

#121

COMMONWEALTH OF MASSACHUSETTS

BRISTOL, SS. BRISTOL, SS SUPERIOR COURT
FILED

SUPERIOR COURT DEPARTMENT
OF THE TRIAL COURT
NO. 2013-CR-00983

SEP 16 2014

MARC J. SANTOS, ESQ.
CLERK/MAGISTRATE

COMMONWEALTH OF MASSACHUSETTS

v.

AARON HERNANDEZ

**DEFENDANT'S MOTION TO SUPPRESS EVIDENCE
SEIZED FROM 599 OLD WEST CENTRAL STREET, APARTMENT A12,
FRANKLIN, MASSACHUSETTS ON JUNE 26, 2013
AND ALL DERIVATIVE FRUITS OF THAT SEARCH**

Pursuant to Mass. R. Crim. Proc. 13, the Fourth and Fourteenth Amendments to the U.S. Constitution, Article XIV of the Massachusetts Declaration of Rights, and M.G.L.c. 276, §1, defendant Aaron Hernandez moves that the Court suppress all evidence seized during the course of a search of Apartment A12, 599 Old West Central Street, Franklin Massachusetts on June 26, 2013 and all evidence derived as a result of that search. In support of this motion, defendant states:

1. On June 26, 2013, the State Police sought and obtained a search warrant from the Wrentham District Court, No. 1357-SW-50. The warrant authorized the search of Apartment A12 at 599 Old West Street, Franklin, Massachusetts for a "Samsung Cellular 'flip' style telephone". The warrant was executed that same day.¹ True Copies of the Search Warrant, the Return of Officer Serving Search Warrant, the Application for Search Warrant, and the

¹ The warrant was executed at 599 Old West Central Street, not the address specified in the warrant (599 Old West Street). That discrepancy necessarily casts doubt upon the validity of the warrant.

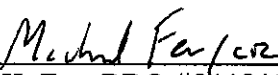
three-page Affidavit in Support of Application for Search Warrant, signed by Trooper Michael B. Bates, are attached as Exhibit 1 to the Affidavit of Charles W. Rankin. The Warrant states that the issuing judicial officer found probable cause to believe that the telephone “has been concealed to prevent a crime from being discovered” and that it “is evidence of a crime or is evidence of criminal activity.”

2. The Affidavit of Trooper Bates was utterly lacking in probable cause that the phone had either been concealed to prevent a crime from being discovered or that it was evidence of a crime or evidence of criminal activity. Accordingly, the issuance of the warrant and resulting search were unconstitutional and unlawful, and all fruits of that search must be suppressed.
3. The basis for this Motion is set forth in the Accompanying Memorandum of Law in Support of Motion to Suppress Evidence.

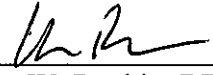
Respectfully submitted,

AARON HERNANDEZ

By his attorneys,



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CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing document upon the Commonwealth by e-mailing and mailing a copy thereof, US mail, postage prepaid, to: William McCauley, Patrick Bomberg, and Roger Michel, Assistant District Attorneys, Bristol County, 888 Purchase Street, New Bedford, MA 02740 on September 12, 2014.



Charles W. Rankin

COMMONWEALTH OF MASSACHUSETTS

BRISTOL, ss.

SUPERIOR COURT DEPARTMENT
OF THE TRIAL COURT
NO. 2013-CR-00983

COMMONWEALTH OF MASSACHUSETTS

v.

AARON HERNANDEZ

**MEMORANDUM OF LAW IN SUPPORT OF
DEFENDANT'S MOTION TO SUPPRESS EVIDENCE
SEIZED FROM 599 OLD WEST CENTRAL STREET, APARTMENT A12,
FRANKLIN, MASSACHUSETTS ON JUNE 26, 2013
AND ALL DERIVATIVE FRUITS OF THAT SEARCH**

Defendant Aaron Hernandez has moved to suppress all evidence seized as a result of the execution of a search warrant at 599 Old West Central Street, Apartment A12, Franklin, Massachusetts on June 26, 2013 and all evidence derived from that search on the grounds that the application and affidavit submitted in support of the issuance of said warrant utterly failed to meet the constitutional and statutory requirement of probable cause.

I. STATEMENT OF RELEVANT FACTS.

The Warrant, Wrentham District Court, No. 1357-SW-50, issued on June 26, 2013, authorized the search of Apartment A12 at 599 Old West Street, Franklin, Massachusetts, for a "Samsung Cellular 'flip' style telephone".^{1/} Specifically, Trooper Michael Bates sought and received

^{1/} True copies of the Search Warrant, the Return of Officer Serving Search Warrant, the Application for Search Warrant, and the three-page Affidavit in Support of Application for Search Warrant, signed by Trooper Michael B. Bates, are attached as Exhibit 1 to the Affidavit of Charles W. Rankin, filed herewith.

permission to search for and seize:

A Samsung cellular “flip” style telephone, dark in color, with a display window on the exterior face of the telephone. This style cellular telephone is similar to the Samsung SCH U365 Model.

The Application was supported solely by a three-page Affidavit of Trooper Bates, described in detail below.

A. Trooper Bates’ Affidavit.

1. Trooper Bates’ experience.

In ¶¶ 1-3 of his Affidavit, Trooper Bates identified his current assignment (as a Narcotics Detective assigned to the Bristol County District Attorney’s Office) and described his experience and training as a narcotics investigator. He noted that he had received specialized training, had received a certificate in the extraction of data from cellular and other electronic devices, and had also provided assistance to the detective unit in numerous major crimes in Bristol County.

2. The location of the search.

After reciting his experience, Trooper Bates explained that he sought issuance of a search warrant for “#599 Old West Street – Apt #A12 Franklin, MA.” Bates Affidavit, ¶ 4.

3. The “showing” of probable cause.

In ¶¶ 5-6, Trooper Bates set forth information seeking to establish probable cause to justify the search of the apartment and the seizure of the Samsung phone. Here is the entirety of what he wrote:

5. This information comes as a result of a lengthy Homicide investigation wherein Odin Lloyd was killed in the early morning hours of Monday – June 17, 2013 in the city of North Attleboro, MA. This investigation is being conducted by the State Police Detectives assigned to the Bristol County

District Attorney's Office in conjunction with the North Attleboro Police Department.

6. During the course of the investigation, subject CARLOS ORTIZ [01/15/1986] was questioned on Tuesday – June 25, 2013 in Bristol, CT. While speaking with investigators, ORTIZ did confirm that he was with Aaron HERNANDEZ on the night in question. ORTIZ then went on to explain that HERNANDEZ has another address that not many people know about. ORTIZ referred to this location as an apartment style location, commonly referred to as a “flop house”. ORTIZ stated that on the night after the incident, HERNANDEZ and ORTIZ stopped by this apartment location. ORTIZ stated that he had inadvertently left his cellular telephone inside, where he believes it remains to this day.

This represents the full extent of Bates's effort to explain why a search of a private residence was warranted. There was no explanation of how either Hernandez or Ortiz were related to the investigation, how the cell phone had supposedly been used by Ortiz, Hernandez, or any other person to commit or conceal a crime, or any basis for believing that the phone was evidence of a crime or criminal activity.

4. Identifying the particular apartment visited by Ortiz.

The next five paragraphs sought to establish that the apartment visited by Ortiz was, in fact, Apartment A12 at 599 Old West Street. ¶¶ 7-11. In ¶ 7, Trooper Bates explained that a video was taken of the apartment complex at “599 Old West Central Street” and of the exterior stairs and door leading to Apartment A12. When shown the video, Ortiz said that it “‘looked like’ the apartment he had previously described.”

Trooper Bates explained that Roberto Olivares, the barber for Hernandez, was interviewed on June 25, 2013, He said that he had been to an apartment in Franklin belonging to Hernandez. He

showed investigators a text message from May 25, 2013 in which an incoming text message to Olivares' phone listed an address of 599 Old West Central Street, Franklin, MA 02038. Bates Affidavit, ¶ 8.

Someone contacted the property manager for the housing complex, and the property manager furnished a lease and related documents (which were attached to the Affidavit of Trooper Bates). The lease identified the lessor as Aaron Hernandez, the term of the lease as May 1, 2013 through April 30, 2014, and the address as Apartment A12 at 599 Old West Central Street in Franklin, MA 02038." Bates Affidavit, ¶ 9.

Paragraph 10 was identical to Paragraph 7, except it added the phrase "where his cellular telephone was left behind" at the end of Paragraph 10.

In Paragraph 11, Trooper Bates recited that Olivares (the barber) had been driven to the area of 599 Old West Central Street and identified that location as being the apartment which belonged to Hernandez that he had visited.

5. The request to search.

Based upon the foregoing, Trooper Bates requested a search warrant for "#599 Old West Street – Apt #A12 in the town of Franklin, MA to search for a cellular telephone that belongs to Carlos ORTIZ":

12. Based upon the information contained with this affidavit, I request that a search warrant be issued for the **#599 Old West Street – Apt #A12 in the town of Franklin, MA** to search for a cellular telephone that belongs to Carlos ORTIZ. The cellular telephone is more specifically described as being a Samsung Cellular "flip" style telephone, dark in color, with a display window on the exterior face of the telephone. This style cellular telephone is similar to the Samsung SCH U365, which I am very familiar with from past experiences.

6. Request to search all persons present.

Trooper Bates ended his Affidavit by requesting that officers be allowed to search any person present at the apartment because “cocaine is commonly packaged in small plastic bags which are easily and likely concealed on one’s person(s)”:

13. This Affiant requests that an ALL PERSONS PRESENT WARRANT be issued for the #599 Old West Central Street for the following reasons: the nature of the sale of Cocaine is such that the participants are constantly changing. Cocaine is commonly packaged in small plastic bags which are easily and likely concealed on one’s person(s). An ALL PERSONS PRESENT WARRANT would enable investigating officers to search any person(s) that may be concealing this cellular device on their person(s) inside or at #599 Old West Central Street – Apt A12 in the town of Franklin, MA at the time the search warrant is executed.

There was nothing else in his Affidavit related to cocaine.

7. Documents attached to the Affidavit.

Trooper Bates attached seventeen pages of documents obtained from the property manager, including a lease in the name of Aaron Hernandez for Apartment A12 at 599 Old West Central Street, Franklin, MA.

B. The Application for Search Warrant.

The Application, signed by Trooper Bates, sought a warrant to search for the Samsung cellular “flip” phone. It recited that the Application was based upon an affidavit which consisted of twenty pages. In fact, Trooper Bates’ affidavit was three pages in length, and the Attachment to the Affidavit (consisting of the lease documents) totaled seventeen pages. Trooper Bates claimed that his Affidavit established probable cause to believe that the Samsung cellular telephone “has been concealed to prevent a crime from being discovered” and that the phone “is evidence of a crime or

is evidence of criminal activity.” The preprinted form used by Trooper Bates stated:

4. Based upon this information, there is 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)

Trooper Bates then inserted the address of “#599 Old West Street – Apartment #12 in Franklin, MA.”^{2/}

C. The Search Warrant.

The Search Warrant contains the exact same handwriting as the Application in describing the property to be searched for and the location of the search.

D. Execution of the Search Warrant.

Officers executed the Warrant on June 26, 2013. See the Return of the Warrant, Exhibit 1 to the Rankin Affidavit.^{3/} While executing the Warrant, police observed various items inside the apartment, which led them to seek additional warrants. True Copies of those Search Warrants, together with the Returns, Applications and Affidavits, are attached to the Affidavit of Charles W. Rankin as follows:

Wrentham District Court No. 1357-SW-51
Ammunition and papers in the apartment
Dated 6/26/13
Exhibit 2

^{2/} The actual address of the apartment was 599 Old West Central Street, Apartment A12.

^{3/} The return on the June 26th warrant, dated July 2, 2013, states that Ortiz’s cell phone was seized pursuant to the warrant. However, according to affidavits filed in support of several subsequent warrant applications to search that same apartment, that phone was not seized on June 26th. *See* affidavits set forth at Exhibits 2, 3 of Rankin Affidavit.

Wrentham District Court No. 1357-SW-53
Clothing in the apartment
Dated 6/26/13
Exhibit 3

Wrentham District Court No. 1357-SW-52
Hummer parked outside the apartment
Dated 6/26/13
Exhibit 4

Attleboro District Court No. 1334-SW-29
Forensic search of Hummer
Dated 7/1/13
Exhibit 5

Attleboro District Court No. (Unknown)
Search of Hummer for compartments
Dated 7/10/13
Exhibit 6

II. SUMMARY OF APPLICABLE LAW.

A. Probable Cause Required for a Search Warrant.

Both the Fourth Amendment to the United States Constitution and Article 14 of the Massachusetts Declaration of Rights “require a magistrate to determine that probable cause exists before issuing a search warrant.” *Commonwealth v. Escalera*, 462 Mass. 636, 641-642 (2012), quoting *Commonwealth v. Byfield*, 413 Mass. 426, 428 (1992). When dealing with probable cause, the question is whether the evidence would warrant “a man of reasonable caution” in reaching the requested conclusion. *Commonwealth v. Rousseau*, 465 Mass. 372, 384-385 (2013), quoting *Brinegar v. United States*, 338 U.S. 160, 175-176 (1949). M.G.L.c. 276, § 1 authorizes the issuance of a search warrant for, *inter alia*, “property or articles which are intended for use, or which are or have been used, as a means of or instrumentality of committing a crime” based upon a finding of “probable cause for such belief.”

Information suggesting that a person may be guilty of a crime does not necessarily establish probable cause to search that person's residence. *Escalera*, 462 Mass. at 642. Rather, the affidavit in support of a search warrant must provide "a substantial basis" for concluding that "evidence connected to the crime will be found on the specified premises." *Id.*, quoting *Commonwealth v. Donahue*, 430 Mass. 710, 712 (2000). See also *Commonwealth v. Kaupp*, 453 Mass. 102, 110 (2009). As the First Circuit has phrased it:

[T]he warrant application must demonstrate probable cause to believe that a particular person has committed a crime—"the commission element"—and that enumerated evidence relevant to the probable criminality likely is located at the place to be searched—"the 'nexus' element".

United States v. Zayas-Diaz, 95 F.3d 105, 110-11 (1st Cir. 1996) (*italics in original*); see also *United States v. Beckett*, 321 F.3d 26, 31 (1st Cir. 2003). In evaluating a motion to suppress evidence obtained from a search warrant, the "inquiry as to the sufficiency of the search warrant application always begins and ends with the 'four corners of the affidavit'." *Commonwealth v. Clagon*, 465 Mass. 1004, 1005 (2013).

Searches for items which are not themselves contraband, but constitute "mere evidence," are not barred. However, as the SJC and the Supreme Court have both held, there must be "probable cause for the belief that the evidence sought will aid in a particular apprehension or conviction." *Commonwealth v. Murray*, 359 Mass. 541, 547 (1971), citing *Warden v. Hayden*, 387 U.S. 294 (1967).

B. Fruit of the Poisonous Tree.

In *Wong Sun v. United States*, 371 U.S. 471, 486 (1963), the Supreme Court held that the exclusionary rule applies, not only to the direct products of violations of constitutional rights, but also to derivative fruits of those violations. Thus, evidence obtained by way of a search warrant must be suppressed if the warrant was issued based upon information obtained in violation of the defendant's constitutional rights. *Commonwealth v. D'Onofrio*, 396 Mass. 711, 716-18 (1986); *Commonwealth v. Pietrass*, 392 Mass. 892, 900-01 (1984).

III. APPLICATION OF LAW TO FACTS.

A. The Affidavit Was Utterly Devoid of Facts Establishing Probable Cause to Justify the Search of Hernandez's Apartment for Ortiz's Phone.

The Affidavit submitted in support of the search warrant was woefully inadequate. There was absolutely no information provided to support Trooper Bates' stated belief that the phone had been concealed to prevent a crime from being discovered, that the phone was evidence of a crime or criminal activity, or that the phone had been used in the commission of a crime. In sum, all that the issuing magistrate was told was:

- This information comes as a result of a lengthy Homicide investigation wherein Odin Lloyd was killed in the early morning hours of Monday – June 17, 2013 in the city of North Attleboro.
- Carlos Ortiz was questioned on June 25, 2013. He confirmed that he was with Aaron Hernandez on the night in question.
- Hernandez has another address that many people do not know about, an apartment in Franklin.

- Ortiz stated that he and Hernandez stopped by the apartment on the night after the incident.
- Ortiz stated that he had inadvertently left his cellular telephone inside the apartment, where he believes it remains to this day.

Unlike many other warrant affidavits in this case, Trooper Bates did not include a lengthy narrative of the investigation, either directly or by incorporating it by reference. Trooper Bates did not explain what relationship (if any) Aaron Hernandez had to the homicide. He did not explain what relationship Carlos Ortiz had to the homicide. He did not explain why Ortiz's phone was evidence of a crime, why police believed it was being concealed, why the phone was evidence of criminal activity, or even why Ortiz believed that the phone was still at the apartment.

In short, there was no factual basis set forth to support Trooper Bates' conclusory belief that probable cause existed to support issuance of a search warrant. It has been well-settled for the past half-century that such an affidavit won't pass muster. As the SJC stated in *Commonwealth v. Rossetti*, 349 Mass. 626, 630 (1965): "[A]n application is inadequate if based merely upon the affiant's belief, without statement of the facts supporting the belief." See also *Commonwealth v. Cuddy*, 353 Mass. 305, 308 (1967) ("[A] purely conclusory affidavit will not suffice and ... the underlying circumstances giving rise to the affiant's belief must be stated." Here, as in *Commonwealth v. Dias*, 349 Mass. 583, 584 (1965), "the affidavit did not state the basis for the officer's belief and therefore was insufficient to permit the issuance of a warrant." Suppression is required.

B. Subsequent Searches Conducted at 599 Old West Central Street in Franklin Were Based Upon Information Obtained During the Illegal Search Conducted on June 26, 2013, so the Fruits of Those Subsequent Searches Must Be Suppressed As Well.

Following their execution of the warrant on June 26, 2013, State Police sought and obtained a number of subsequent warrants at that address. Those warrants all derived from information obtained during the initial illegal search of Hernandez's Franklin apartment. Accordingly, those warrants are fruits of the poisonous tree, and all evidence obtained thereby must be suppressed. The relevant chronology is detailed below.

As explained in Trooper Bates' Affidavit in support of the applications for the search warrants for the second apartment warrant (Wrentham District Court No. 1357-SW-51; Exhibit 2 to Rankin Affidavit) and the initial search of the Hummer (Wrentham District Court No. 1357-SW-52; Exhibit 3 to Rankin Affidavit), while searching the apartment for the Ortiz cell phone, police observed ammunition there. That observation was the entirety of the showing made in support of the second warrant, so the fruits of that warrant must be suppressed.

Also, according to Trooper Bates' Affidavit in support of the second round of Franklin warrants, see Exhibits 2 and 3 to the Rankin Affidavit, police observed a key to a Hummer in the apartment when they searched it on June 26th. According to the Bates Affidavit, officers activated the key and discovered that a Hummer parked in the apartment complex's lot responded. Based on that observation, obtained solely as a result of the unconstitutional search conducted on June 26th, Trooper Bates sought and received a warrant to search the Hummer. The evidence seized as a result of the Hummer search must also be suppressed as the fruit-of-the-poisonous-tree.

Based on those unconstitutional searches, police obtained a third search warrant for the apartment, this time to seize clothing that had been observed there previously. Wrentham District Court No. 1357-SW-53; Exhibit 4 to Rankin Affidavit. This warrant was also based upon the exploitation of observations made during the illegal searches, hence invalid.

Finally, police sought and received two more warrants to search the Hummer: Attleboro District Court No. 1334-SW-29; Exhibit 5 to Rankin Affidavit, authorizing a forensic search of the Hummer on July 1st, and Attleboro District Court No. Unknown; Exhibit 6 to Rankin Affidavit, authorizing a search of the Hummer for hidden compartments on July 10, 2013. Both warrants were issued in reliance on the unlawful series of searches described above, and as such, their fruits must be suppressed.

CONCLUSION

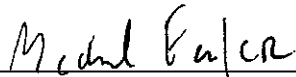
The warrant authorizing the State Police to enter and search Hernandez's Franklin apartment on June 26, 2013 was predicated upon a woefully insufficient factual showing. Accordingly, under the United States Constitution, the Massachusetts Declaration of Rights, and Massachusetts law governing the issuance of search warrants, the warrant was invalid, and the resulting search violated

Hernandez's constitutional rights. It is thus incumbent upon the Court to suppress all fruits of that unlawful search and prohibit the prosecution from exploiting it in any way at the upcoming trial.

Respectfully submitted,

AARON HERNANDEZ

By his attorneys,



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200 Clarendon Street
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CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing document upon the Commonwealth by e-mailing and mailing a copy thereof, US mail, postage prepaid, to: William McCauley, Patrick Bomberg, and Roger Michel, Assistant District Attorneys, Bristol County, 888 Purchase Street, New Bedford, MA 02740 on September 12, 2014.



Charles W. Rankin

COMMONWEALTH OF MASSACHUSETTS

BRISTOL, ss.

SUPERIOR COURT DEPARTMENT
OF THE TRIAL COURT
NO. 2013-CR-00983

COMMONWEALTH OF MASSACHUSETTS

v.

AARON HERNANDEZ

AFFIDAVIT OF CHARLES W. RANKIN

Being duly sworn according to law, Charles W. Rankin states:

1. I am a member of the Bar of the Supreme Judicial Court and co-counsel to the defendant Aaron Hernandez.
2. Attached to this Affidavit are true copies of the Search Warrant, Return, Application for Search Warrant, and Affidavit in Support of Application for Search Warrant for the following Search Warrants:
 - a. Exhibit 1, Wrentham District Court No. 1357-SW-50, dated June 26, 2013, authorizing search of Apt. A12 at 599 Old West Street, Franklin, Massachusetts for Carlos Ortiz's cell phone;
 - b. Exhibit 2, Wrentham District Court No. 1357-SW-51, dated June 26, 2013, authorizing search of the apartment for ammunition and papers;
 - c. Exhibit 3, Wrentham District Court No. 1357-SW-53, dated June 26, 2013, authorizing search of the apartment for clothing;

- d. Exhibit 4, Wrentham District Court No. 1357-SW-52, dated June 26, 2013, authoring search of Hummer parked in the apartment complex;
- e. Exhibit 5, Attleboro District Court No. 1334-SW-29, dated July 1, 2013, authorizing forensic search of Hummer;
- f. Exhibit 6, Attleboro District Court No. Unknown, dated July 10, 2013, authorizing search of Hummer for hidden compartments;
- g. Exhibit 7, Attleboro District Court No. 1334-SW-24, dated June 22, 2013, authorizing search of 22 Ronald C. Meyer Drive, North Attleboro, Massachusetts;
- h. Exhibit 8, Attleboro District Court No. unknown, dated July 5, 2013, authorizing seizure of Toyota from 22 Ronald C. Meyer Drive, North Attleboro, Massachusetts.

Signed under the penalty of perjury on September 12, 2014.



Charles W. Rankin

CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing document upon the Commonwealth by e-mailing and mailing a copy thereof, US mail, postage prepaid, to: William McCauley, Patrick Bomberg, and Roger Michel, Assistant District Attorneys, Bristol County, 888 Purchase Street, New Bedford, MA 02740 on September 12, 2014.



Charles W. Rankin

SEARCH WARRANT

G.L. c. 276, §§ 1-7

TRIAL COURT OF MASSACHUSETTS



DISTRICT

COURT DEPARTMENT

APPROPRIATE ARTICLE 50B

DIVISION

SEARCH WARRANT DOCKET NUMBER

1357 SW 50

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:

A SAMSUNG CELLULAR "FLIP" STYLE TELEPHONE, DARK IN COLOR, WITH A DISPLAY WINDOW ON THE EXTERIOR FACE OF THE TELEPHONE. THIS STYLE CELLULAR TELEPHONE IS SIMILAR TO THE SAMSUNG SCH U365 MODEL

at: APARTMENT #12 IN FRANKLIN, MA THIS PROPERTY IS DESCRIBED AS A THREE(2) STORY APARTMENT COMPLEX WITH A BASEMENT THE EXTERIOR IS CONCRETE IN BRICK, AND THE SPECIFIC LOCATION HAS THE LETTER "A" AFFIXED TO THE EXTERIOR GLASS DOORWAY FOR ACCESS. THE APT. NUMBER IS THE NUMBER "12" WHICH IS OCCUPIED BY AND/OR IN THE POSSESSION OF: _____ AFFIXED TO THE DOOR

on the person or in the possession of: _____

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

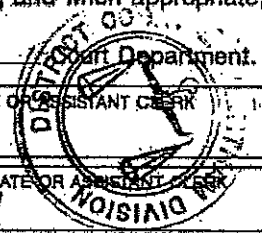
You are are not also authorized to enter the premises without announcement.

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

[Signature] Division of the *Miss Paul Court* Court Department.

DATE ISSUED: 6/20/13	SIGNATURE OF JUSTICE, CLERK-MAGISTRATE OR ASSISTANT CLERK: <i>[Signature]</i>
FIRST OR ADMINISTRATIVE JUSTICE WITNESS: <i>[Signature]</i>	PRINTED NAME OF JUSTICE, CLERK-MAGISTRATE OR ASSISTANT CLERK: A. Ann's P. J.



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 06-26, 2013, and I have executed it as follows:
DATE

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

1. SAMSUNG SCH-U365 CELL PHONE; SKU: SCHU365HPP; FCC ID: A3LSCAU365 FLIP PHONE
- 2.
- 3.
- 4.
- 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: TROOPER CHRISTOPHER DUMONT #3247

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	DATE AND TIME OF SEARCH 06-26-13 @ 1330 hrs	SWORN AND SUBSCRIBED TO BEFORE x
PRINTED NAME OF PERSON MAKING SEARCH MICHAEL B. BATES	TITLE OF PERSON MAKING SEARCH TROOPER #2124	DATE SWORN AND SUBSCRIBED TO 7-2-13

APPLICATION FOR SEARCH WARRANT

G.L. c. 276, §§ 1-7

TRIAL COURT OF MASSACHUSETTS



DISTRICT

COURT DEPARTMENT

ATTLEBORO

DIVISION

NAME OF APPLICANT

MICHAEL B. BATES

POSITION OF APPLICANT

TROOPER #2124

SEARCH WARRANT DOCKET NUMBER

13578W50

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 20 pages, which is (are) incorporated herein by reference.

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

- checkboxes for property characteristics: stolen, intended for use in crime, concealed, unlawfully possessed, evidence of crime, other.

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):

A SAMSUNG CELLULAR "FLIP" STYLE TELEPHONE, DARK IN COLOR, WITH A DISPLAY WINDOW ON THE EXTERIOR FACE OF THE TELEPHONE. THIS STYLE CELLULAR TELEPHONE IS SIMILAR TO THE SAMSUNG SCH U365 MODEL

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): #599 OLD WEST STREET - APARTMENT #12 IN FRANKLIN, MA. THIS PROPERTY IS DESCRIBED AS A THREE(2) STORY APARTMENT COMPLEX WITH A BASEMENT. THE EXTERIOR IS COVERED IN BRICK, AND THE SPECIFIC LOCATION HAS THE LETTER "A" AFFIXED TO THE EXTERIOR GLASS DOORWAY FOR ACCESS. THE APP ENTRANCE HAS THE NUMBER "12" AFFIXED TO THE CURB SIDE which is occupied by and/or in the possession of:

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

checkbox 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.

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

PRINTED NAME OF APPLICANT

TROOPER MICHAEL B. BATES #2124

SIGNED UNDER THE PENALTIES OF PERJURY

X [Signature] Signature of Applicant

SWORN AND SUBSCRIBED TO BEFORE

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

6/26/13 DATE

Affidavit
In Support of Application for Search Warrant

1. I, Michael B. Bates, being duly sworn, depose and say that I am a Massachusetts State Police Officer, currently assigned to the Bristol County District Attorney's Office as a Narcotics Detective. My responsibilities include narcotics investigations throughout Bristol County.

2. I have been employed as a State Police Officer for the past twenty-one (21) years. I have made numerous narcotic arrests, participated in numerous narcotic investigations and search warrants concerning violations of the Controlled Substance Acts. I have testified in both District and Superior Courts in narcotics related cases. During the course of my duties, I have conducted undercover surveillance and assisted in the execution of numerous search warrants.

3. I have received formalized training for twenty-two (22) weeks by the Massachusetts State Police Academy in New Braintree, MA., including twenty (20) hours of Narcotics identification and investigation. In addition, I have received over eighty (80) hours of formalized training by the Drug Enforcement Administration in Narcotics identification, detection, interdiction, and the prosecution of such related cases. I have also received specialized training and received a certification in the extraction of data from cellular and other electronic devices. I have also provided assistance to the detective unit in investigating numerous major crimes throughout Bristol County, MA.

4. I present the following facts in this Affidavit in seeking the issuance of a search warrant for the following location:

#599 Old West Street - Apt #12A
Franklin, MA

5. This information comes as a result of a lengthy Homicide investigation wherein Odin Lloyd was killed in the early morning hours of Monday - June 17, 2013 in the city of North Attleboro, MA. This investigation is being conducted by the State Police Detectives assigned to the Bristol County District Attorney's Office in conjunction with the North Attleboro Police Department.

6. During the course of the investigation, subject Carlos ORTIZ [01/15/1986] was questioned on Tuesday - June 25, 2013 in Bristol, CT. While speaking with investigators, ORTIZ did confirm that he was with Aaron HERNANDEZ on the night in question. ORTIZ then went on to explain that HERNANDEZ has another address that not many people know about. ORTIZ referred to this location as an apartment style location, commonly referred to as a "flop house". ORTIZ stated that on the night after the incident, HERNANDEZ and ORTIZ stopped by

Printed Name of Affiant Signed Under The Pains and Penalties of Perjury

Trooper Michael B. Bates #2124

X: Trooper Michael B. Bates

Sworn and Subscribed To Before

X: [Signature]
Signature of Justice, Clerk, Assistant Clerk

06-26-2013

Date

Affidavit
In Support of Application for Search Warrant

this apartment location. ORTIZ stated that he had inadvertently left his cellular telephone inside, where he believes it remains to this day.

7. A video was then taken documenting the outside of the apartment complex located at #599 Old West Central Street in Franklin, MA. The video also captured entry from the lot, up the stairs, and ended while focused on the door labeled "A12". This video was shown to ORTIZ during question. ORTIZ stated that the video "looked like" the apartment that he had previously described. This is the same apartment that ORTIZ told investigators he had visited on the night after the incident.

8. During the course of this investigation, subject Roberto OLIVARES [05/17/1985] was questioned on Tuesday - June 25, 2013 at the North Attleboro Police Department. OLIVARES is the barber for HERNANDEZ. OLIVARES stated that he has been to an apartment belonging to HERNANDEZ that was in Franklin, MA. OLIVARES then showed investigators a text message conversation on his cellular telephone that listed the address. The text message read as follows:

2033606869	*Aaron	25/05/13 12:35:31	Read	Inbox	Incoming	Wat tome u thinking
2033606869	*Aaron	25/05/13 12:46:10	Sent	Sent	Outgoing	What's da address
2033606869	*Aaron	25/05/13 13:23:13	Read	Inbox	Incoming	How's it lookin?
2033606869	*Aaron	25/05/13 15:24:59	Read	Inbox	Incoming	599 Old West Central Street, Franklin, MA 02038

9. A check was then conducted to locate the property manager for the housing/condominium building located at #599 Old West Street in Franklin, MA. They were identified as "The Property Managers" of 233 West Central Street in Franklin, MA. Their office was able to identify and provide a seventeen (17) page "Standard Form Apartment Lease" (affixed and labeled as "Attachment #1). This lease is specifically for Apartment A12 at #599 Old West Central Street in Franklin, MA 02038. The lease specifies the term as being for one (1) year: beginning on 05/01/2013 with a termination date of 04/30/2014. The Lessor on this

Printed Name of Affiant Signed Under The Pains and Penalties of Perjury

Trooper Michael B. Bates #2124

X: Mr Michael Bates

Sworn and Subscribed To Before

X: [Signature]
Signature of Justice, Clerk/Assistant Clerk

06-26-2013
Date

Affidavit
In Support of Application for Search Warrant

agreement is listed as Aaron HERNANDEZ of 22 Ron C Meyer Drive in North Attleboro, MA 02760. This Lease agreement appears to be initialed on each page in the lower right corner, as well as signed in the appropriate locations. The lease agreement is signed / dated on April 28, 2013.

10. A video was then taken documenting the outside of the apartment complex located at #599 Old West Central Street in Franklin, MA. The video also captured entry from the lot, up the stairs, and ended while focused on the door labeled "A12". This video was shown to ORTIZ during question. ORTIZ stated that the video "looked like" the apartment that he had previously described. This is the same apartment that ORTIZ told investigators he had visited on the night after the incident where his cellular telephone was left behind.

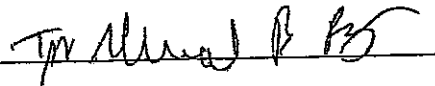
11. On Wednesday - June 26, 2013 at approximately 1130 hours, above subject Roberto OLIVARES was driven from the Grand Jury in Fall River -- directly to the area of #599 Old West Central Street in Franklin, MA in order to identify the apartment described to investigators. Once on scene in the parking lot area, OLIVARES guided investigators inside of Building A -- directly to the apartment labeled A12 on the outside of the apartment door. OLIVARES identified this specific location as being the apartment that he had visited which belonged to HERNANDEZ.

