicant

SWORN AND SUBSCRIBED TO BEFORE

X *[Signature]*  
Signature of Justice, Clerk-Magistrate or Assistant Clerk

6/18/13  
DATE

**Commonwealth of Massachusetts**

**BRISTOL, SS  
FALL RIVER**

**TRIAL COURT OF MASSACHUSETTS  
SUPERIOR COURT**

**Application and Affidavit  
In Support of Application for  
Search Warrant**

**(M.G.L., Ch. 276, ss. 1 to 7; St. 1964, C. 557)**

**Affidavit in support of Search Warrant for 22 Ronald C. Meyer Dr. North  
Attleboro, Ma. for digital evidence from home surveillance cameras and a cellular  
telephone with the phone number of 203-606-8969**

I, Michael F. Cherven, being duly sworn, hereby depose and say that: I am a Trooper with the Massachusetts State Police with the rank of Trooper. I have been a member of the Massachusetts State Police since May 1996, and have been assigned to a number of duty stations within the Commonwealth of Massachusetts as a uniformed state trooper. I have also been assigned to the State Fire Marshal's office where I investigated hundreds of explosives related cases including bombings, arson and murders.

In January of 2007, I was assigned to the Massachusetts State Police Detective Unit of Bristol County, an assignment that I currently hold. My duties include, but are not limited to, the investigation of various major crimes, including homicides, motor vehicle homicides, narcotics, rapes, internet based crimes and other violent crimes.

Based on my training and experience, and the collective knowledge of the other officers that I have worked with on this investigation as noted in my affidavit, I believe that a homicide occurred in the area of 344 John Dietch Boulevard, North Attleboro Ma.

The facts establishing the grounds for my request to the court for the issuance of a search warrant are as follows:

On Monday, June 17, 2013 at approximately 5:37 PM, North Attleboro Police Department responded to a cellular 911 call reporting a dead body behind 344 John Dietsch Boulevard North Attleboro, MA. North Attleboro Police responded to a secluded area behind 344 John Dietsch Boulevard and located a deceased male lying on his back. Upon inspection of the body, initial responding officers noted several apparent bullet

holes in the upper torso area of the unknown deceased black male. There was a small amount of blood in the area of the gunshot wounds. Next to the body officers observed (5) .45 caliber pistol casings. No firearm was found. Based on the physical evidence and a statement of a witness who heard gunshots as described later in this affidavit, investigators believe that a shooting occurred at this location. A subsequent search of the body found a Massachusetts drivers license in the name of Odin L. Lloyd, DOB: 11/14/1985 of 10 Fayston St., Apt. #2, Boston, MA. License photograph matched the deceased. Also located in the front right pants pocket of Mr. Lloyd were two sets of keys for an Enterprise Rental vehicle, bearing Rhode Island registration 442-427. The keychain indicated that the registration belonged to a 2013 Chevrolet Suburban, color black.

#### **CELL PHONE SEARCH**

A cellular telephone was located in the right front sweatshirt pocket of Mr. Lloyd. This cellular telephone is a model HTC 1, with an assigned telephone number of 617 785-3008. This cellular telephone was seized by investigators and a search was conducted of the phone to search for information related to the death of Mr. Lloyd. During the search of the phone, recent activity was recovered and exported. The recent activity included call logs and text messages that were sent and received.

\$64.75 in cash was located in the back left pants pocket of Mr. Lloyd. In the opposite back right pants pocket were miscellaneous cards and personal items.

In the immediate vicinity of Mr. Lloyd's body, investigators observed a set of apparent automobile tire tracks that appeared to be a recent. The area surrounding Mr. Lloyd's body is used as a processing area for construction materials such as dirt, gravel, stone, asphalt, and fill. No vehicle was observed at the location of Mr. Lloyd's body.

#### **RENTAL VEHICLE**

A check of Enterprise Rental Car at TF Green airport in Rhode Island showed the vehicle described on the keys in the pocket of Mr. Lloyd (442-427) was currently being rented by Aaron Hernandez of 22 Ronald C. Meyer Dr. North Attleboro, MA. A check of the Massachusetts Registry of Motor Vehicles shows an Aaron Hernandez, DOB: 11-06-1989 with a listed address of 22 Ronald C. Meyer Dr. North Attleboro, MA.

Two Massachusetts State Police Troopers drove to 10 Fayston Street, Boston, MA. Their purpose was to make a death notification and interview Mr. Lloyd's friends and family members who may be associated with that address. Upon their arrival at 10 Fayston Street, these Troopers observed the Chevrolet Suburban backed into the yard of

10 Fayston Street, behind a chain-link fence. Massachusetts State Police Troop H dispatcher Bradley also made contact with Onstar. Onstar is a vehicle recovery tool that is used in many Chevrolet motor vehicles. Onstar indicated that they could assist police in locating the Chevrolet Suburban with Rhode Island registration 442-427 by employing its onboard Onstar system. The Onstar representative was informed that police believe it was necessary to locate the missing vehicle because occupants may be in danger due to the ongoing homicide investigation. Onstar representatives provided a location of 18 Fayston St. Boston, MA. This is in the immediate vicinity of Mr. Llyod's residence, 10 Fayston St. Boston, MA.

Separate from this activity, Detective Daniel Arrighi of the North Attleboro Police Department and this affiant drove to 22 Ronald C. Meyer Dr. North Attleboro, MA. Upon the officers' arrival they were unable to make initial contact with any occupants inside the residence. Officers observed three (3) large surveillance cameras permanently fixed to the exterior of the residence. Det. Arrighi and I observed that the television was on inside the residence along with numerous lights. There were some drinking glasses on the couch and a bottle was tipped over in front of the television on the couch. However, no occupants came to the door when the doorbell was used to summon the occupants. Police having learned that the deceased Mr. Lloyd and the occupant of the house, Mr. Hernandez, were both connected to the then missing Chevrolet Suburban, these officers had concern for the safety of Mr. Hernandez. The officers walked to the rear of the house using flashlights to determine if there was any forced entry or if there was sign of any occupant. No signs of forced entry or occupants were observed.

The officers knocked on a neighbor's door and spoke with the occupants. These neighbors indicated that they knew Mr. Hernandez. One of the occupants identified himself as a coach for the New England Patriots, Joe Judge. Mr. Judge indicated that he had last seen Mr. Hernandez on Thursday, June 13, 2013 after releasing Mr. Hernandez from practice along with other members of the New England Patriots. Mr. Judge did not have any contact information for Mr. Hernandez and was unable to provide us with any information as to his whereabouts. Mr. Judge told this affiant that Aaron Hernandez is a player for the New England Patriots.

At approximately 10:30 PM these officers were parked on the street in front of Mr. Hernandez's residence when they observed Mr. Hernandez exit the residence and walk down the driveway towards them. Mr. Hernandez stated that he had seen the officers in front of the house parked on the street through the video surveillance system. Det. Arrighi and I identified ourselves to Mr. Hernandez and began asking him questions about the black Chevy Suburban he had rented. Mr. Hernandez stated that he had rented



the vehicle for his friend "O". I asked who "O" was and Mr. Hernandez replied "Odin". I asked Mr. Hernandez how he knew Odin and he stated that his girlfriend's sister was dating Odin. Mr. Hernandez stated that he had rented the vehicle from the Enterprise rental company on Rt. 1 in North Attleboro, MA. I asked when the last time he saw Odin was and he replied that he last saw Odin "up his way yesterday," indicating that he saw him last on Sunday, June 16, 2013 in Boston. Mr. Hernandez was unable to provide me a location where this was; however, he stated that he had the address saved on his GPS. Mr. Hernandez described that he observed us outside of his home on his video surveillance system. Mr. Hernandez then became argumentative with both Det. Arrighi and I and asked "what's with all the questions." He then stated that we would need to speak with his attorney. Mr. Hernandez then entered his residence, locking the door behind him, and he retrieved a business card for his attorney. Mr. Hernandez unlocked the door and handed the card to these officers. We informed Mr. Hernandez that this was a death investigation. Mr. Hernandez slammed the door and relocked it behind him. Mr. Hernandez did not ask officers whose death was being investigated. Mr. Hernandez's demeanor did not indicate any concern for the death of any person. Contact was then made with Mr. Hernandez's attorney.

#### SHAYANNA JENKINS

These officers returned to our vehicle. At approximately 10:40 PM while we remained parked in front of Mr. Hernandez's residence, Mr. Hernandez exited his residence and stated he would follow us to the police station to speak with us. Mr. Hernandez stated that his girlfriend would give him a ride. We followed Mr. Hernandez and his girlfriend to the North Attleboro Police Station which he entered. Mr. Hernandez's girlfriend then drove away from the police station. I followed her out of the lot and flashed my blue lights off and on and the vehicle pulled over adjacent to the North Attleboro Police Department. Det. Arrighi and I then spoke with the driver, identified as Ms. Shayanna Jenkins, DOB: 05-29-1989. I informed Ms. Jenkins about the death of Mr. Lloyd and she immediately began to cry. I asked her if she would speak to us in the parking lot of the Police Station. She agreed to speak there because her child was sleeping in the back seat of the vehicle.

