

BRISTOL, SS SUPERIOR COURT  
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FILED

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COMMONWEALTH OF MASSACHUSETTS

BRISTOL COUNTY, SS.  
CLERK/MAGISTRATE

SUPERIOR COURT

COMMONWEALTH OF MASSACHUSETTS,

Plaintiff,

v.

AARON HERNANDEZ,

Defendant.

CRIMINAL ACTION NO.  
BRCR-201300983

**GATEHOUSE MEDIA, LLC'S MOTION TO INTERVENE FOR THE  
LIMITED PURPOSE OF UNSEALING CERTAIN POST-TRIAL MOTIONS**

Pursuant to Rule 10 of the Massachusetts Uniform Rules on Impoundment Procedure, GateHouse Media, LLC, the parent company for the publishers of *The Providence Journal*, *The Patriot Ledger*, and *The Herald News* (collectively, the "Newspapers"), respectfully moves this Court to intervene in the above-captioned proceeding for the limited purpose of unsealing certain post-trial motions and supporting documents filed by Defendant Aaron Hernandez ("Defendant") in the above-captioned action on or around May 29, 2015 (the "Post-Trial Motions"). As grounds for this motion, GateHouse states as follows:

Upon information and belief, the Post-Trial Motions include, but are not necessarily limited to, pleadings associated with the following docket entries:

- Dkt. No. 363 – RESTRICTED INFORMATION – Defendant's Motion for Leave to File Accompanying Pleadings Respecting Post-Verdict Inquiry Under Seal ("Motion to Impound Motion To Seal");
- Dkt. No. 364 – RESTRICTED INFORMATION – Defendant's Motion for Post-Verdict Inquiry Respecting a Juror's Exposure to Significant Extraneous Matter and Related Issues;
- Dkt. No. 365 – RESTRICTED INFORMATION – Affidavit filed by Defendant Aaron J. Hernandez in support of Motion for Post-Verdict Inquiry

Respecting a Juror's Exposure to Significant Extraneous Matter and Related Issues;

- Dkt. No. 366 – RESTRICTED INFORMATION - Aaron J. Hernandez's Memorandum in support of Post-Verdict Inquiry Respecting a Juror's Exposure to Significant Extraneous Matter and Related Issues; and
- Dkt. No. 367 – RESTRICTED INFORMATION – Defendant's Motion to Authorize Issuance of Subpoena to Ascertain Source of Information Provided to Counsel.

Upon information and belief, the Post-Trial Motions were filed under seal by Defendant on or about May 29, 2015, and include a motion requesting that these documents remain under seal (the "Motion To Seal"). Since their filing, the Post-Trial Motions, including the Motion to Seal, have remained under seal and inaccessible to the press and public. The criminal investigation, trial, and post-trial proceedings involving Defendant, a former tight end for the New England Patriots, have generated significant public interest and concern among the Newspapers' readers, throughout the Commonwealth of Massachusetts, and on a national level. Upon information and belief, there is insufficient good cause and no compelling reason as required by the First Amendment to impound the Post-Trial Motions in their entirety in this proceeding.

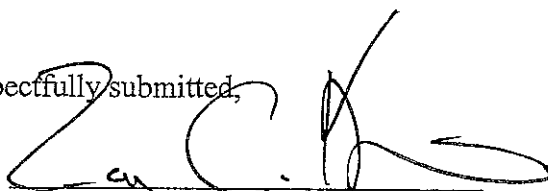
In support of this motion, the Newspapers incorporate herein and submit herewith the accompanying Memorandum of Law, the Affidavit of Emily C. Hannigan, Esq., and the Affidavit of Brian Fraga, a professional journalist and reporter for *The Herald News*.

**WHEREFORE**, GateHouse Media, LLC respectfully requests that Defendant Aaron Hernandez's Post-Trial Motions be unsealed.

Dated: June 5, 2015

Respectfully submitted,

By:



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COMMONWEALTH OF MASSACHUSETTS

BRISTOL COUNTY, ss.