12. Based upon the information contained within this affidavit, I request that a search warrant be issued for the #599 Old West Street - Apt #12A in the town of Franklin, MA to search for a cellular telephone that belongs to Carlos ORTIZ. This cellular telephone is more specifically described as being a Samsung Cellular "flip" style telephone, dark in color, with a display window on the exterior face of the telephone. This style cellular telephone is similar to the Samsung SCH U365, which I am very familiar with from past experiences.

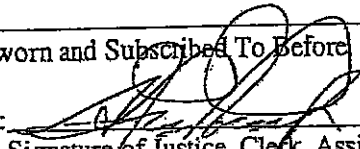
13. This Affiant requests that an ALL PERSONS PRESENT WARRANT be issued for the #599 Old West Central Street for the following reasons: the nature of the sale of Cocaine is such that the participants are constantly changing. Cocaine is commonly packaged in small plastic bags which are easily and likely concealed on one's person(s). An ALL PERSONS PRESENT WARRANT would enable investigating officers to search any person(s) that may be concealing this cellular device on their person(s) inside or at #599 Old West Central Street - Apt 12A in the town of Franklin, MA at the time the search warrant is executed. END of Affidavit.

Printed Name of Affiant Signed Under The Pains and Penalties of Perjury

Trooper Michael B. Bates #2124

X: 

Sworn and Subscribed To Before

X: 
Signature of Justice, Clerk, Assistant Clerk

06-26-13

Date

STANDARD FORM APARTMENT LEASE
(FIXED TERM)

From the Office of:

The Property Managers
233 West Central Street
Franklin, MA 02038
(508) 613-3117
Info@The-Property-Managers.com

Date: 05/01/2013

Attachment #1

Name: The Kelly & Colombo Group c/o The Property Managers
Address: 233 West Central Street
City/State/Zip: Franklin, MA 02038 (Phone Number) 508-613-3117
Lessor, hereby leases to (Name) Aaron Hernandez
(Address/City/State/Zip) 22 Ron C Meyer Drive, North Attleboro, MA 02760 (Phone Number) 514-989-1753
Lessee, who hereby hires the following premises, via (Apartment/Suite) A12
at (Street or Address) 599 Old West Central Street, Franklin MA (Zip) 02038
(consisting of) 4 Rooms, 2 Bedrooms, 1 Bathroom
for the term of One Year, beginning 05/01/2013
and terminating on 04/30/2014. The rent is to be paid by the Lessee for the leased
premises shall be as follows:

RENT: A: The term rent shall be \$14,400.00, payable, except as herein otherwise provided,
in installments of \$1,200.00, on the 1 day of every month, in advance, so
long as this lease is in force and effect;

~~TENANT:~~ ~~Dr. However, if any tax year commencing with the fiscal year _____ the real estate~~
~~This section governs rent taxes on the land and buildings, of which the leased premises are a part, are in excess of~~
~~Payments. In some cases, the amount of the real estate taxes thereon for the fiscal year _____, (herein called the~~
~~rent payments may "Base Year", and being the most recent year in which the Lessor has actually received a~~
~~increase during the lease real estate tax bill for the leased premises) Lessee will pay to Lessor an additional rent~~
~~term. Please be sure that hereunder, when and as designated by notice in writing by Lessor, _____ percent of~~
~~you carefully read and such excess that may occur in each year of the term of this Lease or any extension or~~
~~understand this section. Renewal thereof and proportionately for any part of a fiscal year. The Lessor represents~~
~~Please initial here when to the Lessee that the term rent set forth in the immediately preceding paragraph (A) does~~
~~you are certain that you not reflect any real estate tax increase subsequent to the said Base Year. Notwithstanding~~
~~understand and agree anything contained herein to the contrary, the Lessee shall be obligated to pay only that~~
~~with this section. Proportion of such increased tax as the unit leased here bears to the whole of the real~~
~~Lessee's initials: estate so taxed, and if the Lessor obtains an abatement of the real estate tax levied on the~~
~~whole of the real estate of which the unit leased by Lessee is a part, a proportionate share~~
~~of such abatement, less reasonable attorney's fees, if any, shall be refunded to said Lessee.~~

LESSOR AND LESSEE FURTHER COVENANT AND AGREE:

- 1. MAINTENANCE - For maintenance, if other than lessor, contact:

The Property Managers 233 West Central Street Franklin, MA 02038 508-613-3117
(Name) (Address) (Telephone No.)

- 2. ADDITIONAL PROVISIONS -- See attached rider.

[Signature] Initial [Signature] Initial

3. HEAT AND OTHER UTILITIES

TENANT: This section governs utility payments. Be sure to discuss with the Lessor those payments which will be required of you for this apartment.

The Lessee shall pay, as they become due, all bills for electricity and other utilities, whether they are used for furnishing heat or other purposes, that are furnished to the demised premises and presently separately metered. The Lessor agrees that he will furnish reasonably hot and cold water and reasonable heat (except to the extent that such water and heat are furnished through utilities metered to the demised premises as stated above) during the regular heating season, all in accordance with applicable laws, but the failure of the Lessor to provide any of the foregoing items to any specific degree, quantity, quality, or character due to any causes beyond the reasonable control of the Lessor, such as accident, restriction by City, State or Federal regulations, or during necessary repairs in the apparatus shall not (subject to applicable law) form a basis of any claim for damages against the Lessor.

4. ATTACHED FORMS

The forms, if any, attached hereto are incorporated herein by reference.

5. CARE OF PREMISES

The Lessee shall not paint, decorate or otherwise embellish and/or change and shall not make nor suffer any additions or alterations to be made in or to the leased premises without the prior written consent of the Lessor, nor make nor suffer any strip or waste, nor suffer the heat or water to be wasted, and a the termination of this lease, shall deliver up the leased premises and all property belonging to the Lessor in good, clean and tenable order and condition, reasonable wear and tear excepted. No washing machine, air-conditioning unit, space heater, clothes dryer, television or other gadgets, or other like equipment shall be installed without the prior written consent of the Lessor. No waterbeds shall be permitted in the leased premises.

6. CLEANLINESS

The Lessee shall maintain the leased premises in a clean condition. He shall not sweep, throw, or dispose of, nor permit to be swept, thrown or disposed of, from said premises nor from any doors, windows, balconies, porches or other parts of said building, any dirt, waste, rubbish or other substance or article into any other parts of said building or the land adjacent thereon, except in proper receptacles and except in accordance with the rules of the Lessor.

7. DEFINITIONS

The words "Lessor" and "Lessee" as used herein shall include their respective heirs, executors, administrators, successors, representatives and assigns, agents and servants; and the words "he", "his" and "him" where applicable shall apply to the Lessor or Lessee regardless of sex, number, corporate entity, trust or other body. If more than one party signs as Lessee hereunder, the covenants, conditions and agreements herein of the Lessee shall be the joint and several obligations of each such party.



8. DELIVERY OF PREMISES

In the event the Lessor is not able through no fault of his own to deliver the leased to the Lessee at the time called for herein, the rent shall be abated on a pro rata basis until such time as occupancy can be obtained, which abatement shall constitute full settlement of all damages caused by such delay, or the Lessor, at his election, shall be allowed reasonable time to deliver possession of the leased premises, and if he cannot deliver such possession within 30 days from the beginning of said term, either the Lessor or Lessee may then terminate this lease by giving written notice to the other and any payment made under this lease shall be forthwith refunded. Lessee hereby authorizes and empowers Lessor to institute proceeding to recover possession of the premises on behalf of and in the name of Lessee.

9. EMINENT DOMAIN

If the leased premises, or any part thereof, or the whole or any part of the building of which they are a part, shall be taken for any purpose by exercise of the power of eminent Domain or condemnation, or by action of the city or other authorities or shall receive any direct or consequential damage for which the Lessor or Lessee shall be entitled to compensation by reason of anything lawfully done in pursuance of any public authority after the execution hereof and during said term, or any extension or renewal thereof, then at the option of either the Lessor or the Lessee, this lease and said term shall terminate and such option may be exercised in the case of any such taking, notwithstanding the entire interest of the Lessor and the Lessee may have been divested by such taking.

Said option to terminate shall be exercised by either the Lessor or the Lessee, by giving a written notice of exercise of such option to terminate in the manner described in Section 17 of this lease. Said option to terminate shall not be exercised by either party (a) earlier than the effective date of taking, nor (b) later than thirty (30) days after the effective date of taking. The mailing of the notice of exercise as set forth hereinabove shall be deemed to be the exercise of said option; and upon the giving of such notice, this lease shall be terminated as of the date of the taking. If this lease and said term are not so terminated, then in case of any such taking or destruction of or damage to the leased premises, rendering the same or any part thereof unfit for use and occupation, a just proportion of the rent herebefore reserved, according to the nature and extent of the damage to the leased premises, shall be suspended or abated until, in the case of such taking, what may remain of the leased premises, shall have been put in proper condition for use and occupation. The Lessee hereby assigns to the Lessor any and all claims and demands for damages on account of any such taking or for compensation for anything lawfully done in pursuance of any public authority, and covenants with the Lessor that the Lessee will from time to time execute and deliver to the Lessor such further instruments of assignment of any such claims and demands as the Lessor

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upon request, provided however that the Lessee does not assign to the Lessor any claims based upon Lessee's personal property or to the improvements installed by Lessee with Lessor's written permission.

10. FIRE, OTHER CASUALTY

If the leased premises, or any part thereof, or the whole or a substantial part of the building of which they are a part, shall be destroyed or damaged by fire or other casualty after the execution hereof and during said term, or any extension or renewal thereof, then this lease and said term shall terminate at the option of the Lessor by notice to the Lessee. If this lease and said term are not so terminated, then in case of any such destruction of or damage to the leased premises, or to the common areas of the building customarily used by the Lessee for access to and egress from the leased premises, rendering the same or any part thereof unfit for use and occupation, a just proportion of the rent hereinbefore reserved, according to the nature and extent of the damage to the leased premises, shall be suspended or abated until the leased premises shall have been put in proper condition for use and occupation. If the leased premises or such common areas have not been restored by the Lessor to substantially their former condition for use and occupancy within thirty (30) days after the damage occurred, the Lessee may terminate this lease by giving notice to the Lessor within thirty (30) days following the termination of the thirty (30) day period within which the Lessor failed to restore the leased premises or common areas. If either party gives notice of intention to terminate under this section, this lease shall terminate on the last day of the then-current monthly rental period.

11. DISTURBANCE, ILLEGAL USE

Neither the Lessee nor his family, friends, relatives, invitees, visitors, agents or servants shall make or suffer any unlawful, noisy or otherwise offensive use of the leased premises, nor commit or permit any nuisance to exist thereon, nor cause damage to the leased premises, nor create any substantial interference with the rights, comfort, safety or enjoyment of the Lessor or other occupants of the same or any other apartment, nor make any use whatsoever thereof than as and for a private residence. No articles shall be hung or shaken from the windows, doors, porches, balconies, or placed upon the exterior window sills.

12. GOVERNMENTAL REGULATIONS

The Lessor shall be obligated to fulfill all of the Lessor's obligations hereunder to the best of the Lessor's ability but the Lessee's obligations, covenants and agreements hereunder shall not (subject to applicable law) be affected, impaired or excused because the Lessor is unable to supply or is delayed in supplying any service or is unable to make or is delayed in making any repairs, additions, alterations or decorations, or is unable to supply or is delayed in supplying any equipment or fixtures, if Lessor is prevented or delayed from doing so because of any law or governmental action or any order, rule or regulation of any governmental agency, which is beyond the Lessor's reasonable control.

13. COMMON AREAS

No receptacles, vehicles, baby carriages or other articles or obstructions shall be placed in the halls or other common areas or passageways.

14. INSURANCE

Lessee understands and agrees that it shall be Lessee's own obligations to insure his personal property.

15. KEYS AND LOCKS



Upon expiration or termination of the lease, the Lessee shall deliver the keys of the premises to the landlord. Delivery of keys by the Lessee to the Lessor, or to anyone on his behalf, shall not constitute a surrender or acceptance of surrender of the leased premises unless so stipulated in writing by the Lessor. In the event that the exterior door lock or locks in the leased premises are not in normal working order at any time during the term thereof, and if the Lessee reports such condition to the Lessor, then and in that event the Lessor shall, within a reasonable period of time following receipt of notice from the Lessee of such condition, repair or replace such lock or locks. Locks shall not be changed, altered, or replaced nor shall new locks be added by the Lessee without the written permission of the Lessor. Any locks so permitted to be installed shall become the property of the Lessor and shall not be removed by the Lessee. The Lessee shall promptly give a duplicated key to any such changed, altered, replaced or new lock to the Lessor.

16. LOSS OR DAMAGE

The Lessee agrees to indemnify and save the Lessor harmless from all liability, loss or damage arising from any nuisance made or suffered on the leased premises by the Lessee, his family, friends, relatives, invitees, visitors, agents, or servants or from any carelessness, neglect or improper conduct of any such persons. All personal property in any part of the building within the control of the Lessee shall be at the sole risk of the Lessee. Subject to provisions of applicable law the Lessor shall not be liable for damage to or loss of property of any kind which may be lost or stolen, damaged or destroyed by fire, water, steam, defective refrigeration, elevators, or otherwise, while on the leased premises or in any storage space in the building or for any personal injury unless caused by the negligence of the Lessor.

17. NOTICES

Written notice from the Lessor to the Lessee shall be deemed to have been properly given if mailed by registered or certified mail postage prepaid, return receipt requested to the Lessee at the address of the leased premises, or if delivered or left in or on any part thereof, provided that if so mailed, the receipt has been signed, or if so delivered or left, that such notice has been delivered to or left with, the Lessee or anyone expressly or impliedly authorized to receive messages for the Lessee, or by any adult who resides with the Lessee in the leased premises. Written notice from the Lessee to the Lessor shall be deemed to have been properly given if mailed by registered or certified mail, postage prepaid, return receipt requested to the Lessor at his address set forth in the first paragraph.

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in this lease, unless the Lessor shall have notified the Lessee of a change of the Lessor's address, in which case such notice shall be so sent to such changed address of the Lessor, provided that the receipt has been signed by the Lessor or anyone expressly or impliedly authorized to receive messages for the Lessor; Notwithstanding the foregoing, notice by either party to the other shall be deemed adequate if given in any other manner authorized by law.

18. OTHER REGULATIONS

The Lessee agrees to conform to such lawful rules and regulations which are reasonably related to the purpose and provisions of this lease, as shall from time to time be established by the Lessor, in the future for the safety, care, cleanliness, or orderly conduct of the leased premises and the building of which they are a part, and of the benefit, safety, comfort and convenience of all the occupants of said building.

19. PARKING

Parking on the premises of the Lessor is prohibited unless written consent is given by the Lessor.

20. PETS

No dogs or other animals, birds or pets shall be kept in or upon the leased premises without the Lessor's written consent, and consent so given may be revoked at any time.

21. PLUMBING

The water closets, disposals, and waste pipes shall not be used for any purposes other than those for which they were constructed nor shall any sweepings, rubbish, rags, or any other improper articles be thrown into same, and any damage to the building caused by the misuse of such equipment shall be borne by the Lessee by whom or upon whose premises shall have been caused unless caused by the negligence of the Lessor, or by the negligence of an independent contractor employed by the Lessor.

22. REPAIRS

The Lessee agrees with the Lessor that, during this lease and for such further time as the Lessee shall hold the leased premises or any part thereof, the Lessee will at all times keep and maintain the leased premises and all equipment and fixtures therein or used therewith repaired, whole and of the same kind, quality and description and in such good repair, order and condition as the same are at the beginning of, or may be put in during the term or any extension or renewal thereof, reasonable wear and tear and damage by unavoidable casualty only excepted. The Lessor and the Lessee agree to comply with any responsibility which either may have under applicable law to perform repairs upon the leased premises. If Lessee fails within a reasonable time, or improperly makes such repairs, then and in any such event or events, the Lessor may (but shall not be obligated to) make such repairs and the Lessee shall reimburse the Lessor for the reasonable cost of such repairs in full, upon demand.

23. RIGHT OF ENTRY

The Lessor may enter upon the leased premises to make repairs thereto, to inspect the premises, or to show the premises to prospective tenants, purchasers, or mortgagees. The Lessor may also enter upon the said premises if same appear to have been abandoned by the Lessee or as otherwise permitted by law.

24. NON-PERFORMANCE OR BREACH BY LESSEE

If the Lessee shall fail to comply with any lawful term, condition, covenant, obligation, or agreement expressed herein or implied hereunder, or if the Lessee shall be declared bankrupt, or insolvent according to law or if any assignment of the Lessee's property shall be made for the benefit of creditors, or if the premises appear to be abandoned then, and in any of the said cases and notwithstanding any license or waiver of any prior breach of any of the said terms, conditions, covenants, obligations, or agreements the Lessor, without necessity or requirement of making any entry may (subject to the Lessee's rights under applicable law) terminate this lease by:



1. a seven (7) day written notice to the Lessee to vacate said leased premises in case of any breach except only for a non-payment of rent, or
2. a fourteen (14) day written notice to the Lessee to vacate said leased premises upon the neglect or refusal of the Lessee to pay the rent as herein provided.

Any termination under this section shall be without prejudice to any remedies which might otherwise be used for arrears of rent or preceding breach of any of the said terms, conditions, covenants, obligations or agreements.

25. LESSEE'S COVENANTS IN EVENT OF TERMINATION

The Lessee covenants that in case of any termination of this lease, by reason of the default of the Lessee, then at the option of Lessor:

- (A) the Lessee will forthwith pay to the Lessor as damages hereunder a sum equal to the amount by which the rent and other payments called for hereunder for the remainder of the term or any extension or renewal thereof exceed the fair rental value of said premises for the remainder of the term or any extension or renewal thereof; and
- (B) the Lessee covenants that he will furthermore indemnify the Lessor from and against any loss and damage sustained by reason of any termination caused by the default of, or the breach by, the Lessee. Lessor's damages hereunder shall include, but shall not be limited to any loss of rents; reasonable broker's commissions for the reletting of the leased premises; advertising costs; the reasonable cost incurred in cleaning and repainting the premises in order to re-let the same; and moving and storage charges incurred by Lessor in moving Lessee's belongings pursuant to eviction proceedings.
- (C) At the option of the Lessor, however, Lessor's cause of action under

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this article shall accrue when a new tenancy or lease term first commences subsequent to a termination under this lease, in which event Lessor's damages shall be limited to any and all damages sustained by him prior to said new tenancy or lease date.

Lessor shall also be entitled to any and all other remedies provided by law. All rights and remedies are to be cumulative and not exclusive.

26. REMOVAL
OF GOODS

Lessee further covenants and agrees that if Lessor shall remove Lessee's goods or effects, pursuant to the terms hereof or of any Court order, Lessor shall not be liable or responsible for any loss of or damage to Lessee's goods or effects and the Lessor's act of so removing such goods or effects shall be deemed to be the act of and for the account of Lessee, provided, however, that if the Lessor removes the Lessee's goods or effects, he shall comply with all applicable laws, and shall exercise due care in the handling of such goods to the fullest practical extent under the circumstances.

27. NON-
SURRENDER

Neither the vacating of the premises by the Lessee, nor the delivery of keys to the Lessor shall be deemed a surrender or an acceptance of surrender of the leased premises, unless so stipulated in writing by Lessor.

28. SUBLETTING,
NUMBER OF
OCCUPANTS

The Lessee shall not assign nor underlet any part of the whole of the leased premises, nor shall permit the leased premises to be occupied for a period longer than a temporary visit by anyone except the individuals specifically named in the first paragraph of this lease, their spouses, and any children born to them during the term of this lease or any extension or renewal thereof without first obtaining on each occasion the assent in writing of the Lessor.

29. TRUSTEE

In the event that the Lessor is a trustee or a partnership, no such trustee nor any beneficiary nor any shareholder of said trust and no partner, General or Limited, of such partnership shall be personally liable to anyone under any term, condition, covenant, obligation, or agreement expressed herein or implied hereunder or for any claim of damage or cause at law or in equity arising out of the occupancy of said leased premises, the use or the maintenance of said building or its approaches or equipment.

30. WAIVER

The waiver of one breach of any term, condition, covenant, obligation, or agreement of this lease shall be considered to be a waiver of that or any other term, condition, covenant, obligation, or agreement or of any subsequent breach thereof.

31. SEPARABILITY

If any provision of this lease or portion of such provision or the application thereof to any person or circumstance is held invalid, the remainder of the lease (or the remainder of such provision) and the application thereof to other persons or circumstances shall not be affected thereby.

32. COPY OF
LEASE

The Lessor shall deliver a copy of this lease, duly executed by Lessor or his authorized agent, to the Lessee within thirty (30) days after a copy hereof, duly executed by the Lessor, has been delivered to the Lessor.

33. REPRISALS
PROHIBITED

The Lessor acknowledges that provisions of applicable law forbid a landlord from threatening to take or taking reprisals against any tenant for seeking to assert his legal rights.

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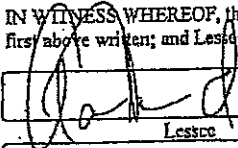
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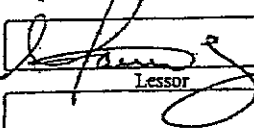
34. OTHER PROVISIONS:

In the event the leased premises is a condominium unit, then Tenant shall conform in all respects with the Rules and Regulations of the Condominium Association, the receipt of a copy of which the tenant hereby acknowledges. The failure of the Tenant to comply with the provisions of this paragraph shall constitute a breach of this Lease.

IN WITNESS WHEREOF, the said parties hereunto and to another instrument of like tenor, have set their hands and seals on the day and year first above written; and Lessee as an individual states under the pains and penalties of perjury that said Lessee is over the age of 18 years.



Lessee



Lessor

Trustee or Agent

TENANT: SUBJECT TO APPLICABLE LAW, THE LANDLORD WILL PROVIDE INSURANCE FOR UP TO \$750 IN BENEFITS TO COVER THE ACTUAL COSTS OF RELOCATION OF THE TENANT IF DISPLACED BY FIRE OR DAMAGE RESULTING FROM FIRE.

TENANT: MAKE SURE TO RECEIVE A SIGNED COPY OF THIS LEASE.

GUARANTY

In consideration of the execution of the within lease by the Lessor at the request of the undersigned and of one dollar paid to the undersigned by the Lessor, the undersigned hereby, jointly and severally, guarantee the Lessor, and the heirs, successors, and assigns of the Lessor, the punctual performance by the Lessee and the legal representatives, successors and assigns of the Lessee of all the terms, conditions, covenants, obligations, and agreements in said lease on the Lessee's or their part to be performed or observed, demand and notice of default being hereby waived. The undersigned waive all surety-ship defenses and defenses in the nature thereof and assent to any and all extensions and postponements of the time of payment and all other indulgences and forbearances which may be granted from time to time to the Lessee.

WITNESS the execution hereof under seal by the undersigned the day and year first written in said lease.

 Initial  Initial

LEASE ADDENDUM A

1. Locks on leased unit are not to be changed, under any circumstances, without prior approval of the owner and then you must provide two copies of the keys to the office if approval was given to change.
2. Owner/Property Manager may at all times keep a pass key to the premises. All entrance doors to the Premises shall be kept closed at all times and left locked when the Premises is not in use.

If rent is over seven (7) days late, Owner/Property Manager will construe non-payment as a breach of this lease, constituting Tenant's 30 days Notice to Vacate. Also, in the event agreements made in this lease are broken by Tenant, the security deposit will be forfeit at Owner/Property Manager's option. In the event a written notice advising the Tenant of a default or Notice of Lease Violation is issued to the Tenant, the Tenant shall correct the violation within five (5) days. If Tenant fails to correct the item(s) in violation, he will be responsible to pay a Lease Violation Penalty Fee of \$50.00 per violation, or \$10.00 per violation per day whichever is less payable as added rent.

3. Tenant shall give immediate notice to Owner/Property Manager in case of theft, unauthorized solicitation or accident in the Premises or of defects therein or in any fixtures or equipment, or of any known emergency in the Premises.
4. Tenant is responsible for payment of the following utilities:

- Internet
- Electric
- Cable
- Renters Insurance

5. The Tenant shall pay, as they become due, all bills for electricity and other utilities. Tenant (Lessee) pays individually all utilities in item #4 above.
6. ~~Tenant may be responsible for snow and ice removal from around their vehicles and any areas where safety should be observed. It is agreed that Tenant shall not use any salt on stoeps or walkways. Calcium Chloride is recommended instead for de icing, and is not harmful to the masonry.~~
7. ~~If Premises has a fireplace, Tenant agrees to exercise safety measures when it is in use. Tenants agree to assume responsibility for keeping the chimney clear of any buildup or obstructions during their tenancy. Prior to vacating the unit Tenant agrees to have the fireplace /flu professional cleaned and provide the proper documentation stating so.~~
8. By Law, Tenant does not have to provide a refrigerator for the unit. Tenant hereby agrees to use the Owner's refrigerator located in the unit. However, if such refrigerator becomes defective or inoperable, you shall not deem the Owner liable for any food or meats stored in said refrigerator which might become spoiled at the time the refrigerator became defective or inoperable. Owner/Property Manager will have reasonable time to either repair or provide another refrigerator if he so chooses.
9. ~~By Law, Tenant does not have to provide washer & dryer for the unit. Tenant hereby agrees to use the Owner's washer & dryer, if available, located in the unit. However, if such washer & dryer become defective or inoperable, you shall not deem the Owner liable for any damages or costs from said washer & dryer. Owner/Property Manager will have reasonable time to either repair or provide another washer & dryer if he so chooses.~~

91 Initial MK Initial

10. Tenant acknowledges receipt of Resident Handbook and agrees to observe any and all rules and regulations which are in effect during the term of this lease. If Tenant does not abide by the rules and regulations of the association, and fines are imposed by them, Tenant shall be responsible for paying said fine. Copy of same is attached hereto and made a part hereof.
11. Security Deposits are NOT to be applied to the last month's rent. All Security Deposits will be returned within 30 days after expiration of lease, unless additional cleaning or repairs need to be made and deducted from Deposit.
12. Prior to occupying the leased unit, Owner/Property Manager shall conduct a walk-thru to list or write down any problems in the units, i.e., spots on carpet, crack in sink, windows, etc. and this should be turned in to the office within 7 days of possession of unit to avoid being charged for repairs or clean up, etc., upon termination of your lease.
13. Prior to move-out, a walk-through inspection needs to be scheduled, IN ADVANCE, with the Owner/Property Manager. All utilities are to be left on until this walk-through inspection is completed and any remaining deficiencies taken care of. If utilities are turned off prior to this, Tenant will be charged all fees incurred to have the utilities turned back on. In addition, Tenant is to inform the Owner/Property Manager as to the date utility turn off is scheduled.
14. There will be a lockout fee of \$40.00 for after hour service payable at the time of call out and \$25.00 lockout fee during working hours.
15. Any Tenant not returning all keys will be charged \$45.00.
16. Tenant is responsible for changing and maintaining all light bulbs (inside and out) as well as batteries for smoke alarms. Tenant shall be charged for replacement of burned out bulbs or dead batteries in smoke alarms upon move-out and will be deducted from deposit.
17. Parking is permitted in the assigned parking spaces only. No Commercial vehicles are permitted at the unit. Tenants agree to keep no more than 2 (two) vehicles at the premises. Vehicles must be both operable and currently registered. Tenants agree to park Vehicles in designated areas only and keep area free of oil drippings. Parking on the lawn of the Premises constitutes a breach of this lease. Tenants agree not to park boats, recreational vehicles, trailers, campers, or any type of truck on the Premises without Owner/Property Manager's written permission. Tenants agree not to repair their vehicles on the Premises if such repairs will take longer than a single day, unless vehicle is kept in an enclosed garage. Tenant is responsible for damages to the Premises caused by Tenants' vehicles or those of invitees or guests. A violation of this provision will result in vehicle(s) being towed away at Tenant's expense, and may be construed as a breach of the lease agreement.
18. The Tenant is entitled to interest on the Deposit. The Tenant acknowledges that the Owner/Property Manager will be permitted to deduct from the Deposit any amounts for reasonable cleaning and repair or repairs to the Premises at the end of this Agreement. Ordinary wear and tear is expected. The Deposit may not be used by either party for any payment due under this lease.
19. If the Owner sells or assigns the Premises, the Owner shall have the right to transfer the Tenant Deposit to the new Owner or assignee to hold under this Lease and upon doing so the Owner shall be released from all liability to Tenant for return of said Deposit.
20. Tenant shall not use or keep on the Premises any illegal substance nor any poisonous, corrosive, caustic, explosive, flammable or combustible gas, fluid or substance, or use any method of heating or cooling other than that approved by the Owner/Property Management Company.
21. The toilet rooms, washbowls, and other apparatus shall not be used for any purpose other than that for which they are constructed, and no foreign substance of any kind whatsoever shall be thrown therein, and the expense of breakage, stoppage or damage resulting from the violation of this rule shall be borne

AK Initial *AK* Initial



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by the Tenant or its employees or invitees who shall have caused it. Any clogs thereto shall be the responsibility of the Tenant.

22. No smoking is permitted anywhere within the Premises. Any damages resulting from Tenant and or his/her visitors not honoring this shall be the sole responsibility of the Tenant.
23. Tenant may not paint the walls of the leased unit without approval from Owner/Property Manager. Tenant must present swatches of paint color selections to Owner/Property Manager for approval prior to painting the unit. Upon moving out, Tenant shall be responsible for restoring the Premises to its original color to Owner/Property Manager's satisfaction.
24. No pets are allowed on the premises unless authorized in writing and approved by Owner/Property Manager. See attached dog list with weight limit.
25. Tenant has the option, providing the terms and conditions of this lease have been complied with and satisfied, to re-new this agreement for a period of 1 year at an annual increase of to be agreed, subject to Owner/Property Manager's approval.
26. Tenant acknowledges that the dwelling may be equipped with smoke detector(s) and carbon monoxide detector (s). Tenant agrees to test these safety devices on a regular basis (once a month), and to report any problem with them immediately to Owner/Property Manager in writing. Tenant agrees to replace the battery for the smoke and carbon detectors as needed with a new battery.
27. In the event of fire, smoke or water damage, the Owner/Property Manager will not be responsible for the personal contents (ex. clothing, furniture, computers etc) of the Tenant. Tenant is hereby advised to contact their insurance agent and obtain a Tenant's Insurance Policy covering the contents of the leased unit.
28. Under no circumstances may any rent be withheld in full or in part, regardless of any expenses incurred by Tenant, regardless of the financial status of the premises, or the legality of the premises. Rent must be paid to Owner/Property Manager only. Non-payment or payment to any other party is a violation of this Lease Agreement and cause for immediate eviction.
29. Tenancy of this unit is limited to: 2 adults
30. All parties acknowledge that the following is paid with this lease:

A. First month's rent	\$ 1200.00
B. Last month's rent	\$ 1200.00
C. Security Deposit	\$ 1200.00
31. After expiration of the leasing period, this agreement is automatically renewed from month to month, but maybe terminated by either party giving to the other a 30-day written notice of intention to terminate.
32. Property/unit shall be in broom clean condition and free of all Tenants and occupants as of the commencement of the lease. The unit shall be in the same condition as they now are, reasonable use and wear there of excepted, not in violation of said building and zoning laws, and free of all furniture and current occupants belongings.
33. The Property Managers,; located at 233 W Central Street, Franklin 02038 are the Property Managers of the leased property. Please direct all requests for repairs to them. Also all rent must be paid directly to them and checks should be made payable to: The Property Managers.
34. EXECUTED as an instrument under seal in duplicate on the day and date first written above, and Tenant as an individual states under penalty of perjury that he is at least eighteen (18) years of age.