Ms. Jenkins stated that she is the girlfriend of Aaron Hernandez and that they both live together at 22 Ronald C. Meyer Dr. in North Attleboro. Ms. Jenkins stated that Mr. Lloyd dates her sister Shaneah Jenkins. Ms. Jenkins stated that she is not very familiar with Mr. Lloyd and that she does not know his family or any of his friends. Ms. Jenkins

stated that the connection between Mr. Hernandez and Mr. Lloyd is through her sister Shaneah. Ms. Jenkins stated that she last saw Mr. Lloyd on Saturday, June 15, 2013 at approximately 10:30 AM. Mr. Hernandez and Mr. Lloyd were both at 22 Ronald C. Meyer Dr. North Attleboro, MA. in the black Suburban rental vehicle. Ms. Jenkins stated that Mr. Hernandez and Mr. Lloyd discussed returning the rental vehicle to Enterprise Rental.

Ms. Jenkins indicated that she was aware that Mr. Lloyd smoked marijuana and that he also was a marijuana dealer. Ms. Jenkins stated that she would often observe Mr. Lloyd on his phone talking about marijuana sales. She stated that his phone was constantly ringing and that he was constantly talking in "lingo" that led her to believe the conversations were about marijuana sales. Ms. Jenkins provided investigators with the cell phone number for Mr. Hernandez as well as her sister Shaneah Jenkins. Ms. Jenkins also stated that Mr. Hernandez's cell phone number is 203-606-8969.

Ms. Jenkins stated they had recently installed a video surveillance system within their residence. Ms. Jenkins stated that this video surveillance system would allow for the viewing of both the front of their residence as well as the street. Ms. Jenkins stated that the video surveillance system records and plays the video on their home entertainment system. Ms. Jenkins stated that there had been several recent break-in attempts at their residence located at 22 Ronald C. Meyer Dr. North Attleboro, Ma.

Ms. Jenkins stated that both she and Mr. Hernandez were home on Sunday, June 16, 2013 during the day. She stated that they had gone out to dinner for Father's Day later in the day and that a babysitter had stayed with their child. Ms. Jenkins stated that later that evening she had gone to bed early. However, she stated that she was aware that Mr. Hernandez was not home all night and that she was unsure of what time he got home or who he had gone out with. At this time during our conversation Mr. Hernandez called her on her cell phone and informed her that his sports agent said that she should not speak with us and that she should request to speak with her attorney.

#### **ODIN LLOYD CELL PHONE**

The cellular telephone recovered from the body of Mr. Lloyd was taken by investigators to the North Attleboro Police Department. Investigators conducted a search of Mr. Lloyd's cellular phone at the police station. According to the cellular call logs Mr. Lloyd sent a text message to 203-606-8969 (Mr. Hernandez's cell phone as provided by his girlfriend) on June 17, 2013 at 12:22 AM and wrote "We still on." This cellular telephone number is listed under the contact name "Nigga Dis" in Mr. Lloyd's cellphone contacts. There was no response to the text. When Mr. Hernandez was at the station on

June 17, 2013, he had a cellular telephone in his possession and an investigator dialed the number 203 606-8969. The phone was observed to ring and Mr. Hernandez was seen and heard to answer the phone. The investigator hung up without speaking to Mr. Hernandez.

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Subsequent to the 12:22 AM text, the victim called the same number (203-606-8969) at 12:50 AM, and at 1:03AM. The text "we still on" indicated that the victim and Mr. Hernandez had made prior plans to do something. One of the last messages sent by the victim was sent to his sister, Shaquilla Thibou. Ms. Thibou saw Mr. Lloyd get into a silver-colored sedan and depart 10 Fayston Street, Dorchester between 1 and 2 AM on June 17, 2013. At 3:07 AM Mr. Lloyd texted Ms. Thibou "U saw who I'm with" and again at 3:11AM "hello." At 3:19 AM the victim's sister replied "my phone was dead who was that?" The victim replied to his sister "Nfl." According to Ms. Thibou, Mr. Lloyd was recently associating with "Hernandez" a New England Patriot football player. She understood this text to mean that Mr. Lloyd was with Aaron "Hernandez." Ms. Thibou replied at 3:22 AM "Lol your aggy." The last text sent by the victim was at 3:23 AM. This text immediately followed the "Nfl" text. Mr. Lloyd described he was giving Ms. Lloyd this information "just so u know."

#### **JOHN MEDEIROS**

John Medeiros a residence of East Providence Rhode Island, who is an employee of Needle Tech in North Attleboro reported to Detective Daniel Arrighi of the North Attleboro Police Department that on the morning of June 17, 2013, he was at his place of employment. This is located at 452 John Dietsch Boulevard, and is approximately 200 yards from the scene. Mr. Medeiros reported that he took his regularly scheduled break between 3:00 and 3:30 AM. While he was on his break he sat in his vehicle in the parking lot. He reported to Det. Arrighi that he heard (3) gunshots and a car door slamming.

#### **SHAQUILLA THIBOU**

Tprs. Chad Laliberte and Zack Johnson interviewed Mr. Lloyd's sister. She indicated that she lived with her brother at 10 Fayston St. Apt. #2, Boston, MA. Ms. Thibou indicated that she last saw her brother at or between 1:00 to 2:00 AM in front of 10 Fayston Street. According to Ms. Thibou, Mr. Lloyd got into a silver four door car with three other males whose identities were unknown to her. The vehicle and the occupants left the area. Ms. Thibou told investigators that she had never seen this car before. According to Ms. Thibou, she was aware that Mr. Lloyd was dating a woman named Shaneah. Ms. Thibou stated that Shaneah was the sister of Aaron Hernandez's girlfriend, Shayanna Jenkins, who lives with Hernandez in North Attleboro, MA. Ms.

Thibou stated that, other than Hernandez and Shayanna Jenkins, she did not know of any other contacts that Mr. Lloyd has in the North Attleboro area.

Ms. Thibou showed investigators some of the text messages that her brother had sent to her. These messages were explained to investigators and are described above in this affidavit. Ms. Thibou explained that her response to her brother stating "lol your aggy." She indicated that this meant that she was aggravated by her brother's text.

#### **SHANEAH JENKINS**

Tpr. Benson conducted a phone interview with Shaneah Jenkins, the victim's girlfriend. According to Shaneah Jenkins she did not know Mr. Lloyd to have any connection to North Attleboro other than her sister Shayanna Jenkins and Mr. Hernandez. She stated that Mr. Lloyd was her boyfriend and that they were presently in a long distance dating relationship of approximately one year.

#### **ENTERPRISE RENTAL NORTH ATTLEBORO**

On Tuesday, June 18, 2013 at approximately 10:00 AM, investigators arrived at Enterprise Rental Company located at 365 East Washington St., North Attleboro, MA. Investigators spoke with the Enterprise Rental manager who indicated that he was familiar with Aaron Hernandez due to the fact that he frequently rented vehicles from Enterprise Rental. The manager informed investigators that Aaron Hernandez came to Enterprise Rental on Monday, June 17, 2013 at approximately 5:30 PM. At this time, Mr. Hernandez was accompanied by two additional unknown males. Mr. Hernandez returned a rental vehicle which had been rented in his name. This vehicle was a silver colored 2012 Nissan Altima, Ma. Registration 536MX2. At this time Aaron Hernandez rented another rental vehicle, a grey Chrysler 300C, bearing Rhode Island registration 451-375. According to the manager, Mr. Hernandez apologized for damage done to the driver's side exterior mirror and driver's door of the silver Nissan Altima. Although he apologized for the damage, Mr. Hernandez claimed that he did not know how the damage occurred. He said that he just came out in the morning and saw that it was damaged.

The Nissan Altima was viewed by investigators at the Enterprise Rental lot in North Attleboro. Investigators observed that there was damage to the driver's side front door. The driver's side mirror was mangled at the connection to the door and the mirror and housing were missing. Further, there was damage to the driver's side window and a chrome strip at the window. There were scratches on the driver's side door. There appeared to be soil, similar in color and appearance to that at the location where Mr.

Lloyd was found, on the tires and lower panels of the vehicle behind the tires. This soil was also seen within the tire tread(s) and wheel(s) well of the tires of the silver Nissan Altima.

Mass State Police Investigators viewed the tire treads and the tire treads appears to be consistent with the tire marks left at the scene where the body of Mr. Lloyd was recovered.

Enterprise Rental Car consented to provide the Nissan Altima rental to the Massachusetts State Police. The Nissan Altima is currently in the possession of the Massachusetts State Police.

### CONCLUSION

Based on the preceding, investigators believe that there is probable cause to believe that a crime was committed and that Mr. Lloyd's death was a homicide.

The cellular phone communications, text messages between the victim and Mr. Hernandez, the statement of Mr. Hernandez to investigators and the observations of Ms. Thibou show that Mr. Lloyd intended to meet and did meet with Mr. Hernandez on or about the morning on June 17, 2013. Based on information provided by the victim's sister and his girlfriend Mr. Lloyd appears to have no contacts with anybody in the North Attleboro area except for Mr. Hernandez and Shayanna Jenkins.

The location where the body of Mr. Lloyd was located is approximately one half mile from Mr. Hernandez's residence at 22 Ronald C. Meyer Dr. North Attleboro, Ma.