SUPERIOR COURT

COMMONWEALTH OF MASSACHUSETTS,

Plaintiff,

v.

AARON HERNANDEZ,

Defendant.

CRIMINAL ACTION NO.  
BRCR-201300983

**GATEHOUSE MEDIA, LLC'S MEMORANDUM OF LAW  
IN SUPPORT OF ITS MOTION TO INTERVENE FOR THE  
LIMITED PURPOSE OF UNSEALING CERTAIN POST-TRIAL MOTIONS**

GateHouse Media, LLC ("GateHouse"), the publisher of several daily newspapers in the Boston-Providence metro area – including *The Providence Journal* (Providence, RI), *The Patriot Ledger* (Quincy, MA), and *The Herald News* (Fall River, MA) (collectively, the "Newspapers") – respectfully submits this memorandum of law in support of its motion (the "Motion") to unseal certain post-trial motions and supporting documents filed by Defendant Aaron Hernandez in the above-captioned proceeding on or around May 29, 2015 (the "Post-Trial Motions"). On information and belief, the Post-Trial Motions concern a request by Defendant Hernandez for inquiry into one or more juror(s)' exposure to extraneous matters during trial that may have prejudiced jury deliberations, as well as his request for a new trial on that basis. The First Amendment to the United States Constitution and established precedent mandate immediate public access to these judicial documents.

**PROCEDURAL AND FACTUAL BACKGROUND**

The pre-trial, trial, and post-trial proceedings of convicted murderer Aaron Hernandez received and continue to receive extensive press coverage by news organizations in the Boston

metropolitan area and across the nation. Indeed, *The Herald News* alone has published over 300 articles concerning all phases of the Commonwealth's investigation into, and prosecution of, Hernandez, as well as post-trial proceedings. (Fraga Aff. ¶ 5.)<sup>1</sup> Copious information rightfully exists in the public domain concerning the trial and verdict in the above-captioned proceedings, as a result of both Hernandez's status as a public figure and the transparency of the judicial process guaranteed by the United States Constitution and the common law of Massachusetts. (*Id.* at ¶¶ 5-8.)

On information and belief, however, attorneys for Hernandez filed the Post-Trial Motions under seal and inaccessible to the public on May 29, 2015. (Hannigan Aff. ¶ 2.)<sup>2</sup> In addition, the motion filed by defense attorneys requesting that these documents remain under seal (the "Motion To Seal") is similarly inaccessible by the public. (*Id.* at ¶ 5.) On June 2, 2015, a messenger sent by attorneys for GateHouse attempted to obtain copies of the Motion To Seal from the Clerk's Office at the Bristol County Superior Court in Fall River, but was told that the Court would not release that motion until the underlying Post-Trial Motions were ruled upon. (*Id.*) Moreover, an attorney for Hernandez refused to provide a copy of the Motion To Seal, and declined to confirm or deny that it had been filed. (*Id.* at ¶ 4.) In fact, the only publicly available information concerning the Post-Trial Motions is contained in five entries on the docket report. These entries reflect only that the Post-Trial Motions concern a juror's exposure to "significant extraneous matter:"

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<sup>1</sup> "Fraga Aff." refers to the Affidavit Of Reporter Brian Fraga In Support Of GateHouse Media LLC's Motion To Intervene For The Limited Purpose Of Unsealing Certain Post-Trial Motions dated June 5, 2015, submitted simultaneously herewith.

<sup>2</sup> "Hannigan Aff." refers to the Affidavit Of Emily C. Hannigan In Support Of GateHouse Media LLC's Motion To Intervene For The Limited Purpose Of Unsealing Certain Post-Trial Motions dated June 5, 2015, submitted simultaneously herewith.