 Initial  Initial

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[Handwritten signature]

Tenant

[Handwritten signature]

Landlord

Tenant

Landlord

8896930-D253

AP Initial *ML* Initial

10

RENT AND SECURITY DEPOSIT RECEIPT

TO: Aaron Hernandez
Lessee
22 Ron G Meyer Drive
Current Address
North Attleboro, MA 02760
Current Address

RE: A12
Property Address
599 Old West Central Street
Property Address
Franklin, MA 02038
Property Address

We hereby acknowledge receipt of your check(s) in the amount of \$3,500.00 to be applied as follows:

1. First Month's Rent 5/1/2013 through 5/31/2013 Check # _____ in the amount of \$1,200.00
2. Last Month's Rent Check # _____ in the amount of \$1,200.00
3. Security Deposit (see attached form) Check # _____ in the amount of \$1,200.00

SECURITY DEPOSIT

- A. The Lessor acknowledges receipt from the Lessee of \$1,200.00 (an amount not to exceed one month's rent) to be held by the Lessor during the term hereof, or any extension or renewal, as a security deposit pursuant to the terms hereof, it being understood that THIS IS NOT TO BE CONSIDERED PREPAID RENT, nor shall damages be limited to the amount of the security deposit.
- B. The Lessor acknowledges that, subject to damages prescribed by law, he shall, within thirty (30) days after the termination of this lease or upon the Lessee's vacating the premises completely together with all his goods and possessions, whichever shall last occur, return the security deposit or any balance thereof, and any interest thereon, if due, after deducting
 - 1) Any unpaid rent which has not been validly withheld or deducted pursuant to any general or special law.
 - 2) Any unpaid increase in real estate taxes which the Lessee is obligated to pay pursuant to a tax escalation clause which conforms to the requirements of Mass. General Laws, Chapter 186, Section 15C; and
 - 3) A reasonable amount necessary to repair any damage caused to the premises by the Lessee or any person under the Lessee's control or on the premises with the Lessee's consent, reasonable wear and tear excluded. In the case of such damage, the Lessor shall provide the Lessee within thirty (30) days with an itemized list of damages, sworn to by the Lessor or his agent under pains and penalties of perjury, itemizing in precise detail the nature of the damage and of the repairs necessary to correct it, and written evidence, such as estimates, bills, invoices or receipts, indicating the actual or estimated cost thereof.
- C. The Lessor must submit to the Lessee a separate written statement of the present condition of the premises, as required by law. If the Lessee disagrees with the Lessor's statement of condition, the Lessee must attach a separate list of any damage existing in the premises and return the statement to the Lessor. No amount shall be deducted from the security deposit for any damage which was listed in the statement of condition or in any separate list submitted by the Lessee and approved by the Lessor or the Lessor's agent, unless the Lessor subsequently repaired or caused to be repaired said damage and



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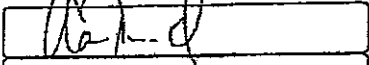
can prove that the renewed damage was unrelated to the prior damage and was caused by the Lessee or by any person under the Lessee's control or on the premises with the Lessee's consent.
D. If the Lessor transfers the premises, the Lessor must transfer the security deposit or any balance thereof, and any accrued interest, to the Lessor's successor in interest for the benefit of the Lessee.

As required by law, the security deposit is presently or will be held in a separate, interest-bearing account at Middlesex Savings Bank, 1000 Franklin Village Drive, Franklin, Massachusetts 02038.

If the security deposit is held for one year or longer from the commencement of the tenancy, the Lessee shall be entitled to interest on the amount of the security deposit at the rate of five percent (5%) per year, or such lesser amount as may be received from the bank, payable at the end of each year of the tenancy.



LAST MONTH'S RENT

Pursuant to applicable law, the tenant is entitled to interest on last month's rent paid in advance from the date of tenancy, payable at the end of each year of tenancy and prorated upon termination. Interest shall not accrue for the last month for which rent was paid in advance. The rate of interest payable on last month's rent is five percent (5%), provided however that if the landlord elects to deposit last month's rent in a bank account, interest will be limited to any lower rate actually paid by the bank. The tenant should provide the landlord with a forwarding address at the termination of the tenancy, indicating where such interest may be given or sent.

Date received _____ Authorized Signature: 
Lessor/Agent

The Kelly & Colombo Group c/o The Property Managers
Lessor
233 West Central Street
Address
Franklin, MA 02038
City/State/Zip
508-613-3117
Phone

Barbara Scardino
Agent
233 West Central Street
Address
Franklin, MA 02038
City/State/Zip
508-816-6007
Phone

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OBLIGATIONS OF A RESIDENT

Rules & Regulations

YOUR APARTMENT IS YOUR HOME AND THESE RULES ARE NOT INTENDED TO BE RESTRICTIVE, BUT ARE DESIGNED TO HELP CREATE A BETTER, MORE PLEASANT AND SAFER PLACE TO LIVE. A FRIENDLY COOPERATIVE SPIRIT WILL BE TO THE BENEFIT OF ALL, AND THE MANAGEMENT SOLICITS YOUR HELP IN ATTAINING THESE GOALS!

1. Rent is payable in advance on or before the 1st day of the month. Consult your rental agreement or lease concerning late payment penalties.
2. No smoking is permitted anywhere within the premises. Any damages resulting from tenant and or his/her visitors not honoring this shall be the sole responsibility of the tenant.
3. The toilet rooms, washbowls, and other apparatus shall not be used for any purpose other than that for which they are constructed, and no foreign substance of any kind whatsoever shall be thrown therein, and the expense of breakage, stoppage or damage resulting from the violation of this rules shall be borne by the tenant.
4. Tenant acknowledges that the dwelling is equipped with smoke detector(s) and carbon monoxide detector(s). Tenant agrees to test these safety devices on a regular basis (monthly), and to report any problem with them immediately to Property Manager and/or owner in writing. Tenant agrees to replace the battery for the smoke and carbon monoxide detectors as needed with a new alkaline battery.
5. Management is not responsible for fire damage or theft of personal property including jewelry, money, apparel or other items in said premises, including storage areas, carports and garages.
6. The number of persons who shall occupy an apartment is set forth in the rental contract. No exceptions.
7. No alterations, painting or hanging pictures or other items on walls may be done without prior consent in writing from the owner or manager. Walls, carpets and appliances must be given good care and be free of spots, burns or other damage. The tenant will be responsible and required to pay for all damage beyond normal wear and tear.

- a. Cost of repairs due to or stoppage or waste pipes or drains, water pipes, plumbing fixtures or overflow therefrom caused by negligent or improper usage or the introduction of foreign articles or materials into the system will be the responsibility of and must be paid for by the tenant.
9. No rugs, towels, articles of clothing or other such items are to be draped over the rails of balconies, and no mops or rugs are to be shaken from same or through window openings.
10. State law prohibits the use or storage of gasoline, cleaning solvents or other combustibles in an apartment.
11. Residents in multiple resident unit/ buildings are responsible for the conduct of their guests and the adherence to these rules at all times. Residents and guests must be orderly, and intoxication, disorderly conduct, objectionable language or other disturbance by residents or visitors shall be cause for eviction. A house guest is defined as anyone who stays up to 30 days, unless further extension is given by owner/management in writing.
12. No trash or other material may be accumulated that will create a hazard or be in violation of any health, fire or safety ordinance or regulation.
13. In event of emergency or good reason to believe such may exist, owner reserves the right to enter the premises during resident's absence without prior permission.

TENANT



TENANT



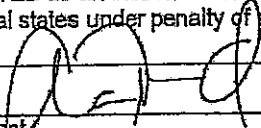
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MOLD ADDENDUM

The following addendum is made part of the lease or tenancy at will agreement between the undersigned parties with respect to Apartment (the "Premises") at: 689 Old West Central Street, Unit A12 Franklin, MA 02038

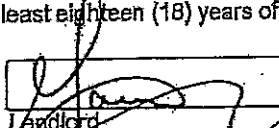
Tenant acknowledges the possibility that mold may at some time be present in the Premises. Mold is a fungus commonly found in the environment. In some cases, for example to produce penicillin, mold can be very useful. On the other hand, some types of mold are toxic and can cause sickness. At the present time, neither government agencies nor the scientific community has reached a consensus as to when indoor mold becomes harmful. For this reason, it is important to make sure that mold is not allowed to accumulate. Mold typically originates in a damp environment. It can then spread through the air or be transported by contact with other surfaces (like the bottom of a shoe). Cleanliness is unquestionably the key component of any strategy to combat mold. Consistent with Massachusetts law, Tenant is responsible for maintaining the Premises in a clean and sanitary condition, free of filth or causes of sickness. In particular, Tenant must remove any visible accumulation of moisture, for example after showering. Wet clothing, carpeting, towels and other articles should be dried completely. If mold, normally recognized by its greenish black color, has formed, it may be necessary to apply a special commercial disinfectant (avoiding products which may cause discoloration), in which case any instructions on the product label should be carefully followed. Tenant must notify Landlord immediately upon discovering any water leakage from the roof, a pipe or any other building component normally maintained by Landlord. Because mold may be caused by elevated indoor humidity, Tenant must not block or otherwise interfere with the operation of any heating, ventilating or air conditioning equipment supplied by Landlord, notifying Landlord immediately if such equipment malfunctions or if any doors or windows cannot be opened or closed. Any violation by Tenant hereunder shall be deemed a failure to comply with the provisions of the attached lease or tenancy at will agreement, entitling Landlord to pursue all available remedies.

EXECUTED as an instrument under seal in duplicate on the day and date first written above, and Tenant as an individual states under penalty of perjury that he is at least eighteen (18) years of age.



Tenant

Tenant



Landlord

Landlord

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INSECT INFESTATION ADDENDUM

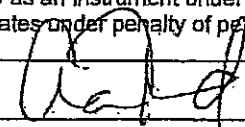
The following addendum is made part of the lease or tenancy at will agreement between the undersigned parties with respect to Apartment (the "Premises") at:
599 Old West Central Street, Unit A12 Franklin, MA 02038

The State Sanitary Code requires the owner of an apartment building containing two or more units to take responsibility for the extermination of insects which may have infested the dwelling. In order to facilitate the prompt and efficient discharge of Landlord's duties and minimize the risk of harm to other residents, Tenant agrees as follows:

1. Tenant shall notify Landlord immediately upon discovering any evidence of insect infestation in the Premises. Such evidence may include, in the case of bed bugs (which are tan or brownish-red in color), blood spots or stains on bedding, walls or furniture. Like mosquitoes, bed bugs feed on blood. A group of bites is usually the first indication of their presence.
2. Tenant shall take care to prevent insect infestation in the Premises. As set forth in the State Sanitary Code, Tenant must maintain the Premises in a clean and sanitary condition. Poor housekeeping habits, like failing to properly dispose of food, can cause insects to be attracted to the Premises. Second-hand furniture and clothing should be thoroughly cleaned before being brought to the Premises.
3. Tenant shall cooperate with Landlord and any pest management professional hired by Landlord wherever any insect infestation is to take place. This may include without limitation:
 - removing blankets, sheets, pillowcases and other bedding;
 - emptying drawers and closets;
 - placing belongings in plastic bags;
 - laundering clothing and couch pillows;
 - moving furniture away from the wall;
 - vacating the Premises during treatment and for a prescribed period (usually several hours) thereafter;
 - providing full access to the Premises, including all closet areas; and
 - discarding any items which cannot be salvaged.

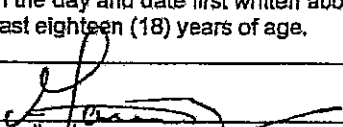
Any violation of this addendum by Tenant shall be deemed a failure to comply with the provisions of the attached lease or tenancy at will agreement, entitling Landlord to pursue all available remedies.

EXECUTED as an instrument under seal in duplicate on the day and date first written above, and Tenant as an individual states under penalty of perjury that he is at least eighteen (18) years of age.



Tenant

Tenant



Landlord

Landlord

 Initial  Initial

RENTAL BROKERAGE FEE DISCLOSURE

You have requested our assistance in finding housing accommodations for rent. In consideration of these services, you will be expected to pay us a fee as follows: ONE MONTH rent

The fee will be payable at such time as you submit through our office an application to rent a particular housing accommodation. However, so long as you comply with the terms and conditions of the rental application and do not make any untrue statement therein, the fee will be refundable unless the application is accepted by the landlord and a tenancy is created. For this purpose, a tenancy will be created when both parties sign a lease or tenancy-at-will agreement or when you are allowed to take possession of housing accommodation.

This form is being provided in accordance with regulations adopted by the Massachusetts Board of Registration of Real Estate Brokers and Salesmen.

Date: April 28, 2013

Barbara Scardino
Signature of Broker or Salesperson
Barbara Scardino

9076743
License Number

[Signature]
Signature of Prospective Tenant

Name: Aaron Hernandez
(Please Print Full Name)

(To be checked by broker or salesperson if applicable). The prospective tenant named above refused to sign this form

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GREATER BOSTON REAL ESTATE BOARD
FORM LR 88111 PER 01/03 2360



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ME

17

SEARCH WARRANT

G.L. c. 276, §§ 1-7

TRIAL COURT OF MASSACHUSETTS

DISTRICT

COURT DEPARTMENT

WILMINGTON

DIVISION

SEARCH WARRANT DOCKET NUMBER

13578W.5

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:

ANY/AK AMMUNITION OF ALL CALIBERS AND WEAPONS TO BE ASSOCIATED / UTILIZED WITH AMMUNITION. SEARCH SHOULD ALSO INCLUDE ANY AND ALL RECORDS / PAPERWORK / INFORMATION ASSOCIATED WITH PERSON(S) WHO MAY HAVE BEEN STAYING WITHIN THE PREMISES

at: APT #12 IN FRANKLIN MA THIS PROPERTY IS DESCRIBED AS A THREE (3) UNIT APARTMENT COMPLEX WITH A BACKYARD THE EXTERIOR IS FENCED IN WITH THE SPECIFIC LOCATION AND THE LETTER "A" AFFIXED TO THE EXTERIOR CURB SIDE DOOR FOR ACCESS THE APT ENTRANCE HAS THE NUMBER 12 AFFIXED TO IT WHICH IS OCCUPIED BY AND/OR IN THE POSSESSION OF: 1599 OLD WEST STREET

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 _____ Division of the _____ Court Department.

DATE ISSUED

June 26, 2013

SIGNATURE OF JUSTICE, CLERK/MAGISTRATE OR ASSISTANT CLERK

X

FIRST OR ADMINISTRATIVE JUSTICE

WITNESS:

Erin John Doe

PRINTED NAME OF JUSTICE, CLERK/MAGISTRATE OR ASSISTANT CLERK

C. Ross Pini, Jr.

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. 270, §3A.

This search warrant was issued on 06-26, 2013, and I have executed it as follows:
DATE

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

1. TWO (2) KEYS TO A HUMMER H2 MOTOR VEHICLE
2. BOX OF REMINGTON AMMUNITION (.22 CALIBER)
3. BOX OF DPX AMMUNITION (.45 CALIBER)
4. BOX OF WOLF AMMUNITION (7.62 CALIBER)
5. NEW ENGLAND PATRIOTS CHECK TO AARON HERNANDEZ
6. PUMA CHECK
7. THREE (3) BOXES OF WOLF AMMUNITION (7.62 CALIBER)
8. BOX OF TUL AMMUNITION (7.62 CALIBER)
9. TWO (2) BOXES OF SEMI-AUTO ARMS AMMUNITION (.45 CALIBER)
10. BOX OF REMINGTON AMMUNITION (.45 CALIBER)
11. BOX OF HORNADY AMMUNITION (.45 CALIBER)
12. SINGLE RIFLE ROUND
13. KAY JEWELRY BAG WITH RECEIPT IN THE NAME OF AARON HERNANDEZ
14. HERTZ RENTAL AGREEMENT
15. WESTERN UNION RECEIPT
16. VALET RETRIEVAL STICKER # C151245 FROM THE "W" HOTEL IN BOSTON
17. _____
18. _____
19. _____
20. _____

(attach additional pages as necessary)

This inventory was made in the presence of: TROOPER CHRISTOPHER DUMONT #3247

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> <u>06-26-13 @ 1535 hrs</u>	<small>SWORN AND SUBSCRIBED TO BEFORE</small>
<small>PRINTED NAME OF PERSON MAKING SEARCH</small> <u>MICHAEL B. BATES</u>	<small>TITLE OF PERSON MAKING SEARCH</small> <u>TROOPER #2124</u>	<small>SIGNATURE OF JUSTICE, CLERK, MAGISTRATE OR ASSISTANT CLERK</small>
		<small>DATE SWORN AND SUBSCRIBED TO</small> <u>7-2-13</u>

APPLICATION FOR SEARCH WARRANT

G.L. c. 27B, §§ 1-7

TRIAL COURT OF MASSACHUSETTS



NAME OF APPLICANT

MICHAEL B. BATES

DISTRICT

COURT DEPARTMENT

WRENTHAM

DIVISION

POSITION OF APPLICANT

TROOPER #2124

SEARCH WARRANT DOCKET NUMBER

13578W 51

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 3 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):

ANY/ALL AMMUNITION OF ALL CALIBERS AND WEAPONS TO BE ASSOCIATED / UTILIZED WITH AMMUNITION. SEARCH SHOULD ALSO INCLUDE ANY AND ALL RECORDS / PAPERWORK / STAMPING ASSOCIATED WITH PERSON(S) WHO MAY HAVE BEEN STAYING WITHIN THE DWELLING

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): #599 OLD WEST STREET - APT #12 IN FRANKLIN, MA - THIS PROPERTY IS DESCRIBED AS A THREE (3) STORY APARTMENT COMPLEX WITH A BASEMENT THE EXTERIOR IS COATED IN BRICK. THE SPECIFIC LOCATION HAS THE LETTER "A" AFFIXED TO THE EXTERIOR GLASS DOOR FOR ACCESS. THE APT ENTRANCE HAS THE NUMBER "12" AFFIXED TO COURTYARD

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 B. BATES

#2124

SIGNED UNDER THE PENALTIES OF PERJURY

Edgar Reed Bates
Signature of Applicant

#2124

SWORN AND SUBSCRIBED TO BEFORE

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

6/26/13
DATE

Affidavit
In Support of Application for Search Warrant

1. I, Michael B. Bates, being duly sworn, depose and say that I am a Massachusetts State Police Officer, currently assigned to the Bristol County District Attorney's Office as a Narcotics Detective. My responsibilities include narcotics investigations throughout Bristol County.

2. I have been employed as a State Police Officer for the past twenty-one (21) years. I have made numerous narcotic arrests, participated in numerous narcotic investigations and search warrants concerning violations of the Controlled Substance Acts. I have testified in both District and Superior Courts in narcotics related cases. During the course of my duties, I have conducted undercover surveillance and assisted in the execution of numerous search warrants.

3. I have received formalized training for twenty-two (22) weeks by the Massachusetts State Police Academy in New Braintree, MA., including twenty (20) hours of Narcotics identification and investigation. In addition, I have received over eighty (80) hours of formalized training by the Drug Enforcement Administration in Narcotics identification, detection, interdiction, and the prosecution of such related cases. I have also received specialized training and received a certification in the extraction of data from cellular and other electronic devices. I have also provided assistance to the detective unit in investigating numerous major crimes throughout Bristol County, MA.

4. I present the following facts in this Affidavit in seeking the issuance of a search warrant for the following location:

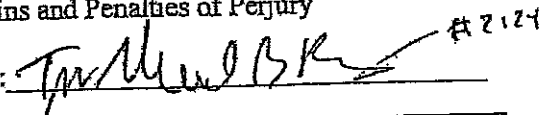
#599 Old West Street - Apt #12A
Franklin, MA

5. This information comes as a result of a lengthy Homicide investigation wherein Odin Lloyd was killed in the early morning hours of Monday - June 17, 2013 in the city of North Attleboro, MA. This investigation is being conducted by the State Police Detectives assigned to the Bristol County District Attorney's Office in conjunction with the North Attleboro Police Department.

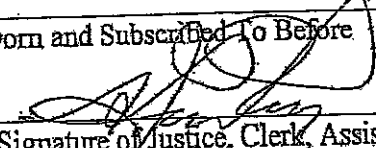
6. During the course of the investigation, I applied for and received a search warrant from the Wrentham District Court on Wednesday - June 26, 2013. This search warrant was numbered #1357SW50 and authorized the search for #599 Old West Street - Apt #12A in Franklin, MA for a Samsung cellular telephone.

Printed Name of Affiant Signed Under The Pains and Penalties of Perjury

Trooper Michael B. Bates #2124

X:  #2124

Sworn and Subscribed To Before

X: 
Signature of Justice, Clerk, Assistant Clerk

6/26/13
Date

Affidavit
In Support of Application for Search Warrant

7. On Wednesday – June 26, 2013 at approximately 1330 hours the search warrant was executed at #599 Old West Street – Apt #12A in Franklin. As a result of the search for the Samsung cellular telephone, several different types of ammunition were located. There was at least one (1) round of 7x62x39 caliber ammunition located lying on the top of an end table in the living room. The search also resulted in three different calibers of ammunition located in a dresser drawer next to the night stand in the bedroom. These rounds of ammunition included 7x6x39 caliber, .45 caliber, and .22 caliber.

8. Also located were keys that belonged to a black colored Hummer motor vehicle that was parked outside building A of #599 Old West Street in Franklin, MA. These keys had a very distinctive Hummer logo attached to them, and a remote alarm that linked to that specific vehicle when tested. This motor vehicle only displayed a temporary registration in the window. This temporary registration number was X497086 and listed an expiration date of 05/25/2013. This temporary registration also lists the last six (6) digits of the Vehicle Identification Number it belongs to as 123355. Visual check confirms that these digits in fact match the actual Vehicle Identification Number Plate attached to the Hummer. The Association / Management of the apartment complex explained that the Hummer had been parked in that very same spot for at least three (3) days. They also explained that the location it was parked in was not even an actual parking spot and that it was causing issues with other residents. The management was contemplating having the vehicle removed/towed on this date.

9. The original Samsung cellular telephone was still not located, but investigators did freeze the search / apartment at this time. I am now respectfully requesting that an additional search warrant be issued for the same address [#599 Old West Street – Apt #12 in Franklin, MA] allowing investigators to search for any and all ammunition and/or weapons that that might be associated with the ammunition that has been located within the apartment.

10. I also respectfully request that the warrant allow investigators to also search for any and all paperwork / standing. Due to the nature of this investigation, coupled with the lack of any sufficient surveillance time, this information would allow investigators to determine what person(s) might also be utilizing this apartment besides the person listed on the lease – namely HERNANDEZ.

11. I also respectfully request that the warrant allow investigators to also search the Hummer that has temporary registration number X497086, whose keys were located on top of the kitchen table. By locating the keys to this vehicle in the apartment, this vehicle could have been used to facilitate the transport of any evidence that has been or will be recovered from the apartment.

Printed Name of Affiant Signed Under The Pains and Penalties of Perjury

Trooper Michael B. Bates #2124

X: Trooper Michael B. Bates #2124

Sworn and Subscribed To Before

X: [Signature]
Signature of Justice, Clerk, Assistant Clerk

6/26/13
Date

Affidavit
In Support of Application for Search Warrant

Also, any paperwork found in the vehicle would aid investigators in obtaining the identity of who was in possession of this vehicle or possibly staying within the apartment. The operator of this vehicle also has access to this apartment in order to leave the vehicle's keys inside on the table.

12. Based upon the information contained within this affidavit, I request that a search warrant be issued for the #599 Old West Street – Apt #12A in the town of Franklin, MA to search for any and all ammunition and/or weapons that that might be associated with the ammunition that has been located within the apartment. I also respectfully request that the warrant allow investigators to search for any and all paperwork or records that would link such a person(s) to this apartment and furthermore the lessee. And lastly, I respectfully request that the warrant allow investigators to also search the Hummer that has temporary registration number X497086 parked outside Building "A" for the same items as set forth in the search of the apartment for the same reasons. END of Affidavit.

Printed Name of Affiant Signed Under The Pains and Penalties of Perjury

Trooper Michael B. Bates #2124

X: For Michael Bates #2124

Sworn and Subscribed To Before

X: [Signature]
Signature of Justice, Clerk, Assistant Clerk

6/26/13
Date

SEARCH WARRANT

G.L. c. 276, §§ 1-7

TRIAL COURT OF MASSACHUSETTS

DISTRICT

COURT DEPARTMENT

WRENTHAM

DIVISION

SEARCH WARRANT DOCKET NUMBER

1357SW53



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:

WHITE POLAROID HOODED SWEATSHIRT CONSISTENT

WITH THE ONE WORN BY HERMANDE, AKA AS SEEN IN THE SURVEILLANCE
 VIDEOS ON THE NIGHT OF ⁰⁶⁻¹⁷⁻¹³ JUNE 17, 2013 ALSO A BASEBALL CAP WITH
 CAMOUFLAGE COLORED BACK & BRIM AND LIGHT BLUE FRONT FACE PANEL
 PLUS THAT THIS THE WORD "SOCIETY" WRITTEN GREEN INK ON THE FRONT

at APT 412A 10 FRANKLIN, MA THIS PROPERTY IS DESCRIBED AS A THREE (?) STORY
 APARTMENT COMPLEX WITH A BASEMENT THE EXTERIOR IS COVERED IN BRICK
 THE SPECIFIC LOCATION HAS THE LETTER "A" AFFIXED TO THE EXTERIOR BUILDING
 FOR ACCESS. THE 1ST ENTRANCE HAS THE NUMBER "12" AFFIXED A VERTICAL
 PLATE

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

Wrentham Division of the Wrentham, Town Court Department.

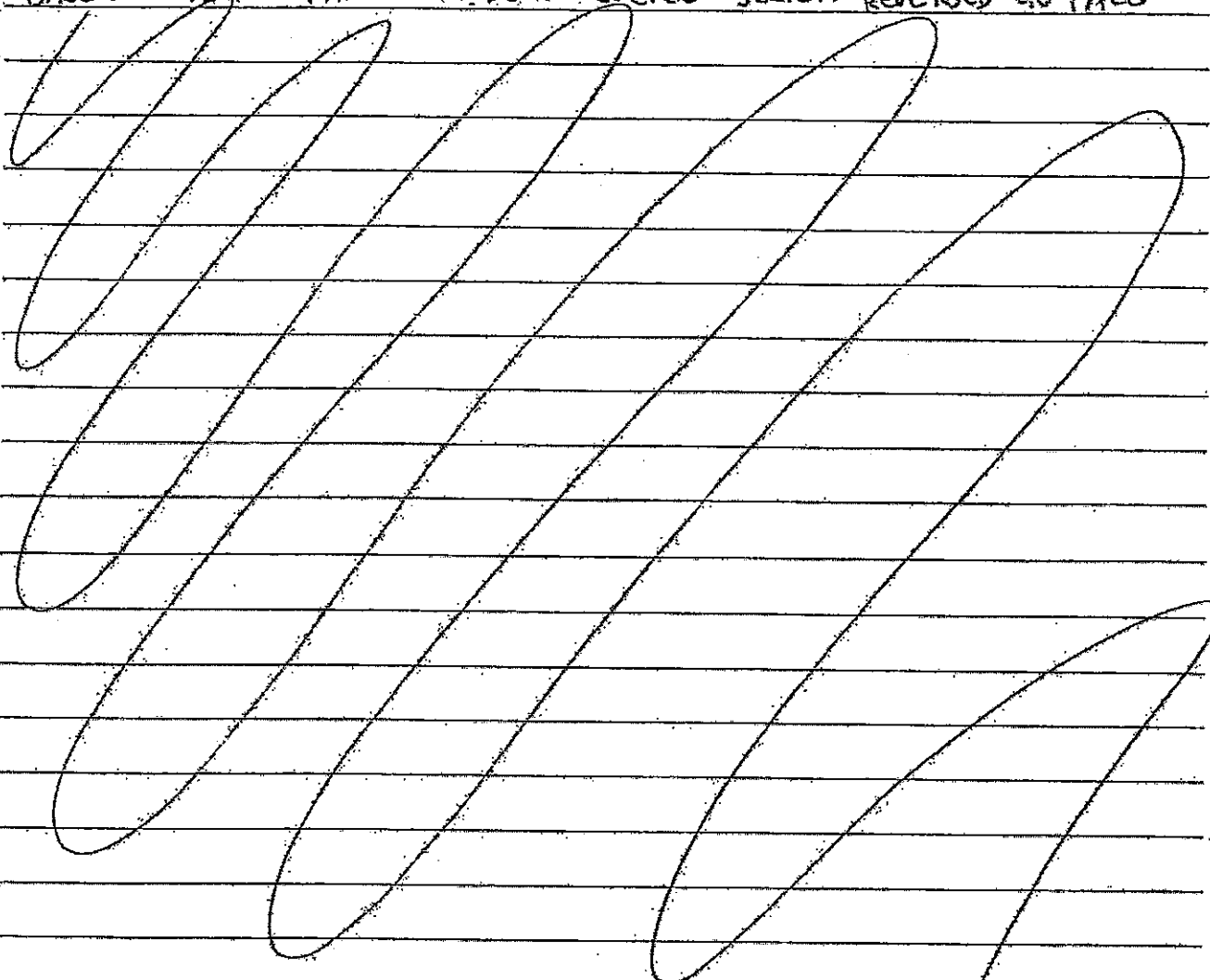
DATE ISSUED <u>June 26, 2013</u>	SIGNATURE OF JUSTICE, CLERK, MAGISTRATE OR ASSISTANT CLERK <u>[Signature]</u> (SEAL)
FIRST OR ADMINISTRATIVE JUSTICE WITNESS: <u>[Signature]</u>	PRINTED NAME OF JUSTICE, CLERK-MAGISTRATE OR ASSISTANT CLERK <u>(A. Ross Price, Jr.)</u>

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 06-26, 2013, and I have executed it as follows:
DATE


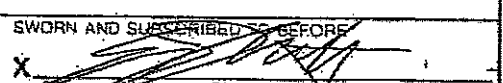
The following is an inventory of the property taken pursuant to this search warrant:

1. WHITE COLORED HOODED SWEATSHIRT
2. BASEBALL HAT - CRANBERRY & BLUE COLORED "SOCIETY" REVERSED ON FACE
3. 
- 4.
- 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: TROOPER CHRISTOPHER DUMONT #3247

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 	DATE AND TIME OF SEARCH <u>06-26-13 @ 1930 hr</u>	SWORN AND SUBSCRIBED BEFORE 
PRINTED NAME OF PERSON MAKING SEARCH <u>MICHAEL B. BATES</u>	TITLE OF PERSON MAKING SEARCH <u>TROOPER #2124</u>	DATE SWORN AND SUBSCRIBED TO <u>7-2-13</u>

APPLICATION FOR SEARCH WARRANT

G.L. c. 276, §§ 1-7

TRIAL COURT OF MASSACHUSETTS



NAME OF APPLICANT

MICHAEL B. BATES

DISTRICT

COURT DEPARTMENT

WRENTHAM

DIVISION

POSITION OF APPLICANT

TROOPER #2124

SEARCH WARRANT DOCKET NUMBER

1957SW53

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 2 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):

WHITE COLORED HOODED SWEATSHIRT CONSISTENT WITH THE ONE WORN BY HENRAGE, AARON AS SEEN IN THE SURVEILLANCE VIDEOS ON THE NIGHT OF THE HOMICIDE. ALSO, A BASEBALL HAT WITH CRANBERRY COLORED BACK, BEIGN AND LIGHT BLUE FRONT FACE PANEL. THIS HAT HAS THE WORD "SOCIETY" WRITTEN BACKWARD ON THE FRONT.

- 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): #599 OLD WEST STREET - APT #12A IN FRANKLIN, MA THIS PROPERTY IS DESCRIBED AS A THREE (3) STORY APARTMENT COMPLEX WITH A BASEMENT. THE EXTERIOR IS COVERED IN BRICK THE SPECIFIC LOCATION HAS THE LETTER "A" AFFIXED TO THE EXTERIOR GLASS DOOR FOR ACCESS. THE APT ENTRANCE HAS THE NUMBER "12" AFFIXED TO OUTSIDE DOOR

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.

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

PRINTED NAME OF APPLICANT

TROOPER MICHAEL B. BATES #2124

SIGNED UNDER THE PENALTIES OF PERJURY

X [Signature] #2124
Signature of Applicant

SWORN AND SUBSCRIBED TO BEFORE

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

6/26/13
DATE

Affidavit
In Support of Application for Search Warrant

1. I, Michael B. Bates, being duly sworn, depose and say that I am a Massachusetts State Police Officer, currently assigned to the Bristol County District Attorney's Office as a Narcotics Detective. My responsibilities include narcotics investigations throughout Bristol County.

2. I have been employed as a State Police Officer for the past twenty-one (21) years. I have made numerous narcotic arrests, participated in numerous narcotic investigations and search warrants concerning violations of the Controlled Substance Acts. I have testified in both District and Superior Courts in narcotics related cases. During the course of my duties, I have conducted undercover surveillance and assisted in the execution of numerous search warrants.

3. I have received formalized training for twenty-two (22) weeks by the Massachusetts State Police Academy in New Braintree, MA., including twenty (20) hours of Narcotics identification and investigation. In addition, I have received over eighty (80) hours of formalized training by the Drug Enforcement Administration in Narcotics identification, detection, interdiction, and the prosecution of such related cases. I have also received specialized training and received a certification in the extraction of data from cellular and other electronic devices. I have also provided assistance to the detective unit in investigating numerous major crimes throughout Bristol County, MA.

4. I present the following facts in this Affidavit in seeking the issuance of a search warrant for the following location:

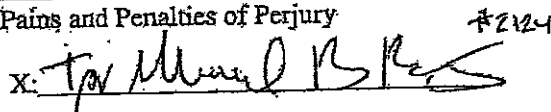
#599 Old West Street - Apt #12A
Franklin, MA

5. This information comes as a result of a lengthy Homicide investigation wherein Odin Lloyd was killed in the early morning hours of Monday - June 17, 2013 in the city of North Attleboro, MA. This investigation is being conducted by the State Police Detectives assigned to the Bristol County District Attorney's Office in conjunction with the North Attleboro Police Department.

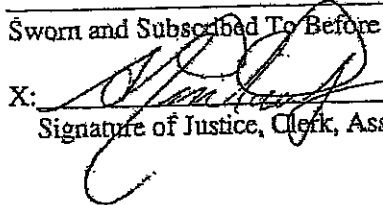
6. During the course of the investigation, I applied for and received three (3) search warrants from the Wrentham District Court on Wednesday - June 26, 2013. This search warrants numbered #1357SW50, #1357SW51, and #1356SW52 and authorized the search for #599 Old West Street - Apt #12A in Franklin, MA for various items to include a cellular telephone and ammunition.

