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BRISTOL, SS SUPERIOR COURT  
FILED  
APR - 6 2015  
MARC J. SANTOS, ESQ.  
CLERK/MAGISTRATE

COMMONWEALTH OF MASSACHUSETTS

BRISTOL, ss.

SUPERIOR COURT DEPARTMENT  
OF THE TRIAL COURT  
CRIMINAL #2013-983

COMMONWEALTH OF MASSACHUSETTS

v.

AARON HERNANDEZ

**DEFENDANT'S SECOND SUPPLEMENTAL REQUEST FOR JURY INSTRUCTIONS**

Defendant Aaron Hernandez requests that the Court instruct the jury as follows:

The fact that the prosecution is brought in the name of the Commonwealth entitles the prosecution to no greater consideration and no less consideration than any other litigant, since all parties are entitled to equal treatment before the law. The people of this Commonwealth always win when justice is done, regardless of whether the verdict is guilty or not guilty.

*(Excerpted from Instruction 2.120 of the Model Instructions for Use in the District Court, 2009 ed.).*


As grounds therefore, defendant notes that every single day, the Court Officer intones before the jury, pursuant to longstanding custom and tradition, the words: "God save the Commonwealth of Massachusetts." The requested instruction is necessary to obviate any suggestion that the Commonwealth, as a party to the case, enjoys some preferred or revered status.<sup>1</sup>

<sup>1</sup> For the same reason, the prosecutor should be prohibited from making any statement during closing argument which equates the Commonwealth as a party with "the people of Bristol County," "the people of the Commonwealth," or the members of the jury.

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 hand to:  
William McCauley on April 6, 2015.



Charles W. Rankin