- Dkt. No. 363 – RESTRICTED INFORMATION – Defendant’s Motion for Leave to File Accompanying Pleadings Respecting Post-Verdict Inquiry Under Seal (“Motion to Impound Motion To Seal”);
- Dkt. No. 364 – RESTRICTED INFORMATION – Defendant’s Motion for Post-Verdict Inquiry Respecting a Juror’s Exposure to Significant Extraneous Matter and Related Issues;
- Dkt. No. 365 – RESTRICTED INFORMATION – Affidavit filed by Defendant Aaron J. Hernandez in support of Motion for Post-Verdict Inquiry Respecting a Juror’s Exposure to Significant Extraneous Matter and Related Issues;
- Dkt. No. 366 – RESTRICTED INFORMATION – Aaron J. Hernandez’s Memorandum in support of Post-Verdict Inquiry Respecting a Juror’s Exposure to Significant Extraneous Matter and Related Issues; and
- Dkt. No. 367 – RESTRICTED INFORMATION – Defendant’s Motion to Authorize Issuance of Subpoena to Ascertain Source of Information Provided to Counsel.

(*Id.* at ¶ 10.) The basis for these documents being shielded from the public’s right of access remains unknown and unavailable.

### SUMMARY OF ARGUMENT

*“People in an open society do not demand infallibility from their institutions, but it is difficult for them to accept what they are prohibited from observing.” Richmond Newspapers, Inc. v. Virginia, 448 U.S. 555, 572 (1980).*

At the heart of this Motion is the public’s presumptive right of access to the judicial process in this Commonwealth and the records relevant thereto, and its corresponding right to be fully and fairly informed about matters of significant public interest guaranteed by the First Amendment. As Justice Holmes observed more than a century ago, “[i]t is desirable that Judicial proceedings] should take place under the public eye . . . because it is of the highest moment that those who administer justice should always act under the sense of public responsibility, and that every citizen should be able to satisfy himself with his own eyes as to the mode in which a public duty is performed.” *Cowley v. Pulsifer*, 137 Mass. 392, 394 (1884). The press’s ability to keep the public informed is premised in large part on open access to the court system, and on its

ability to examine and report on judicial documents. The Court's sealing of the Post-Trial Motions (and Motion To Seal) challenged here would deny that access in violation of the First Amendment and Massachusetts common law, and will impede the press from carrying out its important responsibility of reporting fully and accurately on a newsworthy matter of legitimate public concern – *i.e.*, the possibility that a juror during the Hernandez trial was exposed to prejudicial extraneous information that may have influenced the jury's deliberation process, and the defense's argument that Hernandez may be entitled to a new trial as a result.

An unconstitutional ban on public access to post-trial filings that are, in the ordinary course, publicly-filed and publicly-available inevitably reduces the trust and respect fostered by an open judicial process, particularly in a high profile and closely watched case such as this. Such a ban would also be antithetical to virtually everything that the U.S. Supreme Court and the Supreme Judicial Court of Massachusetts ("SJC") have ever said about the values of open judicial proceedings and the correlative rights of public access thereto. If the people in Bristol County, throughout Massachusetts, and across the country are prohibited from understanding the Court's decision-making relative to the underlying arguments concerning the sanctity of jury deliberations, the Court's authority and the credibility of the jury process are likely to be diminished. Indeed, the most sacred tenet of our judicial system consists of the jury process and the right to trial by a fair and impartial jury. The standards governing the right to public access of judicial proceedings should be assiduously applied and construed in a fashion that takes into account the important constitutional implications under the circumstances of this case.

Accordingly, and on behalf of the readers it serves, GateHouse respectfully requests that this Court unseal and grant immediate public access to the Post-Trial Motions and Motion To Seal. The public interest in these motions is pervasive. No reason exists as to why these motions

should remain under seal away from the press or the public it serves, and no compelling reason or good cause warrants their ongoing concealment. The First Amendment and established common law requirements mandate their immediate disclosure.