Printed Name of Affiant Signed Under The Pains and Penalties of Perjury

Trooper Michael B. Bates #2124

X:  #2124

Sworn and Subscribed To Before

X: 
Signature of Justice, Clerk, Assistant Clerk

6/20/13
Date

Affidavit
In Support of Application for Search Warrant

7. On Wednesday – June 26, 2013 at approximately 1600 hours the second search warrant was executed at #599 Old West Street – Apt #12A in Franklin.

8. During this search, investigators located a white colored hooded sweatshirt in the main bedroom of the apartment. This sweatshirt is consistent in color and type with the sweatshirt that HERNANDEZ is observed to be wearing on surveillance cameras the night of the homicide. The bedroom where this sweatshirt was located contained numerous sports type shirts and shorts. Many of these items contained the number "81" somewhere on the outside of the clothing. This number is consistent with the number that HERNANDEZ wears on his New England Patriots uniform.

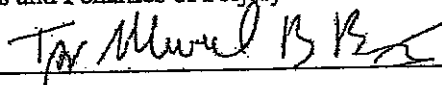
9. During the search, investigators also located a baseball hat on the kitchen / dining room table. This hat is described as cranberry color in the back and brim, with a light blue color front face panel. Embroidered on the front in white letters is the word "society", except it is written as backwards. This same unique hat was observed on the head of Hernandez on Channel 7 – Boston News. It was reported as a picture that was taken outside a club in Boston on Friday night. Investigators also located Valet Parking Ticket #C151245 from the "W Boston" on the counter of the kitchen. This "W Boston" is located walking distance from the club where HERNANDEZ was alleged to be seen on Friday night.

10. I respectfully request that this search warrant allow investigators to retrieve both the above described baseball hat, and white colored hooded sweatshirt. The white sweatshirt could be used to assist in linking HERNANDEZ to the scene of the crime. The baseball hat could help provide the whereabouts of HERNANDEZ on the Friday night before the homicide. This night in particular is a critical aspect in the timeline of events leading up to the homicide.

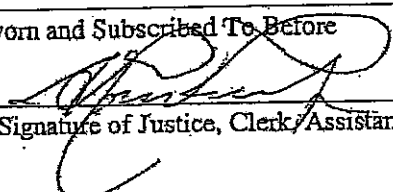
11. Based upon the information contained within this affidavit, I request that a search warrant be issued for the #599 Old West Street – Apt #12A in the town of Franklin, MA to search for the above described two (2) items: white colored hooded sweatshirt consistent with the one worn by HERNANDEZ in the surveillance video on the night of the homicide. The second being the precisely described baseball hat that was seen in a picture worn by HERNANDEZ and reported by Channel 7 News Boston on the Friday night prior to the Homicide. END of Affidavit.

Printed Name of Affiant Signed Under The Pains and Penalties of Perjury

Trooper Michael B. Bates #2124

X:  #2124

Sworn and Subscribed To Before

X: 
Signature of Justice, Clerk/Assistant Clerk


Date

SEARCH WARRANT

G.L. c. 276, §§ 1-7

TRIAL COURT OF MASSACHUSETTS

DISTRICT

COURT DEPARTMENT

WRENTHAM

DIVISION

SEARCH WARRANT DOCKET NUMBER

13518152



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:

ANY / ALL AMMUNITION OF ALL CALIBERS AND WEAPONS TO BE ASSOCIATED / UTILIZED WITH AMMUNITION. SEARCH SHOULD ALSO INCLUDE ANY AND ALL RECORDS / PAPERWORK / STAMPING ASSOCIATED WITH PERSON(S) WHO MAY HAVE BEEN INVOLVED WITHIN THE INVESTING / VEHICLE.

at:

BLACKED COLORED HUMMER MOTOR VEHICLE PURING (MOTORCYCLE) REGISTRATION #X497086 WITH LAST SIX DIGITS OF VAD AS 12 3355

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

on the person or in the possession of: _____

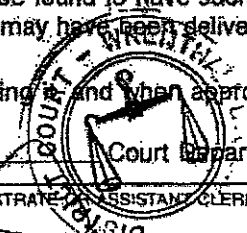
You are are not also authorized to conduct the search at any time during the night.

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 and when appropriate, the persons in whose possession it is found before the

Division of the _____



DATE ISSUED

June 26, 2013

SIGNATURE OF JUSTICE, CLERK-MAGISTRATE, OR ASSISTANT CLERK

X *[Signature]*

FIRST OR ADMINISTRATIVE JUSTICE

WITNESS: *[Signature]*

PRINTED NAME OF JUSTICE, CLERK-MAGISTRATE OR ASSISTANT CLERK

[Signature]

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 06-26, 2013, and I have executed it as follows:
DATE

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

1. TWO (2) RECEIPTS FROM LARRY'S MOTOR SALES IN THE NAME OF AARON HERNANDEZ
2. GLUCK .45 CALIBER MAGAZINE CLIP LOADED WITH .45 CALIBER AMMUNITION
3. OHIO TEMPORARY REGISTRATION IN THE NAME AARON HERNANDEZ
4. EXPRESS MAIL ENVELOPE ADDRESSED TO AARON HERNANDEZ

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: TRUOPER CHRISTOPHER DUMONT #3297

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 <u>x</u> <u>Michael B. Bates</u>	DATE AND TIME OF SEARCH <u>06-26-13 @ 1635hrs</u>	SWORN AND SUBSCRIBED TO <u>x</u> <u>[Signature]</u> Signature of Justice, Clerk-Magistrate or Assistant Clerk
PRINTED NAME OF PERSON MAKING SEARCH <u>MICHAEL B. BATES</u>	TITLE OF PERSON MAKING SEARCH <u>TROOPER #2129</u>	DATE SWORN AND SUBSCRIBED TO <u>7-2-13</u>

APPLICATION FOR SEARCH WARRANT

G.L. c. 276, §§ 1-7

TRIAL COURT OF MASSACHUSETTS



NAME OF APPLICANT

MICHAEL B. BATES

DISTRICT

COURT DEPARTMENT

WRENTHAM

DIVISION

POSITION OF APPLICANT

TRUCKER #2124

SEARCH WARRANT DOCKET NUMBER

13578052

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 3 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):

ANY / ALL AMMUNITION OF ALL CALIBERS AND WEAPONS TO BE ASSOCIATED / UTILIZED WITH AMMUNITION. SEARCH SHOULD ALSO INCLUDE ANY AND ALL RECORDS / PAPERWORK / STANDING ASSOCIATED WITH PERSON(S) WHO MAY HAVE BEEN STOPPING WITHIN THE DWELLING / VEHICLE.

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):

BLACKED COLORED "HUMMER" MOTOR VEHICLE BEARING TEMPORARY REGISTRATION #X491886 WITH LAST SIX DIGITS OF VIN AS 123355.

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.

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

PRINTED NAME OF APPLICANT

TRUCKER MICHAEL B. BATES #2124

SIGNED UNDER THE PENALTIES OF PERJURY:

X [Signature] #2124

Signature of Applicant

SWORN AND SUBSCRIBED TO BEFORE

X [Signature]

Signature of Justice, Clerk, Magistrate or Assistant Clerk

6/26/13

DATE

Affidavit
In Support of Application for Search Warrant

1. I, Michael B. Bates, being duly sworn, depose and say that I am a Massachusetts State Police Officer, currently assigned to the Bristol County District Attorney's Office as a Narcotics Detective. My responsibilities include narcotics investigations throughout Bristol County.

2. I have been employed as a State Police Officer for the past twenty-one (21) years. I have made numerous narcotic arrests, participated in numerous narcotic investigations and search warrants concerning violations of the Controlled Substance Acts. I have testified in both District and Superior Courts in narcotics related cases. During the course of my duties, I have conducted undercover surveillance and assisted in the execution of numerous search warrants.

3. I have received formalized training for twenty-two (22) weeks by the Massachusetts State Police Academy in New Braintree, MA., including twenty (20) hours of Narcotics identification and investigation. In addition, I have received over eighty (80) hours of formalized training by the Drug Enforcement Administration in Narcotics identification, detection, interdiction, and the prosecution of such related cases. I have also received specialized training and received a certification in the extraction of data from cellular and other electronic devices. I have also provided assistance to the detective unit in investigating numerous major crimes throughout Bristol County, MA.

4. I present the following facts in this Affidavit in seeking the issuance of a search warrant for the following location:

#599 Old West Street – Apt #12A
Franklin, MA.

5. This information comes as a result of a lengthy Homicide investigation wherein Odin Lloyd was killed in the early morning hours of Monday – June 17, 2013 in the city of North Attleboro, MA. This investigation is being conducted by the State Police Detectives assigned to the Bristol County District Attorney's Office in conjunction with the North Attleboro Police Department.

6. During the course of the investigation, I applied for and received a search warrant from the Wrentham District Court on Wednesday – June 26, 2013. This search warrant was numbered #1357SW50 and authorized the search for #599 Old West Street – Apt #12A in Franklin, MA for a Samsung cellular telephone.

Printed Name of Affiant Signed Under The Pains and Penalties of Perjury

Trooper Michael B. Bates #2124

X: For Michael B Bates #2124

Sworn and Subscribed To Before

X: [Signature]
Signature of Justice, Clerk, Assistant Clerk

6/26/13
Date

Affidavit
In Support of Application for Search Warrant

7. On Wednesday – June 26, 2013 at approximately 1330 hours the search warrant was executed at #599 Old West Street – Apt #12A in Franklin. As a result of the search for the Samsung cellular telephone, several different types of ammunition were located. There was at least one (1) round of 7x62x39 caliber ammunition located lying on the top of an end table in the living room. The search also resulted in three different calibers of ammunition located in a dresser drawer next to the night stand in the bedroom. These rounds of ammunition included 7x6x39 caliber, .45 caliber, and .22 caliber.

8. Also located were keys that belonged to a black colored Hummer motor vehicle that was parked outside building A of #599 Old West Street in Franklin, MA. These keys had a very distinctive Hummer logo attached to them, and a remote alarm that linked to that specific vehicle when tested. This motor vehicle only displayed a temporary registration in the window. This temporary registration number was X497086 and listed an expiration date of 05/25/2013. This temporary registration also lists the last six (6) digits of the Vehicle Identification Number it belongs to as 123355. Visual check confirms that these digits in fact match the actual Vehicle Identification Number Plate attached to the Hummer. The Association / Management of the apartment complex explained that the Hummer had been parked in that very same spot for at least three (3) days. They also explained that the location it was parked in was not even an actual parking spot and that it was causing issues with other residents. The management was contemplating having the vehicle removed/towed on this date.

9. The original Samsung cellular telephone was still not located, but investigators did freeze the search / apartment at this time. I am now respectfully requesting that an additional search warrant be issued for the same address [#599 Old West Street – Apt #12 in Franklin, MA] allowing investigators to search for any and all ammunition and/or weapons that that might be associated with the ammunition that has been located within the apartment.

10. I also respectfully request that the warrant allow investigators to also search for any and all paperwork / standing. Due to the nature of this investigation, coupled with the lack of any sufficient surveillance time, this information would allow investigators to determine what person(s) might also be utilizing this apartment besides the person listed on the lease – namely HERNANDEZ.

11. I also respectfully request that the warrant allow investigators to also search the Hummer that has temporary registration number X497086, whose keys were located on top of the kitchen table. By locating the keys to this vehicle in the apartment, this vehicle could have been used to facilitate the transport of any evidence that has been or will be recovered from the apartment.

Printed Name of Affiant Signed Under The Pains and Penalties of Perjury

Trooper Michael B. Bates #2124

X: Trooper Michael B Bates #2124

Sworn and Subscribed To Before

X: [Signature]
Signature of Justice, Clerk, Assistant Clerk

6/26/13
Date

Affidavit
In Support of Application for Search Warrant

Also, any paperwork found in the vehicle would aid investigators in obtaining the identity of who was in possession of this vehicle or possibly staying within the apartment. The operator of this vehicle also has access to this apartment in order to leave the vehicle's keys inside on the table.

12. Based upon the information contained within this affidavit, I request that a search warrant be issued for the **#599 Old West Street – Apt #12A in the town of Franklin, MA** to search for any and all ammunition and/or weapons that that might be associated with the ammunition that has been located within the apartment. I also respectfully request that the warrant allow investigators to search for any and all paperwork or records that would link such a person(s) to this apartment and furthermore the lessee. And lastly, I respectfully request that the warrant allow investigators to also search the Hummer that has temporary registration number X497086 parked outside Building "A" for the same items as set forth in the search of the apartment for the same reasons. **END** of Affidavit.

Printed Name of Affiant Signed Under The Pains and Penalties of Perjury

Trooper Michael B. Bates #2124

X:

Tyr Michael Bates #2124

Sworn and Subscribed To Before

X:


Signature of Justice, Clerk, Assistant Clerk

6/26/13
Date

SEARCH WARRANT

G.L. c. 276, §§ 1-7.

TRIAL COURT OF MASSACHUSETTS

DISTRICT

COURT DEPARTMENT

ATLORBORO

DIVISION

SEARCH WARRANT DOCKET NUMBER

13345W29

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:

GUNSHOT RESIDUE, PHYSIOLOGICAL FLUIDS,

PALM PRINTS, SHOE PRINTS, FIBERS, FOOT PRINTS, FINGER PRINTS,
HAIR, SALIVA, AND BLOOD.

at:

2005 HUMMER H2 MOTOR VEHICLE WITH VIN# 5G8RG123015H12335
BEARING OHIO TEMPORARY REGISTRATION X497086 WITH EXPIRATION DATE 8/23/11

which is occupied by and/or in the possession of MASS STATE POLICE C/O THE NORTH
ATLORBORO POLICE DEPARTMENT

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

ATLORBORO

Division of the

DISTRICT

Court Department.

DATE ISSUED

7/1/13

SIGNATURE OF JUSTICE, CLERK/MAGISTRATE OR ASSISTANT CLERK

X *James P. Ferryski*

FIRST OR ADMINISTRATIVE JUSTICE

WITNESS: DANIEL J. O'SHEA

PRINTED NAME OF JUSTICE, CLERK/MAGISTRATE OR ASSISTANT CLERK

~~DANIEL J. O'SHEA~~ JAMES P. FERRYSKI

RETURN OF OFFICER SERVING SEARCH WARRANT

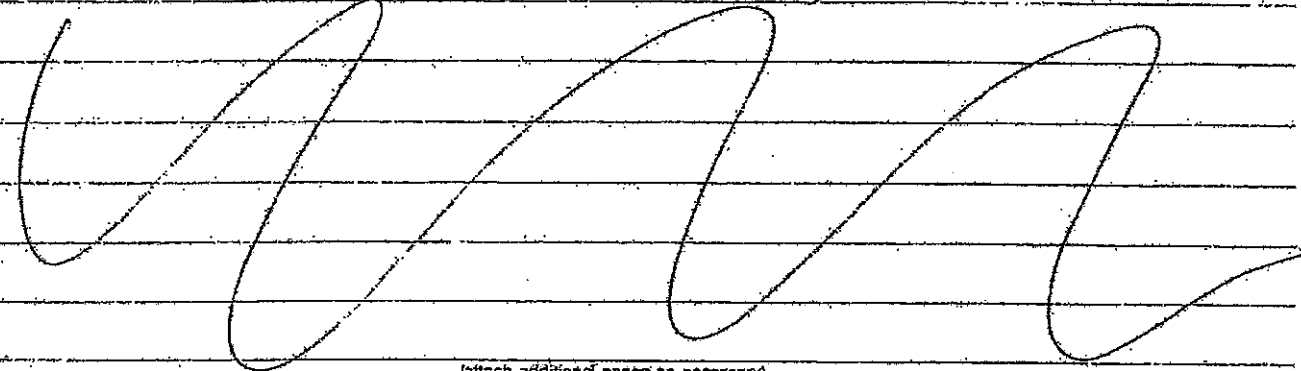
A search warrant must be executed as soon as reasonably possible after its issuance, and in any case may not be validly executed more than 7 days after its issuance. The executing officer must file his or her return with the court named in the warrant within 7 days after the warrant is issued. G.L. c. 27B, §3A.

This search warrant was issued on 07-01, 2013, and I have executed it as follows:
DATE

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

1. ONE BLACK COLOURED COLOGNE BOTTLE - GLASS
2. ONE ARCADIA BOTTLE - PLASTIC
3. ONE ARCADIA BOTTLE - PLASTIC
4. ONE CD - "NORA"
5. ONE BOTTLE "BEAUTIFUL DAY" LOTION - PLASTIC
6. ONE CD - GPS DISC
7. ONE CD - "RODY N BOYZ"
8. LATENT #1 (INTERIOR DRIVER DOOR)
9. LATENT #2 (TRANSMISSION KNOB)
10. LATENT #3 (TRANSMISSION AXLE - LEFT)
11. LATENT #4 (TRANSMISSION AXLE - RIGHT)
12. LATENT #5 (DRIVER REAR DOOR FRAME)
13. LATENT #6 (PASSENGER SIDE REAR DOOR)
14. LATENT #7 (DOOR FRAME REAR PASSENGER PILLAR)

2013 JUL -8 PM 3:24
 JUSTICE COURT

15. 

16.

17.

18.

19.

20.

(attach additional pages as necessary)

This inventory was made in the presence of: TROOPER CHAD CALIBESSE

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 <u>X</u>	DATE AND TIME OF SEARCH <u>07-01-13 @ 1:30 PM</u>	SWORN AND SUBSCRIBED TO BEFORE <u>X Pauline Churley</u> <small>Signature of Justice, Clerk-Magistrate or Assistant Clerk</small>
PRINTED NAME OF PERSON MAKING SEARCH <u>MICHAEL B. BATES</u>	TITLE OF PERSON MAKING SEARCH <u>TROOPER #2124</u>	DATE SWORN AND SUBSCRIBED TO <u>7-8-13 3:15 pm</u>

REC-30
10/16/08

APPLICATION FOR SEARCH WARRANT
G.L. c. 276, §§ 1-7

TRIAL COURT OF MASSACHUSETTS



DISTRICT

COURT DEPARTMENT

Attleboro

DIVISION

NAME OF APPLICANT

MICHAEL B. BATES

POSITION OF APPLICANT

TROOPER #2124 STATE POLICE DETECTIVES

SEARCH WARRANT DOCKET NUMBER

1334 SW 29

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):

GUNSHOT RESIDUE, PHYSIOLOGICAL FLUIDS,
PALM PRINTS, SHOE PRINTS, FIBERS, FOOT PRINTS, FINGER PRINTS,
HAIR, SALIVA, AND BLOOD.

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):
2005 HUMMER H2 MOTOR VEHICLE WITH VIN# 5GRGN23U15H12335
BEARING OHIO TEMPORARY REGISTRATION X497086 WITH EXPIRATION DATE 5/25/13.

which is occupied by and/or in the possession of: MASS STATE POLICE c/o THE NORTH
ATTLEBORO POLICE DEPARTMENT

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.

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

PRINTED NAME OF APPLICANT

TROOPER MICHAEL B. BATES #2124

SIGNED UNDER THE PENALTIES OF PERJURY

[Signature]
Signature of Applicant

SWORN AND SUBSCRIBED TO BEFORE

[Signature]

Signature of Justice, Clerk-Magistrate or Assistant Clerk

7/1/13
DATE

Affidavit
In Support of Application for Search Warrant

1. I, Michael B. Bates, being duly sworn, depose and say that I am a Massachusetts State Police Officer, currently assigned to the Bristol County District Attorney's Office as a Narcotics Detective. My responsibilities include narcotics investigations throughout Bristol County.

2. I have been employed as a State Police Officer for the past twenty-one (21) years. I have made numerous narcotic arrests, participated in numerous narcotic investigations and search warrants concerning violations of the Controlled Substance Acts. I have testified in both District and Superior Courts in narcotics related cases. During the course of my duties, I have conducted undercover surveillance and assisted in the execution of numerous search warrants.

3. I have received formalized training for twenty-two (22) weeks by the Massachusetts State Police Academy in New Braintree, MA. including twenty (20) hours of Narcotics identification and investigation. In addition, I have received over eighty (80) hours of formalized training by the Drug Enforcement Administration in Narcotics identification, detection, interdiction, and the prosecution of such related cases. I have also received specialized training and received a certification in the extraction of data from cellular and other electronic devices. I have also provided assistance to the detective unit in investigating numerous major crimes throughout Bristol County, MA.

4. I present the following facts in this Affidavit in seeking the issuance of a search warrant of the following item:

**2005 HUMMER H2 with Vehicle Identification #5GRGN23U15H123355 bearing Ohio
Temporary Registration X497086 with an Expiration May 25, 2013**

5. This information comes as a result of a lengthy Homicide investigation wherein Odin Lloyd was killed in the early morning hours of Monday – June 17, 2013 in the city of North Attleboro, MA. This investigation is being conducted by the State Police Detectives assigned to the Bristol County District Attorney's Office in conjunction with the North Attleboro Police Department.

6. During the course of the investigation, I applied for and received a search warrant from the Wrentham District Court on Wednesday – June 26, 2013. This search warrant was numbered #1357SW52 and authorized the search of a dark colored HUMMER H2 Motor Vehicle that was parked and abandoned outside of #599 Old West Street – Apt #12A in Franklin, MA. This search warrant authorized the search for weapons, ammunition, and records of owner / operator of this vehicle. Refer to attached copy labeled "Attachment A".

Printed Name of Affiant Signed Under The Pains and Penalties of Perjury

Trooper Michael B. Bates #2124

X:

Tr Michael Bates

Sworn and Subscribed To Before

X:

James P. [Signature]
Signature of Justice, Clerk, Assistant Clerk

7/1/13
Date

Affidavit
In Support of Application for Search Warrant

7. On Wednesday – June 26, 2013 this search warrant was executed and the following items were seized as the result:

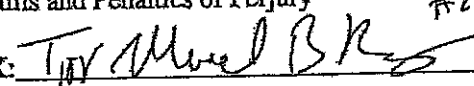
- Two (2) receipts from Larry's Motor Sales in Connecticut in the name of Aaron HERNANDEZ in the center console
- An Ohio Temporary Registration in the glove box
- An Express Mail envelope addressed to Aaron HERNANDEZ on the front passenger seat
- A Glock .45 Caliber Magazine loaded with rounds of ammunition

8. The caliber of ammunition located within the magazine is consistent with that used in the commission of the Homicide being investigated. Due to this evidence seized, the HUMMER was removed from the scene and towed to the North Attleboro Police Department where it was secured in their garage facility pending further investigation. Further search of this vehicle for the sought after items would assist investigators with linking person(s) who may have access to this vehicle and the items located inside.

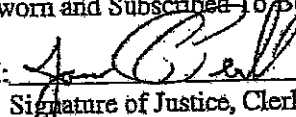
9. Based upon the information contained within this affidavit, I respectfully request that a search warrant be issued for the 2005 HUMMER H2 with Vehicle Identification #5GRGN23U15H123355. This warrant should allow investigators to search for any gunshot residue, physiological fluids, palm prints, shoe prints, fibers, foot prints, finger prints, hair, saliva, and blood. END of Affidavit.

Printed Name of Affiant Signed Under The Pains and Penalties of Perjury

Trooper Michael B. Bates #2124

X:  #2124

Sworn and Subscribed To Before

X: 
Signature of Justice, Clerk, Assistant Clerk

7/1/13
Date

#1357SW52

ATTACHMENT A
Pg. 1

Affidavit
In Support of Application for Search Warrant

1. I, Michael B. Bates, being duly sworn, depose and say that I am a Massachusetts State Police Officer, currently assigned to the Bristol County District Attorney's Office as a Narcotics Detective. My responsibilities include narcotics investigations throughout Bristol County.

2. I have been employed as a State Police Officer for the past twenty-one (21) years. I have made numerous narcotic arrests, participated in numerous narcotic investigations and search warrants concerning violations of the Controlled Substance Acts. I have testified in both District and Superior Courts in narcotics related cases. During the course of my duties, I have conducted undercover surveillance and assisted in the execution of numerous search warrants.

3. I have received formalized training for twenty-two (22) weeks by the Massachusetts State Police Academy in New Braintree, MA., including twenty (20) hours of Narcotics identification and investigation. In addition, I have received over eighty (80) hours of formalized training by the Drug Enforcement Administration in Narcotics identification, detection, interdiction, and the prosecution of such related cases. I have also received specialized training and received a certification in the extraction of data from cellular and other electronic devices. I have also provided assistance to the detective unit in investigating numerous major crimes throughout Bristol County, MA.

4. I present the following facts in this Affidavit in seeking the issuance of a search warrant for the following location:

#599 Old West Street - Apt #12A
Franklin, MA

5. This information comes as a result of a lengthy Homicide investigation wherein Odin Lloyd was killed in the early morning hours of Monday - June 17, 2013 in the city of North Attleboro, MA. This investigation is being conducted by the State Police Detectives assigned to the Bristol County District Attorney's Office in conjunction with the North Attleboro Police Department.

6. During the course of the investigation, I applied for and received a search warrant from the Wrentham District Court on Wednesday - June 26, 2013. This search warrant was numbered #1357SW50 and authorized the search for #599 Old West Street - Apt #12A in Franklin, MA for a Samsung cellular telephone.

Printed Name of Affiant Signed Under The Pains and Penalties of Perjury

Trooper Michael B. Bates #2124

X: _____

Sworn and Subscribed To Before

X: _____
Signature of Justice, Clerk, Assistant Clerk

_____ Date

Attached A

pg 2

Page 2 of 3

Affidavit
In Support of Application for Search Warrant

7. On Wednesday – June 26, 2013 at approximately 1330 hours the search warrant was executed at #599 Old West Street – Apt #12A in Franklin. As a result of the search for the Samsung cellular telephone, several different types of ammunition were located. There was at least one (1) round of 7x62x39 caliber ammunition located lying on the top of an end table in the living room. The search also resulted in three different calibers of ammunition located in a dresser drawer next to the night stand in the bedroom. These rounds of ammunition included 7x6x39 caliber, .45 caliber, and .22 caliber.

8. Also located were keys that belonged to a black colored Hummer motor vehicle that was parked outside building A of #599 Old West Street in Franklin, MA. These keys had a very distinctive Hummer logo attached to them, and a remote alarm that linked to that specific vehicle when tested. This motor vehicle only displayed a temporary registration in the window. This temporary registration number was X497086 and listed an expiration date of 05/25/2013. This temporary registration also lists the last six (6) digits of the Vehicle Identification Number it belongs to as 123355. Visual check confirms that these digits in fact match the actual Vehicle Identification Number Plate attached to the Hummer. The Association / Management of the apartment complex explained that the Hummer had been parked in that very same spot for at least three (3) days. They also explained that the location it was parked in was not even an actual parking spot and that it was causing issues with other residents. The management was contemplating having the vehicle removed/towed on this date.

9. The original Samsung cellular telephone was still not located, but investigators did freeze the search / apartment at this time. I am now respectfully requesting that an additional search warrant be issued for the same address [#599 Old West Street – Apt #12 in Franklin, MA] allowing investigators to search for any and all ammunition and/or weapons that that might be associated with the ammunition that has been located within the apartment.

10. I also respectfully request that the warrant allow investigators to also search for any and all paperwork / standing. Due to the nature of this investigation, coupled with the lack of any sufficient surveillance time, this information would allow investigators to determine what person(s) might also be utilizing this apartment besides the person listed on the lease – namely HERNANDEZ.

11. I also respectfully request that the warrant allow investigators to also search the Hummer that has temporary registration number X497086, whose keys were located on top of the kitchen table. By locating the keys to this vehicle in the apartment, this vehicle could have been used to facilitate the transport of any evidence that has been or will be recovered from the apartment.

Printed Name of Affiant Signed Under The Pains and Penalties of Perjury

Trooper Michael B. Bates #2124

X: _____

Sworn and Subscribed To Before

X: _____

Signature of Justice, Clerk, Assistant Clerk

_____ Date

Attachment A

pg. 3

Page 3 of 3

Affidavit
In Support of Application for Search Warrant

Also, any paperwork found in the vehicle would aid investigators in obtaining the identity of who was in possession of this vehicle or possibly staying within the apartment. The operator of this vehicle also has access to this apartment in order to leave the vehicle's keys inside on the table.

12. Based upon the information contained within this affidavit, I request that a search warrant be issued for the #599 Old West Street - Apt #12A in the town of Franklin, MA to search for any and all ammunition and/or weapons that that might be associated with the ammunition that has been located within the apartment. I also respectfully request that the warrant allow investigators to search for any and all paperwork or records that would link such a person(s) to this apartment and furthermore the lessee. And lastly, I respectfully request that the warrant allow investigators to also search the Hummer that has temporary registration number X497086 parked outside Building "A" for the same items as set forth in the search of the apartment for the same reasons. END of Affidavit.

Printed Name of Affiant Signed Under The Pains and Penalties of Perjury

Trooper Michael B. Bates #2124

X: _____

Sworn and Subscribed To Before

X: _____
Signature of Justice, Clerk, Assistant Clerk

_____ Date

SEARCH WARRANT

G.L. c. 276, §§ 1-7

TRIAL COURT OF MASSACHUSETTS

District

COURT DEPARTMENT

Attleboro

DIVISION

SEARCH WARRANT DOCKET NUMBER

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)

MASSACHUSETTS DISTRICT COURT
2013 JUL 10 P 12:44

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:

Any/all Ammunition of any caliber and/or any weapon (firearm) to be associated with my ammunition. Search will include any place within the motor vehicle that a secret "stowaway" hole or novent void within the motor vehicle could be found. Also may contain a firearm or ammunition

at:

A Black Hummer H2 bearing the temporary registration of X997086 w/ a void of 5B69N23U15H12335

which is occupied by and/or in the possession of: Mass State Police w/ the Attleboro Division

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

District

Court Department.

DATE ISSUED

7/10/13

SIGNATURE OF JUSTICE, CLERK/MAGISTRATE OR ASSISTANT CLERK

X James P. Ferruski

FIRST OR ADMINISTRATIVE JUSTICE

GREGORY L. PHILLIPS

WITNESS: DANIEL J. O'Shea

PRINTED NAME OF JUSTICE, CLERK/MAGISTRATE OR ASSISTANT CLERK

JAMES P. FERRUSKI

SWJ/STP

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 7/10, 2013, and I have executed it as follows:
DATE

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

- 1.
- 2.
- 3.
- 4.
- 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: Sgt. James Bazziaotti, Const. Joseph Dranis

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 <u>X [Signature]</u>	DATE AND TIME OF SEARCH <u>7/10/13 1450hrs</u>	SWORN AND SUBSCRIBED TO BEFORE <u>X [Signature]</u> Signature of Justice, Clerk-Magistrate or Assistant Clerk
PRINTED NAME OF PERSON MAKING SEARCH <u>Sgt. Paul Baker 2537</u>	TITLE OF PERSON MAKING SEARCH <u>Sergeant</u>	DATE SWORN AND SUBSCRIBED TO <u>7/22/13</u>

APPLICATION FOR SEARCH WARRANT

G.L. c. 276, §§ 1-7

TRIAL COURT OF MASSACHUSETTS



COURT DEPARTMENT

DIVISION

NAME OF APPLICANT

Paul F. Baker

POSITION OF APPLICANT

Sergeant - Mass State Police

District

Attleboro

SEARCH WARRANT DOCKET NUMBER

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 7 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):

Any/all ammunition of any caliber and/or any weapon (firearm) to be associated with any ammunition. Search will include any place within the motor vehicle that a secret "electronic hide" or normal void within the motor vehicle could be found that may contain a firearm or ammunition.

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):

A Black Hummer H2 bearing the temporary registration of X497086 w/ a VIN of 5GREN23U15H12335

which is occupied by and/or in the possession of: Mass State Police c/o the North Attleboro Police Department

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

Sgt Paul Baker #357

SIGNED UNDER THE PENALTIES OF PERJURY

X [Signature] Signature of Applicant

SWORN AND SUBSCRIBED TO BEFORE

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

7/10/13 DATE

Affidavit
In Support of Application for Search Warrant

1. I, Paul F. Baker, being duly sworn, depose and say that I am a Massachusetts State Police Sergeant, currently assigned to the Bristol County District Attorney's Office as a Homicide Detective. My responsibilities include supervising Troopers assigned to death investigations throughout Bristol County.

2. I have been employed as a Sergeant on the State Police and have been a Trooper for the past seventeen (17) years. I have made numerous narcotic arrests, participated in numerous narcotic investigations and search warrants concerning violations of the Controlled Substance Acts. I have testified in both District and Superior Courts in narcotics related cases. I have authored two court authorized wire intercepts as well as supervised several homicide investigations. During the course of my duties, I have conducted undercover purchases of narcotics, conducted undercover surveillance, and assisted in the execution of numerous search warrants for both narcotics and evidence in a homicide investigation.

3. I have received formalized training for twenty-six (26) weeks by the Massachusetts State Police Academy in New Braintree, MA. including Narcotics identification and investigation. In addition, I have received formalized training by the Drug Enforcement Administration in Narcotics identification, detection, interdiction, and the prosecution of such related cases. I have received training by Detectives assigned to the State Police and Detectives assigned to various Police agencies throughout Bristol County. I have also provided assistance to the detective unit in investigating numerous major crimes throughout Bristol County, MA.

