

#126.

BRISTOL, SS SUPERIOR COURT
FILED

COMMONWEALTH OF MASSACHUSETTS

SEP 24 2014

BRISTOL, ss.
BRCR2013-00983

MARC J. SANTOS, ESQ.
CLERK/MAGISTRATE

COMMONWEALTH

vs.

AARON HERNANDEZ

COMMONWEALTH'S RESPONSE TO 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

Now comes the Commonwealth which states as follows:

The defendant, Aaron Hernandez, was arraigned in Attleboro District Court on June 26, 2013 on charges of first-degree murder and various firearms offenses. He was subsequently indicted by a Bristol County grand jury for the same crimes and is currently awaiting trial. On or about September 12, 2014, the defendant filed a motion to suppress evidence seized from 599 Old West Central Street, Apartment A12, Franklin, MA on June 26, 2013 and all derivative fruits of that search due to lack of probable cause. In the interests of justice, and to avoid any delay in the proceedings that might be occasioned by appellate review, the Commonwealth does not oppose said motion and waives the opportunity to be heard at any hearing on same.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Roger L. Michel, Jr.", written over a horizontal line.

Roger L. Michel, Jr.
Assistant District Attorney
Bristol District
BBO#555160
888 Purchase St.
New Bedford, MA 02740

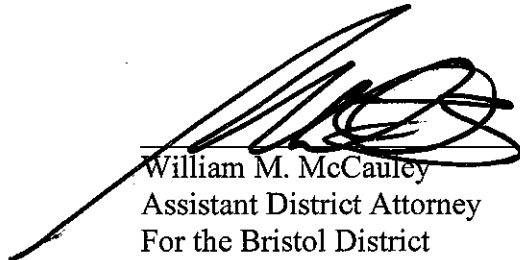
Dated: September 24, 2014

CERTIFICATE OF SERVICE

I, William M. McCauley, certify that I have served a copy of the Commonwealth's Response to Defendant's Motion to Suppress Evidence Seized During Search of "Hummer" Automobile on June 26, 2013 Due to Lack of Probable Cause AND the Commonwealth's Response to 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 by first class postage prepaid mail to Counsel for the Defendant, as follows: Charles W. Rankin, Rankin & Sultan, 151 Merrimac Street, 2nd Floor, Boston, MA 02114; James L. Sultan, Rankin & Sultan, 151 Merrimac Street, 2nd Floor, Boston, MA 02114; and Michael K. Fee, Latham & Watkins, LLP, John Hancock Tower, 20th floor, 200 Clarendon St., Boston, MA 02116.

Signed under the pains and penalties of perjury this 24th day of September 2014.

COMMONWEALTH OF MASSACHUSETTS,



William M. McCauley
Assistant District Attorney
For the Bristol District
888 Purchase Street
New Bedford, MA 02741-0973