## ARGUMENT

### **I. GATEHOUSE HAS STANDING TO SEEK TERMINATION OF THE ORDER SEALING THE POST-TRIAL MOTIONS**

Through this motion, GateHouse seeks to vindicate the public's historic right to access judicial documents and proceedings as a matter of federal and state constitutional and common law. That right of access is an affirmative, enforceable right, and the standing of the press to enforce it is well settled. See *O'Connell v. George W. Prescott Publ'g Co.*, 463 Mass. 258, 260 (2012) (press permitted to intervene to seek termination of impoundment order); *Ottaway Newspapers, Inc. v. Appeals Court*, 372 Mass. 539, 551 (1977) (holding that "a publisher has standing to maintain a suit to vacate an impoundment order entered in a separate action"); *The Boston Herald, Inc. v. Sharpe*, 432 Mass. 593 (2000) (press permitted to intervene to seek termination of impound orders).

The SJC has recognized a motion to intervene "in the court that issued the order of impoundment" at issue as the procedurally proper device for purposes of protecting the public's right of access in an ongoing criminal proceeding. *The Republican Co. v. Appeals Court*, 442 Mass. 218, 227 n.14 (2004); *O'Connell*, 463 Mass. at 261 (noting that publisher intervened in criminal proceeding for purpose of contesting the impoundment order and that "[w]e indorsed this procedure in *Republican Co.* . . ."). Accordingly, GateHouse has standing to bring this motion for the limited purpose of urging the Court to deny any attempts to seal the Post-Trial Motions.



## II. THE SEALING OF THE POST-TRIAL MOTIONS VIOLATES THE PUBLIC'S RIGHT OF ACCESS GUARANTEED BY THE FIRST AMENDMENT AND COMMON LAW

### A. The Public Has A Right Of Access To Judicial Documents, Including The Post-Trial Motions.

The First Amendment provides an affirmative right of public access to virtually all judicial proceedings involved in a criminal prosecution. *See, e.g., Richmond Newspapers v. Virginia*, 448 U.S. 555, 580-81 (1980) (recognizing a constitutional right of access to criminal trials); *Press-Enter. Co. v. Super. Ct.*, 478 U.S. 1, 13 (1986) ("*Press-Enterprise II*") (recognizing constitutional right of access to pretrial proceedings). The right exists because public access is critical to the successful functioning of the justice system. In criminal proceedings, openness "enhances both the basic fairness of the criminal trial and the appearance of fairness so essential to public confidence in the system." *Press-Enter. Co. v. Super. Ct.*, 464 U.S. 501, 508 (1984) ("*Press-Enterprise I*"). This is so because "[p]ublic confidence cannot long be maintained where important judicial decisions are made behind closed doors and then announced in conclusive terms to the public, with the record supporting the court's decision sealed from public view." *Gannett Co., Inc. v. DePasquale*, 443 U.S. 368, 429 (1979) (Blackmun, J., dissenting in part) (citation omitted); *see also Nebraska Press Ass'n v. Stuart*, 427 U.S. 539, 587 (1976) (Brennan, J., concurring) ("[s]ecrecy of judicial action can only breed ignorance and distrust of courts and suspicion concerning the competence and impartiality of judges").

The First Amendment "presumes that there is a right of access to . . . documents which have 'historically been open to the public' and where the disclosure of which would serve a significant role in the functioning of the process in question." *Grove Fresh Distributors, Inc. v. Everfresh Juice Co.*, 24 F.3d 893, 897 (7th Cir. 1994). The U.S. Supreme Court has also stressed that other "crucial prophylactic aspects of the administration of justice cannot function in the

dark; no community catharsis can occur if justice is ‘done in a corner [or] in any covert manner.’” *Richmond Newspapers*, 448 U.S. at 571 (citation omitted). None of these goals can be achieved without public access to the records submitted to judges for the performance of their official functions. *Id.* Moreover, in order to “reconcil[e] the press’s rights with the time constraints facing the trial courts,” the party seeking impoundment (here, Hernandez) bears the burden of “item[izing] for the court’s approval which [of] [the] documents” he has filed as part of the court record can satisfy the rigorous constitutional requirements necessary to justify the extraordinary measure of sealing. *Grove Fresh Distributors, Inc.*, 24 F.3d at 898; *Associated Press v. United States Dist. Ct.*, 705 F.2d 1143, 1147 (9th Cir. 1983) (“the normal procedure” is to request “the sealing of specific documents on an item-by-item basis”).