Based upon the information contained within the affidavit it is reasonable to believe that the purpose of Mr. Lloyd being in North Attleboro, MA at the time of his death was directly related to Mr. Hernandez. Furthermore it is reasonable to believe that Mr. Lloyd may have been in the area 22 Ronald C. Meyer Dr., North Attleboro. Based on the statements of Mr. Hernandez and Ms. Jenkins, the surveillance system located at 22 Ronald C. Meyer Dr. North Attleboro captured the comings and goings of Mr. Hernandez and anyone else with him or in addition to him from the area surrounding the residence. This information can be used to establish timelines and lead to the discovery of other witnesses that may have been present and captured on the video system. Based upon Ms. Thibou's statement that she had witnessed Mr. Lloyd with (3) males earlier in the evening entering a silver car in front of the residence in Boston, combined with the text indicating "Nfi" and Mr. Hernandez's own acknowledgment that he was with Mr. Lloyd "up his way" lead investigators reasonably believe that Aaron Hernandez was with

Mr. Lloyd close in time to Mr. Lloyd's death. Additionally, based upon the information from Enterprise Rental that Mr. Hernandez had rented and subsequently returned a damaged silver Nissan Altima with tire treads consistent with the tire tread patterns at the scene of the homicide, investigators reasonably believe that the video surveillance system will contain evidence that can assist investigators in determining who was present with Mr. Lloyd and Mr. Hernandez during the evening and early morning prior to and following the death of Mr. Lloyd. This information will assist investigators with providing additional leads and evidence.

Based upon the above, there is probable cause to believe that evidence related to death of Odin Lloyd will be located within the home video surveillance system at 22 Ronald C. Meyer Dr. North Attleboro, Ma. This affiant respectfully requests that the court issue a warrant and order allowing investigators to enter and search for and seize the video surveillance system as described by Ms. Jenkins. Furthermore, this affiant requests that the court authorize investigators to seize any electronic data stored as part of the video surveillance system to include but not limited to hard drives, external storage devices, compact discs, computers, laptops, flash drives or any other data storage device used for storing and viewing video data from the residential surveillance system.

The address of 22 Ronald C. Meyer Dr. North Attleboro, MA is described as a three story, brick front, wood frame house with the numbers 22 on the mail box. The mailbox is located adjacent to the street next to the driveway. There is a pair of wooden doors leading into the front of the residence which faces Ronald C. Meyer Dr. There is a three car garage attached to the residence leading to the driveway of 22 Ronald C. Meyer Dr. North Attleboro, Ma.

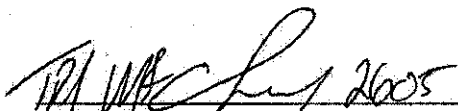
Additionally this affiant is requesting the court authorize investigators to search for and seize a cellular phone with the phone number of 203-606-8969.

This affiant is requesting the court authorize investigator to conduct an "ALL PERSONS PRESENT" search for the cellular phone of 203-606-8969. Investigators are aware that by issuing an all persons present warrant, this will allow investigators to search for a cellular telephone on any person present within the residence that may have the phone contained in small pockets, purses, or loose clothing. Due to the size of cellular telephones it is easy for a person to secret a phone in various areas of their person and their clothing. This particular type of warrant will allow investigators to conduct a thorough and complete search for evidence of a cellular phone which may contain evidence of a homicide.

This affiant is requesting the court authorize investigators to search for and seize any and all Global Positioning Systems (GPS) as described by Mr. Hernandez as having been used to locate the residence of Mr. Lloyd. GPS tracking devices are known to be contained within any electronic device with GPS capability.

This affiant is requesting the court allow investigators to search and seize 22 Ronald C. Meyer Dr. North Attleboro, Ma. for mirror, housing of mirror, paint and any evidence of damage to the silver Nissan Altima occurring at 22 Ronald C. Meyer Dr. North Attleboro, Ma.

Signed under the pains and penalties of perjury this 18<sup>th</sup> day of June 2013.



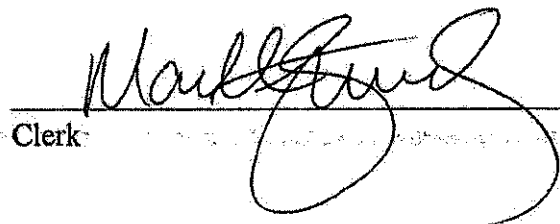
Tpr. Michael F. Cherven #2605

Mass State Police

Bristol State Police Detective Unit

6-18-13

Date



Clerk

6/18/13

Date

# SEARCH WARRANT

G.L. c. 276, §§ 1-7

TRIAL COURT OF MASSACHUSETTS

District

COURT DEPARTMENT

Attleboro

DIVISION

SEARCH WARRANT DOCKET NUMBER

1334 SW 22

TO THE SHERIFFS OF OUR SEVERAL COUNTIES OR THEIR DEPUTIES, ANY STATE POLICE OFFICER, OR ANY CONSTABLE OR POLICE OFFICER OF ANY CITY OR TOWN, WITHIN OUR COMMONWEALTH:

Proof by affidavit, which is hereby incorporated by reference, has been made this day and I find that there is **PROBABLE CAUSE** to believe that the property described below:

- has been stolen, embezzled, or obtained by false pretenses.
- is intended for use or has been used as the means of committing a crime.
- has been concealed to prevent a crime from being discovered.
- is unlawfully possessed or concealed for an unlawful purpose.
- is evidence of a crime or is evidence of criminal activity.
- other (specify) \_\_\_\_\_

YOU ARE THEREFORE COMMANDED within a reasonable time and in no event later than seven days from the issuance of this search warrant to search for the following property:

All data files including call logs, text messages, image files, videos, voice mails, locations, contact lists and other data files that can reasonably be related to the death of Odin Lloyd <sup>DMV</sup>

at:

Cellular Phone with phone number 203606 8969

which is occupied by and/or in the possession of: Aaron Hernandez

on the person or in the possession of:

You  are  are not also authorized to conduct the search at any time during the night.

You  are  are not also authorized to enter the premises without announcement.

You  are  are not also commanded to search any person present who may be found to have such property in his or her possession or under his or her control or to whom such property may have been delivered.

YOU ARE FURTHER COMMANDED if you find such property or any part thereof, to bring it, and when appropriate, the persons in whose possession it is found before the

Attleboro

Division of the

Trial

Court Department.

DATE ISSUED

6/18/13

SIGNATURE OF JUSTICE, CLERK, MAGISTRATE OR ASSISTANT CLERK

X

FIRST OR ADMINISTRATIVE JUSTICE

WITNESS: DANIEL J. O'SHEA

PRINTED NAME OF JUSTICE, CLERK, MAGISTRATE OR ASSISTANT CLERK

MARK E. STURDY



# RETURN OF OFFICER SERVING SEARCH WARRANT

A search warrant must be executed as soon as reasonably possible after its issuance, and in any case may not be validly executed more than 7 days after its issuance. The executing officer must file his or her return with the court named in the warrant within 7 days after the warrant is issued. G.L. c. 276, §3A.

This search warrant was issued on 6/18/13, 19  , and I have executed it as follows:  
DATE

The following is an inventory of the property taken pursuant to this search warrant:

1. Images of the phone (scroll search)
2. Contact list from phone (UFED LOGICAL)
3. Contact list from SIM card (UFED EXTRACTION)
4. Phone submitted for further examination to SPDY Bristol CCU.
5. \_\_\_\_\_
6. \_\_\_\_\_
7. \_\_\_\_\_
8. \_\_\_\_\_
9. \_\_\_\_\_
10. \_\_\_\_\_
11. \_\_\_\_\_
12. \_\_\_\_\_
13. \_\_\_\_\_
14. \_\_\_\_\_
15. \_\_\_\_\_
16. \_\_\_\_\_
17. \_\_\_\_\_
18. \_\_\_\_\_
19. \_\_\_\_\_
20. \_\_\_\_\_

(attach additional pages as necessary)

This inventory was made in the presence of: Tpr. Michael Bates Tpr. Joseph Collins

I swear that this inventory is a true and detailed account of all the property taken by me on this search warrant.

SIGNATURE OF PERSON MAKING SEARCH X <u>[Signature]</u>	DATE AND TIME OF SEARCH <u>6/18/2013 2200</u>	SWORN AND SUBSCRIBED TO BEFORE X <u>[Signature]</u> Signature of Justice, Clerk, Magistrate or Assistant Clerk
PRINTED NAME OF PERSON MAKING SEARCH <u>Daniel Giossi</u>	TITLE OF PERSON MAKING SEARCH <u>TROOPER, MSP</u>	DATE SWORN AND SUBSCRIBED TO <u>6/24/13</u>

FILED 6/24/13

APPLICATION FOR SEARCH WARRANT

G.L. c. 276, §§ 1-7

TRIAL COURT OF MASSACHUSETTS



NAME OF APPLICANT

District

COURT DEPARTMENT

Attleboro

DIVISION

POSITION OF APPLICANT

Trooper Mass State Police

SEARCH WARRANT DOCKET NUMBER

1334 SW 22

I, the undersigned APPLICANT, being duly sworn, depose and say that:

1. I have the following information based upon the attached affidavit(s), consisting of a total of 4 pages, which is (are) incorporated herein by reference.

2. Based upon this information, there is PROBABLE CAUSE to believe that the property described below:

- has been stolen, embezzled, or obtained by false pretenses.
is intended for use or has been used as the means of committing a crime.
has been concealed to prevent a crime from being discovered.
is unlawfully possessed or concealed for an unlawful purpose.
[X] is evidence of a crime or is evidence of criminal activity.
other (specify)

3. I am seeking the issuance of a warrant to search for the following property (describe the property to be searched for as particularly as possible):

All data files including call logs, text messages, image files, videos, voice mails, locations, contact lists and other data files that can reasonably be related to the death of Odin Lloyd

4. Based upon this information, there is also probable cause to believe that the property may be found (check as many as apply):

[X] at (identify the exact location or description of the place(s) to be searched):

Cellular Phone with phone number 2036068969

which is occupied by and/or in the possession of: Aaron Hernandez

on the person or in the possession of (identify any specific person(s) to be searched):

[X] on any person present who may be found to have such property in his or her possession or under his or her control or to whom such property may have been delivered.