4. I present the following facts in this Affidavit in seeking the issuance of a search warrant of the following item:

2005 HUMMER H2 with Vehicle Identification #5GRGN23U15H123355 bearing Ohio Temporary Registration X497086 with an Expiration May 25, 2013

5. This information comes as a result of a lengthy Homicide investigation wherein Odin Lloyd was killed in the early morning hours of Monday - June 17, 2013 in the city of North Attleboro, MA. This investigation is being conducted by the State Police Detectives assigned to the Bristol County District Attorney's Office in conjunction with the North Attleboro Police Department.

6. During the course of the investigation, Trooper Michael B. Bates applied for and received a search warrant from the Wrentham District Court on Wednesday - June 26, 2013. This search warrant was numbered #1357SW52 and authorized the search of a dark colored HUMMER H2

Printed Name of Affiant Signed Under The Pains and Penalties of Perjury

Sergeant Paul F. Baker #2597

X: Sy PL Baker 2597

Sworn and Subscribed To Before

X: Jane Bell
Signature of Justice, Clerk, Assistant Clerk

7-12-13
Date

Affidavit
In Support of Application for Search Warrant

Motor Vehicle that was parked and abandoned outside of #599 Old West Street - Apt #12A in Franklin, MA. This search warrant authorized the search for weapons, ammunition, and records of owner / operator of this vehicle. Refer to attached copy labeled "Attachment A".

7. On Wednesday - June 26, 2013 this search warrant was executed and the following items were seized as the result:

- Two (2) receipts from Larry's Motor Sales in Connecticut in the name of Aaron HERNANDEZ in the center console
- An Ohio Temporary Registration in the glove box
- An Express Mail envelope addressed to Aaron HERNANDEZ on the front passenger seat
- A Glock .45 Caliber Magazine loaded with approximately thirteen (13) rounds of ammunition

8. The caliber of ammunition located within the magazine is consistent with that used in the commission of the Homicide being investigated. Due to this evidence seized, the HUMMER was removed from the scene and towed to the North Attleboro Police Department where it was secured in a secured area and remains there to this present day. A further search of this vehicle, after an additional search warrant was sought and granted by the Attleboro District Court and attached at the end of this affidavit, was conducted by Troopers assigned to the Crime Scene Services section for gunshot residue, clothing, physiological fluids, palm prints, fingerprints, shoe prints, fibers, footprints, hair, saliva, semen, blood, firearms, pistols, revolvers, rifles, shotguns, ammunition, spent cartridge casings, projectiles, cutting instruments, knives, cellular telephones, pieces of identification in print, photograph, or video that may identify any or all of the parties named in the investigation. A warrant was issued and the Hummer H2 was processed for the above mentioned trace evidence. Investigators assigned to this investigation were made aware by Troopers assigned to the Crime Scene Service section that, in addition to all the evidence listed above, a fingerprint was found and identified as the fingerprint of Aaron HERNANDEZ on the transmission stick shift located in the front driver's portion of the motor vehicle.

9. I also have personal knowledge, based upon training and experience, that sophisticated hides / secret compartments can be installed inside motor vehicles. I am aware that these sophisticated hides / secret compartments are often used to transport contraband in the form of

Printed Name of Affiant Signed Under The Pains and Penalties of Perjury

Sergeant Paul F. Baker #2597

X: Sgt PFB 2597

Sworn and Subscribed To Before

X: [Signature]
Signature of Justice, Clerk, Assistant Clerk

7-10-13
Date

Affidavit
In Support of Application for Search Warrant

controlled substances, firearms, ammunition, and large quantities of United States Currency. I am also aware that these hides or secret compartments are used to secret / hide illegal firearms, ammunition, or other illegal contraband. I am also aware that these sophisticated hides / secret compartments often require substantial knowledge of motor vehicles and electronics to install and can be very difficult to locate. Sergeant James Bazzinotti, who is assigned to Troop C as a patrol supervisor, has extensive knowledge of secret hides and natural voids within motor vehicles that are used to transport narcotics, U.S. Currency, and firearms. Sgt. Bazzinotti has been qualified as an expert in the Somerville District Court in electronic hides in motor vehicles and has located over 100 hidden compartments over the last ten years. Sgt. Bazzinotti has instructed the Massachusetts State Police and Drug Enforcement Agency (DEA) in the area of electronic controlled compartments within motor vehicles. The Hummer H2 that was stored at the Franklin location could be a motor vehicle that has a sophisticated electronic hide system located within same. The Hummer H2 is a large motor vehicle that has an extensive, large interior, with a roomy cabin, thus making this motor vehicle ideal for an electronic hide.

10. Due to the fact that the HUMMER H2 was processed for the above mentioned evidence and not processed for a secret hide or natural void that may be used to secret a firearm or ammunition, and based upon the information contained within this affidavit, I respectfully request that a search warrant be issued for the 2005 HUMMER H2 with Vehicle Identification #SGRGN23U15H123355. This warrant should allow investigators to search for any after-market hides or natural voids used within the 2005 Hummer H2 that could contain a firearm, ammunition, and or illegal contraband. END of Affidavit.

Printed Name of Affiant Signed Under The Pains and Penalties of Perjury

Sergeant Paul F. Baker #2597

X: Sgt P F Baker 2597

Sworn and Subscribed To Before

X: James Baker
Signature of Justice, Clerk, Assistant Clerk

7-12-13
Date

SEARCH WARRANT

G.L. c. 276, §§ 1-7

TRIAL COURT OF MASSACHUSETTS

DISTRICT

COURT DEPARTMENT

WENTHAM

DIVISION

SEARCH WARRANT DOCKET NUMBER

13518052

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:

ANY/ALL AMMUNITION OF ALL CALIBERS AND WEAPONS TO BE ASSOCIATED / UTILIZED WITH AMMUNITION. SEARCH SHOULD ALSO INCLUDE ANY AND ALL RECORDS / PAPERWORK / STANDING ASSOCIATED WITH PERSON(S) WHO MAY HAVE BEEN STOPPING WITHIN THE DURELING / VEHICLE.

at:

BLACKED COLORED HUMMER MOTOR VEHICLE BEARING TEMPORARY REGISTRATION #X497086 WITH LAST SIX DIGITS OF VIN AS 123355

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 and when appropriate, the persons in whose possession it is found before the Division of the _____ Court Department.

DATE ISSUED

June 26, 2013

SIGNATURE OF JUSTICE, CLERK, MAGISTRATE OR ASSISTANT CLERK

X

FIRST OR ADMINISTRATIVE JUSTICE

WITNESS: *Enrique J. Hernandez*

PRINTED NAME OF JUSTICE, CLERK, MAGISTRATE OR ASSISTANT CLERK

C. Rose Pei, Jr.

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. 27B, §3A.

This search warrant was issued on 06-26, 2013, and I have executed it as follows:
DATE

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

1. TWO (2) RECEIPTS FROM LARRY'S MOTOR SALES IN THE NAME OF AARON HERNANDEZ
2. GLOCK .45 CALIBER MAGAZINE CLIP LOADED WITH .45 CALIBER AMMUNITION
3. OHIO TEMPORARY REGISTRATION IN THE NAME AARON HERNANDEZ
4. EXPRESS MAIL ENVELOPE ADDRESSED TO AARON HERNANDEZ

5.
6.
7.
8.
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10.
11.
12.
13.
14.
15.
16.
17.
18.
19.
20.

[Large handwritten scribble covering items 5 through 20]

(attach additional pages as necessary)

This inventory was made in the presence of: TRAVIS CHRISTOPHER DUMONT #3297

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 <i>[Signature]</i>	DATE AND TIME OF SEARCH <u>06-26-13 @ 1635hrs</u>	SWORN AND SUBSCRIBED TO BY <i>[Signature]</i> Signature of Justice, Clerk-Magistrate or Assistant Clerk
PRINTED NAME OF PERSON MAKING SEARCH <u>MICHAEL B. BATES</u>	TITLE OF PERSON MAKING SEARCH: <u>TROOPER #2124</u>	DATE SWORN AND SUBSCRIBED TO <u>7-2-13</u>

SEARCH WARRANT

G.L. c. 276, §§ 1-7

TRIAL COURT OF MASSACHUSETTS

District

COURT DEPARTMENT

Attleboro

DIVISION

SEARCH WARRANT DOCKET NUMBER

1334 SW 24

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:

Trace / Biological evidence, including blood, serums, skin, clothing, gunshot residue, fingerprints, sicums, ammunition, DNA, clothing as identified in Addendum "A", "B", and "C", shoes, footwear impressions, and any other evidence as described in the affidavit to assist in the identification of a suspect or suspects, and that if any of the above evidence is found that it be seized as evidence and further analyzed or searched as necessary

at:

The structure and grounds located at 22 Ronald C. Meyer Drive in North Attleboro

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

on the person or in the possession of:

Aaron Hernandez

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

6/22/13

SIGNATURE OF JUSTICE, CLERK, MAGISTRATE OR ASSISTANT CLERK

x Mark E. Sturdy

FIRST OR ADMINISTRATIVE JUSTICE

WITNESS: *DANIEL J. OSHEA*

PRINTED NAME OF JUSTICE, CLERK, MAGISTRATE OR ASSISTANT CLERK

DANIEL J. OSHEA *MARK E. STURDY*

EXHIBIT 7

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.

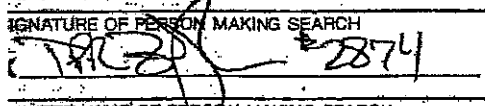
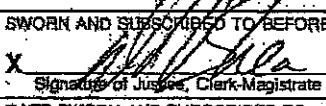
This search warrant was issued on 6/22/13, ²⁰¹³~~19~~, and I have executed it as follows:

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

1. Nike Sneakers Size 13 white (1 PAIR)
2. Nike Sneakers Size 13 white (1 PAIR)
3. 1 White Long Sleeve shirt (2 Religion Sportswear) size 3XL
4. 1 Blue pair Jeans (5 and 4 Relaxed size 38)
5. 1 white bath Towel
6. 1 Sentry Safe containing 1 box of "Game Loads" 22 Ammunition
7. Piece of mattress + Brown Bed skirt
8. 1 Scale located in safe
9. 1 Dish located in safe
10. 1 pair blue Jeans (True Religion size 38)
11. 1 FEG 7.62 X 39 Model SA200 Serial 1981NS01664 Rifle
12. 1 Vitamin-water XXX (Glacéau) Acai-blueberry - pomegranate
13. 1 pair Nike sneakers
14. 1 pair Nike sneakers
15. 1 Gunshot Residue Kit from mattress
16. 1 Black Duffel bag
17. Bandages from Duffel bag
18. Wrist watch from Duffel bag
19. White plastic bag containing grey jeans + grey socks
20. 1 Black Puma Jacket from Duffel bag + Puma Track pants + BIK
21. live Ammunition 7.62 X 39 Rifle (quantity 33) T-shirt

This inventory was made in the presence of:
TROOPER Zachary Johnson #2874

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 	DATE AND TIME OF SEARCH 6/22/13 1345RS	SWORN AND SUBSCRIBED TO BEFORE x  Signature of Justice, Clerk-Magistrate or Assistant Clerk
PRINTED NAME OF PERSON MAKING SEARCH TROOPER Zachary Johnson #2874	TITLE OF PERSON MAKING SEARCH TROOPER	DATE SWORN AND SUBSCRIBED TO 6/24/13

FILED 6/24/13

AFFIDAVIT

**IN SUPPORT OF APPLICATION
FOR SEARCH WARRANT**

SEARCH WARRANT DOCKET NUMBER

1334SW24

TRIAL COURT OF MASSACHUSETTS

Attleboro District Court



22. Title for 1998 Toyota (4T1BG22KXWU188439 VIN)

23. 1 Boarding Receipt for Ernest Wallace (F6381Q)

Filed 6/24/13

PRINTED NAME OF AFFIANT *Sheriff*

Richard Johnson

SIGNED UNDER THE PENALTIES OF PERJURY

[Signature] #2874
Signature of Affiant

SWORN AND SUBSCRIBED TO BEFORE

x

[Signature]
Signature of Justice, Clerk, Magistrate or Assistant Clerk

6/24/13
DATE



Commonwealth of Massachusetts
Department of State Police
Forensic Services Group
Front Desk Swallow: (508) 358-3110
Evidence Unit Phone: (508) 358-3153



Please Print Submission Receipt Here
Place Additional Evidence on Subsequent Pages
Use The Storage Area of The Report if Required.



Type of Case: Fatal Shooting		Scene Responder: JUR/DP	FSG Case Number: 13-11925 - 30
Date of Incident: 06/17/2013		Investigating Agency: MSP Bristol County Detective Unit	
Investigating Agency Case #: 13-15736		Special requests/comments: Search warrant @ 22 Ronald C. Meyer Drive	
Incident Address: 344 John L. Ditsch Blvd		Incident Town: North Attleborough	
Report to (Name): Trooper Erik J. Beason #3389		Phone #: (508) 993-2016	
Email:		County DA's Office: Bristol County	
ADA:		ADA:	

Victim/Other's Name(s)	DOB	Sex	Race	Suspect/Defendant's Name(s)	DOB	Sex	Race
V Lloyd, Odia	11/14/1985	M		S Moore, Gregory	01/16/1969	M	
				S Orde, Carlos	01/05/1986	M	

RECORD OF EVIDENCE SUBMITTED: List item description and owner's name (or origin) of each item separately.

<p>30-1 [Pair of sneakers] Pair of white Nike sneakers (1st floor hall closet, 4th shelf - 22 Ronald C. Meyer Dr.)</p> <p>30-2 [Pair of sneakers] Pair of white Nike sneakers (1st floor hall closet, 7th shelf - 22 Ronald C. Meyer Dr.)</p> <p>30-3 [Pair of sneakers] Pair of white Nike sneakers (Master bedroom closet top shelf - 22 Ronald C. Meyer Dr.)</p> <p>30-4 [Pair of sneakers] Pair of white Nike sneakers (Master bedroom closet floor - 22 Ronald C. Meyer Dr.)</p> <p>30-5 [Jeans] Pair of dark jeans (2nd floor laundry room - 22 Ronald C. Meyer Dr.)</p> <p>30-6 [Jeans] Pair of dark jeans (2nd floor laundry room - 22 Ronald C. Meyer Dr.)</p> <p>30-7 [Shirt] White long sleeve pullover hooded shirt (2nd floor laundry room - 22 Ronald C. Meyer Dr.)</p> <p>30-8 [Item] Brown bed shirt (Basement bedroom - 22 Ronald C. Meyer Dr.)</p> <p>30-9 [Cutting] Cutting of fabric from underside of mattress with impressions (Basement bedroom - 22 Ronald C. Meyer Dr.)</p> <p>30-10 [Guanacot Residue Collection Kit] (1) GSR slab of impressions on underside of mattress (Basement bedroom - 22 Ronald C. Meyer Dr.)</p> <p>30-11 [Bag] Black duffel bag from backseat of Toyota Camry (Garage - 22 Ronald C. Meyer Dr.)</p> <p>30-12 [Bag] Bandages from inside of black duffel bag from backseat of Toyota Camry (Garage - 22 Ronald C. Meyer Dr.)</p> <p>30-13 [Bag] Wrist watch inside of a gold wrapped box from inside of black duffel bag from backseat of Toyota Camry (Garage - 22 Ronald C. Meyer Dr.)</p> <p>30-14 [Bag] White plastic bag from Toyota Camry (Garage - 22 Ronald C. Meyer Dr.)</p>	<p>30-15 [Jeans] Pair of grey jeans from inside of white plastic bag from Toyota Camry (Garage - 22 Ronald C. Meyer Dr.)</p> <p>30-16 [Sock(s)] Pair of grey socks from inside of white plastic bag from Toyota Camry (Garage - 22 Ronald C. Meyer Dr.)</p> <p>30-17 [Jacket] Black Fuma jacket inside black duffel bag from backseat of Toyota Camry (Garage - 22 Ronald C. Meyer Dr.)</p> <p>30-18 [Pants] Black Fuma track pants inside black duffel bag from backseat of Toyota Camry (Garage - 22 Ronald C. Meyer Dr.)</p> <p>30-19 [T-Shirt] Black t-shirt inside black duffel bag from backseat of Toyota Camry (Garage - 22 Ronald C. Meyer Dr.)</p>
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This report is to be in the possession of the recipient and documented above by a representative from the submitting agency. At the time of analysis, the assigned analyst/analyst will inspect the package and verify the inventory. In the event of a discrepancy between the actual inventory and that reported on this report, documentation shall be conducted in accordance with the Massachusetts State Police Forensic Services Group (FSG) Evidence Handling and Submission Manual. The undersigned certifies the evidence on behalf of the investigating agency, who acknowledges that the FSG is responsible for maintaining all items according to standard procedures, and who releases the FSG to maintain facilities regarding potentially necessary deviations from said procedures. This may include, but is not limited to, the use of a separate laboratory for analysis. All procedural deviations shall be documented in the laboratory notes according to laboratory procedure but copies of such such deviations need not be given to the agency.

I, JUR, acknowledge receipt of the item(s) above from Jessica L. Esposito, Forensic Scientist II

Date: 06/22/2013 Time: 6:21 am

Signature: [Signature]
 Title: MSP Forensic Services Group
 Police Department / Agency (if Different Office)

IF THE STATUS OF THIS CASE CHANGES, PLEASE NOTIFY THE CASE MANAGEMENT UNIT IMMEDIATELY AT 978-481-3440. PLEASE RETAIN THIS RECEIPT FOR YOUR RECORDS.

WHITE (Lab, Page 1 of 4)

YELLOW (QA, Page 2 of 4)

PINK (Evidenc, Page 3 of 4)

GREEN (Followup, Page 4 of 4)

Massachusetts State Police Forensic Services Group
Forensic Submission Form
Issued By: 147616, Supervisor
Issue Date: January 10, 2013

ECU-2008-v10.0

Page 1 of 7

219071-100117

APPLICATION FOR SEARCH WARRANT

G.L. c. 27B, §§ 1-7

TRIAL COURT OF MASSACHUSETTS



NAME OF APPLICANT

Eric J. Benson

District

COURT DEPARTMENT

Attleboro

DIVISION

POSITION OF APPLICANT

Trooper

SEARCH WARRANT DOCKET NUMBER

13345W 24

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 18 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):

Trace / Biological evidence, including blood, serums, skin, clothing, gunshot residue, fingerprints, firearms, ammunition, DNA, clothing as identified in Addendum "A," "B," and "C," shoes, footwear impressions, and any other evidence as described in the affidavit to assist in the identification of a suspect or suspects, and that if any of the above evidence is found that it be seized as evidence and further analyzed or searched as necessary.

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):

The structure and grounds located at 22 Ronald C. Meyer Drive in North Attleboro

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

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

Aaron Hernandez

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 Eric J. Benson # 3389

SIGNED UNDER THE PENALTIES OF PERJURY

X Tro. Eric J. Benson # 3389
Signature of Applicant

SWORN AND SUBSCRIBED TO BEFORE

X [Signature] Signature of Justice, Clerk/Magistrate or Assistant Clerk

6/22/13
DATE

Commonwealth of Massachusetts

Bristol CC

District Court Department
Attleboro District

Affidavit in Support of Search Warrant

I, Trooper Eric J. Benson #3389, being duly sworn, depose and say: I am a Massachusetts State Police Trooper and have been so employed since September 2006. I am currently assigned to the Bristol County State Police Detective Unit attached to the Bristol County District Attorney's Office and have been so assigned since November of 2009.

I have personal knowledge of the facts and circumstances related below, as the result of my own investigative efforts and those of other police officers who have reported their findings to me.

Based on my personal knowledge, I believe the crime of Murder, a violation of Massachusetts General Laws, Chapter 265, Section 1 was committed in an unimproved area in the vicinity of 344 John L. Dietsch Boulevard in North Attleboro on or about Monday, June 17, 2013. The facts establishing the grounds for my request to the court for the issuance of a search warrant are as follows:

Initial Response

On Monday, June 17, 2013, at approximately 5:37 p.m., the North Attleboro Police Department responded to a cellular 911 call reporting a dead body in the area of 344 John L. Dietsch Boulevard in North Attleboro. The North Attleboro Police Department responded to a secluded area in the area of 344 John L. Dietsch Boulevard in North Attleboro and located a deceased male lying supine on the ground. The initial responding police officers observed several apparent gunshot wounds in the upper torso area of the then unidentified deceased black male. The initial responding officers further observed a small amount of blood in the area of the apparent gunshot wounds. The initial responding officers located five (5) .45 caliber discharged cartridge casings on the ground in the immediate area of the deceased male body. The initial responding officers did not observe a firearm in the area of the deceased male body. The initial responding officers observed a set of automobile tire tracks that appeared to have been recently made. The area where the deceased black male individual was found is remotely located and used as a processing area for construction materials such as dirt, gravel, stone, asphalt, and fill. The police did not observe any vehicles at the location where the black male individual was found deceased.

The police conducted a search of the body of the deceased black male individual during the processing of the crime scene on Monday, June 17, 2013. The police observed that the pants pockets of the deceased male individual appeared to be undisturbed, leading the police to believe

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that no attempt had been made to remove items from the victim's pants pockets after the death of Odin Lloyd.

A wallet containing a Massachusetts Drivers License bearing the name Odin L. Lloyd (DOB: 11/14/1985) of 10 Fayston Street, Apt. # 2 in Boston inside the right rear pants pocket of the deceased black male. The photograph on Odin Lloyd's Massachusetts Driver's License matched the general physical appearance of the deceased male individual. Two sets of keys for a black 2013 Chevrolet Suburban bearing Rhode Island Registration 442-427 were located in the front right pants pocket of the deceased male individual presumptively identified as Odin Lloyd. The keychain attached to the two sets of keys for the 2013 Chevrolet Suburban bearing Rhode Island Registration 442-427 indicated that the vehicle was owned by Enterprise Rent-A-Car. An HTC 1 cellular telephone was located in the right front sweatshirt pocket of the male individual presumptively identified as Odin Lloyd. An amount of \$64.75 in loose cash was located in the back left pants pocket of Odin Lloyd.

The police contacted Enterprise Rent-A-Car at T.F. Green Airport in Rhode Island and learned that the vehicle described on the keys in the pocket of Odin Lloyd (2013 Chevrolet Suburban bearing Rhode Island Registration 442-427) was currently being rented by Aaron Hernandez of 22 Ronald C. Meyer Drive in North Attleboro. A check of the Massachusetts Registry of Motor Vehicles database showed an Aaron Hernandez (DOB: 11-06-1989) with an address of 22 Ronald C. Meyer Drive in North Attleboro.

Next of Kin Notification and Preliminary Family Interviews

On the night of Monday, June 17, 2013, officers traveled to Odin Lloyd's residential address of 10 Fayston Street in Boston in order to attempt to make a death notification to his next of kin. Officers notified Odin Lloyd's next of kin and interviewed some of his friends and family members upon their arrival at 10 Fayston Street in Boston on the night of Monday, June 17, 2013. The officers observed Aaron Hernandez's rented 2013 Chevrolet Suburban, the keys to which were found in Odin Lloyd's pocket, backed into the yard behind a chain link fence at 10 Fayston Street in Boston.

Officers interviewed Odin Lloyd's sister, Shaquilla Thibou, following the death notification. Shaquilla Thibou indicated that she lived with Odin Lloyd at 10 Fayston Street, Apt. #2, in Boston. Shaquilla Thibou further indicated that she last saw Odin Lloyd at or between 1:00 to 2:00 a.m. in front of 10 Fayston Street in Boston. Shaquilla Thibou went on to indicate that Odin Lloyd entered a silver, four door car with three other males whose identities she did not know. Shaquilla Thibou indicated that the silver vehicle and the occupants left the area after Odin Lloyd entered the vehicle. Shaquilla Thibou told investigators that she had never seen this silver car before. Shaquilla Thibou further indicated Odin Lloyd was dating a woman named Shaneah. Shaquilla Thibou explained that Shaneah was the sister of Aaron Hernandez's girlfriend, Shayanna Jenkins. Shaquilla Thibou stated that, other than Aaron Hernandez and Shayanna Jenkins, she did not know of any other contacts that Odin Lloyd had in the North Attleboro area. Shaquilla Thibou showed investigators some of the text messages that her brother had sent to her after he entered the silver vehicle on the early morning of Monday, June

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17, 2013: Shaquilla Thibou explained these text messages to investigators and are described below in this affidavit.

Initial contact with Aaron Hernandez and Shayanna Jenkins:

Officers traveled to 22 Ronald C. Meyer Drive in North Attleboro and attempted to make contact with the occupants of the residence on the night of Monday, June 17, 2013. The officers were initially unable to make contact with any of the residents of 22 Ronald C. Meyer Drive in North Attleboro. While attempting to make contact, officers observed three (3) large surveillance cameras permanently affixed to the exterior of the residence. Officers also observed that the television and numerous lights were on inside the residence. Despite repeated efforts to summons the occupants, no one came to the door of 22 Ronald C. Meyer Drive in North Attleboro. Based on the totality of the circumstances that brought the police to the residence and the inability of the police to make contact with the residents, the officers went to the rear of the 22 Ronald C. Meyer Drive in North Attleboro to determine if there was any forced entry or sign of the occupants. No signs of forced entry or the occupants were observed.

The officers then proceeded to a neighboring residence and spoke with the occupants. The neighbors indicated that they knew Aaron Hernandez, one of whom identified himself as a coach for the New England Patriots. That individual indicated that he had last seen Aaron Hernandez, a player for the New England Patriots, at football practice on Thursday, June 13, 2013. The individual did not have any contact information for Aaron Hernandez and was unable to provide any information as to the whereabouts of Aaron Hernandez.

These same officers returned to their vehicle and were parked on the street in front of Aaron Hernandez's residence when they observed Aaron Hernandez exit his residence and walk down the driveway in their direction at approximately 10:30 p.m. on Monday, June 17, 2013. Aaron Hernandez told the officers that he had seen them parked in front of the house through his video surveillance system. The officers identified themselves and asked Aaron Hernandez questions about the Chevrolet Suburban he had rented. Aaron Hernandez stated that he had rented the vehicle for his friend "O." When asked who "O" was, Aaron Hernandez replied "Odin." When asked how he knew Odin, Aaron Hernandez stated that his girlfriend's sister was dating Odin. Aaron Hernandez stated that he had rented the vehicle from Enterprise Rent-A-Car on Route 1 in North Attleboro. When asked when he last saw Odin, Aaron Hernandez replied that he last saw Odin "up his way yesterday," indicating that he saw Odin last in Boston on Sunday, June 16, 2013. Although Aaron Hernandez was unable to provide the officers with the location where he last saw Odin, he stated that he saved the address in his GPS. Aaron Hernandez then became argumentative with the officers, and asked: "what's with all the questions?" Aaron Hernandez then stated that the police would need to speak with his attorney. Aaron Hernandez entered his residence, locking the door behind him, and retrieved a business card for his attorney. Aaron Hernandez then unlocked the door and handed his attorney's business card to the officers. When the officers told Aaron Hernandez that they were conducting a death investigation, Aaron Hernandez slammed the door and locked it behind him. Aaron Hernandez did not ask the officers whose death was being investigated nor did he display any outward signs of concern. Contact was then made with Aaron Hernandez's attorney.



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The officers returned to their vehicle once again. Shortly after the officers returned to their vehicle, Aaron Hernandez exited his residence and stated that he would follow the officers to the police station to speak with the police. Aaron Hernandez stated that his girlfriend (Shayanna Jenkins) would give him a ride to the police station. The officers followed Aaron Hernandez and his girlfriend (Shayanna Jenkins) to the North Attleboro Police Department. Aaron Hernandez's girlfriend (Shayanna Jenkins) drove away after dropping Aaron Hernandez off at the North Attleboro Police Department. Officers followed Shayanna Jenkins out of the parking lot and stopped Shayanna Jenkins' vehicle adjacent to the North Attleboro Police Department. Officers then spoke with Shayanna Jenkins (DOB: 05/29/1989). Officers informed Shayanna Jenkins about the death of Odin Lloyd and she immediately began to cry. Shayanna Jenkins agreed to speak to the officers where her vehicle had been stopped because her child was sleeping in the back seat of the vehicle.

Shayanna Jenkins stated that she and her boyfriend, Aaron Hernandez, live together at 22 Ronald C. Meyer Dr. in North Attleboro. Shayanna Jenkins further stated that Odin Lloyd was in a dating relationship with her sister, Shaneah Jenkins. Shayanna Jenkins went on to say that she was not very familiar with Odin Lloyd and claimed not to know Odin Lloyd's family or any of Odin Lloyd's friends. Shayanna Jenkins indicated that Aaron Hernandez and Odin Lloyd knew each other through Shaneah Jenkins. Shayanna Jenkins stated that she last saw Odin Lloyd at approximately 10:30 a.m. on Saturday, June 15, 2013. Shayanna Jenkins further stated that Odin Lloyd and Aaron Hernandez were both inside the black Chevrolet Suburban at 22 Ronald C. Meyer Drive in North Attleboro on the morning of Saturday, June 15, 2013. Shayanna Jenkins stated that Aaron Hernandez and Odin Lloyd discussed returning the rental vehicle to Enterprise Rent-A-Car.

Shayanna Jenkins indicated that Odin Lloyd smoked marijuana and was also a marijuana dealer. Shayanna Jenkins stated that she would often observe Odin Lloyd on his phone talking about marijuana sales. Shayanna Jenkins stated that Odin Lloyd's phone was constantly ringing and that he was constantly talking in "lingo," leading her to believe the conversations were about marijuana sales. Shayanna Jenkins provided investigators with the cellular telephone numbers for Aaron Hernandez her sister Shaneah Jenkins. Shayanna Jenkins stated that Aaron Hernandez's cellular telephone number was (203)-606-8969. [When Aaron Hernandez was at the North Attleboro Police Department 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 Aaron Hernandez answered the phone. The investigator hung up without speaking to Aaron Hernandez.]

Shayanna Jenkins stated they had recently installed a video surveillance system within their residence. Shayanna Jenkins further stated that this video surveillance system would allow for the viewing of both the front of their residence as well as the street. Shayanna Jenkins went on to say that the video surveillance system records and plays the video on their home entertainment system. Shayanna Jenkins stated that there had been several recent break-in attempts at their residence.

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Shayanna Jenkins further stated that both she and Aaron Hernandez were home during the day on Sunday, June 16, 2013. Shayanna Jenkins stated that they had gone out to dinner for Father's Day later in the day and that a babysitter had stayed with their infant child. Shayanna Jenkins further stated that she had gone to bed early but Aaron Hernandez had gone out on the night of Sunday, June 16, 2013. Shayanna Jenkins went on to say that she was unsure who Aaron Hernandez had gone out with or what time Aaron Hernandez came home on the night of Sunday, June 16, 2013 into Monday, June 17, 2013. Aaron Hernandez called Shayanna Jenkins on her cellular telephone while she was speaking with the police and informed her that his sports agent said that she should not speak with the police and that she should request to speak with her attorney.

Search of Odin Lloyd's Cellular Telephone

Odin Lloyd's HTC 1 cellular telephone was searched for information related to the death of Odin Lloyd at the North Attleboro Police Department. During the search of the HTC 1 cellular telephone, officers learned that Odin Lloyd's cellular telephone was assigned to telephone number (617)-785-3008. The police learned that Aaron Hernandez's cellular telephone number, (203)-606-8969, appeared as "Nigga Dis" and "Dis Nigga" in Mr. Lloyd's cellular telephone contacts. The analysis of Odin Lloyd's cellular telephone revealed that Odin Lloyd and Aaron Hernandez engaged in extensive text and voice cellular telephone communication on June 16, 2013 and June 17, 2013. On June 16, 2013, at approximately 9:05 p.m., Aaron Hernandez sent a text message to Odin Lloyd: "I'm coming to grab that tonight u gon b around I need dat and we could step for a little again [sic]." Odin Lloyd did not immediately respond to Aaron Hernandez's text message. On June 16, 2013, at approximately 9:34 p.m., Aaron Hernandez sent a text message to Odin Lloyd: "Waddup." On June 16, 2013, at 9:37 p.m., Odin Lloyd responded: "Aite (meaning alright), where." On June 16, 2013, at 9:39 p.m., Aaron Hernandez responded: "idk (meaning I don't know) it don't matter but imma hit u when I'm dat way like Las time if my phone dies imma hit u when I charge it which will be in a lil [sic]." On June 16, 2013, at 10:00 p.m., Odin Lloyd responded: "Aite idk anything goin on [sic]" Aaron Hernandez's last text message to Odin Lloyd was at 10:13 p.m. on June 16, 2013 and read: "I'll figure it out ill hit u on way." On June 16, 2013, at 12:22 a.m., Odin Lloyd sent his last text to Aaron Hernandez: "We still on." Odin Lloyd's call records show no further contact, via phone, with Aaron Hernandez.