Like the U.S. Supreme Court, the SJC has repeatedly emphasized the importance of access to court records to promote both the public’s interest in monitoring the functioning of the courts and the integrity of the judiciary. *See Commonwealth v. Silva*, 448 Mass. 701, 706-07 (2007) (“Massachusetts has long recognized a common-law right of public access to judicial records.”); *The Republican Co.*, 442 Mass. at 223 (“the power to deny public access to judicial records is to be strictly construed in favor of the general principle of publicity”) (citations and quotations omitted); *accord*, *The Supreme Judicial Court Guidelines on the Public’s Right of Access to Judicial Proceedings and Records* (2000) (“Judicial proceedings should not be shrouded in secrecy. Access fosters informed public discussion of governmental affairs.”). As noted in *Boston Herald*, “[t]he presumption of access facilitates ‘the citizen’s desire to keep a watchful eye on the workings of public agencies,’ permits the media to ‘publish information concerning the operation of government,’ and supports the public’s right to know ‘whether

public servants are carrying out their duties in an efficient and law-abiding manner.” 432 Mass. at 606 (internal citations omitted).

This presumptive right includes post-trial documents, as “the public has a right of access to a hearing on a motion for a new trial and to any similar postconviction proceeding.” *Globe Newspaper Co. v. Commonwealth*, 407 Mass. 879, 884 (1990), citing *CBS, Inc. v. United States Dist. Court*, 765 F.2d 823, 825 (9th Cir. 1985). Moreover, the public’s right of access to postconviction proceedings includes matters concerning extraneous prejudicial influences on jurors. *Id.* at 884 (reversing trial court’s decision barring public access to hearings involving extraneous remarks made by court officer that may have prejudicially influenced the jury). Indeed, as the Ninth Circuit has observed:

We find no principled basis for affording greater confidentiality to post-trial documents and proceedings than is given to pretrial matters. The primary justifications for access to criminal proceedings, first that criminal trials historically have been open to the press and to the public, and, second, that access to criminal trials plays a significant role in the functioning of the judicial process and the governmental system, apply with as much force to post-conviction proceedings as to the trial itself.

*CBS, Inc.*, 765 F.2d at 825 (citation omitted).

Here, the wholesale sealing of the Post-Trial Motions and Motion To Seal would effectively negate the public’s presumptive rights of public access to judicial documents.

**B. The Sealing Of The Post-Trial Motions Violates  
The Public’s Right To *Contemporaneous* Access.**

The U.S. Constitution’s public access right is a right of access *contemporaneous* with the judicial process. See, e.g., *Doe v. Pub. Citizen*, 749 F.3d 246, 272 (4th Cir. 2014) (underscoring the right of contemporaneous access); *In re Charlotte Observer*, 882 F.2d 850, 853 (4th Cir. 1989) (recognizing a right to immediate access to ongoing proceedings). Even a “minimal delay” harms “the value of ‘openness’ itself, . . . whatever provision is made for later

public disclosure.” *In re Charlotte Observer*, 882 F.2d at 856. It is a “misapprehension and undervaluation of the core first amendment value at stake” to postpone even briefly public access to judicial records. *Id.*; see also *Matter of Continental Illinois Sec. Litig.*, 732 F.2d 1302, 1310 (7th Cir. 1984) (“the presumption of access normally involves a right of *contemporaneous* access: disclosure of the contents of the Report would have been proper at the time the motion was still pending”) (emphasis in original); *Republic of the Philippines v. Westinghouse Elec. Corp.*, 949 F.2d 653, 664 (3d Cir. 1991) (“the public interest encompasses the public’s ability to make a contemporaneous review of the basis of an important decision of the district court”) (emphasis added).

