

#194

12/22/14

COMMONWEALTH OF MASSACHUSETTS

BRISTOL, ss.

SUPERIOR COURT
BRCR2007-983

COMMONWEALTH

V.

AARON HERNANDEZ

JOINT TRIAL MEMORANDUM

NOW COME the parties and respectfully submit their Final Pretrial Conference Memorandum for the Court's consideration:

(1) STATEMENT OF FACTS FOR EMPANELMENT:

Commonwealth's Proposal

The Commonwealth alleges that on the morning of June 17, 2013, the defendant knowingly participated in the murder of Odin Lloyd, who was shot to death in the North Attleboro Industrial Park in North Attleboro. The Commonwealth also alleges that the defendant unlawfully possessed a .45 firearm and .22 ammunition. The defendant denies these allegations.

Defendant's Proposal

Aaron Hernandez is charged with the murder of Odin Lloyd in North Attleboro and unlawful possession of a .45 caliber handgun on June 17, 2013. He is also charged with unlawful possession of .22 caliber ammunition at his home in North Attleboro on June 22, 2013.

(2) STIPULATIONS:

None at this time.

(3) POTENTIAL WITNESSES:

A. Commonwealth: See attached Notice of Commonwealth Witnesses.

B. Defendant: See attached November 17, 2013 letter to William McCauley

(4) EXPERT WITNESS INFORMATION:

A. Commonwealth: See attached List of Expert Witnesses and proposed testimony

B. Defendant: See attached November 17, 2013 letter to William McCauley

(5) PROPOSED EXHIBITS:

A. Commonwealth: See attached List of Expert Witnesses and proposed testimony

C. Defendant: The defendant reserves the right to offer into evidence any of the Commonwealth's proposed exhibits.

(6) UNUSUAL LEGAL ISSUES:

(7) MOTIONS IN LIMINE: Motions in Limine have been filed.

Other additional motions to be filed timely with notice to the opposing party.

The defendant will file more in limine motions once the Commonwealth provides him with premarked copies of its exhibits and a numbered exhibit list.

(8) CUSTODIAL STATUS:

Defendant is in custody at Suffolk County Jail. If the Court intends to order him to be held in the Bristol County Jail in Dartmouth for the duration of the trial, the defendant proposes that the transfer be made on January 9, 2015, the first day of jury empanelment.

(9) INTERPRETER:

A. Commonwealth: A Portuguese interpreter may be required.

B. Defendant:

(10) ESTIMATED LENGTH OF TRIAL: Two (2) to three (3) months.

Respectfully submitted,

Assistant District Attorney

The defendant Aaron Hernandez

By his attorneys

James L. Sultan, BBO No. 488400
Charles W. Rankin, BBO. 411780
Rankin & Sultan
151 Merrimac St.
Boston, MA 02114
(617) 720-0011

Michael K. Fee, BBO No. 54451
Latham & Watkins LLP
200 Clarendon ST.
Boston, MA 02116
(617) 880-4500

Dated: December 22, 2014