

#108

COMMONWEALTH OF MASSACHUSETTS

BRISTOL, ss.

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

BRISTOL, SS SUPERIOR COURT
FILED

AUG 13 2014

COMMONWEALTH OF MASSACHUSETTS

MARC J. SANTOS, ESQ.
CLERK/MAGISTRATE

v.

AARON HERNANDEZ

**IDENTIFICATION OF HOME VIDEO SURVEILLANCE FILES
DEPICTING TROOPER CHERVEN**

The following paragraphs describe all instances where State Trooper Michael Cherven appears on the home surveillance footage from 22 Ronald C. Meyer Drive, North Attleboro during execution of the search warrant on June 18, 2013 that was recovered by the police during that same search and produced in discovery. All of the times given are the times displayed by the video software when playing each file rather than the timestamps displayed on the cameras because at least some of those timestamps appear to be set incorrectly.

I) File Name: 205_03_R_06182013070000PM

- ◆ 00:00:32 – 00:00:40
 - Trooper Cherven walks up the driveway and onto the walkway with other officers towards the front door of the residence with nothing in his hands
- ◆ 00:08:20 – 00:08:59
 - Trooper Cherven walks onto the driveway from the walkway after leaving the residence. He walks towards the white car parked at the top of the driveway and talks with multiple officers and a male in a red-striped shirt. He then walks down the driveway with another officer and the male in the red-striped shirt. He has nothing in his hands at any point.

II) File Name: 555_08_R_06182013070000PM

- ◆ 00:00:59 – 00:01:07
 - Trooper Cherven walks up the front steps and making his initial entry into the residence with nothing in his hands.
- ◆ 00:08:06 – 00:08:11
 - Trooper Cherven walks out of the front door of the residence and heads down the walkway towards the driveway with nothing in his hands.

III) File Name: 805_13_R_061820130700008PM

- Note: Unlike the other files, the footage here sometimes pauses and then jumps forward in small increments.

- ◆ 00:01:06 – 00:01:17
 - Trooper Cherven makes his initial entry into the residence through the front door with nothing in his hands. He walks through the foyer into the living room.
- ◆ 00:06:11 – 00:06:16
 - Trooper Cherven walks from the living room through the foyer into an area off-camera on the left with nothing in his hands.
- ◆ 00:06:59 – 00:07:58
 - Trooper Cherven walks into the foyer from an off-camera area on the left with nothing in his hands. He talks to other officers and Mr. Hernandez while in the foyer and then leaves through the front door.

IV) File Name: 861_14_R_06182013070004PM

- ◆ 00:01:25 – 00:06:21
 - Trooper Cherven comes into the living room with his hands in his pockets. He positions himself in the living room near the entranceway into the kitchen where he talks to other officers, a female occupant of the residence, and Mr. Hernandez. He briefly uses his own cell phone at one point, but otherwise he has nothing in his hands the entire time.

Respectfully submitted
The defendant Aaron Hernandez
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CERTIFICATE OF SERVICE

I hereby certify that I have served the foregoing document upon the Commonwealth by email and by mailing a copy thereof, US mail, postage prepaid, to William McCauley, Patrick Bomberg, and Roger Michel, Assistant District Attorneys, 888 Purchase St., New Bedford, MA 02740 on August 11, 2014.

A handwritten signature in cursive script, appearing to read 'Ch Rankin', written in black ink.

Charles W. Rankin