

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

SUPERIOR COURT DEPARTMENT
OF THE TRIAL COURT
CRIMINAL #2014-SUCR-10417
CRIMINAL #2015-SUCR-10384

COMMONWEALTH OF MASSACHUSETTS

v.

AARON HERNANDEZ

AFFIDAVIT OF JAMES L. SULTAN (WITH EXHIBITS)

James L. Sultan, being duly sworn according to law, hereby says and deposes as follows:

1. I am a member in good standing of the Massachusetts Bar and co-counsel to the defendant in the above-counsel criminal case.
2. Attached hereto as Exhibit 1 is a copy of the warrant, application, and affidavit relating to the issuance of a search warrant authorizing the search of a residence at 114 Lake Avenue, Bristol, CT on June 26, 2013.
3. Attached hereto as Exhibit 2 is a copy of a polygraph report relating to a polygraph examination administered to Carlos Ortiz on June 25-26, 2013.
4. Attached hereto as Exhibit 3 is a copy of the warrant, application, and affidavit relating to the issuance of a warrant authorizing the search and seizure of a Toyota 4Runner at 114 Lake Avenue, Bristol, CT on June 28, 2013.

5. Attached hereto as Exhibit 4 is a copy of the warrant, application, and affidavit relating to the issuance of a warrant by this Court on July 1, 2013 authorizing a search of said vehicle.

Signed and sworn under the pains and penalties of perjury this 22nd day of July 2015.



James L. Sultan

CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing document upon the Commonwealth by mailing a copy thereof to: Patrick M. Haggan, First Assistant District Attorney, Suffolk County, One Bulfinch Place, Boston, MA 02114-2997 on July 22, 2015.



James L. Sultan

COMMONWEALTH OF MASSACHUSETTS

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SUPERIOR COURT DEPARTMENT
OF THE TRIAL COURT
CRIMINAL #2015-SUCR-10384

COMMONWEALTH OF MASSACHUSETTS

v.

AARON HERNANDEZ

DEFENDANT’S MOTION TO DISMISS INDICTMENT

Aaron Hernandez, defendant in the above-captioned criminal case, hereby moves this Court, pursuant to Article XII of the Massachusetts Declaration of Rights and Massachusetts common law, to dismiss the indictment on the following grounds:

1. There was insufficient evidence presented to the grand jury to establish probable cause that Hernandez committed the offense charged;
2. The Commonwealth impaired the integrity of the grand jury proceedings; and
3. This Court lacks jurisdiction over the alleged offense, which occurred entirely outside the Commonwealth of Massachusetts.

The grounds for the instant motion are set forth more fully in the accompanying Memorandum of Law and Affidavit of James L. Sultan (with Exhibits) filed herewith.

Respectfully submitted,

AARON HERNANDEZ

By his attorneys,



Charles W. Rankin, BBO #411780
James L. Sultan, BBO #488400
Rankin & Sultan
151 Merrimac Street, Second Floor
Boston, MA 02114-4717
(617) 720-0011

CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing document upon the Commonwealth by mailing a copy thereof to: Patrick M. Haggan, First Assistant District Attorney, Suffolk County, One Bulfinch Place, Boston, MA 02114-2997 on July 14, 2015.



Charles W. Rankin

COMMONWEALTH OF MASSACHUSETTS

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OF THE TRIAL COURT
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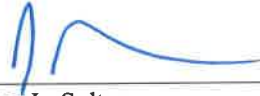
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James L. Sultan

CERTIFICATE OF SERVICE

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James L. Sultan