Odin Lloyd's HTC 1 cellular telephone recent call logs revealed that Odin Lloyd had received five (5) phone calls from telephone number (860)-845-4304 between 1:22 a.m. and 2:32 a.m. on Monday, June 17, 2013. The last incoming telephone call on Odin Lloyd's cellular telephone was from (860)-845-4304 at 2:32 a.m. on Monday, June 17, 2013. Investigators called phone number (860)-845-4304 several times on Tuesday, June 18, 2013 in an attempt to contact one of the last persons to have spoken to Odin Lloyd. The telephone associated with (860)-845-4304 was not answered on Tuesday, June 18, 2013. On Tuesday, June 18, 2013 Aaron Hernandez told investigators that a male named "BO" had a silver Chrysler that he (Aaron Hernandez) had rented. Aaron Hernandez further told investigators that he did not know BO's telephone number. On Tuesday, June 18, 2013, Trooper Joseph Collins retrieved Aaron Hernandez's cellular telephone from an attorney who represented Aaron Hernandez. On

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Tuesday, June 18, 2013, a search warrant authorizing a search of Aaron Hernandez's cellular telephone assigned phone number (203)-606-8969 was issued by the Attleboro District Court. On June 19, 2013, investigators conducted a search of Aaron Hernandez's cellular telephone assigned phone number (203)-606-8969 and located the name "BO" in his contact list. The telephone number associated with contact "BO" in Aaron Hernandez's telephone was (860)-845-4304.

The last text messages sent by Odin Lloyd were sent to his sister, Shaquilla Thibou. On June 17, 2013, at 3:07 a.m. Odin Lloyd texted Shaquilla Thibou: "U saw who I'm with." On June 17, 2013, at 3:11 a.m., Odin Lloyd texted Shaquilla Thibou again: "hello." On June 17, 2013, at 3:19 a.m., Shaquilla Thibou replied: "my phone was dead who was that?" On June 17, 2013, at 3:22 a.m., Odin Lloyd replied to Shaquilla Thibou: "Nfl." Shaquilla Thibou told the police that Odin Lloyd was recently associating with "Hernandez," a New England Patriot football player. Shaquilla Thibou explained that she understood this text message to mean that Odin Lloyd was with Aaron "Hernandez." Shaquilla Thibou replied to Odin Lloyd by text message at 3:22 a.m. on June 17, 2013: "Lol your aggy." Shaquilla Thibou explained that her response to her brother stating "lol your aggy" meant that she was aggravated by her brother's text. The last text message sent by Odin Lloyd was at 3:23 a.m. on June 17, 2013 which read: "just so u know."

John Medeiros

On Tuesday, June 18, 2013, at 12:44 p.m., John Medeiros was interviewed at the North Attleboro Police Department. John Medeiros stated that he was working at Needle Tech Products Inc. located at 452 John L. Dietsch Boulevard in North Attleboro on the early morning of June 17, 2013. Needle Tech Products Inc. is approximately 200 yards from where Odin Lloyd was located deceased. John Medeiros stated that he took his regularly scheduled break between approximately 3:00 a.m. and 3:30 a.m. on Monday, June 17, 2013. John Medeiros further stated that he was sleeping in his vehicle in the parking lot of Needle Tech Products Inc. located at 452 John L. Dietsch Boulevard in North Attleboro during his break between approximately 3:00 a.m. and 3:30 a.m. on Monday, June 17, 2013. John Medeiros went on to say that he heard three (3) gunshots and a car door slamming approximately midway through his break on the early morning of Monday, June 17, 2013.

Shaneah Jenkins

On Tuesday, June 18, 2013, at approximately 1:05 a.m., the police interviewed Shaneah Jenkins by telephone. Shaneah Jenkins explained that she was Odin Lloyd's girlfriend of over one (1) year. Shaneah Jenkins became very emotional when she was informed that Odin Lloyd was deceased. Shaneah Jenkins claimed that she had not previously known that Odin Lloyd was deceased. Shaneah Jenkins stated that she did not know Odin Lloyd to have any connection to North Attleboro other than her sister, Shayanna Jenkins, and Aaron Hernandez.

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Enterprise Rent-A-Car

On Tuesday, June 18, 2013, at approximately 10:00 a.m., the police traveled to Enterprise Rent-A-Car located at 365 East Washington Street in North Attleboro. The police spoke with the Enterprise Rent-A-Car manager who indicated that he was familiar with Aaron Hernandez due to the fact that he frequently rented vehicles from Enterprise Rent-A-Car. The manager informed the police that Aaron Hernandez came to Enterprise Rent-A-Car with two unknown male individuals at approximately 5:30 p.m. on Monday, June 17, 2013. The manager indicated that Aaron Hernandez returned a silver 2012 Nissan Altima bearing Massachusetts Registration 536MX2 that he had previously rented in his name. The manager further indicated that Aaron Hernandez rented a grey Chrysler 300C bearing Rhode Island Registration 451-375 upon returning the silver 2012 Nissan Altima at approximately 5:30 p.m. on Monday, June 17, 2013. The manager went on to indicate that Aaron Hernandez apologized for damage done to the driver's side exterior side view mirror and driver's door of the silver Nissan Altima bearing Massachusetts Registration 536MX2. The manager indicated that although Aaron Hernandez apologized for the damage, he claimed not to know how the damage occurred. The manager further indicated that Aaron Hernandez explained that he just came out in the morning and saw that the vehicle was damaged.

The silver 2012 Nissan Altima bearing Massachusetts Registration 536MX2 was viewed by the police at the Enterprise Rent-A-Car in North Attleboro. Investigators observed that there was damage to the front driver's side door. Investigators also observed that the side view mirror on the driver's side was mangled at the connection to the door and the mirror and housing were missing. Investigators further observed damage to the driver's side window and a chrome strip at the driver's side window. There were also scratches on the driver's side door. Investigators observed soil, similar in color and appearance to that at the location where Odin Lloyd's body was found, on the tires and lower panels of the vehicle behind the tires. Similar soil was also seen within the tire tread(s) and wheel(s) well(s) of the tires of the silver Nissan Altima. Investigators also viewed the tire treads and the tire treads appear to be consistent with the tire marks left at the scene where the body of Odin Lloyd was found.

Enterprise Rent-A-Car consented to release the silver 2012 Nissan Altima bearing Massachusetts Registration 536MX2 to the Massachusetts State Police. The 2012 Nissan Altima bearing Massachusetts Registration 536MX2 is currently in the possession of the Massachusetts State Police undergoing additional testing.

Shaquilla Thibou

On Tuesday, June 18, 2013, at approximately 4:14 p.m., Shaquilla Thibou was interviewed at the North Attleboro Police Department. Shaquilla Thibou was re-interviewed regarding the information she had concerning the last time she saw her brother alive. Shaquilla Thibou stated that she was speaking with her boyfriend in a car that was parked in the vicinity of her residence located at 10 Fayston Street in Boston on the early morning of Monday, June 17, 2013. Shaquilla Thibou further stated that her cellular telephone battery had died at some point while seated in the car speaking with her boyfriend. Shaquilla Thibou stated that she witnessed a

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silver four door sedan that she believed to be either a Nissan Altima, a Nissan Maxima, or a Toyota Camry pull up in front of her residence on Fayston Street in Boston at approximately 2:30 a.m. or 2:45 a.m. on Monday, June 17, 2013. Shaquilla Thibou further stated that Odin Lloyd entered the vehicle through the rear passenger door and the vehicle drove away from the area of 10 Fayston Street in North Attleboro. Shaquilla Thibou indicated that she believed that there were three other individuals in addition to her brother within the vehicle.

Shaquilla Thibou stated that she entered her apartment and plugged her cellular telephone into a charger on the early morning of Monday, June 17, 2013. Shaquilla Thibou stated that she received two text messages from Odin Lloyd after she plugged her cellular telephone into the charger. The time stamp on her cellular phone indicated "JUN 17, 2013, 3:07AM". Shaquilla Thibou used this time stamp as a reference to recall the approximate time that she had seen her brother get into the silver four door sedan. Shaquilla Thibou stated that she believed that the time that she last saw Odin Lloyd was approximately 2:30 a.m. or 2:45 a.m. on Monday, June 17, 2013 rather than the initial timeframe that she initially provided to the police.

Video Surveillance from 22 Ronald C. Meyer Drive in North Attleboro

On Tuesday, June 18, 2013 investigators executed a search warrant for 22 Ronald C. Meyer Drive in North Attleboro. As a result of this search, digital video evidence was seized and reviewed by investigators from the home surveillance system. This video surveillance system was attached to fourteen (14) cameras both inside and outside of the residence.



The surveillance video from 22 Ronald C. Meyer Drive in North Attleboro shows three male individuals exit the residence in the area of the garage at approximately 1:00 a.m. on Monday, June 17, 2013. The first two male individuals exit the residence together, while the third male individual exits the residence several seconds after the first two. The first male individual depicted on surveillance video exiting the residence at approximately 1:00 a.m. on Monday, June 17, 2013 bears a resemblance to Aaron Hernandez. Investigators believe this individual to be Aaron Hernandez. The individual believed to be Aaron Hernandez is wearing a light colored hooded sweatshirt, dark colored pants, and light colored footwear. The second male individual depicted on surveillance video exiting the residence at approximately 1:00 a.m. on Monday, June 17, 2013 has dark complexion and is wearing a short sleeve light colored shirt, dark colored pants, dark colored sneakers. The third male individual depicted on surveillance video exiting the residence at approximately 1:00 a.m. on Monday, June 17, 2013 has the darkest complexion of the three male individuals and is wearing a blue and white long sleeve shirt and dark colored pants. This third male individual appears to be carrying a light colored plastic bag in his right hand. All three individuals walk down the driveway towards the street and exit the view of the surveillance video. A short time later, a silver four door vehicle consistent with a 2012 Nissan Altima reverses up the driveway and parks near the garage. The individual believed to be Aaron Hernandez exits the driver's seat of the silver vehicle consistent with a 2012 Nissan Altima and approaches the garage. The male with the darkest complexion wearing a blue and white upper garment exits the front passenger's seat of the silver vehicle consistent with a 2012 Nissan Altima and walks to the rear of the vehicle while apparently manipulating an object in his hands. This male individual with the darkest complexion wearing a blue and white upper

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garment walks around the vehicle and opens the trunk through the open driver's side door after finding the trunk to be locked. This male individual with the darkest complexion wearing a blue and white upper garment then opens the trunk of the silver vehicle consistent with a 2012 Nissan Altima and appears to manipulate objects in the trunk for several seconds. The male with the darkest complexion wearing a blue and white upper garment appears to hand the individual who is believed to be Aaron Hernandez a white rope-like item that he retrieved from the trunk of the silver vehicle that is consistent with a 2012 Nissan Altima. The male believed to be Aaron Hernandez enters the apparent Nissan Altima with the white rope-like item. All three male individuals exited the silver vehicle consistent with a 2012 Nissan Altima and entered the garage of 22 Ronald C. Meyer Drive in North Attleboro. The three male individuals exited the garage and entered the silver vehicle consistent with a 2012 Nissan Altima at approximately 1:09 a.m. on Monday, June 17, 2013. The individual with the darkest complexion wearing a blue and white upper garment enters the driver's seat of the silver vehicle consistent with a 2012 Nissan Altima. The individual believed to be Aaron Hernandez entered the front passenger's seat of the silver vehicle consistent with a 2012 Nissan Altima. The third individual wearing a short sleeve light colored shirt, dark colored pants, dark colored sneakers enters the silver vehicle consistent with a 2012 Nissan Altima through the rear driver's side door. The vehicle then drives down the driveway and disappears from view of the surveillance system at approximately 1:09:48 a.m. on Monday, June 17, 2013. The surveillance video shows that the side view mirror on the driver's side of the silver vehicle consistent with a 2012 Nissan Altima was still in place when the vehicle exited the driveway of 22 Ronald C. Meyer Drive in North Attleboro at approximately 1:09 a.m. on Monday, June 17, 2013.

The video surveillance shows that the vehicle consistent with a silver Nissan Altima returns to 22 Ronald C. Meyer Drive in North Attleboro at approximately 3:26:56 a.m. on Monday, June 17, 2013. The surveillance video shows that the side view mirror on the driver's side of the apparent Nissan Altima was damaged when it entered the driveway of 22 Ronald C. Meyer Drive in North Attleboro at approximately 3:26:56 a.m. on Monday, June 17, 2013. Three male individuals exit the apparent silver Nissan Altima in the driveway of 22 Ronald C. Meyer Drive in North Attleboro at approximately 3:27 a.m. on Monday, June 17, 2013. A male individual bearing a strong resemblance to Aaron Hernandez exited the driver's seat of the apparent silver Nissan Altima. The individual believed to be Aaron Hernandez was wearing a light colored hooded sweatshirt, dark colored pants, and light colored footwear. A male individual with dark complexion wearing a blue and white long sleeve shirt and dark colored pants exited the front passenger seat of the silver vehicle consistent with a 2012 Nissan Altima. A male individual wearing dark colored shoes, dark colored pants, a white shirt, and a dark colored jacket exited the rear driver's seat of the apparent silver Nissan Altima. This male individual's left arm did not appear to be inside the arm hole of the dark colored jacket as he exited the vehicle and walked toward the residence. The three male individuals entered the garage area of 22 Ronald C. Meyer Drive in North Attleboro at approximately 3:27 a.m. on Monday, June 17, 2013.

The interior video surveillance at 22 Ronald C. Meyer Drive in North Attleboro showed the three male individuals entering the residence. Investigators are able to positively identify Aaron Hernandez from the interior surveillance footage as one of the three male individuals who entered the residence at approximately 3:27 a.m. on Monday, June 17, 2013. The second male

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appears to be an older dark-skinned male with a larger stomach and short gray hair. This male walks to the basement door and enters the basement through the basement door. The third male individual was wearing a light colored, long sleeved upper garment. This third male stopped in the kitchen then turns away from the camera and pulls up a piece of his dark colored clothing covering his head a face from the camera. The surveillance video shows Aaron Hernandez and the two other male individuals enter the basement of 22 Ronald C. Meyer Drive in North Attleboro. The surveillance video shows Aaron Hernandez enter and exit the basement on several different occasions while also going into other rooms within the residence. Aaron Hernandez is observed to be in and out of the basement on several different occasions while also going to other rooms within the residence. After about six minute of being in the residence, Aaron Hernandez is seen entering the basement for the final time. There is no activity seen until the recording stops after 3:40 a.m. on Monday, June 17, 2013.

On June, 20, 2013, investigators spoke with Michael Connors of Home-Tek Custom Design. Michael Connors installed the video surveillance system at 22 Ronald C. Meyer Drive in North Attleboro at the direction of Shayanna Jenkins. Among other things, Michael Connors told investigators that the surveillance system records the video of all cameras continuously unless a cable connecting a camera to the system is disconnected. Michael Connors stated that disconnecting a particular camera cable takes that camera off line while the system continues to record footage from the other connected cameras. Michael Connors further stated that he showed Aaron Hernandez how to disconnect specific cameras from the recording device in May of 2013. Michael Connors went on to say that he clearly labeled the connections so that Aaron Hernandez could more easily disconnect cameras at locations within his home where and when he wanted to avoid surveillance recordings.

The surveillance video from 22 Ronald C. Meyer Drive in North Attleboro revealed that the three males that entered the residence around 3:30 a.m. on Monday, June 17, 2013 were wearing the following clothing (Refer to surveillance photographs in Addendum A, B and C):



Male # 1 (Aaron Hernandez): White or light colored hooded long sleeve sweatshirt, black pants, and white sneakers. (Refer to Photograph # 1 in Addendum A)

Male # 2: Dark colored coat, a white shirt, and dark colored pants. (Refer to Photograph # 2 in Addendum B)

Male # 3: Long sleeve blue and white upper garment and dark colored pants. (Refer to Photograph # 3 in Addendum C)

Video Surveillance from 9 Fayston Street in Boston

Investigators learned from Boston Police Detectives that there was a video surveillance system at 9 Fayston Street in Boston. This residence is located across the street from Odin Lloyd's and Shaquilla Thibou's apartment at 10 Fayston Street in Boston. Boston Police investigators spoke with the homeowner at 9 Fayston Street in Boston and obtained a copy of the surveillance footage for Monday, June 17, 2013. Massachusetts State Police investigators

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reviewed the video surveillance footage and observed that at approximately 2:33 a.m. on Monday, June 17, 2013, a vehicle, identified by investigators as a silver colored Nissan Altima arrives in front of 10 Fayston Street in Boston. The video shows a male individual, believed to be the victim Odin Lloyd, enter into the rear passenger's side of the vehicle. [This information is consistent with information provided to the police by Odin Lloyd's sister, Shaquilla Thibou.] Investigators were able to determine that there were three individuals inside the vehicle as it arrived at 10 Fayston Street in Boston. Investigators were able to determine that once the door was opened, the interior light illuminated the interior of the vehicle, providing a better view of the occupants of the vehicle, including the operator of the Nissan Altima who was observed to be wearing a white shirt. Additionally, investigators observe that the Nissan Altima's driver's-side exterior mirror was intact and attached to the vehicle at that time.

Surveillance Video from John L. Dietsch Boulevard and Landry Avenue in North Attleboro

Investigators conducted a canvass in the area of the crime scene at 344 John L. Dietsch Boulevard and learned that there were several surveillance cameras facing the area of John Dietsch Boulevard. Investigators viewed several surveillance cameras and learned the following:

255 John Dietsch Boulevard - Metalor Refinery: An inspection of the surveillance cameras revealed a vehicle traveling North on John L. Dietsch Boulevard towards the Crime Scene located at the rear of 344 John L. Dietsch Boulevard. This vehicle is observed to enter the secluded gravel construction area where the body of Odin Lloyd was located. This vehicle entered into the crime scene at the approximate time that John Medeiros reports hearing gunshots. Approximately (4) minutes later the same Metalor camera captures a vehicle leaving the Crime Scene and turning left out onto John L. Dietsch Boulevard towards 22 Ronald C. Meyer Drive. Investigators are aware that the direction of travel is consistent with the vehicle coming from the area of Interstate 95.

500 John L. Dietsch Boulevard - Bells Powder Coating: Investigators inspected the surveillance video showing a vehicle travelling north from the direction of both the crime scene and Metalor Refinery also shortly after being captured on the video surveillance at Metalor Refinery.

275 Landry Ave. - North Attleboro Electric Department: Investigators inspected the surveillance video showing a vehicle turning left onto Landry Ave. from John Dietsch Boulevard. This vehicle is captured heading West on Landry Ave. towards Westwood Estates, towards the direction of 22 Ronald C. Meyer Dr. North Attleboro. This vehicle is captured in a short amount of time after having been captured by the surveillance cameras at Metalor Refinery, Bells Powder Coating and within the time estimated by John Medeiros.

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Clerk/Justice Initials **AS**

Search of the Dumpster on the Property of Enterprise Rent-A-Car

On the evening of Thursday, June 20, 2013, the Enterprise Rent-A-Car manager who had previously been interviewed by police contacted investigators with additional information. The manager indicated that she declined Aaron Hernandez's offer of Bubblicious Bubble Gum on the evening of Monday, June 17, 2013. The manager further indicated that she secured the keys to the silver 2012 Nissan Altima bearing Massachusetts Registration 536MX2 in a safe inside Enterprise Rent-A-Car in North Attleboro on the night of Monday, June 17, 2013 into Tuesday, June 18, 2013. The manager went on to indicate that she cleaned the silver 2012 Nissan Altima that Aaron Hernandez had rented at approximately 7:45 a.m. on Tuesday, June 18, 2013. The manager indicated that while cleaning the 2012 Nissan Altima that Aaron Hernandez had rented she located four items that she disposed of in the dumpster on the property of Enterprise Rent-A-Car in North Attleboro. The manager further indicated that she located a small vitamin water bottle in the front driver's side cup holder of the 2012 Nissan Altima. The manager went on to indicate that she located what appeared to be a piece of paper containing a colorful child's drawing in the area underneath the driver's seat of the 2012 Nissan Altima. The manager indicated that she found a piece of chewed blue bubble gum and a "bullet" underneath the child's drawing underneath the driver's seat of the 2012 Nissan Altima. The manager further indicated that she used a piece of paper to pick up the piece of chewed blue bubble gum and the "bullet" from the area underneath the driver's seat of the 2012 Nissan Altima. The manager also recalled that Aaron Hernandez produced Bubblicious Bubble Gum in a blue Bubblicious Bubble Gum wrapper and offered her a piece of gum while he was returning the silver 2012 Nissan Altima bearing Massachusetts Registration 536MX2 to Enterprise Rent-A-Car in North Attleboro at approximately 5:30 p.m. on Monday, June 17, 2013.

Officers immediately traveled to Enterprise Rent-A-Car in North Attleboro and secured the dumpster on the property of Enterprise Rent-A-Car in North Attleboro on the evening of Thursday, June 20, 2013. Officers searched the dumpster on the property of Enterprise Rent-A-Car in North Attleboro on the evening of Thursday, June 20, 2013. Officers located a bottle of Vitamin Water, a piece of paper containing a colorful child's drawing, a piece of chewed blue bubble gum, and a spent .45 caliber spent cartridge casing inside the dumpster on the property of Enterprise Rent-A-Car in North Attleboro on the evening of Thursday, June 20, 2013. Officers showed the manager photographs of the bottle of Vitamin Water, the piece of paper containing a colorful child's drawing, the piece of chewed blue bubble gum, and the spent .45 caliber spent cartridge casing that were located inside the dumpster on the property of Enterprise Rent-A-Car in North Attleboro. The manager identified the items in the photographs as being the items that she removed from the 2012 Nissan Altima that Aaron Hernandez had rented and threw in the dumpster on the property of Enterprise Rent-A-Car in North Attleboro on the morning of Tuesday, June 18, 2013.

Autopsy

On Wednesday, June 19, 2013, Doctor William Zane of the Office of the Chief Medical Examiner conducted the autopsy of Odin Lloyd. Doctor Zane determined that Odin Lloyd's cause of death was gunshot wounds and Odin Lloyd's manner of death was homicide.

Affiant's Initials
Clerk/Justice Initials

[Handwritten initials]

Ballistics

The State Police Firearms Identification Section analyzed the five (5) spent cartridge casings that were recovered from the area near where Odin Lloyd's body was discovered. The State Police Firearms Identification Section determined that the five spent cartridge casings were all .45 caliber and were all fired from the same unknown .45 caliber firearm.

The .45 caliber spent cartridge casing recovered by investigators from inside the dumpster on the property of Enterprise Rent-A-Car in North Attleboro was sent to the State Police Firearms Identification Section for ballistic analysis. The State Police Firearms Identification Section compared the .45 caliber spent cartridge casing recovered by investigators from inside the dumpster on the property of Enterprise Rent-A-Car in North Attleboro with the five spent cartridge casings recovered in close proximity to Odin Lloyd's body. The State Police Firearms Identification Section determined that the .45 caliber spent cartridge casing recovered by investigators from inside the dumpster on the property of Enterprise Rent-A-Car in North Attleboro and the five (5) .45 caliber spent cartridge casings recovered in close proximity to Odin Lloyd's body were all fired from the same unknown .45 caliber firearm.

Several searches have been performed utilizing the State Police SERT Team, metal detectors, and police K-9's that are trained in the detection of firearms and ammunition in the area of the crime scene and in the area between the crime scene and 22 Ronald C. Meyer Drive in North Attleboro, but a .45 caliber firearm has not been recovered during the course of the investigation.

Conclusion

Based on the video evidence of 10 Fayston Street in Boston, the surveillance cameras on John L. Dietsch Boulevard, Landry Avenue, and at 22 Ronald C. Meyer Drive in North Attleboro, investigators believe that the persons responsible for the murder of Odin Lloyd were traveling in a Nissan Altima, similar to the Nissan Altima rented by Aaron Hernandez. Based on the witness statements and the aforementioned video evidence along with the text messages from Odin Lloyd, investigators believe that Aaron Hernandez and two other male individuals were present at the location and time of the murder of Odin Lloyd.

Video evidence shows Aaron Hernandez and two other male individuals entering the residence of Aaron Hernandez at 22 Ronald C. Meyer Dr. North Attleboro within a short time of the witness reports by John Medeiros having heard gunshots. These three individuals are subsequently observed on the interior surveillance cameras inside 22 Ronald C. Meyer Drive in North Attleboro.

I have personal knowledge, based upon experience and training, that crimes of violence often involve a struggle and the use of weapons or other instrumentalities. I also know that the person or persons participating in the commission of a violent offense are in contact with the physical surroundings and often leave evidence or trace evidence that if collected will help to identify the perpetrators and / or the nature of the crime. I am aware that there is often an attempt

Affiant's Initials
Clerk/Justice Initials

[Handwritten initials]

to alter, destroy, remove, clean up, or cover up evidence of a crime. I am aware that evidence of a crime may be left in the form of gunshot residue, clothing, physiological fluids, palm prints, shoe prints, fibers, fingerprints, footprints, tire tread impressions, hair, saliva, semen, blood, firearms, pistols, revolvers, rifles, shotguns, ammunition, shell casings, projectiles, hatchets, axes, cutting instruments, knife and / or knives, cellular telephones, pieces of identification in print, photograph, or video that may identify any or all of the parties named in the investigation. I am also aware that many of these items are minute and/or microscopic, and are often referred to as trace and biological evidence and that specialized training and equipment is needed for the collection of such trace and biological evidence.

I therefore request that the court authorize a search of the above described residence, for trace/biological evidence including blood, serums, skin, clothing, gunshot residue, fingerprints, firearms, ammunition, DNA, clothing as described above and in Addendum "A," "B," and "C", shoes, shoeprints and any other evidence as described above to assist in the identification of a suspect or suspects, and that if any of the above evidence is found that it be seized as evidence and further analyzed or searched as necessary.

Additionally, I request that the court issue an "ALL PERSONS PRESENT" search warrant. An all persons present search warrant will allow investigators the ability to search all persons present who may have evidence of the crime of murder secreted on their person or within their pockets. The nature of the evidence investigators are searching for is both untraceable to the naked eye and also concealable within pockets, pants, purses and other concealment areas in clothing. Allowing for the all persons present warrant will ensure that investigators conduct a thorough search for evidence.

I am also aware that the perpetrator of a violent crime may remove evidence from the scene and conceal it or destroy it in an attempt to secret it from investigators. Often a perpetrator will return to his or her residence and discard items that he or she may not view as evidence. Such items could be clothing. Often perpetrators will return to his or her residence to change clothing in an attempt to alter his or her appearance. I am also aware that a perpetrator may leave evidence of a crime at his or her residence prior to the commission of that crime. This could include evidence that the perpetrator was in possession of a firearm or ammunition and may be stored in his or her residence. I request permission to video record and photograph the residence described in this affidavit.

Based on the aforementioned information provided in this affidavit, I have probable cause to believe that evidence of the crime of Murder, a violation of Massachusetts General Laws, Chapter 265, Section 1, will be located inside and / or on the property of 22 Ronald C. Meyer Drive in North Attleboro. The structure located at 22 Ronald C. Meyer Drive in North Attleboro is more particularly described as a three story, brick front, wood frame house with the number 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 Drive in North Attleboro. There is a three car garage attached to the residence leading to the driveway of 22 Ronald C. Meyer Drive in North Attleboro.

Affiant's Initials *EB*
Clerk/Justice Initials *EB*

This affidavit subscribed to and sworn to me consists of 15 pages.

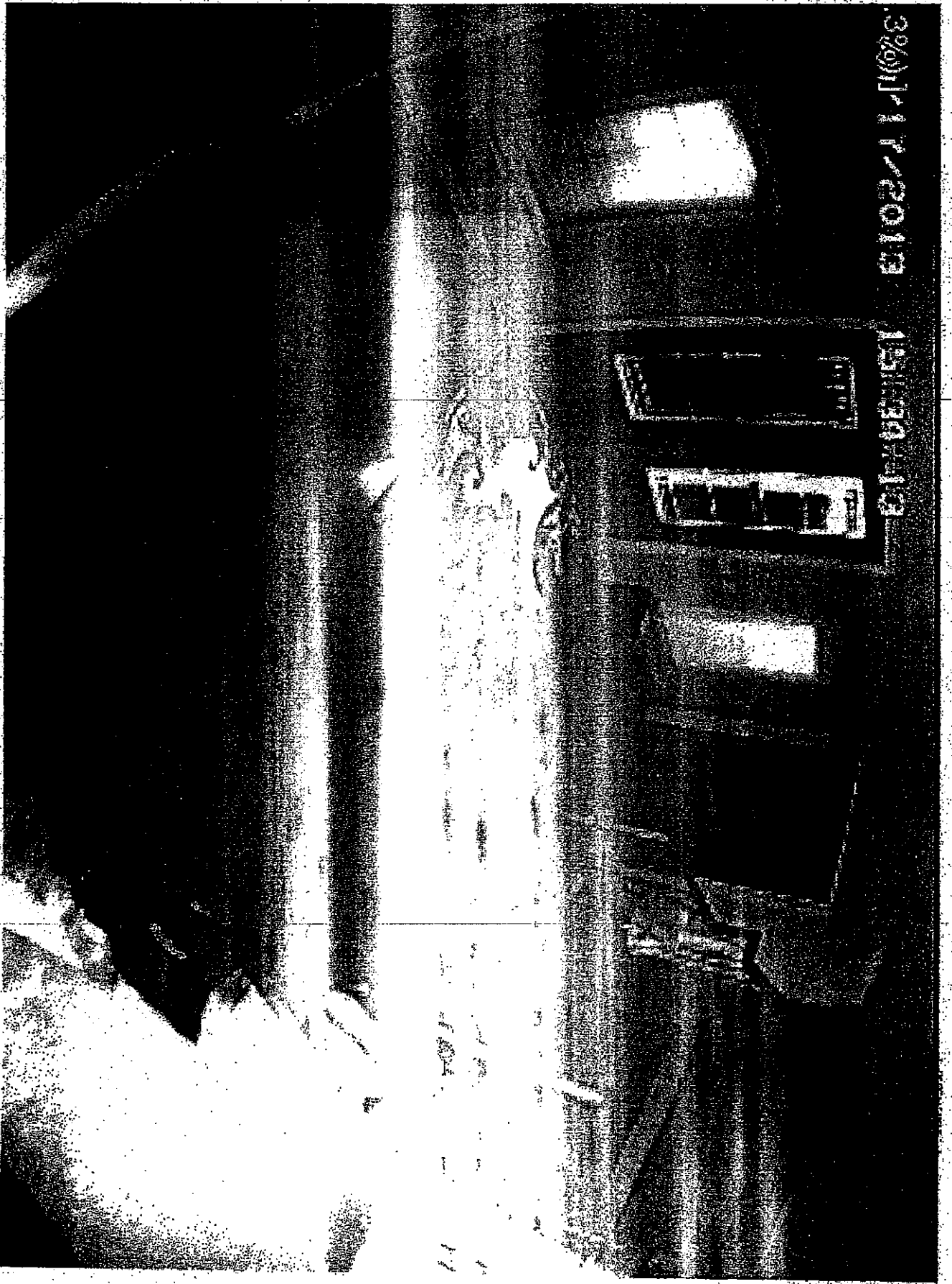
Tpr. Eric J. Benson #3389
Trooper Eric J. Benson #3389
Massachusetts State Police

Then personally appeared before me the above-named Eric J. Benson, and made oath that the foregoing affidavit by him is true.

Before me this 22nd day of June, 2013.