THEREFORE, I respectfully request that the court issue a Warrant and order of seizure, authorizing the search of the above described place(s) and person(s), if any, to be searched, and directing that such property or evidence or any part thereof, if found, be seized and brought before the court, together with such other and further relief that the court may deem proper.

- have previously submitted the same application.
[X] have not previously submitted the same application.

PRINTED NAME OF APPLICANT

Daniel Giossi

SIGNED UNDER THE PENALTIES OF PERJURY

[Signature]

Signature of Applicant

SWORN AND SUBSCRIBED TO BEFORE

X

[Signature]

Signature of Justice, Clerk, Magistrate or Assistant Clerk

6/18/13

DATE

# **COMMONWEALTH OF MASSACHUSETTS**

Bristol, CC

District Court Department  
Attleboro

## **Affidavit in Support of Application for Search Warrant**

I, Daniel M Giossi, being duly sworn, depose and say:

1. I am a Massachusetts State Police Officer and have been a Police Officer since 1996. I am presently assigned to the Bristol County District Attorney's Office. Prior to my employment with the State Police I was a Federal Law Enforcement Officer with the U.S. Coast Guard and was actively involved in the enforcement of Maritime Laws and Federal Laws governing the smuggling of narcotics. I have been assigned to the State Police Detective Unit for the Bristol County District Attorney's Office since 2007. During my time in Bristol County as a Police Officer I have investigated and processed serious and violent crimes including murders, attempted murders, assaults and sexual assaults. I have received training and experience in the collection of physical evidence, crime scene processing and the investigation of crimes involving death. I have been the affiant on several search warrants in both the District and Superior Courts of the Commonwealth related to investigations involving death. I have received additional training in the seizing and searching of cellular phones and other such portable devices and have searched numerous cellular phones pursuant to search warrants. I have personal knowledge of the facts and circumstances related below, as the result of my own investigative efforts and those of other law enforcement officers who have reported their findings to me.

2. Based upon my training and experience, and the collective knowledge of the other officers that I have worked with on this investigation as noted in my affidavit, I believe that a homicide occurred in the area of 344 John Dietch Blvd, N Attleboro, MA.

3. The facts establishing the grounds for my request to the court for the issuance of a search warrant are as follows:

4. On June 17, 2013 at approximately 1737 hours (5:37 p.m.) the North Attleboro Police Department received a 911 call reporting a body in the area of 344 John Dietch Blvd, North Attleboro, MA.

5. On June 17, 2013 the North Attleboro Police Department located a deceased male that had been shot several times. The male was identified as Odin L Lloyd, DOB: 11/14/1985. A cellular phone was found on the deceased male, the phone was seized by investigators and a search was conducted of the phone to look for information related to his death. During the search of the phone recent activity was recovered and exported. The recent activity included call logs and text messages that were sent and received.

6. According to the call logs the victim at 0022 hours on June 17, 2013 sent a text message to phone number 2036068969 and wrote "We still on". There was no response to the text. Subsequently the victim called the same number 2036068969 at 0050 hours, and 0103 hours two times. The quote "We still on" indicated that the victim and the user of 2036068969 had made plans to do something together. The last messages sent by the victim were sent to his sister during which he wrote at 0307 hours "U saw who I'm with", at 0311 hours the victim wrote "Hello". At 0319 hours the victim's sister replied "My phone was dead who was that?" The victim replied to his sister "Nfl". His sister replied at 0322 hours "Lol your aggy". The last text sent by the victim was at 0323 hours when he wrote to his sister "Just so u know".

7. Another item found on the victim was a set of keys for a rental car from Enterprise Rental. Investigators contacted Enterprise Rental and learned that the vehicle was rented to Aaron Hernandez of 22 Ronald C Meyer Dr, North Attleboro. 22 Ronald C Meyer Dr is located almost across the street from where the body was found. Aaron Hernandez is a professional football player for the NFL. Investigators contacted Aaron Hernandez and asked that he come to the North Attleboro Police Station to be interviewed. When Aaron Hernandez arrived he had a cellular phone with him.

8. Investigators were able to contact the victim's sister and she told investigators that her brother, the victim, had been hanging out with Aaron Hernandez a professional football player for the New England Patriots. Based upon the statements of the sister and the fact that the victim had the keys to a car rented by Aaron Hernandez investigators believe that the reference to "Nfl" is a reference to

Aaron Hernandez. In order to further confirm the user of the phone number 2036068969 identity, investigators called the number while Aaron Hernandez was in the interview room, and observed the phone of Aaron Hernandez ringing when they dialed the number.

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9. Investigators know that cellular phones retain data concerning call logs, messages sent and received, contact information, location data, pictures, image files, dates and times and other information that can be useful to investigators during criminal investigations.

10. Based upon the above facts and circumstances probable cause exists to believe that the cellular phone of Aaron Hernandez with cellular phone number 2036068969 will contain information regarding conversations that occurred between his phone and the victim. I know from past experience that cellular phone companies do not keep records concerning the actual text messages sent and received by the phone and that the best way to recover the actual messages is to recover them from the phone. Investigators do have the ability to obtain the messages, phone logs and other data that can be found on the phones in a forensically sound environment with specialized equipment and training that investigators in this case possess. Even if the messages, calls, contacts, and other data files are deleted by the user the data can often be recovered using forensically sound techniques.

11. I also have knowledge, based upon my experience and training that if untrained persons are allowed into a crime scene, they may unintentionally disturb, damage, or obliterate crucial evidence. Accordingly, while the crime scene search warrant is being executed, I respectfully seek the court's authority to impound and secure the property and to keep out all unauthorized persons not assigned to the investigation.

12. Based upon the above, there is probable cause to believe that evidence related to the death of Odin L Lloyd will be found on the cellular phone in the possession of Aaron Hernandez with phone number 2036068969. I respectfully request that the Court issue a warrant and order of seizure, and further authorizing the search of the cellular phone with number 2036068969, for data files including call logs, text messages, image files, videos, voice mails, location data, contact lists and other data files that can reasonably be related to the investigation into the death of Odin L Lloyd that occurred in the town of North Attleboro on or about June 17, 2013.

13. This affidavit has attached hereto and incorporated herein by reference of the following attachments:

a. A ten (10) page affidavit of Trooper Michael Cherven.

DMK  
19.

This affidavit subscribed to and sworn to me consists of 4 pages.

*Tpr. Daniel M Giossi #2627*

Tpr. Daniel M Giossi, #2627

Massachusetts State Police

Then personally appeared before me the above-named Tpr. Daniel Giossi, and made oath that the foregoing affidavit by him is true.

Before me this 18<sup>th</sup> day of JUNE, 2013.

X:

*[Signature]*  
Signature of Justice, Clerk, Asst. Clerk

**Commonwealth of Massachusetts**

**BRISTOL, SS  
FALL RIVER**

**TRIAL COURT OF MASSACHUSETTS  
SUPERIOR COURT**

**Application and Affidavit  
In Support of Application for  
Search Warrant**

**(M.G.L., Ch. 276, ss. 1 to 7; St. 1964, C. 557)**

**Affidavit in support of Search Warrant for 22 Ronald C. Meyer Dr. North  
Attleboro, Ma. for digital evidence from home surveillance cameras and a cellular  
telephone with the phone number of 203-606-8969**

I, Michael F. Cherven, being duly sworn, hereby depose and say that: I am a Trooper with the Massachusetts State Police with the rank of Trooper. I have been a member of the Massachusetts State Police since May 1996, and have been assigned to a number of duty stations within the Commonwealth of Massachusetts as a uniformed state trooper. I have also been assigned to the State Fire Marshal's office where I investigated hundreds of explosives related cases including bombings, arson and murders.

In January of 2007, I was assigned to the Massachusetts State Police Detective Unit of Bristol County, an assignment that I currently hold. My duties include, but are not limited to, the investigation of various major crimes, including homicides, motor vehicle homicides, narcotics, rapes, internet based crimes and other violent crimes.

Based on my training and experience, and the collective knowledge of the other officers that I have worked with on this investigation as noted in my affidavit, I believe that a homicide occurred in the area of 344 John Dietch Boulevard, North Attleboro Ma.

The facts establishing the grounds for my request to the court for the issuance of a search warrant are as follows:

On Monday, June 17, 2013 at approximately 5:37 PM, North Attleboro Police Department responded to a cellular 911 call reporting a dead body behind 344 John Dietsch Boulevard North Attleboro, MA. North Attleboro Police responded to a secluded area behind 344 John Dietsch Boulevard and located a deceased male lying on his back. Upon inspection of the body, initial responding officers noted several apparent bullet

holes in the upper torso area of the unknown deceased black male. There was a small amount of blood in the area of the gunshot wounds. Next to the body officers observed (5) .45 caliber pistol casings. No firearm was found. Based on the physical evidence and a statement of a witness who heard gunshots as described later in this affidavit, investigators believe that a shooting occurred at this location. A subsequent search of the body found a Massachusetts drivers license in the name of Odin L. Lloyd, DOB: 11/14/1985 of 10 Fayston St., Apt. #2, Boston, MA. License photograph matched the deceased. Also located in the front right pants pocket of Mr. Lloyd were two sets of keys for an Enterprise Rental vehicle, bearing Rhode Island registration 442-427. The keychain indicated that the registration belonged to a 2013 Chevrolet Suburban, color black.