In addition, infringement of the constitutionally guaranteed right of free expression, “for even minimal periods of time, unquestionably constitutes irreparable injury.” *Elrod v. Burns*, 427 U.S. 347, 373 (1976). See also *Nebraska Press Ass’n v. Stuart*, 423 U.S. 1327, 1329 (1975) (“any First Amendment infringement that occurs with each passing day is irreparable”); *Bery v. City of New York*, 97 F.3d 689, 693-94 (2d Cir. 1996); *Associated Press v. U.S. Dist. Ct.*, 705 F.2d at 1147 (footnote omitted) (“It is irrelevant that some of these pretrial documents might only be under seal for, at a minimum, 48 hours under the [court’s] order. The effect of the order is a total restraint on the public’s first amendment right of access even though the restraint is limited in time.”).

The temporal guarantees of the right of access are crucial in this context. If reporters from the Newspapers continue to be denied access with respect to their newsgathering and reporting on Hernandez’s post-trial motions, the Newspapers’ (and the public’s) constitutional “communication of news and commentary on *current* events” will be impaired. *Nebraska Press Ass’n v. Stuart*, 427 U.S. at 561 (emphasis added) (“the element of time is not unimportant if

press coverage is to fulfill its traditional function of bringing news to the public promptly”); *United States v. Dickinson*, 465 F.2d 496, 512 (5th Cir. 1972) (“[t]imeliness of publication is the hallmark of ‘news,’ and the difference between ‘news’ and ‘history’ is merely a matter of hours”). Courts have accordingly emphasized the value of *contemporaneous* access to judicial records in order that the value and utility of public oversight of the judicial process is preserved.

As the Seventh Circuit has cogently observed:

In light of the values which the presumption of access endeavors to promote, a necessary corollary to the presumption is that once found to be appropriate, access should be immediate and contemporaneous. The newsworthiness of a particular story is often fleeting. To delay or postpone disclosure undermines the benefit of public scrutiny and may have the same result as complete suppression.

*Grove Fresh Distributors*, 24 F.3d at 897 (citations omitted).

Here, the public’s constitutional right to contemporaneous access to the Post-Trial Motions has unquestionably been violated. Hernandez, through his attorneys, filed the Post-Trial Motions on May 29, 2015 – 14 days before the currently scheduled hearing date with respect to Defendant’s Motion To Seal on June 12, 2015. All related documents (Docket Entries 363-367, which includes the Motion To Seal) remain impounded “pending” the Court’s decision after the June 12 hearing. As the case law makes clear, public access to judicial records like the Post-Trial Motions and Motion To Seal should not be contingent upon the Court’s hearing calendar. “[R]elevant documents which are submitted to, and accepted by, a court of competent jurisdiction in the course of adjudicatory proceedings become documents to which the presumption of public access applies,’ a framing that has nothing to do with how a court ultimately comes out on a motion.” *Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110, 122 (2d Cir. 2006) (internal citations omitted). Because delaying the Newspapers’ access to these

judicial records by at least two weeks violates the public's constitutional right to contemporaneous access, the Post-Trial Motions should be unsealed forthwith.

**C. Strict Standards Must Be Satisfied To Justify The Drastic Remedy Of Sealing Judicial Documents, Which Cannot Be Met Here.**

Given the importance of contemporaneous public access, the U.S. Supreme Court and the SJC have established strict standards governing any limitation of the access right. It encompasses four distinct factors, none of which compels the wholesale sealing of the Post-Trial Motions or Motion To Seal here:

**1. Substantial Probability Of Prejudice To A Compelling Interest.**

The party seeking to overcome the right of access must demonstrate a *substantial probability* that allowing public access is likely to prejudice a compelling interest. *See, e.g., Richmond Newspapers*, 448 U.S. at 581; *Press-Enterprise I*, 464 U.S. at 510; *Press-Enterprise II*, 478 U.S. at 13-14; *ABC, Inc. v. Stewart*, 360 F.3d 90, 100 (2d Cir. 2004). In *Press-Enterprise I*, the Supreme Court stressed that a denial of public access is permissible only when “essential to preserve higher values.” 464 U.S. at 510; *Globe Newspaper Co.*, 407 Mass. at 884. In *Press-Enterprise II*, the Supreme Court found a “reasonable likelihood” standard insufficiently protective of the presumptive access right. 478 U.S. at 14.