X: Matt [Signature]
Signature of ~~Justice~~, Clerk, ~~Asst. Clerk~~

Affiant's initials EB
Clerk/Justice Initials [Signature]



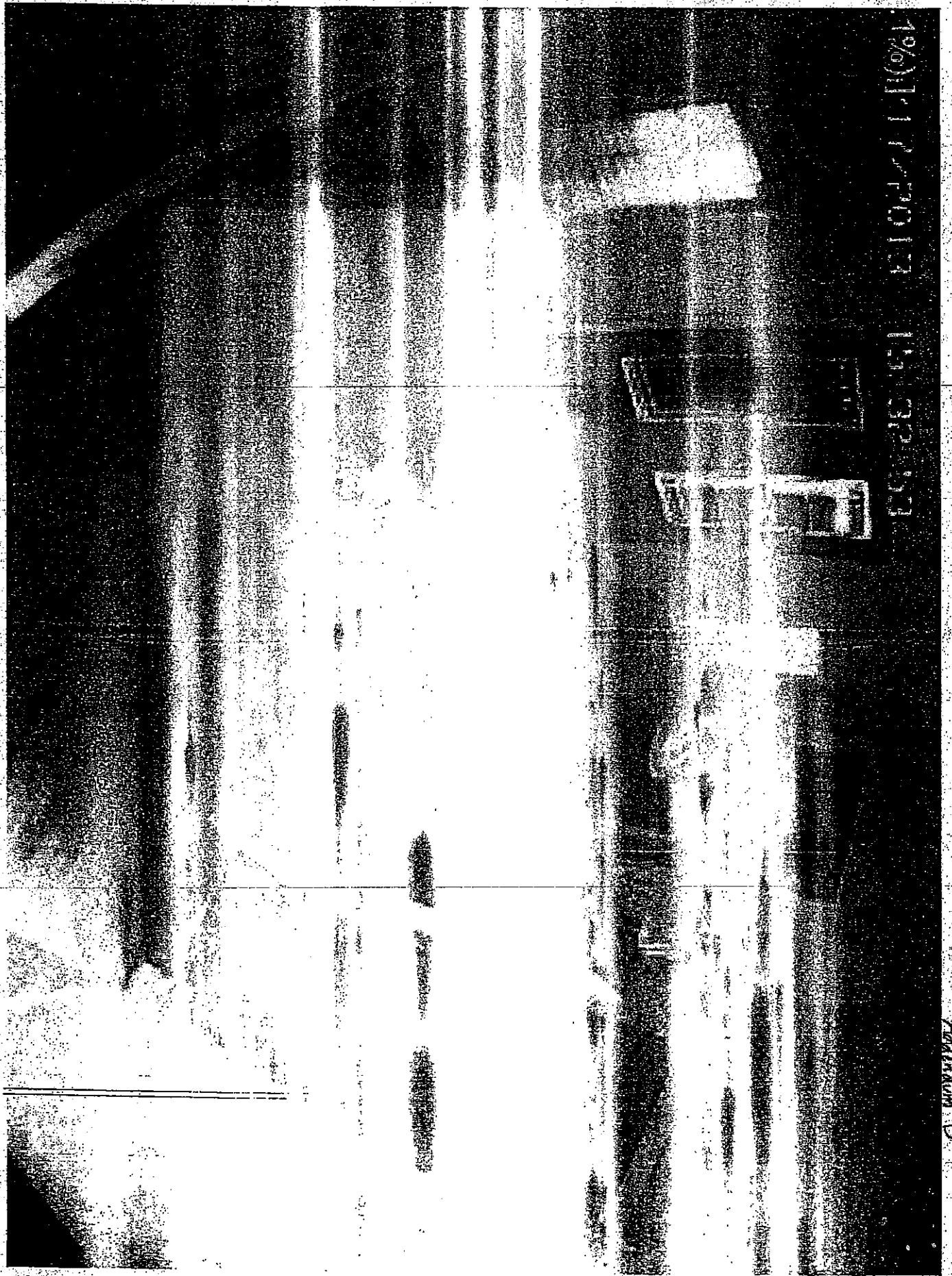
3%) 1/1/2013

15/11/2013

104

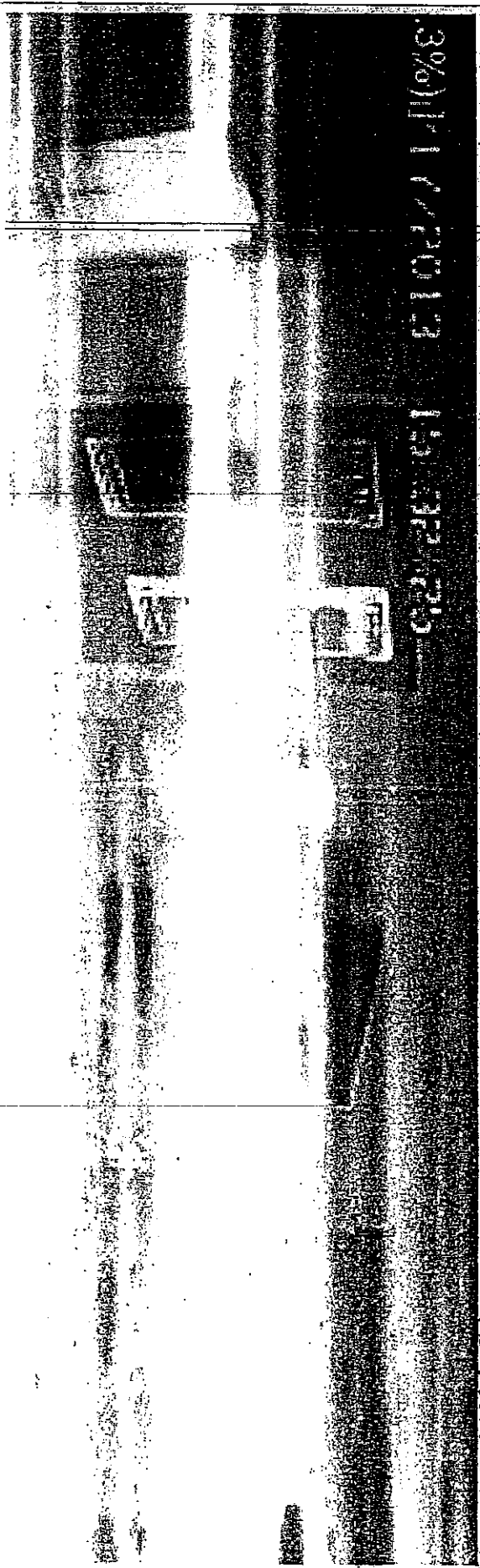
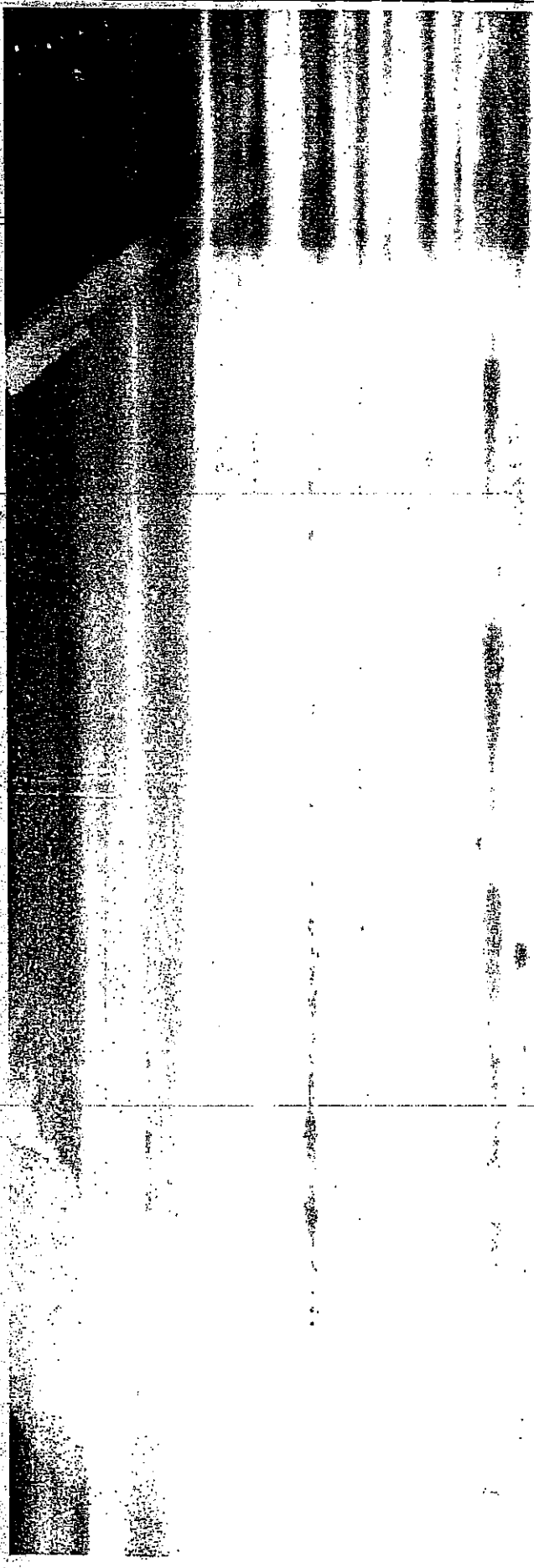
190117013 13 SP 03

Attachment 15



3%) 1/1/2013 13:33:26

STANDARD C



SEARCH WARRANT

G.L. c. 276, §§ 1-7

TRIAL COURT OF MASSACHUSETTS

District

COURT DEPARTMENT

Attleboro

DIVISION

SEARCH WARRANT DOCKET NUMBER

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:

Gray 1998 Toyota Camry (VIN: 4T1B3622RXWU188439)

at:

On the property of 22 Ronald C. Meyer Drive in North Attleboro, which is more particularly described as a three story, brick front, wood frame single family home with the number 22 on the mailbox.

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

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

A#LE 60 RD

Division of the

DISTRICT

Court Department.

DATE ISSUED

7/5/13

SIGNATURE OF JUSTICE, CLERK, MAGISTRATE OR ASSISTANT CLERK

x James P. Perroski

FIRST OR ADMINISTRATIVE JUSTICE

WITNESS:

DANIEL J. O'SHEA

PRINTED NAME OF JUSTICE, CLERK, MAGISTRATE OR ASSISTANT CLERK

JAMES P. PERROSKI

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 July 5, 2013, #2013, and I have executed it as follows:
DATE

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

1. One gray Toyota Camry (VIN: 4T1B622KXWU188439)
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____
11. _____
12. _____
13. _____
14. _____
15. _____
16. _____
17. _____
18. _____
19. _____
20. _____

(Handwritten initials)


SUPERIOR DISTRICT COURT
 2013 JUL 2 PM 12:46

(attach additional pages as necessary)

This inventory was made in the presence of: Sgt. Paul Barber

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 <i>X</i> <u>Tr. Eric J. Benson #3389</u>	DATE AND TIME OF SEARCH <u>7/5/13 @ 1420 hrs.</u>	SWORN AND SUBSCRIBED TO BEFORE <i>X</i> <u>Jamie Bell</u> <small>Signature of Justice, Clerk-Magistrate or Assistant Clerk</small>
PRINTED NAME OF PERSON MAKING SEARCH <u>Tr. Eric J. Benson #3389</u>	TITLE OF PERSON MAKING SEARCH <u>Trooper</u>	DATE SWORN AND SUBSCRIBED TO <u>7/12/13</u>

APPLICATION FOR SEARCH WARRANT G.L. c. 276, §§ 1-7		TRIAL COURT OF MASSACHUSETTS <u>District</u> COURT DEPARTMENT <u>Attleboro</u> DIVISION	
NAME OF APPLICANT <u>Eric J. Benson</u>		SEARCH WARRANT DOCKET NUMBER	
POSITION OF APPLICANT <u>Trooper</u>			

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

- I have the following information based upon the attached affidavit(s), consisting of a total of _____ pages, which is (are) incorporated herein by reference.
- 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): _____
- 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):
Gray 1998 Toyota Camry (VIN: 4T1B622KXWU188439)

- 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):
On the property of 22 Ronald C. Meyer Drive in North Attleboro, which is more particularly described as a three story, brick front, wood frame single family home with the number 22 on the mailbox, which is occupied by and/or in the possession of: Aaron Hernandez / Shayana Jenkins.
 - 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.

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

PRINTED NAME OF APPLICANT <u>Trooper Eric J. Benson #3389</u>	SIGNED UNDER THE PENALTIES OF PERJURY X <u>Tro. Eric J. Benson #3389</u> Signature of Applicant
SWORN AND SUBSCRIBED TO BEFORE X <u>James [Signature]</u> Signature of Justice, Clerk-Magistrate or Assistant Clerk	<u>7/5/13</u> DATE

Commonwealth of Massachusetts

Bristol, ss

District Court Department
Attleboro District

Affidavit in Support of Search Warrant

I, Trooper Eric J. Benson #3389, being duly sworn, depose and say:

I am a Massachusetts State Police Trooper and have been so employed since September 22, 2006. I am currently assigned to the Bristol County State Police Detective Unit attached to the Bristol County District Attorney's Office and have been so assigned since November of 2009. My primary responsibilities include the investigation of unattended natural deaths, accidental deaths, suicides, and homicides.

I have personal knowledge of the facts and circumstances related below, as the result of my own investigative efforts and those of other police officers who have reported their findings to me.

I have probable cause to believe that the following crimes were committed at 22 Ronald C. Meyer Drive in North Attleboro on Saturday, June 22, 2013: Possession of a Large Capacity Rifle without a License in violation of Massachusetts General Laws Chapter 269, section 10(m); Possession of Ammunition without a License in violation of Massachusetts General Laws Chapter 269, section 10(h); and Possession of a Large Capacity Feeding Device without a License in violation of Massachusetts General Laws Chapter 269, section 10(m).

Additionally, I have probable cause to believe that evidence of the crimes of Possession of a Large Capacity Rifle without a License in violation of Massachusetts General Laws Chapter 269, section 10(m); Possession of Ammunition without a License in violation of Massachusetts General Laws Chapter 269, section 10(h); and Possession of a Large Capacity Feeding Device without a License in violation of Massachusetts General Laws Chapter 269, section 10(m) will be located inside the garage or on the property of 22 Ronald C. Meyer Drive in North Attleboro.

The facts establishing the grounds for my request to the court for the issuance of a search warrant for 22 Ronald C. Meyer Drive in North Attleboro are as follows:

On Saturday, June 22, 2013, the Massachusetts State Police and the North Attleboro Police Department executed a search warrant at the residence of Aaron Hernandez (DOB: 11/06/1989) located at 22 Ronald C. Meyer Drive, North Attleboro, MA 02760 in regard to an ongoing criminal investigation. [See Attached Search Warrant and Search Warrant Affidavit]

During the course of the search warrant execution, investigators located a 7.62x39mm caliber FEG Hungarian rifle with attached magazine inside a closed black gym bag that was on the back seat of a 1998 Toyota Camry (VIN: 4T1BG22KXWU188439) that was parked inside

the garage of 22 Ronald C. Meyer Drive in North Attleboro. The rifle was collected as evidence by the State Police Firearms Identification Section.

The rifle was examined by a firearms examiner assigned to the Massachusetts State Police Firearms Identification Section. The State Police firearms examiner determined that the 7.62x39mm caliber FEG Hungarian rifle was functional and semi-automatic. The State Police firearms examiner test fired the 7.62x39mm caliber FEG Hungarian rifle and some of the ammunition contained within the magazine that was attached to the rifle when it was located by investigators. The State Police firearms examiner formed the opinion that the 7.62x39mm caliber FEG Hungarian rifle is a rifle within the meaning of and as defined in Massachusetts General Laws Chapter 140, section 121. The State Police firearms examiner also formed the opinion that the ammunition recovered from within the magazine that was attached to the 7.62x39mm caliber FEG Hungarian rifle is ammunition within the meaning of and as defined in Massachusetts General Laws Chapter 140, section 121. The State Police firearms examiner also determined that the magazine that was attached to the 7.62x39mm caliber FEG Hungarian rifle was a Master Molder magazine with a thirty-three (33) round capacity. The Master Molder magazine contained thirty-three (33) live cartridges of 7.62x39mm caliber ammunition when it was located by investigators.

The State Police Crime Scene Services Section located a palm print of Aaron Hernandez on the 7.62x39mm caliber FEG Hungarian rifle. The State Police Crime Scene Services Section also located additional fingerprints on the 7.62x39mm caliber FEG Hungarian rifle.

A query of the Massachusetts Department of Criminal Justice Information Services database revealed that Aaron Hernandez (DOB: 11/6/1989) did not have a valid or expired Massachusetts License to Carry Firearms or a Massachusetts Firearms Identification Card on Saturday, June 22, 2013. An additional search of the Massachusetts Department of Criminal Justice Information Services database revealed that 22 Ronald C. Meyer Drive in North Attleboro is not listed as an address on any Massachusetts License to Carry Firearms or Massachusetts Firearms Identification Cards.

The 1998 Toyota Camry (VIN: 4T1BG22KXWU188439) was not seized or forensically processed during the search warrant executed at 22 Ronald C. Meyer Drive in North Attleboro on Saturday, June 22, 2013. Investigators are not aware that the vehicle has been moved from the garage of 22 Ronald C. Meyer Drive in North Attleboro since Saturday, June 22, 2013.

Investigators determined that the 1998 Toyota Camry located inside the garage of 22 Ronald C. Meyer Drive in North Attleboro on Saturday, June 22, 2013 had an attached number plate that was not assigned to the vehicle. Investigators further determined that the 1998 Toyota Camry was last registered in the State of Florida to Alvetia Brinson Tassone (DOB: 01/15/1945) of Loxahatchee, Florida. Investigators learned that the Toyota Camry's Florida Registration had expired on January 15, 2013.

On Tuesday, June 25, 2013, Alvetia Brinson Tassone (DOB: 01/15/1945) was interviewed by Massachusetts investigators in Florida. Alvetia Brinson Tassone stated that she sold the 1998 Toyota Camry (VIN: 4T1BG22KXWU188439) to an individual by the name of

~~"Sham" in early 2013. Alvetia Brinson Tassone further stated that she sold the 1998 Toyota Camry for \$700 because it needed a starter. Alvetia Brinson Tassone provided "Sham's" cellular telephone number and said that "Sham" worked at an automotive maintenance garage known as the "Fix it Shop" in Belle Glade, Florida.~~

On Tuesday, June 25, 2013, Massachusetts investigators identified and interviewed "Sham" in Florida. Investigators identified "Sham" as Kumar Singh (DOB: 05/18/1968) of Port St. Lucie, Florida. Kumar Singh confirmed that he purchased the 1998 Toyota Camry from Alvetia Brinson Tassone. Kumar Singh stated that the 1998 Toyota Camry was repaired and then sold to a "Mexican" male in April. Kumar Singh identified Oscar Hernandez (DOB: 12/12/1990) from a photograph as the individual who purchased the 1998 Toyota Camry (VIN: 4T1BG22KXWU188439) in April. Kumar Singh advised investigators to speak with the manager of the "Fix it Shop," Omar Sampson (DOB: 06/29/1984), regarding the purchase of the 1998 Toyota Camry.

On Tuesday, June 25, 2013, Massachusetts investigators interviewed Omar Sampson (DOB: 06/29/1984) in Florida. Omar Sampson stated that "Mrs. Hernandez's" son purchased the 1998 Toyota Camry (VIN: 4T1BG22KXWU188439) for \$1500. Omar Sampson provided a cellular telephone number for "Mrs. Hernandez."

On Thursday, June 27, 2013, Massachusetts investigators interviewed Oscar Hernandez in Florida. Oscar Hernandez indicated that his mother's name was Gladwyn Skeete-Hernandez. Oscar Hernandez provided a cellular telephone for Gladwyn Skeete-Hernandez that was the same cellular telephone number that Omar Sampson provided for "Mrs. Hernandez." When Oscar Hernandez was asked about the 1998 Toyota Camry (VIN: 4T1BG22KXWU188439), he refused to answer any more questions and terminated the interview.

I have personal knowledge, based upon experience and training, that evidence of a crime may be left in the form of gunshot residue, clothing, physiological fluids, palm prints, fingerprints, shoe prints, fibers, footprints, hair, saliva, semen, blood, firearms, pistols, revolvers, rifles, shotguns, ammunition, spent cartridge casings, projectiles, cutting instruments, knives, cellular telephones, pieces of identification in print, photograph, or video that may identify any or all of the parties named in the investigation. I am aware that many of these items are minute and / or microscopic, and are often referred to as trace and biological evidence. I am also aware that specialized training and equipment is needed for the collection of such trace and biological evidence.

I also have personal knowledge, based upon training and experience, that sophisticated hides / secret compartments can be installed inside motor vehicles. I am aware that these sophisticated hides / secret compartments are often used to transport contraband in the form of controlled substances, firearms, ammunition, and large quantities of United States Currency. I am also aware that these sophisticated hides / secret compartments often require substantial knowledge of motor vehicles and electronics to install and can be very difficult to locate.


Based on the aforementioned information provided in this affidavit, I have probable cause to believe that evidence of the crimes of Possession of a Large Capacity Rifle without a

~~License in violation of Massachusetts General Laws Chapter 269, section 10(m); Possession of Ammunition without a License in violation of Massachusetts General Laws Chapter 269, section 10(h); and Possession of a Large Capacity Feeding Device without a License in violation of Massachusetts General Laws Chapter 269, section 10(m) will be located inside and / or on the property of 22 Ronald C. Meyer Drive in North Attleboro.~~

I therefore respectfully request that the court issue a search warrant authorizing the search of 22 Ronald C. Meyer Drive in North Attleboro for a 1998 Toyota Camry (VIN: 4T1BG22KXWU188439). I further respectfully request that the court authorize the seizure and further search / forensic processing of the 1998 Toyota Camry (VIN: 4T1BG22KXWU188439) should it be found during the search warrant execution.


The structure located at 22 Ronald C. Meyer Drive in North Attleboro is more particularly described as a three story, brick front, wood frame single family home with the number 22 on the mail box. The mailbox is located near where the driveway meets Ronald C. Meyer Drive in North Attleboro. A pair of wooden doors leads into the front of the residence which faces Ronald C. Meyer Drive in North Attleboro. There is a three car garage attached to the residence.

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


Trooper Eric J. Benson #3389
Massachusetts State Police

Then personally appeared before me the above-named Eric J. Benson, and made oath that the foregoing affidavit by him is true.

Before me this 5th day of July, 2013.

X: 
Signature of Justice, Clerk, Asst. Clerk

SEARCH WARRANT

G.L. c. 276, §§ 1-7

TRIAL COURT OF MASSACHUSETTS

District

COURT DEPARTMENT

Attleboro

DIVISION

SEARCH WARRANT DOCKET NUMBER

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:

Trace / Biological evidence, including blood, serums, sk. r., clothing, gunshot residue, fingerprints, firearms, ammunition, DNA, clothing as identified in Addendum "A" "B" and "C", shoes, footwear impressions, and any other evidence as described in the affidavit to assist in the identification of a suspect or suspects, and that if any of the above evidence is found that it be seized as evidence and further analyzed or searched as necessary

at:

The structure and grounds located at 22 Ronald C. Meyer Drive in North Attleboro

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

on the person or in the possession of:

Aaron Hernandez

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

6/22/13

SIGNATURE OF JUDGE, CLERK, MAGISTRATE OR ASSISTANT CLERK

x Mark E. Sturdy

FIRST OR ADMINISTRATIVE JUSTICE

WITNESS: DANIEL J. O'SHE

PRINTED NAME OF JUDGE, CLERK, MAGISTRATE OR ASSISTANT CLERK

DANIEL J. O'SHE MARK E. STURDY

Commonwealth of Massachusetts

Bristol CC

District Court Department
Attleboro District

Affidavit in Support of Search Warrant

I, Trooper Eric J. Benson #3389, being duly sworn, depose and say: I am a Massachusetts State Police Trooper and have been so employed since September 2006. I am currently assigned to the Bristol County State Police Detective Unit attached to the Bristol County District Attorney's Office and have been so assigned since November of 2009.

I have personal knowledge of the facts and circumstances related below, as the result of my own investigative efforts and those of other police officers who have reported their findings to me.

Based on my personal knowledge, I believe the crime of Murder, a violation of Massachusetts General Laws, Chapter 265, Section 1 was committed in an unimproved area in the vicinity of 344 John L. Dietsch Boulevard in North Attleboro on or about Monday, June 17, 2013. The facts establishing the grounds for my request to the court for the issuance of a search warrant are as follows:

Initial Response

On Monday, June 17, 2013, at approximately 5:37 p.m., the North Attleboro Police Department responded to a cellular 911 call reporting a dead body in the area of 344 John L. Dietsch Boulevard in North Attleboro. The North Attleboro Police Department responded to a secluded area in the area of 344 John L. Dietsch Boulevard in North Attleboro and located a deceased male lying supine on the ground. The initial responding police officers observed several apparent gunshot wounds in the upper torso area of the then unidentified deceased black male. The initial responding officers further observed a small amount of blood in the area of the apparent gunshot wounds. The initial responding officers located five (5) .45 caliber discharged cartridge casings on the ground in the immediate area of the deceased male body. The initial responding officers did not observe a firearm in the area of the deceased male body. The initial responding officers observed a set of automobile tire tracks that appeared to have been recently made. The area where the deceased black male individual was found is remotely located and used as a processing area for construction materials such as dirt, gravel, stone, asphalt, and fill. The police did not observe any vehicles at the location where the black male individual was found deceased.

The police conducted a search of the body of the deceased black male individual during the processing of the crime scene on Monday, June 17, 2013. The police observed that the pants pockets of the deceased male individual appeared to be undisturbed, leading the police to believe

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that no attempt had been made to remove items from the victim's pants pockets after the death of Odin Lloyd.

A wallet containing a Massachusetts Drivers License bearing the name Odin L. Lloyd (DOB: 11/14/1985) of 10 Fayston Street, Apt. # 2 in Boston inside the right rear pants pocket of the deceased black male. The photograph on Odin Lloyd's Massachusetts Driver's License matched the general physical appearance of the deceased male individual. Two sets of keys for a black 2013 Chevrolet Suburban bearing Rhode Island Registration 442-427 were located in the front right pants pocket of the deceased male individual presumptively identified as Odin Lloyd. The keychain attached to the two sets of keys for the 2013 Chevrolet Suburban bearing Rhode Island Registration 442-427 indicated that the vehicle was owned by Enterprise Rent-A-Car. An HTC 1 cellular telephone was located in the right front sweatshirt pocket of the male individual presumptively identified as Odin Lloyd. An amount of \$64.75 in loose cash was located in the back left pants pocket of Odin Lloyd.

The police contacted Enterprise Rent-A-Car at T.F. Green Airport in Rhode Island and learned that the vehicle described on the keys in the pocket of Odin Lloyd (2013 Chevrolet Suburban bearing Rhode Island Registration 442-427) was currently being rented by Aaron Hernandez of 22 Ronald C. Meyer Drive in North Attleboro. A check of the Massachusetts Registry of Motor Vehicles database showed an Aaron Hernandez (DOB: 11-06-1989) with an address of 22 Ronald C. Meyer Drive in North Attleboro.

Next of Kin Notification and Preliminary Family Interviews

On the night of Monday, June 17, 2013, officers traveled to Odin Lloyd's residential address of 10 Fayston Street in Boston in order to attempt to make a death notification to his next of kin. Officers notified Odin Lloyd's next of kin and interviewed some of his friends and family members upon their arrival at 10 Fayston Street in Boston on the night of Monday, June 17, 2013. The officers observed Aaron Hernandez's rented 2013 Chevrolet Suburban, the keys to which were found in Odin Lloyd's pocket, backed into the yard behind a chain link fence at 10 Fayston Street in Boston.

Officers interviewed Odin Lloyd's sister, Shaquilla Thibou, following the death notification. Shaquilla Thibou indicated that she lived with Odin Lloyd at 10 Fayston Street, Apt. #2, in Boston. Shaquilla Thibou further indicated that she last saw Odin Lloyd at or between 1:00 to 2:00 a.m. in front of 10 Fayston Street in Boston. Shaquilla Thibou went on to indicate that Odin Lloyd entered a silver, four door car with three other males whose identities she did not know. Shaquilla Thibou indicated that the silver vehicle and the occupants left the area after Odin Lloyd entered the vehicle. Shaquilla Thibou told investigators that she had never seen this silver car before. Shaquilla Thibou further indicated Odin Lloyd was dating a woman named Shaneah. Shaquilla Thibou explained that Shaneah was the sister of Aaron Hernandez's girlfriend, Shayanna Jenkins. Shaquilla Thibou stated that, other than Aaron Hernandez and Shayanna Jenkins, she did not know of any other contacts that Odin Lloyd had in the North Attleboro area. Shaquilla Thibou showed investigators some of the text messages that her brother had sent to her after he entered the silver vehicle on the early morning of Monday, June

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17, 2013. Shaquilla Thibou explained these text messages to investigators and are described below in this affidavit.

Initial contact with Aaron Hernandez and Shayanna Jenkins

Officers traveled to 22 Ronald C. Meyer Drive in North Attleboro and attempted to make contact with the occupants of the residence on the night of Monday, June 17, 2013. The officers were initially unable to make contact with any of the residents of 22 Ronald C. Meyer Drive in North Attleboro. While attempting to make contact, officers observed three (3) large surveillance cameras permanently affixed to the exterior of the residence. Officers also observed that the television and numerous lights were on inside the residence. Despite repeated efforts to summons the occupants, no one came to the door of 22 Ronald C. Meyer Drive in North Attleboro. Based on the totality of the circumstances that brought the police to the residence and the inability of the police to make contact with the residents, the officers went to the rear of the 22 Ronald C. Meyer Drive in North Attleboro to determine if there was any forced entry or sign of the occupants. No signs of forced entry or the occupants were observed.

The officers then proceeded to a neighboring residence and spoke with the occupants. The neighbors indicated that they knew Aaron Hernandez, one of whom identified himself as a coach for the New England Patriots. That individual indicated that he had last seen Aaron Hernandez, a player for the New England Patriots, at football practice on Thursday, June 13, 2013. The individual did not have any contact information for Aaron Hernandez and was unable to provide any information as to the whereabouts of Aaron Hernandez.

These same officers returned to their vehicle and were parked on the street in front of Aaron Hernandez's residence when they observed Aaron Hernandez exit his residence and walk down the driveway in their direction at approximately 10:30 p.m. on Monday, June 17, 2013. Aaron Hernandez told the officers that he had seen them parked in front of the house through his video surveillance system. The officers identified themselves and asked Aaron Hernandez questions about the Chevrolet Suburban he had rented. Aaron Hernandez stated that he had rented the vehicle for his friend "O." When asked who "O" was, Aaron Hernandez replied "Odin." When asked how he knew Odin, Aaron Hernandez stated that his girlfriend's sister was dating Odin. Aaron Hernandez stated that he had rented the vehicle from Enterprise Rent-A-Car on Route 1 in North Attleboro. When asked when he last saw Odin, Aaron Hernandez replied that he last saw Odin "up his way yesterday," indicating that he saw Odin last in Boston on Sunday, June 16, 2013. Although Aaron Hernandez was unable to provide the officers with the location where he last saw Odin, he stated that he saved the address in his GPS. Aaron Hernandez then became argumentative with the officers, and asked: "what's with all the questions?" Aaron Hernandez then stated that the police would need to speak with his attorney. Aaron Hernandez entered his residence, locking the door behind him, and retrieved a business card for his attorney. Aaron Hernandez then unlocked the door and handed his attorney's business card to the officers. When the officers told Aaron Hernandez that they were conducting a death investigation, Aaron Hernandez slammed the door and locked it behind him. Aaron Hernandez did not ask the officers whose death was being investigated nor did he display any outward signs of concern. Contact was then made with Aaron Hernandez's attorney.

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~~The officers returned to their vehicle once again. Shortly after the officers returned to their vehicle, Aaron Hernandez exited his residence and stated that he would follow the officers to the police station to speak with the police. Aaron Hernandez stated that his girlfriend (Shayanna Jenkins) would give him a ride to the police station. The officers followed Aaron Hernandez and his girlfriend (Shayanna Jenkins) to the North Attleboro Police Department. Aaron Hernandez's girlfriend (Shayanna Jenkins) drove away after dropping Aaron Hernandez off at the North Attleboro Police Department. Officers followed Shayanna Jenkins out of the parking lot and stopped Shayanna Jenkins' vehicle adjacent to the North Attleboro Police Department. Officers then spoke with Shayanna Jenkins (DOB: 05/29/1989). Officers informed Shayanna Jenkins about the death of Odin Lloyd and she immediately began to cry. Shayanna Jenkins agreed to speak to the officers where her vehicle had been stopped because her child was sleeping in the back seat of the vehicle.~~

Shayanna Jenkins stated that she and her boyfriend, Aaron Hernandez, live together at 22 Ronald C. Meyer Dr. in North Attleboro. Shayanna Jenkins further stated that Odin Lloyd was in a dating relationship with her sister, Shaneah Jenkins. Shayanna Jenkins went on to say that she was not very familiar with Odin Lloyd and claimed not to know Odin Lloyd's family or any of Odin Lloyd's friends. Shayanna Jenkins indicated that Aaron Hernandez and Odin Lloyd knew each other through Shaneah Jenkins. Shayanna Jenkins stated that she last saw Odin Lloyd at approximately 10:30 a.m. on Saturday, June 15, 2013. Shayanna Jenkins further stated that Odin Lloyd and Aaron Hernandez were both inside the black Chevrolet Suburban at 22 Ronald C. Meyer Drive in North Attleboro on the morning of Saturday, June 15, 2013. Shayanna Jenkins stated that Aaron Hernandez and Odin Lloyd discussed returning the rental vehicle to Enterprise Rent-A-Car.

Shayanna Jenkins indicated that Odin Lloyd smoked marijuana and was also a marijuana dealer. Shayanna Jenkins stated that she would often observe Odin Lloyd on his phone talking about marijuana sales. Shayanna Jenkins stated that Odin Lloyd's phone was constantly ringing and that he was constantly talking in "lingo," leading her to believe the conversations were about marijuana sales. Shayanna Jenkins provided investigators with the cellular telephone numbers for Aaron Hernandez her sister Shaneah Jenkins. Shayanna Jenkins stated that Aaron Hernandez's cellular telephone number was (203)-606-8969. [When Aaron Hernandez was at the North Attleboro Police Department 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 Aaron Hernandez answered the phone. The investigator hung up without speaking to Aaron Hernandez.]

Shayanna Jenkins stated they had recently installed a video surveillance system within their residence. Shayanna Jenkins further stated that this video surveillance system would allow for the viewing of both the front of their residence as well as the street. Shayanna Jenkins went on to say that the video surveillance system records and plays the video on their home entertainment system. Shayanna Jenkins stated that there had been several recent break-in attempts at their residence.

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Shayanna Jenkins further stated that both she and Aaron Hernandez were home during the day on Sunday, June 16, 2013. Shayanna Jenkins stated that they had gone out to dinner for Father's Day later in the day and that a babysitter had stayed with their infant child. Shayanna Jenkins further stated that she had gone to bed early but Aaron Hernandez had gone out on the night of Sunday, June 16, 2013. Shayanna Jenkins went on to say that she was unsure who Aaron Hernandez had gone out with or what time Aaron Hernandez came home on the night of Sunday, June 16, 2013 into Monday, June 17, 2013. Aaron Hernandez called Shayanna Jenkins on her cellular telephone while she was speaking with the police and informed her that his sports agent said that she should not speak with the police and that she should request to speak with her attorney.