#### CELL PHONE SEARCH

A cellular telephone was located in the right front sweatshirt pocket of Mr. Lloyd. This cellular telephone is a model HTC 1, with an assigned telephone number of 617 785-3008. This cellular telephone was seized by investigators and a search was conducted of the phone to search for information related to the death of Mr. Lloyd. During the search of the phone, recent activity was recovered and exported. The recent activity included call logs and text messages that were sent and received.

\$64.75 in cash was located in the back left pants pocket of Mr. Lloyd. In the opposite back right pants pocket were miscellaneous cards and personal items.

In the immediate vicinity of Mr. Lloyd's body, investigators observed a set of apparent automobile tire tracks that appeared to be a recent. The area surrounding Mr. Lloyd's body is used as a processing area for construction materials such as dirt, gravel, stone, asphalt, and fill. No vehicle was observed at the location of Mr. Lloyd's body.

#### RENTAL VEHICLE

A check of Enterprise Rental Car at TF Green airport in Rhode Island showed the vehicle described on the keys in the pocket of Mr. Lloyd (442-427) was currently being rented by Aaron Hernandez of 22 Ronald C. Meyer Dr. North Attleboro, MA. A check of the Massachusetts Registry of Motor Vehicles shows an Aaron Hernandez, DOB: 11-06-1989 with a listed address of 22 Ronald C. Meyer Dr. North Attleboro, MA.

Two Massachusetts State Police Troopers drove to 10 Fayston Street, Boston, MA. Their purpose was to make a death notification and interview Mr. Lloyd's friends and family members who may be associated with that address. Upon their arrival at 10 Fayston Street, these Troopers observed the Chevrolet Suburban backed into the yard of



10 Fayston Street, behind a chain link fence. Massachusetts State Police Troop H dispatcher Bradley also made contact with Onstar. Onstar is a vehicle recovery tool that is used in many Chevrolet motor vehicles. Onstar indicated that they could assist police in locating the Chevrolet Suburban with Rhode Island registration 442-427 by employing its onboard Onstar system. The Onstar representative was informed that police believe it was necessary to locate the missing vehicle because occupants may be in danger due to the ongoing homicide investigation. Onstar representatives provided a location of 18 Fayston St. Boston, MA. This is in the immediate vicinity of Mr. Lloyd's residence, 10 Fayston St. Boston, MA.

Separate from this activity, Detective Daniel Arrighi of the North Attleboro Police Department and this affiant drove to 22 Ronald C. Meyer Dr. North Attleboro, MA. Upon the officers' arrival they were unable to make initial contact with any occupants inside the residence. Officers observed three (3) large surveillance cameras permanently fixed to the exterior of the residence. Det. Arrighi and I observed that the television was on inside the residence along with numerous lights. There were some drinking glasses on the couch and a bottle was tipped over in front of the television on the couch. However, no occupants came to the door when the doorbell was used to summon the occupants. Police having learned that the deceased Mr. Lloyd and the occupant of the house, Mr. Hernandez, were both connected to the then missing Chevrolet Suburban, these officers had concern for the safety of Mr. Hernandez. The officers walked to the rear of the house using flashlights to determine if there was any forced entry or if there was sign of any occupant. No signs of forced entry or occupants were observed.

The officers knocked on a neighbor's door and spoke with the occupants. These neighbors indicated that they knew Mr. Hernandez. One of the occupants identified himself as a coach for the New England Patriots, Joe Judge. Mr. Judge indicated that he had last seen Mr. Hernandez on Thursday, June 13, 2013 after releasing Mr. Hernandez from practice along with other members of the New England Patriots. Mr. Judge did not have any contact information for Mr. Hernandez and was unable to provide us with any information as to his whereabouts. Mr. Judge told this affiant that Aaron Hernandez is a player for the New England Patriots.

At approximately 10:30 PM these officers were parked on the street in front of Mr. Hernandez's residence when they observed Mr. Hernandez exit the residence and walk down the driveway towards them. Mr. Hernandez stated that he had seen the officers in front of the house parked on the street through the video surveillance system. Det. Arrighi and I identified ourselves to Mr. Hernandez and began asking him questions about the black Chevy Suburban he had rented. Mr. Hernandez stated that he had rented

the vehicle for his friend "O". I asked who "O" was and Mr. Hernandez replied "Odin". I asked Mr. Hernandez how he knew Odin and he stated that his girlfriend's sister was dating Odin. Mr. Hernandez stated that he had rented the vehicle from the Enterprise rental company on Rt. 1 in North Attleboro, MA. I asked when the last time he saw Odin was and he replied that he last saw Odin "up his way yesterday," indicating that he saw him last on Sunday, June 16, 2013 in Boston. Mr. Hernandez was unable to provide me a location where this was; however, he stated that he had the address saved on his GPS. Mr. Hernandez described that he observed us outside of his home on his video surveillance system. Mr. Hernandez then became argumentative with both Det. Arrighi and I and asked "what's with all the questions." He then stated that we would need to speak with his attorney. Mr. Hernandez then entered his residence, locking the door behind him, and he retrieved a business card for his attorney. Mr. Hernandez unlocked the door and handed the card to these officers. We informed Mr. Hernandez that this was a death investigation. Mr. Hernandez slammed the door and relocked it behind him. Mr. Hernandez did not ask officers whose death was being investigated. Mr. Hernandez's demeanor did not indicate any concern for the death of any person. Contact was then made with Mr. Hernandez's attorney.

#### SHAYANNA JENKINS

These officers returned to our vehicle. At approximately 10:40 PM while we remained parked in front of Mr. Hernandez's residence, Mr. Hernandez exited his residence and stated he would follow us to the police station to speak with us. Mr. Hernandez stated that his girlfriend would give him a ride. We followed Mr. Hernandez and his girlfriend to the North Attleboro Police Station which he entered. Mr. Hernandez's girlfriend then drove away from the police station. I followed her out of the lot and flashed my blue lights off and on and the vehicle pulled over adjacent to the North Attleboro Police Department. Det. Arrighi and I then spoke with the driver, identified as Ms. Shayanna Jenkins, DOB: 05-29-1989. I informed Ms. Jenkins about the death of Mr. Lloyd and she immediately began to cry. I asked her if she would speak to us in the parking lot of the Police Station. She agreed to speak there because her child was sleeping in the back seat of the vehicle.

Ms. Jenkins stated that she is the girlfriend of Aaron Hernandez and that they both live together at 22 Ronald C. Meyer Dr. in North Attleboro. Ms. Jenkins stated that Mr. Lloyd dates her sister Shaneah Jenkins. Ms. Jenkins stated that she is not very familiar with Mr. Lloyd and that she does not know his family or any of his friends. Ms. Jenkins

stated that the connection between Mr. Hernandez and Mr. Lloyd is through her sister Shaneah. Ms. Jenkins stated that she last saw Mr. Lloyd on Saturday, June 15, 2013 at approximately 10:30 AM. Mr. Hernandez and Mr. Lloyd were both at 22 Ronald C. Meyer Dr. North Attleboro, MA. in the black Suburban rental vehicle. Ms. Jenkins stated that Mr. Hernandez and Mr. Lloyd discussed returning the rental vehicle to Enterprise Rental.

Ms. Jenkins indicated that she was aware that Mr. Lloyd smoked marijuana and that he also was a marijuana dealer. Ms. Jenkins stated that she would often observe Mr. Lloyd on his phone talking about marijuana sales. She stated that his phone was constantly ringing and that he was constantly talking in "lingo" that led her to believe the conversations were about marijuana sales. Ms. Jenkins provided investigators with the cell phone number for Mr. Hernandez as well as her sister Shaneah Jenkins. Ms. Jenkins also stated that Mr. Hernandez's cell phone number is 203-606-8969.

Ms. Jenkins stated they had recently installed a video surveillance system within their residence. Ms. Jenkins stated that this video surveillance system would allow for the viewing of both the front of their residence as well as the street. Ms. Jenkins stated that the video surveillance system records and plays the video on their home entertainment system. Ms. Jenkins stated that there had been several recent break-in attempts at their residence located at 22 Ronald C. Meyer Dr. North Attleboro, Ma.

Ms. Jenkins stated that both she and Mr. Hernandez were home on Sunday, June 16, 2013 during the day. She stated that they had gone out to dinner for Father's Day later in the day and that a babysitter had stayed with their child. Ms. Jenkins stated that later that evening she had gone to bed early. However, she stated that she was aware that Mr. Hernandez was not home all night and that she was unsure of what time he got home or who he had gone out with. At this time during our conversation Mr. Hernandez called her on her cell phone and informed her that his sports agent said that she should not speak with us and that she should request to speak with her attorney.

#### **ODIN LLOYD CELL PHONE**

The cellular telephone recovered from the body of Mr. Lloyd was taken by investigators to the North Attleboro Police Department. Investigators conducted a search of Mr. Lloyd's cellular phone at the police station. According to the cellular call logs Mr. Lloyd sent a text message to 203-606-8969 (Mr. Hernandez's cell phone as provided by his girlfriend) on June 17, 2013 at 12:22 AM and wrote "We still on." This cellular telephone number is listed under the contact name "Nigga Dis" in Mr. Lloyd's cellphone contacts. There was no response to the text. When Mr. Hernandez was at the station on

June 17, 2013, he had a cellular telephone in his possession and an investigator dialed the number 203 606-8969. The phone was observed to ring and Mr. Hernandez was seen and heard to answer the phone. The investigator hung up without speaking to Mr. Hernandez.