The SJC has similarly found that a court must determine “whether ‘good cause’ to order impoundment exists and must tailor the scope of the impoundment order so that it does not exceed the need for impoundment.”<sup>3</sup> *H.S. Gere & Sons, Inc. v. Frey*, 400 Mass. 326, 329 (1987)

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<sup>3</sup> The SJC has established that the controlling legal standard for public access under the First Amendment is “essentially the same” as the “good cause” standard required under Massachusetts common law. *See Silva*, 448 Mass. at 707 (2007) (quoting *The Republican Co.*, 442 Mass. at 223 n.8); *Globe Newspaper Co. v. Clerk of Suffolk County Sup. Ct.*, No. 01-5588, 2002 WL 202464, at \*4 (Mass. Super. Ct. Feb. 4, 2002) (Gants, J.) (finding that “the meaning of ‘good cause’ must reflect the constitutional rights at stake in closing court

(internal citations omitted); *The Republican Co.*, 442 Mass. at 223-24; *O'Connell*, 463 Mass. at 264. When the allegations of an extraneous prejudicial influence on a juror are documented and a formal hearing is called for (as is the case here), the SJC has stated that the “the proceeding assumes such a similarity to consideration of a motion for a new trial that *the proceeding should be open to the public, barring some substantial reason for closing.*” *Globe Newspaper Co.*, 407 Mass. at 889 (emphasis added).

To determine whether good cause is shown, the court must balance the rights of the parties based on the particular facts of each case. *Commonwealth v. George W. Prescott Publ. Co.*, 463 Mass. at 263; *The Republican Co.*, 442 Mass. at 223. In performing this analysis, the court “must take into account all relevant factors, including, but not limited to, the nature of the parties and the controversy, the type of information and the privacy interests involved, the extent of community interest, and the reason for the request.” *The Republican Co.*, 442 Mass. at 223 (internal quotations omitted). The first “good cause” factor, “the nature of the parties and controversy,” “focuses on whether the information is of legitimate concern to the public.” *Globe Newspaper Co., Inc.*, 2002 WL 202464, at \*6 (internal citations omitted). The information may be of legitimate public concern because a party is a public official, or because the controversy involves an issue meriting public examination. *Id.* The “burden of demonstrating the existence of good cause always remains” with the party urging the ongoing impoundment of judicial documents – in this case, Hernandez. See *The Republican Co.*, 442 Mass. at 225.

Here, no “good cause” or “substantial probability” of prejudice outweighs the public’s right of access to the Post-Trial Motions and Motion To Seal:

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records to the public, and the strict standard that must be met to override those constitutional rights”).

First, the sealed documents involve the trial and verdict of a prominent professional athlete and former star tight end for the New England Patriots. Hernandez is a public person, whose exploits and activities both on and off the field have been followed closely not only by the Newspapers' readers, but by citizens across Massachusetts and the nation. Although Hernandez is not a public official, he certainly qualifies as a public figure under traditional legal concepts. Accordingly, the public has a substantial interest in any materials that may weigh into whether Hernandez received a fair trial by a jury free from extraneous prejudicial influence.

Second, the weight of the presumption for public access to the Post-Trial Motions is especially strong because these documents directly bear on the partiality and potential misconduct of jurors in a high-profile and closely watched trial. In Massachusetts, "the taking of an unauthorized view by one or more jurors has long been considered an extraneous matter. . . and one which is of a 'very serious' nature." *Commonwealth v. Philyaw*, 55 Mass. App. Ct. 730, 737 (2002) (internal citations omitted). Although "[l]itigants are entitled to a decision on the evidence at trial, governed by the rules of evidence," and, "[w]hile the jury may leaven its deliberations with its wisdom and experience, in doing so it must not bring extra *facts* into the jury room." *Id.* (emphasis in original; internal citations omitted). Although the documents are sealed, and therefore it is not known what they contain, the titles indicate that they involve a juror's exposure to "significant extraneous matter." The public's right of access to materials that may call into question the fairness and integrity of the jury process in a highly publicized trial of a public figure is paramount. Indeed, the ability of the public to make its own assessment of a juror's exposure to "significant extraneous matter" and how that may affect the fairness and impartiality of jury deliberations depends upon access to judicial documents concerning that issue. It is well-settled that "[a]n impartial jury [is] the cornerstone of a fair trial; '[t]he failure to