Search of Odin Lloyd's Cellular Telephone

Odin Lloyd's HTC I cellular telephone was searched for information related to the death of Odin Lloyd at the North Attleboro Police Department. During the search of the HTC I cellular telephone, officers learned that Odin Lloyd's cellular telephone was assigned to telephone number (617)-785-3008. The police learned that Aaron Hernandez's cellular telephone number, (203)-606-8969, appeared as "Nigga Dis" and "Dis Nigga" in Mr. Lloyd's cellular telephone contacts. The analysis of Odin Lloyd's cellular telephone revealed that Odin Lloyd and Aaron Hernandez engaged in extensive text and voice cellular telephone communication on June 16, 2013 and June 17, 2013. On June 16, 2013, at approximately 9:05 p.m., Aaron Hernandez sent a text message to Odin Lloyd: "I'm coming to grab that tonight u gon b around I need dat and we could step for a little again [sic]." Odin Lloyd did not immediately respond to Aaron Hernandez's text message. On June 16, 2013, at approximately 9:34 p.m., Aaron Hernandez sent a text message to Odin Lloyd: "Waddup." On June 16, 2013, at 9:37 p.m., Odin Lloyd responded: "Aite (meaning alright), where." On June 16, 2013, at 9:39 p.m., Aaron Hernandez responded: "idk (meaning I don't know) it don't matter but imma hit u when I'm dat way like Las time if my phone dies imma hit u when I charge it which will be in a lil [sic]." On June 16, 2013, at 10:00 p.m., Odin Lloyd responded: "Aite idk anything goin on [sic]" Aaron Hernandez's last text message to Odin Lloyd was at 10:13 p.m. on June 16, 2013 and read: "I'll figure it out ill hit u on way." On June 16, 2013, at 12:22 a.m., Odin Lloyd sent his last text to Aaron Hernandez: "We still on." Odin Lloyd's call records show no further contact, via phone, with Aaron Hernandez.

Odin Lloyd's HTC I cellular telephone recent call logs revealed that Odin Lloyd had received five (5) phone calls from telephone number (860)-845-4304 between 1:22 a.m. and 2:32 a.m. on Monday, June 17, 2013. The last incoming telephone call on Odin Lloyd's cellular telephone was from (860)-845-4304 at 2:32 a.m. on Monday, June 17, 2013. Investigators called phone number (860)-845-4304 several times on Tuesday, June 18, 2013 in an attempt to contact one of the last persons to have spoken to Odin Lloyd. The telephone associated with (860)-845-4304 was not answered on Tuesday, June 18, 2013. On Tuesday, June 18, 2013 Aaron Hernandez told investigators that a male named "BO" had a silver Chrysler that he (Aaron Hernandez) had rented. Aaron Hernandez further told investigators that he did not know BO's telephone number. On Tuesday, June 18, 2013, Trooper Joseph Collins retrieved Aaron Hernandez's cellular telephone from an attorney who represented Aaron Hernandez. On

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Tuesday, June 18, 2013, a search warrant authorizing a search of Aaron Hernandez's cellular telephone assigned phone number (203)-606-8969 was issued by the Attleboro District Court.

On June 19, 2013, investigators conducted a search of Aaron Hernandez's cellular telephone assigned phone number (203)-606-8969 and located the name "BO" in his contact list. The telephone number associated with contact "BO" in Aaron Hernandez's telephone was (860)-845-4304.

The last text messages sent by Odin Lloyd were sent to his sister, Shaquilla Thibou. On June 17, 2013, at 3:07 a.m. Odin Lloyd texted Shaquilla Thibou: "U saw who I'm with." On June 17, 2013, at 3:11 a.m., Odin Lloyd texted Shaquilla Thibou again: "hello." On June 17, 2013, at 3:19 a.m., Shaquilla Thibou replied: "my phone was dead who was that?" On June 17, 2013, at 3:22 a.m., Odin Lloyd replied to Shaquilla Thibou: "Nfl." Shaquilla Thibou told the police that Odin Lloyd was recently associating with "Hernandez," a New England Patriot football player. Shaquilla Thibou explained that she understood this text message to mean that Odin Lloyd was with Aaron "Hernandez." Shaquilla Thibou replied to Odin Lloyd by text message at 3:22 a.m. on June 17, 2013: "Lol your aggy." Shaquilla Thibou explained that her response to her brother stating "lol your aggy" meant that she was aggravated by her brother's text. The last text message sent by Odin Lloyd was at 3:23 a.m. on June 17, 2013 which read: "just so u know."

John Medeiros

On Tuesday, June 18, 2013, at 12:44 p.m., John Medeiros was interviewed at the North Attleboro Police Department. John Medeiros stated that he was working at Needle Tech Products Inc. located at 452 John L. Dietsch Boulevard in North Attleboro on the early morning of June 17, 2013. Needle Tech Products Inc. is approximately 200 yards from where Odin Lloyd was located deceased. John Medeiros stated that he took his regularly scheduled break between approximately 3:00 a.m. and 3:30 a.m. on Monday, June 17, 2013. John Medeiros further stated that he was sleeping in his vehicle in the parking lot of Needle Tech Products Inc. located at 452 John L. Dietsch Boulevard in North Attleboro during his break between approximately 3:00 a.m. and 3:30 a.m. on Monday, June 17, 2013. John Medeiros went on to say that he heard three (3) gunshots and a car door slamming approximately midway through his break on the early morning of Monday, June 17, 2013.

Shaneah Jenkins

On Tuesday, June 18, 2013, at approximately 1:05 a.m., the police interviewed Shaneah Jenkins by telephone. Shaneah Jenkins explained that she was Odin Lloyd's girlfriend of over one (1) year. Shaneah Jenkins became very emotional when she was informed that Odin Lloyd was deceased. Shaneah Jenkins claimed that she had not previously known that Odin Lloyd was deceased. Shaneah Jenkins stated that she did not know Odin Lloyd to have any connection to North Attleboro other than her sister, Shayanna Jenkins, and Aaron Hernandez.

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Enterprise Rent-A-Car

On Tuesday, June 18, 2013, at approximately 10:00 a.m., the police traveled to Enterprise Rent-A-Car located at 365 East Washington Street in North Attleboro. The police spoke with the Enterprise Rent-A-Car manager who indicated that he was familiar with Aaron Hernandez due to the fact that he frequently rented vehicles from Enterprise Rent-A-Car. The manager informed the police that Aaron Hernandez came to Enterprise Rent-A-Car with two unknown male individuals at approximately 5:30 p.m. on Monday, June 17, 2013. The manager indicated that Aaron Hernandez returned a silver 2012 Nissan Altima bearing Massachusetts Registration 536MX2 that he had previously rented in his name. The manager further indicated that Aaron Hernandez rented a grey Chrysler 300C bearing Rhode Island Registration 451-375 upon returning the silver 2012 Nissan Altima at approximately 5:30 p.m. on Monday, June 17, 2013. The manager went on to indicate that Aaron Hernandez apologized for damage done to the driver's side exterior side view mirror and driver's door of the silver Nissan Altima bearing Massachusetts Registration 536MX2. The manager indicated that although Aaron Hernandez apologized for the damage, he claimed not to know how the damage occurred. The manager further indicated that Aaron Hernandez explained that he just came out in the morning and saw that the vehicle was damaged.

The silver 2012 Nissan Altima bearing Massachusetts Registration 536MX2 was viewed by the police at the Enterprise Rent-A-Car in North Attleboro. Investigators observed that there was damage to the front driver's side door. Investigators also observed that the side view mirror on the driver's side was mangled at the connection to the door and the mirror and housing were missing. Investigators further observed damage to the driver's side window and a chrome strip at the driver's side window. There were also scratches on the driver's side door. Investigators observed soil, similar in color and appearance to that at the location where Odin Lloyd's body was found, on the tires and lower panels of the vehicle behind the tires. Similar soil was also seen within the tire tread(s) and wheel(s) well(s) of the tires of the silver Nissan Altima. Investigators also viewed the tire treads and the tire treads appear to be consistent with the tire marks left at the scene where the body of Odin Lloyd was found.

Enterprise Rent-A-Car consented to release the silver 2012 Nissan Altima bearing Massachusetts Registration 536MX2 to the Massachusetts State Police. The 2012 Nissan Altima bearing Massachusetts Registration 536MX2 is currently in the possession of the Massachusetts State Police undergoing additional testing.

Shaquilla Thibou

On Tuesday, June 18, 2013, at approximately 4:14 p.m., Shaquilla Thibou was interviewed at the North Attleboro Police Department. Shaquilla Thibou was re-interviewed regarding the information she had concerning the last time she saw her brother alive. Shaquilla Thibou stated that she was speaking with her boyfriend in a car that was parked in the vicinity of her residence located at 10 Fayston Street in Boston on the early morning of Monday, June 17, 2013. Shaquilla Thibou further stated that her cellular telephone battery had died at some point while seated in the car speaking with her boyfriend. Shaquilla Thibou stated that she witnessed a

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silver four door sedan that she believed to be either a Nissan Altima, a Nissan Maxima, or a Toyota Camry pull up in front of her residence on Fayston Street in Boston at approximately 2:30 a.m. or 2:45 a.m. on Monday, June 17, 2013. Shaquilla Thibou further stated that Odin Lloyd entered the vehicle through the rear passenger door and the vehicle drove away from the area of 10 Fayston Street in North Attleboro. Shaquilla Thibou indicated that she believed that there were three other individuals in addition to her brother within the vehicle.

Shaquilla Thibou stated that she entered her apartment and plugged her cellular telephone into a charger on the early morning of Monday, June 17, 2013. Shaquilla Thibou stated that she received two text messages from Odin Lloyd after she plugged her cellular telephone into the charger. The time stamp on her cellular phone indicated "JUN 17, 2013, 3:07AM" Shaquilla Thibou used this time stamp as a reference to recall the approximate time that she had seen her brother get into the silver four door sedan. Shaquilla Thibou stated that she believed that the time that she last saw Odin Lloyd was approximately 2:30 a.m. or 2:45 a.m. on Monday, June 17, 2013 rather than the initial timeframe that she initially provided to the police.

Video Surveillance from 22 Ronald C. Meyer Drive in North Attleboro

On Tuesday, June 18, 2013 investigators executed a search warrant for 22 Ronald C. Meyer Drive in North Attleboro. As a result of this search, digital video evidence was seized and reviewed by investigators from the home surveillance system. This video surveillance system was attached to fourteen (14) cameras both inside and outside of the residence.

The surveillance video from 22 Ronald C. Meyer Drive in North Attleboro shows three male individuals exit the residence in the area of the garage at approximately 1:00 a.m. on Monday, June 17, 2013. The first two male individuals exit the residence together, while the third male individual exits the residence several seconds after the first two. The first male individual depicted on surveillance video exiting the residence at approximately 1:00 a.m. on Monday, June 17, 2013 bears a resemblance to Aaron Hernandez. Investigators believe this individual to be Aaron Hernandez. The individual believed to be Aaron Hernandez is wearing a light colored hooded sweatshirt, dark colored pants, and light colored footwear. The second male individual depicted on surveillance video exiting the residence at approximately 1:00 a.m. on Monday, June 17, 2013 has dark complexion and is wearing a short sleeve light colored shirt, dark colored pants, dark colored sneakers. The third male individual depicted on surveillance video exiting the residence at approximately 1:00 a.m. on Monday, June 17, 2013 has the darkest complexion of the three male individuals and is wearing a blue and white long sleeve shirt and dark colored pants. This third male individual appears to be carrying a light colored plastic bag in his right hand. All three individuals walk down the driveway towards the street and exit the view of the surveillance video. A short time later, a silver four door vehicle consistent with a 2012 Nissan Altima reverses up the driveway and parks near the garage. The individual believed to be Aaron Hernandez exits the driver's seat of the silver vehicle consistent with a 2012 Nissan Altima and approaches the garage. The male with the darkest complexion wearing a blue and white upper garment exits the front passenger's seat of the silver vehicle consistent with a 2012 Nissan Altima and walks to the rear of the vehicle while apparently manipulating an object in his hands. This male individual with the darkest complexion wearing a blue and white upper

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garment walks around the vehicle and opens the trunk through the open driver's side door after finding the trunk to be locked. This male individual with the darkest complexion wearing a blue and white upper garment then opens the trunk of the silver vehicle consistent with a 2012 Nissan Altima and appears to manipulate objects in the trunk for several seconds. The male with the darkest complexion wearing a blue and white upper garment appears to hand the individual who is believed to be Aaron Hernandez a white rope-like item that he retrieved from the trunk of the silver vehicle that is consistent with a 2012 Nissan Altima. The male believed to be Aaron Hernandez enters the apparent Nissan Altima with the white rope-like item. All three male individuals exited the silver vehicle consistent with a 2012 Nissan Altima and entered the garage of 22 Ronald C. Meyer Drive in North Attleboro. The three male individuals exited the garage and entered the silver vehicle consistent with a 2012 Nissan Altima at approximately 1:09 a.m. on Monday, June 17, 2013. The individual with the darkest complexion wearing a blue and white upper garment enters the driver's seat of the silver vehicle consistent with a 2012 Nissan Altima. The individual believed to be Aaron Hernandez entered the front passenger's seat of the silver vehicle consistent with a 2012 Nissan Altima. The third individual wearing a short sleeve light colored shirt, dark colored pants, dark colored sneakers enters the silver vehicle consistent with a 2012 Nissan Altima through the rear driver's side door. The vehicle then drives down the driveway and disappears from view of the surveillance system at approximately 1:09:48 a.m. on Monday, June 17, 2013. The surveillance video shows that the side view mirror on the driver's side of the silver vehicle consistent with a 2012 Nissan Altima was still in place when the vehicle exited the driveway of 22 Ronald C. Meyer Drive in North Attleboro at approximately 1:09 a.m. on Monday, June 17, 2013.

The video surveillance shows that the vehicle consistent with a silver Nissan Altima returns to 22 Ronald C. Meyer Drive in North Attleboro at approximately 3:26:56 a.m. on Monday, June 17, 2013. The surveillance video shows that the side view mirror on the driver's side of the apparent Nissan Altima was damaged when it entered the driveway of 22 Ronald C. Meyer Drive in North Attleboro at approximately 3:26:56 a.m. on Monday, June 17, 2013. Three male individuals exit the apparent silver Nissan Altima in the driveway of 22 Ronald C. Meyer Drive in North Attleboro at approximately 3:27 a.m. on Monday, June 17, 2013. A male individual bearing a strong resemblance to Aaron Hernandez exited the driver's seat of the apparent silver Nissan Altima. The individual believed to be Aaron Hernandez was wearing a light colored hooded sweatshirt, dark colored pants, and light colored footwear. A male individual with dark complexion wearing a blue and white long sleeve shirt and dark colored pants exited the front passenger seat of the silver vehicle consistent with a 2012 Nissan Altima. A male individual wearing dark colored shoes, dark colored pants, a white shirt, and a dark colored jacket exited the rear driver's seat of the apparent silver Nissan Altima. This male individual's left arm did not appear to be inside the arm hole of the dark colored jacket as he exited the vehicle and walked toward the residence. The three male individuals entered the garage area of 22 Ronald C. Meyer Drive in North Attleboro at approximately 3:27 a.m. on Monday, June 17, 2013.

The interior video surveillance at 22 Ronald C. Meyer Drive in North Attleboro showed the three male individuals entering the residence. Investigators are able to positively identify Aaron Hernandez from the interior surveillance footage as one of the three male individuals who entered the residence at approximately 3:27 a.m. on Monday, June 17, 2013. The second male

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appears to be an older dark-skinned male with a larger stomach and short gray hair. This male walks to the basement door and enters the basement through the basement door. The third male individual was wearing a light colored, long sleeved upper garment. This third male stopped in the kitchen then turns away from the camera and pulls up a piece of his dark colored clothing covering his head a face from the camera. The surveillance video shows Aaron Hernandez and the two other male individuals enter the basement of 22 Ronald C. Meyer Drive in North Attleboro. The surveillance video shows Aaron Hernandez enter and exit the basement on several different occasions while also going into other rooms within the residence. Aaron Hernandez is observed to be in and out of the basement on several different occasions while also going to other rooms within the residence. After about six minute of being in the residence, Aaron Hernandez is seen entering the basement for the final time. There is no activity seen until the recording stops after 3:40 a.m. on Monday, June 17, 2013.

On June, 20, 2013, investigators spoke with Michael Connors of Home-Tek Custom Design. Michael Connors installed the video surveillance system at 22 Ronald C. Meyer Drive in North Attleboro at the direction of Shayanna Jenkins. Among other things, Michael Connors told investigators that the surveillance system records the video of all cameras continuously unless a cable connecting a camera to the system is disconnected. Michael Connors stated that disconnecting a particular camera cable takes that camera off line while the system continues to record footage from the other connected cameras. Michael Connors further stated that he showed Aaron Hernandez how to disconnect specific cameras from the recording device in May of 2013. Michael Connors went on to say that he clearly labeled the connections so that Aaron Hernandez could more easily disconnect cameras at locations within his home where and when he wanted to avoid surveillance recordings.

The surveillance video from 22 Ronald C. Meyer Drive in North Attleboro revealed that the three males that entered the residence around 3:30 a.m. on Monday, June 17, 2013 were wearing the following clothing (Refer to surveillance photographs in Addendum A, B and C):



Male # 1 (Aaron Hernandez): White or light colored hooded long sleeve sweatshirt, black pants, and white sneakers. (Refer to Photograph # 1 in Addendum A)

Male # 2: Dark colored coat, a white shirt, and dark colored pants. (Refer to Photograph # 2 in Addendum B)

Male # 3: Long sleeve blue and white upper garment and dark colored pants. (Refer to Photograph # 3 in Addendum C)

Video Surveillance from 9 Fayston Street in Boston

Investigators learned from Boston Police Detectives that there was a video surveillance system at 9 Fayston Street in Boston. This residence is located across the street from Odin Lloyd's and Shaquilla Thibou's apartment at 10 Fayston Street in Boston. Boston Police investigators spoke with the homeowner at 9 Fayston Street in Boston and obtained a copy of the surveillance footage for Monday, June 17, 2013. Massachusetts State Police investigators

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reviewed the video surveillance footage and observed that at approximately 2:33 a.m. on Monday, June 17, 2013, a vehicle, identified by investigators as a silver colored Nissan Altima arrives in front of 10 Fayston Street in Boston. The video shows a male individual, believed to be the victim Odin Lloyd, enter into the rear passenger's side of the vehicle. [This information is consistent with information provided to the police by Odin Lloyd's sister, Shaquilla Thibou.] Investigators were able to determine that there were three individuals inside the vehicle as it arrived at 10 Fayston Street in Boston. Investigators were able to determine that once the door was opened, the interior light illuminated the interior of the vehicle, providing a better view of the occupants of the vehicle, including the operator of the Nissan Altima who was observed to be wearing a white shirt. Additionally, investigators observe that the Nissan Altima's driver's-side exterior mirror was intact and attached to the vehicle at that time.

Surveillance Video from John L. Dietsch Boulevard and Landry Avenue in North Attleboro

Investigators conducted a canvass in the area of the crime scene at 344 John L. Dietsch Boulevard and learned that there were several surveillance cameras facing the area of John Deitsch Boulevard. Investigators viewed several surveillance cameras and learned the following:

255 John Deitsch Boulevard - Metalor Refinery: An inspection of the surveillance cameras revealed a vehicle traveling North on John L. Dietsch Boulevard towards the Crime Scene located at the rear of 344 John L. Dietsch Boulevard. This vehicle is observed to enter the secluded gravel construction area where the body of Odin Lloyd was located. This vehicle entered into the crime scene at the approximate time that John Medeiros reports hearing gunshots. Approximately (4) minutes later the same Metalor camera captures a vehicle leaving the Crime Scene and turning left out onto John L. Dietsch Boulevard towards 22 Ronald C. Meyer Drive. Investigators are aware that the direction of travel is consistent with the vehicle coming from the area of Interstate 95.

500 John L. Dietsch Boulevard - Bells Powder Coating: Investigators inspected the surveillance video showing a vehicle travelling north from the direction of both the crime scene and Metalor Refinery also shortly after being captured on the video surveillance at Metalor Refinery.

275 Landry Ave. - North Attleboro Electric Department: Investigators inspected the surveillance video showing a vehicle turning left onto Landry Ave. from John Dietch Boulevard. This vehicle is captured heading West on Landry Ave. towards Westwood Estates, towards the direction of 22 Ronald C. Meyer Dr. North Attleboro. This vehicle is captured in a short amount of time after having been captured by the surveillance cameras at Metalor Refinery, Bells Powder Coating and within the time estimated by John Medeiros.

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Search of the Dumpster on the Property of Enterprise Rent-A-Car

On the evening of Thursday, June 20, 2013, the Enterprise Rent-A-Car manager who had previously been interviewed by police contacted investigators with additional information. The manager indicated that she declined Aaron Hernandez's offer of Bubblicious Bubble Gum on the evening of Monday, June 17, 2013. The manager further indicated that she secured the keys to the silver 2012 Nissan Altima bearing Massachusetts Registration 536MX2 in a safe inside Enterprise Rent-A-Car in North Attleboro on the night of Monday, June 17, 2013 into Tuesday, June 17, 2013. The manager went on to indicate that she cleaned the silver 2012 Nissan Altima that Aaron Hernandez had rented at approximately 7:45 a.m. on Tuesday, June 17, 2013. The manager indicated that while cleaning the 2012 Nissan Altima that Aaron Hernandez had rented she located four items that she disposed of in the dumpster on the property of Enterprise Rent-A-Car in North Attleboro. The manager further indicated that she located a small vitamin water bottle in the front driver's side cup holder of the 2012 Nissan Altima. The manager went on to indicate that she located what appeared to be a piece of paper containing a colorful child's drawing in the area underneath the driver's seat of the 2012 Nissan Altima. The manager indicated that she found a piece of chewed blue bubble gum and a "bullet" underneath the child's drawing underneath the driver's seat of the 2012 Nissan Altima. The manager further indicated that she used a piece of paper to pick up the piece of chewed blue bubble gum and the "bullet" from the area underneath the driver's seat of the 2012 Nissan Altima. The manager also recalled that Aaron Hernandez produced Bubblicious Bubble Gum in a blue Bubblicious Bubble Gum wrapper and offered her a piece of gum while he was returning the silver 2012 Nissan Altima bearing Massachusetts Registration 536MX2 to Enterprise Rent-A-Car in North Attleboro at approximately 5:30 p.m. on Monday, June 17, 2013.

Officers immediately traveled to Enterprise Rent-A-Car in North Attleboro and secured the dumpster on the property of Enterprise Rent-A-Car in North Attleboro on the evening of Thursday, June 20, 2013. Officers searched the dumpster on the property of Enterprise Rent-A-Car in North Attleboro on the evening of Thursday, June 20, 2013. Officers located a bottle of Vitamin Water, a piece of paper containing a colorful child's drawing, a piece of chewed blue bubble gum, and a spent .45 caliber spent cartridge casing inside the dumpster on the property of Enterprise Rent-A-Car in North Attleboro on the evening of Thursday, June 20, 2013. Officers showed the manager photographs of the bottle of Vitamin Water, the piece of paper containing a colorful child's drawing, the piece of chewed blue bubble gum, and the spent .45 caliber spent cartridge casing that were located inside the dumpster on the property of Enterprise Rent-A-Car in North Attleboro. The manager identified the items in the photographs as being the items that she removed from the 2012 Nissan Altima that Aaron Hernandez had rented and threw in the dumpster on the property of Enterprise Rent-A-Car in North Attleboro on the morning of Tuesday, June 18, 2013.

Autopsy

On Wednesday, June 19, 2013, Doctor William Zane of the Office of the Chief Medical Examiner conducted the autopsy of Odin Lloyd. Doctor Zane determined that Odin Lloyd's cause of death was gunshot wounds and Odin Lloyd's manner of death was homicide.

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Ballistics

The State Police Firearms Identification Section analyzed the five (5) spent cartridge casings that were recovered from the area near where Odin Lloyd's body was discovered. The State Police Firearms Identification Section determined that the five spent cartridge casings were all .45 caliber and were all fired from the same unknown .45 caliber firearm.

The .45 caliber spent cartridge casing recovered by investigators from inside the dumpster on the property of Enterprise Rent-A-Car in North Attleboro was sent to the State Police Firearms Identification Section for ballistic analysis. The State Police Firearms Identification Section compared the .45 caliber spent cartridge casing recovered by investigators from inside the dumpster on the property of Enterprise Rent-A-Car in North Attleboro with the five spent cartridge casings recovered in close proximity to Odin Lloyd's body. The State Police Firearms Identification Section determined that the .45 caliber spent cartridge casing recovered by investigators from inside the dumpster on the property of Enterprise Rent-A-Car in North Attleboro and the five (5) .45 caliber spent cartridge casings recovered in close proximity to Odin Lloyd's body were all fired from the same unknown .45 caliber firearm.



Several searches have been performed utilizing the State Police SERT Team, metal detectors, and police K-9's that are trained in the detection of firearms and ammunition in the area of the crime scene and in the area between the crime scene and 22 Ronald C. Meyer Drive in North Attleboro, but a .45 caliber firearm has not been recovered during the course of the investigation.

Conclusion

Based on the video evidence of 10 Fayston Street in Boston, the surveillance cameras on John L. Dietsch Boulevard, Landry Avenue, and at 22 Ronald C. Meyer Drive in North Attleboro, investigators believe that the persons responsible for the murder of Odin Lloyd were traveling in a Nissan Altima, similar to the Nissan Altima rented by Aaron Hernandez. Based on the witness statements and the aforementioned video evidence along with the text messages from Odin Lloyd, investigators believe that Aaron Hernandez and two other male individuals were present at the location and time of the murder of Odin Lloyd.

Video evidence shows Aaron Hernandez and two other male individuals entering the residence of Aaron Hernandez at 22 Ronald C. Meyer Dr. North Attleboro within a short time of the witness reports by John Medeiros having heard gunshots. These three individuals are subsequently observed on the interior surveillance cameras inside 22 Ronald C. Meyer Drive in North Attleboro.

I have personal knowledge, based upon experience and training, that crimes of violence often involve a struggle and the use of weapons or other instrumentalities. I also know that the person or persons participating in the commission of a violent offense are in contact with the physical surroundings and often leave evidence or trace evidence that if collected will help to identify the perpetrators and / or the nature of the crime. I am aware that there is often an attempt

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to alter, destroy, remove, clean up, or cover up evidence of a crime. I am aware that evidence of a crime may be left in the form of gunshot residue, clothing, physiological fluids, palm prints, shoe prints, fibers, fingerprints, footprints, tire tread impressions, hair, saliva, semen, blood, firearms, pistols, revolvers, rifles, shotguns, ammunition, shell casings, projectiles, hatchets, axes, cutting instruments, knife and / or knives, cellular telephones, pieces of identification in print, photograph, or video that may identify any or all of the parties named in the investigation. I am also aware that many of these items are minute and/or microscopic, and are often referred to as trace and biological evidence and that specialized training and equipment is needed for the collection of such trace and biological evidence.

I therefore request that the court authorize a search of the above described residence, for trace/biological evidence including blood, serums, skin, clothing, gunshot residue, fingerprints, firearms, ammunition, DNA, clothing as described above and in Addendum "A," "B," and "C", shoes, shoeprints and any other evidence as described above to assist in the identification of a suspect or suspects, and that if any of the above evidence is found that it be seized as evidence and further analyzed or searched as necessary.

Additionally, I request that the court issue an "ALL PERSONS PRESENT" search warrant. An all persons present search warrant will allow investigators the ability to search all persons present who may have evidence of the crime of murder secreted on their person or within their pockets. The nature of the evidence investigators are searching for is both untraceable to the naked eye and also concealable within pockets, pants, purses and other concealment areas in clothing. Allowing for the all persons present warrant will ensure that investigators conduct a thorough search for evidence.

I am also aware that the perpetrator of a violent crime may remove evidence from the scene and conceal it or destroy it in an attempt to secret it from investigators. Often a perpetrator will return to his or her residence and discard items that he or she may not view as evidence. Such items could be clothing. Often perpetrators will return to his or her residence to change clothing in an attempt to alter his or her appearance. I am also aware that a perpetrator may leave evidence of a crime at his or her residence prior to the commission of that crime. This could include evidence that the perpetrator was in possession of a firearm or ammunition and may be stored in his or her residence. I request permission to video record and photograph the residence described in this affidavit.

Based on the aforementioned information provided in this affidavit, I have probable cause to believe that evidence of the crime of Murder, a violation of Massachusetts General Laws, Chapter 265, Section 1, will be located inside and / or on the property of 22 Ronald C. Meyer Drive in North Attleboro. The structure located at 22 Ronald C. Meyer Drive in North Attleboro is more particularly described as a three story, brick front, wood frame house with the number 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 Drive in North Attleboro. There is a three car garage attached to the residence leading to the driveway of 22 Ronald C. Meyer Drive in North Attleboro.

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This affidavit subscribed to and sworn to me consists of 15 pages.

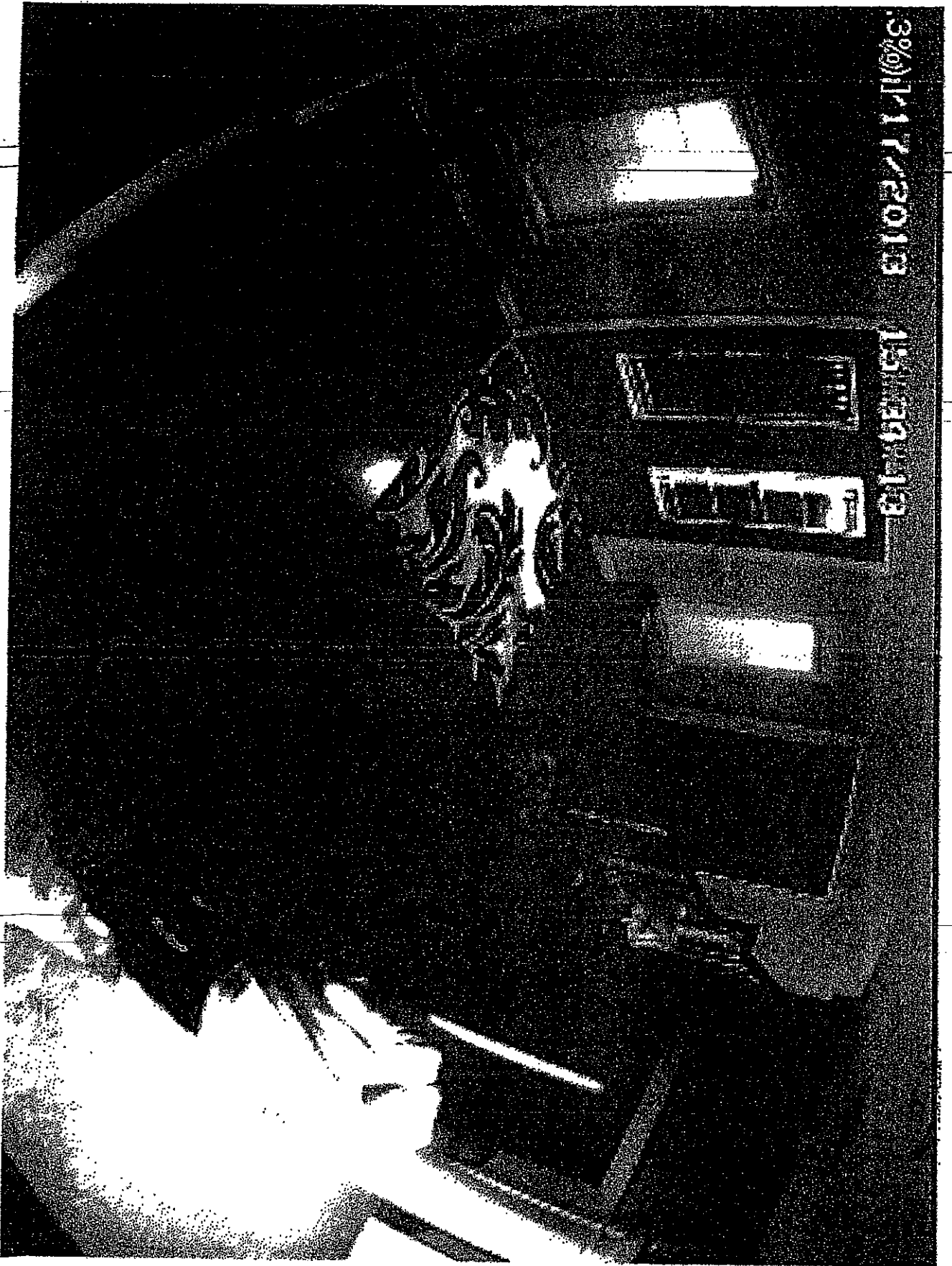
Tpr. Eric J. Benson #3389
Trooper Eric J. Benson #3389
Massachusetts State Police

Then personally appeared before me the above-named Eric J. Benson, and made oath that the foregoing affidavit by him is true.

Before me this 22nd day of June, 2013.

X: Matt [Signature]
Signature of Justice, Clerk, ~~Asst. Clerk~~

Affiant's Initials EB
Clerk/Justice Initials [Signature]



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