Subsequent to the 12:22 AM text, the victim called the same number (203-606-8969) at 12:50 AM, and at 1:03AM. The text "we still on" indicated that the victim and Mr. Hernandez had made prior plans to do something. One of the last messages sent by the victim was sent to his sister, Shaquilla Thibou. Ms. Thibou saw Mr. Lloyd get into a silver-colored sedan and depart 10 Fayston Street, Dorchester between 1 and 2 AM on June 17, 2013. At 3:07 AM Mr. Lloyd texted Ms. Thibou "U saw who I'm with" and again at 3:11AM "hello." At 3:19 AM the victim's sister replied "my phone was dead who was that?" The victim replied to his sister "Nfl." According to Ms. Thibou, Mr. Lloyd was recently associating with "Hernandez" a New England Patriot football player. She understood this text to mean that Mr. Lloyd was with Aaron "Hernandez." Ms. Thibou replied at 3:22 AM "Lol your aggy." The last text sent by the victim was at 3:23 AM. This text immediately followed the "Nfl" text. Mr. Lloyd described he was giving Ms. Lloyd this information "just so u know."

#### **JOHN MEDEIROS**

John Medeiros a residence of East Providence Rhode Island, who is an employee of Needle Tech in North Attleboro reported to Detective Daniel Arrighi of the North Attleboro Police Department that on the morning of June 17, 2013, he was at his place of employment. This is located at 452 John Dietsch Boulevard, and is approximately 200 yards from the scene. Mr. Medeiros reported that he took his regularly scheduled break between 3:00 and 3:30 AM. While he was on his break he sat in his vehicle in the parking lot. He reported to Det. Arrighi that he heard (3) gunshots and a car door slamming.

#### **SHAQUILLA THIBOU**

Tprs. Chad Laliberte and Zack Johnson interviewed Mr. Lloyd's sister. She indicated that she lived with her brother at 10 Fayston St. Apt. #2, Boston, MA. Ms. Thibou indicated that she last saw her brother at or between 1:00 to 2:00 AM in front of 10 Fayston Street. According to Ms. Thibou, Mr. Lloyd got into a silver four door car with three other males whose identities were unknown to her. The vehicle and the occupants left the area. Ms. Thibou told investigators that she had never seen this car before. According to Ms. Thibou, she was aware that Mr. Lloyd was dating a woman named Shaneah. Ms. Thibou stated that Shaneah was the sister of Aaron Hernandez's girlfriend, Shayanna Jenkins, who lives with Hernandez in North Attleboro, MA. Ms.

Thibou stated that, other than Hernandez and Shayanna Jenkins, she did not know of any other contacts that Mr. Lloyd has in the North Attleboro area.

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Ms. Thibou showed investigators some of the text messages that her brother had sent to her. These messages were explained to investigators and are described above in this affidavit. Ms. Thibou explained that her response to her brother stating "lol your aggy." She indicated that this meant that she was aggravated by her brother's text.

#### **SHANEAH JENKINS**

Tpr. Benson conducted a phone interview with Shaneah Jenkins, the victim's girlfriend. According to Shaneah Jenkins she did not know Mr. Lloyd to have any connection to North Attleboro other than her sister Shayanna Jenkins and Mr. Hernandez. She stated that Mr. Lloyd was her boyfriend and that they were presently in a long distance dating relationship of approximately one year.

#### **ENTERPRISE RENTAL NORTH ATTLEBORO**

On Tuesday, June 18, 2013 at approximately 10:00 AM, investigators arrived at Enterprise Rental Company located at 365 East Washington St., North Attleboro, MA. Investigators spoke with the Enterprise Rental manager who indicated that he was familiar with Aaron Hernandez due to the fact that he frequently rented vehicles from Enterprise Rental. The manager informed investigators that Aaron Hernandez came to Enterprise Rental on Monday, June 17, 2013 at approximately 5:30 PM. At this time, Mr. Hernandez was accompanied by two additional unknown males. Mr. Hernandez returned a rental vehicle which had been rented in his name. This vehicle was a silver colored 2012 Nissan Altima, Ma. Registration 536MX2. At this time Aaron Hernandez rented another rental vehicle, a grey Chrysler 300C, bearing Rhode Island registration 451-375. According to the manager, Mr. Hernandez apologized for damage done to the driver's side exterior mirror and driver's door of the silver Nissan Altima. Although he apologized for the damage, Mr. Hernandez claimed that he did not know how the damage occurred. He said that he just came out in the morning and saw that it was damaged.

The Nissan Altima was viewed by investigators at the Enterprise Rental lot in North Attleboro. Investigators observed that there was damage to the driver's side front door. The driver's side mirror was mangled at the connection to the door and the mirror and housing were missing. Further, there was damage to the driver's side window and a chrome strip at the window. There were scratches on the driver's side door. There appeared to be soil, similar in color and appearance to that at the location where Mr.

Lloyd was found, on the tires and lower panels of the vehicle behind the tires. This soil was also seen within the tire tread(s) and wheel(s) well of the tires of the silver Nissan Altima.

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Mass State Police Investigators viewed the tire treads and the tire treads appears to be consistent with the tire marks left at the scene where the body of Mr. Lloyd was recovered.

Enterprise Rental Car consented to provide the Nissan Altima rental to the Massachusetts State Police. The Nissan Altima is currently in the possession of the Massachusetts State Police.

### CONCLUSION

Based on the preceding, investigators believe that there is probable cause to believe that a crime was committed and that Mr. Lloyd's death was a homicide.

The cellular phone communications, text messages between the victim and Mr. Hernandez, the statement of Mr. Hernandez to investigators and the observations of Ms. Thibou show that Mr. Lloyd intended to meet and did meet with Mr. Hernandez on or about the morning on June 17, 2013. Based on information provided by the victim's sister and his girlfriend Mr. Lloyd appears to have no contacts with anybody in the North Attleboro area except for Mr. Hernandez and Shayanna Jenkins.

The location where the body of Mr. Lloyd was located is approximately one half mile from Mr. Hernandez's residence at 22 Ronald C. Meyer Dr. North Attleboro, Ma.

Based upon the information contained within the affidavit it is reasonable to believe that the purpose of Mr. Lloyd being in North Attleboro, MA at the time of his death was directly related to Mr. Hernandez. Furthermore it is reasonable to believe that Mr. Lloyd may have been in the area 22 Ronald C. Meyer Dr., North Attleboro. Based on the statements of Mr. Hernandez and Ms. Jenkins, the surveillance system located at 22 Ronald C. Meyer Dr. North Attleboro captured the comings and goings of Mr. Hernandez and anyone else with him or in addition to him from the area surrounding the residence. This information can be used to establish timelines and lead to the discovery of other witnesses that may have been present and captured on the video system. Based upon Ms. Thibou's statement that she had witnessed Mr. Lloyd with (3) males earlier in the evening entering a silver car in front of the residence in Boston, combined with the text indicating "Nfi" and Mr. Hernandez's own acknowledgment that he was with Mr. Lloyd "up his way" lead investigators reasonably believe that Aaron Hernandez was with

Mr. Lloyd close in time to Mr. Lloyd's death. Additionally, based upon the information from Enterprise Rental that Mr. Hernandez had rented and subsequently returned a damaged silver Nissan Altima with tire treads consistent with the tire tread patterns at the scene of the homicide, investigators reasonably believe that the video surveillance system will contain evidence that can assist investigators in determining who was present with Mr. Lloyd and Mr. Hernandez during the evening and early morning prior to and following the death of Mr. Lloyd. This information will assist investigators with providing additional leads and evidence.

Based upon the above, there is probable cause to believe that evidence related to death of Odin Lloyd will be located within the home video surveillance system at 22 Ronald C. Meyer Dr. North Attleboro, Ma. This affiant respectfully requests that the court issue a warrant and order allowing investigators to enter and search for and seize the video surveillance system as described by Ms. Jenkins. Furthermore, this affiant requests that the court authorize investigators to seize any electronic data stored as part of the video surveillance system to include but not limited to hard drives, external storage devices, compact discs, computers, laptops, flash drives or any other data storage device used for storing and viewing video data from the residential surveillance system.

The address of 22 Ronald C. Meyer Dr. North Attleboro, MA is described as a three story, brick front, wood frame house with the numbers 22 on the mail box. The mailbox is located adjacent to the street next to the driveway. There is a pair of wooden doors leading into the front of the residence which faces Ronald C. Meyer Dr. There is a three car garage attached to the residence leading to the driveway of 22 Ronald C. Meyer Dr. North Attleboro, Ma.


Additionally this affiant is requesting the court authorize investigators to search for and seize a cellular phone with the phone number of 203-606-8969.

This affiant is requesting the court authorize investigator to conduct an "ALL PERSONS PRESENT" search for the cellular phone of 203-606-8969. Investigators are aware that by issuing an all persons present warrant, this will allow investigators to search for a cellular telephone on any person present within the residence that may have the phone contained in small pockets, purses, or loose clothing. Due to the size of cellular telephones it is easy for a person to secret a phone in various areas of their person and their clothing. This particular type of warrant will allow investigators to conduct a thorough and complete search for evidence of a cellular phone which may contain evidence of a homicide.

