

#341.

COMMONWEALTH OF MASSACHUSETTS

BRISTOL, ss.

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

BRISTOL, SS SUPERIOR COURT
FILED
APR 21 2015
MARCO J. SANTOS, ESQ.
CLERK/MAGISTRATE

COMMONWEALTH OF MASSACHUSETTS

v.

AARON HERNANDEZ

*5/12/15
To Com Court
has 30 days to
file a response
G. Rankin*

**RENEWAL OF DEFENDANT'S MOTION FOR REQUIRED
FINDING OF NOT GUILTY ON COUNTS 1 AND 2 OR FOR OTHER RELIEF**

Aaron Hernandez, defendant in the above-captioned criminal case, pursuant to Mass.R. Crim.P. 25(b)(2), hereby renews his motion for a required finding of not guilty on Counts 1 and 2 filed at the conclusion of all the evidence or for other relief. Defendant seeks leave of Court to file a memorandum in support of said motion on or before May 7, 2015.

Respectfully submitted,

AARON HERNANDEZ

By his attorneys,

*6/25/15
See p. 2
for ruling.
G. Rankin*

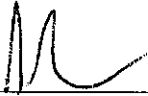
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4/21/15 Defendant's request to file supporting memorandum to his Renewed motion for Required Finding of Not Guilty is allowed and the memorandum shall be filed on or before May 7, 2015. (Judith Grant)

CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing document upon the Commonwealth by e-mail and First Class mail to: William McCauley, Assistant District Attorney, Bristol County, 888 Purchase Street, New Bedford, MA 02740 on April 17, 2015.



James L. Sultan

6/25/15

After review, the defendant's Renewed Motion for Required Finding of Not Guilty on Counts 1 and 2 or for Other Relief is denied. Considering the evidence in the light most favorable to the Commonwealth, the court finds that a rational jury could find that the Commonwealth proved every essential element of the crimes charged in counts 1 and 2 beyond a reasonable doubt. The jury's verdict that the defendant is guilty of murder in the first degree committed with extreme atrocity or cruelty and that he is guilty of unlawful possession of a firearm is supported by the evidence. Further, with respect to the murder charge, the court declines to exercise its discretion, pursuant to Mass. Rules Crim. P. 25(b)(2), to order the entry of a finding of guilty to murder in the second degree. The verdict rendered by the jury is consonant with justice.

James L. Sultan JSC