This affiant is requesting the court authorize investigators to search for and seize any and all Global Positioning Systems (GPS) as described by Mr. Hernandez as having been used to locate the residence of Mr. Lloyd. GPS tracking devices are known to be contained within any electronic device with GPS capability.

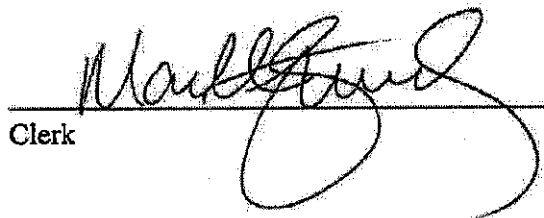
This affiant is requesting the court allow investigators to search and seize 22 Ronald C. Meyer Dr. North Attleboro, Ma. for mirror, housing of mirror, paint and any evidence of damage to the silver Nissan Altima occurring at 22 Ronald C. Meyer Dr. North Attleboro, Ma.

Signed under the pains and penalties of perjury this 18<sup>th</sup> day of June 2013.

  
Tpr. Michael F. Cherven #2605  
Mass State Police  
Bristol State Police Detective Unit

6-18-13

Date

  
Clerk

6/18/13

Date



**Massachusetts State Police**

**ACISS DIGITAL EVIDENCE - COMPUTER / CELL PHONE 2013-104-0367/29**

Report Date: 07/10/2013

**Primary Information**

Description: Search of Cellular Telephone belonging to Aaron Hernandez  
 Dissemination Code: report respect the security of its associated case  
 Reporting LEO: Giossi, Daniel (msp2627 / Bristol Criminal Invest / MSP)  
 Approval Status: Approved  
 Approved Date: 08/21/2013  
 Approved By: Baker, Paul (msp2597 / Bristol Homicide Squad / MSP)

**Related Telephones**

Telephone Number	Relationship
(203) 606-8969	RELEVANT TO CASE (SEE REPORT)

**Property #1 - Blackberry Z10**

**Primary Information**

Property Class: EVIDENCE  
 Property Type: CELLULAR PHONE  
 Description: Blackberry Z10  
 Date Seized: 06/18/2013  
 Property Status: EVIDENCE/SEIZED  
 Status Date: 07/10/2013  
 Model: Blackberry Z10  
 Quantity: 1  
 Serial No: IMEI: 352922051516192  
 Owner: Hernandez, Aaron

**Record Status Information**

Record Origination Operator: Giossi, Daniel (msp2627 / Bristol Criminal Invest / MSP)  
 Record Origination Date: 07/10/2013 10:20  
 Last Update Operator: Baker, Paul (msp2597 / Bristol Homicide Squad / MSP)  
 Last Update Date: 08/21/2013 20:44

Reporting LEO	Date	Supervisor	Date
Giossi, Daniel (msp2627 / Bristol Criminal Invest / MSP)		Baker, Paul (msp2597 / Bristol Homicide Squad / MSP)	9/21/2013

**Narrative begins on the following page.**

**Exhibit C**

**SEE ATTACHED SPDU BRISTOL REPORT OF INVESTIGATION**

**Massachusetts State Police**

**Report of Investigation**

1. Station State Police Detective Unit- Bristol District Attorney's Office		2. Case No. <b>2013-104-0367</b>	
3. Project <b>9A</b>	4. Controlling Case No.	5. Report No.	6. Page 1 of 3
7. Reporting Officer (Rank, First, MI, Last & ID#) <b>T Daniel Giossi, 2627</b>		7a. Signature	
7b. Date Prepared <b>6/25/2013</b>		7c. Date Approved	
8. Approved by (rank, First, MI, Last & ID#) <b>Sgt Paul F Baker, 2597</b>		8a. Signature	
8b. Date Approved		8c. Date Approved	
9. Subject <b>Search Warrant of Cellular Phone – Aaron Hernandez</b>			

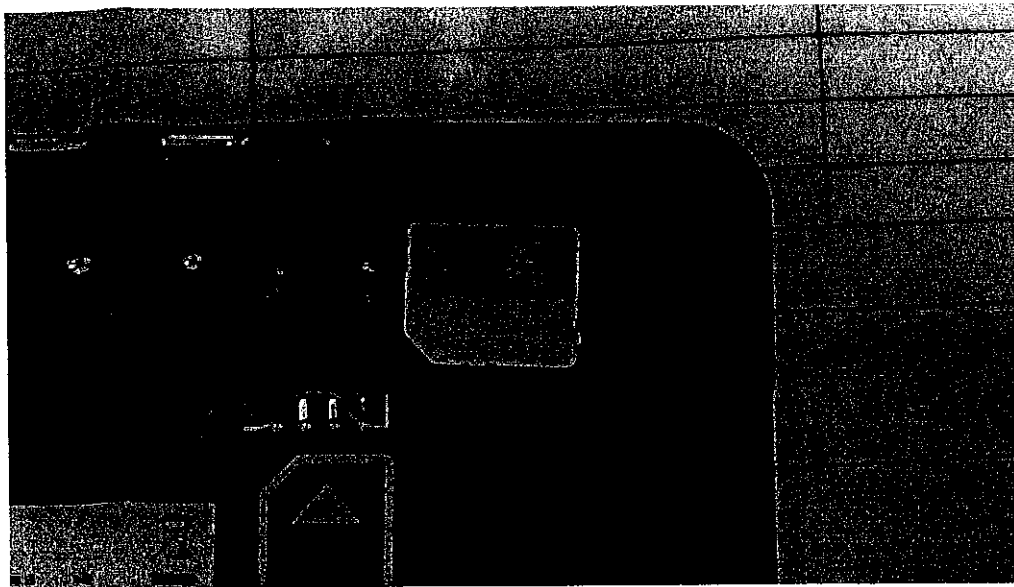
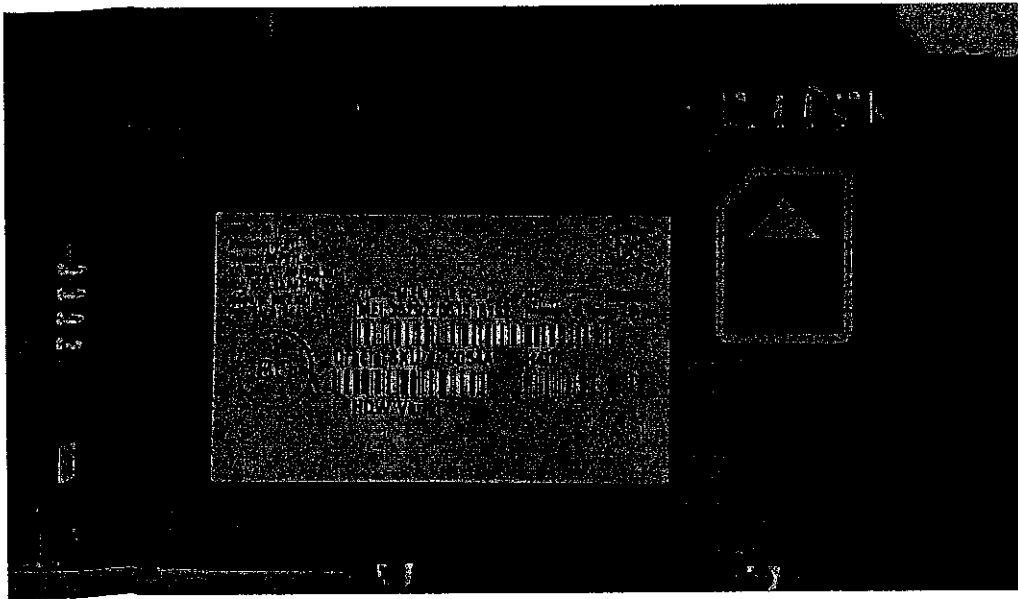
1. On June 18, 2013 as part of the investigation into the homicide of Odin Lloyd in North Attleboro I applied for and was granted a search warrant to seize and search the cellular telephone with phone number 203 606-8969, owned by Aaron Hernandez.

2. On June 18, 2013 a search warrant was executed at the home of Aaron Hernandez, during the search Aaron Hernandez was present and was asked about his cellular phone. Aaron Hernandez stated that his phone was with his attorney.

3. On June 18, 2013 Trooper Joseph Collins contacted the attorney for Aaron Hernandez and made arrangements to retrieve the cellular phone. At approximately 2037 hours Trooper Collins went to the Law Offices of Ropes and Gray at 800 Boylston Street, Boston, MA and met with Atty. Jones and took possession of a Blackberry Z10 Cellular Phone belonging to Aaron Hernandez.

4. On June 18, 2013 at 2210 hours I met with Trooper Collins in Boston and took possession of a sealed evidence bag containing a black blackberry Z10 cellular phone so that I could examine it as per the search warrant issued on June 18, 2013.

5. On June 19, 2013 at approximately 1000 hours I opened the sealed evidence bag and noted that the Blackberry Z10 cellular phone was received with the back off of the phone and the battery removed. The phone contained a Micro SIM Card and an empty slot for a micro SD Card. A subsequent check with AT&T confirmed that the Blackberry Z10 phone is normally sent without a micro SD Card. I took photographs of the phone and the SIM Card.



6. After photographing the evidence I removed the Micro SD card and conducted a Logical File System Extraction of the SIM Card utilizing the UFED Ultimate Touch Device. I then created a PDF Document containing the exported data from the SIM Card. The exported data consisted of 89 Contacts and some information concerning the SIM and the phone number assigned, (203) 606-8969.

7. Trooper Michael Bates and I then conducted UFED Ultimate Logical File Extraction. I then created a PDF Document containing the exported data from the phone. The exported data consisted of 309 Contacts and some miscellaneous information concerning the phone.

8. I then conducted a scroll search of the phone in order to recover the call logs, SMS, MMS and any other data relative to the investigation being conducted and authorized by the search warrant. As a result of the scroll search I took several digital photographs of various screens detailing call logs, text messages and images relative to the investigation. (See attached images).

9. I also noted that there were no text messages on the phone from 10:24 P.M. on 6/16/2013 to 8:35 P.M. on 6/17/2013. (See image capture of text messages)

10. I also noted that there were no phone logs of any calls sent, received or missed from 10:10 P.M. on 6/16/2013 to 8:39 P.M. on 6/17/2013.

11. I also located an image of what appears to be marijuana taken on 6/11/2013.

12. I have attached the images and reports to this report. The phone was powered off and returned to the evidence bag at the conclusion of my examination.

#15

COMMONWEALTH OF MASSACHUSETTS

BRISTOL, ss

SUPERIOR COURT DEPARTMENT  
OF THE TRIAL COURT  
NO. 2013-983

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COMMONWEALTH

v.

AARON HERNANDEZ

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**AFFIDAVIT OF MICHAEL K. FEE**

Being duly sworn, Michael K. Fee states:

1. I am an attorney and Member in good standing of Bar of the Supreme Judicial Court for Commonwealth of Massachusetts. I am co-counsel of record for the Defendant, Aaron Hernandez, in the above-captioned case. I make this affidavit upon personal knowledge and my best recollection.

2. On the night of June 17, 2013, and continuing into the early morning hours of June 18, 2013, my then-law partner Robert G. Jones and I represented Aaron Hernandez while he appeared voluntarily at the North Attleboro Police Station in North Attleboro, Massachusetts. Upon our arrival around midnight, we asked to see our client, conferred with him and informed law enforcement authorities that we represented Mr. Hernandez and that all communications by law enforcement relating to their investigation should be directed to us as counsel.

3. Present at the Police Station that night was Bristol County Assistant District Attorney Patrick Bomberg, as well as officers from the Massachusetts State Police and the North Attleboro Police Department.

4. During the course of the night, ADA Bomberg asked me if Mr. Hernandez would provide his consent for a search of a Chevrolet Suburban that Mr. Hernandez had rented from a car rental agency. In response to this request, Mr. Hernandez voluntarily executed a written consent to permit a search the Suburban, though he was under no obligation to do so.

5. During the course of the evening, ADA Bomberg also requested that Mr. Hernandez participate in a videotaped interview at the Police Station. On behalf of Mr. Hernandez, I informed Mr. Bomberg that I would not consider allowing Mr. Hernandez to speak with anyone from law enforcement until Mr. Jones and I had ample time to meet with him privately and thoroughly assess the situation. I added that this assessment process could not be conducted nor completed while we were at the Police Station in the early morning hours of June 18. Between the early morning hours of June 18 and the evening hours of June 18, I never changed this position or informed Mr. Bomberg that law enforcement personnel were free to speak to Mr. Hernandez.

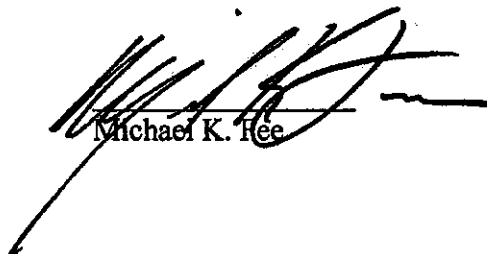
6. During the course of the night, ADA Bomberg stated that he and his police colleagues had noticed that Mr. Hernandez had a mobile phone in his possession. ADA Bomberg asked whether Mr. Hernandez would voluntarily surrender his phone to law enforcement authorities immediately so its contents could be examined. On behalf of Mr. Hernandez, I declined Mr. Bomberg's request for access to Mr. Hernandez's phone. I told ADA Bomberg that I would not permit any client to surrender voluntarily a phone to law enforcement before I have had a meaningful opportunity to examine the phone and discuss its contents with my client.

7. At approximately 7:00 p.m. on June 18, as I drove to an evening appointment in Boston, ADA Bomberg telephoned me on my mobile phone and informed me that they had obtained a warrant authorizing a search of Mr. Hernandez's home (22 Ronald C. Meyer Drive in

North Attleboro), as well as a warrant authorizing the seizure of Mr. Hernandez's mobile phone, the same phone we had discussed in the early hours of June 18. Mr. Bomberg told me that the warrant for the home was in the process of being executed.

8. With regard to the phone, Mr. Bomberg stated that he understood the phone they were seeking was currently located at the offices of Ropes & Gray. I confirmed that this was true. Mr. Bomberg stated that he would send a representative of the State Police to the office that evening to seize the phone. I told Mr. Bomberg that I was out of the office, but my partner Rob Jones was still there. After ending the call with ADA Bomberg, I telephoned Mr. Jones from my car and told him what I had learned from my call with ADA Bomberg. I also informed Mr. Jones that the State Police would be coming to seize Mr. Hernandez's phone under the authority of a warrant.

Signed under the penalty of perjury on September 5, 2014.

  
Michael K. Fee



**CERTIFICATE OF SERVICE**

I certify that I have served the foregoing upon counsel of record by email and by first class mail on William McCauley, Patrick O. Bomberg, and Roger Michel to District Attorneys Office, 888 Purchase Street, New Bedford, MA 02740 on September 5, 2014.

  
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Charles W. Rankin

#115

COMMONWEALTH OF MASSACHUSETTS

BRIXTOL, ss

SUPERIOR COURT DEPARTMENT  
OF THE TRIAL COURT  
NO. 2013-983

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COMMONWEALTH

v.

AARON HERNANDEZ

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**AFFIDAVIT OF ROBERT G. JONES**

Being duly sworn, Robert G. Jones states:

1. I am a member of the bar of the Supreme Judicial Court and am a partner at the law firm of Ropes & Gray LLP. On June 18, 2013, along with my then-partner, Michael K. Fee, I represented Aaron Hernandez.
2. On June 18, 2013, shortly after 7:00 p.m., I was at the firm's office in downtown Boston. I received a telephone call from Mr. Fee. Mr. Fee advised me that Assistant District Attorney Patrick Bomberg had called him to say that the State Police had obtained a warrant to seize Mr. Hernandez's cell phone. The law firm had obtained the cell phone earlier that day, and was maintaining custody of it as part of our representation of Mr. Hernandez. Mr. Fee, who was out of the office, advised me that a search warrant to seize Mr. Hernandez' phone had issued and a State Trooper would be contacting me to make arrangements to obtain the cell phone at the firm.
3. Based on my discussion with Mr. Fee, it was my understanding that I was to make arrangements to provide the cell phone to the State Trooper pursuant to the search warrant Mr. Fee had learned about from ADA Bomberg. I received a call from a State

IN WITNESS WHEREOF

I, the undersigned, being duly sworn, depose and say that the foregoing is a true and correct copy of the original as the same appears from the records of the Court and the same is true to the best of my knowledge and belief.

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

Notary Public for the State of \_\_\_\_\_  
My Commission Expires \_\_\_\_\_

Witness my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

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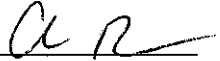
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**CERTIFICATE OF SERVICE**

I certify that I have served the foregoing upon counsel of record by email and by first class mail on William McCauley, Patrick O. Bomberg, and Roger Michel to District Attorneys Office, 888 Purchase Street, New Bedford, MA 02740 on September 5, 2014.

  
Charles W. Rankin

BRISTOL, SS SUPERIOR COURT  
FILED

#116.

SEP - 8 2014

MARC J. SANTOS, ESQ.  
CLERK/MAGISTRATE  
BRISTOL

COMMONWEALTH OF MASSACHUSETTS

SUPERIOR COURT DEPARTMENT  
OF THE TRIAL COURT  
NO. 2013-983

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COMMONWEALTH

v.

AARON HERNANDEZ

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**DEFENDANT'S MOTION FOR LEAVE TO SUBMIT  
FURTHER SUBSTANTIVE MOTIONS  
BY SEPTEMBER 12, 2014**

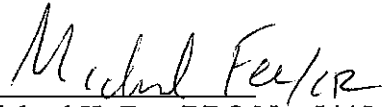
The defendant Aaron Hernandez moves the Court for leave to submit additional substantive motions by September 12, 2104. In support of this motion, defendant states that he is working on additional substantive motions, which will be completed by Friday, September 12, 2014. The one week extension should not delay the September 30, 2014 hearing when substantive motions are scheduled to be heard. Given the volume of material in the case, counsel have simply been unable to complete all of the work required to complete the substantive motions to date.

Respectfully submitted  
The defendant Aaron Hernandez  
By his attorneys



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James L. Sultan, BBO No. 488400  
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Latham & Watkins LLP  
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200 Clarendon St., 20<sup>th</sup> floor  
Boston, MA 02116  
(617) 880-4600

### **CERTIFICATE OF SERVICE**

I certify that I have served the foregoing upon counsel of record by email and by first class mail on William McCauley, Patrick O. Bomberg, and Roger Michel to District Attorneys Office, 888 Purchase Street, New Bedford, MA 02740 on September 5, 2014.



Charles W. Rankin