grant a defendant a fair hearing before an impartial jury violates even minimal standards of due process.” *Commonwealth v. Amirault*, 399 Mass. 617, 624 (1987) (citing *Commonwealth v. Susi*, 394 Mass. 784, 786, 477 N.E.2d 995 (1985)).

Third, although the Post-Trial Motions are sealed and it is therefore impossible to ascertain the basis for Hernandez’s request to seal, there is certain conduct and information that courts have found does not warrant restrictions on the right of public access. In *Globe Newspaper Co. v. Commonwealth*, the SJC refused to close a hearing where a court officer would testify concerning his role in exposing jurors to extraneous influences on the basis that any appearance that the court was concealing a judicial officer’s misconduct “could harm the administration of justice.” 407 Mass. at 885. In *Globe Newspaper Co. v. Clerk of Suffolk County Superior Court*, the court found “the mere potential for ‘embarrassment’ or the ‘fear of unjustified adverse publicity’” did not constitute good cause sufficient to impound court records. 2002 WL 202464, at \*5. And lastly, in *Commonwealth v. Fujita*, the court found that the names of empanelled jurors who have rendered a verdict in a criminal case must be made available to the public in the same manner as other court records, unless good cause for withholding can be shown. 470 Mass. 484, 486 (2015). Accordingly, the disclosure of this type of information cannot provide the basis for restricting the public right of access here.

## **2. No Alternative Will Adequately Protect The Threatened Interest.**

To the extent that a court is considering sealing judicial records involving claims of extraneous prejudicial influence on a jury, it must evaluate whether the goal of protecting certain information can be achieved through less restrictive alternatives to wholesale sealing, including disclosure with appropriate redactions. *Globe Newspaper Co.*, 407 Mass. at 886-87, 889. Indeed, a “trial judge must consider alternatives and reach a reasoned conclusion that closure is a preferable course to follow to safeguard the interests at issue.” *In re Application of The Herald*

*Co. v. Klepfer*, 734 F.2d 93, 100 (2d Cir. 1984); *see also, e.g., Press-Enterprise II*, 478 U.S. at 13-14; *Doe*, 63 F.3d at 128; *United States v. Brooklier*, 685 F.2d 1162, 1167 (9th Cir. 1982); *United States v. Corbitt*, 879 F.2d 224, 228 (7th Cir. 1989) (“[T]he public’s right to inspect judicial records may not be evaded by a wholesale sealing of court papers . . . the district court must be sensitive to the rights of the public in determining whether any particular document, or class of documents, is appropriately filed under seal.”).

Here, as even a cursory review of the record reveals, the challenged sealing is impermissibly overbroad. The Post-Trial Motions, as well as the Motion To Seal, have been withheld from public access in their entirety. In the event of a determination that the Post-Trial Motions contain (presumably limited) information not properly subject to disclosure, the court is constitutionally required to consider the redaction of such information as an alternative to the wholesale sealing engaged in here. *See Foltz v. State Farm Mut. Auto Ins. Co.*, 331 F.3d 1122, 1137 (9th Cir. 2003); *Matter of New York Times Co. v. Biaggi*, 828 F.2d 110, 116 (2d Cir. 1987) (redaction of suppression motion papers, “as opposed to wholesale sealing,” is required); *United States v. Amodeo*, 44 F.3d 141, 147 (2d Cir. 1995) (“[I]t is proper for a district court, after weighing competing interests, to edit and redact a judicial document in order to allow access to appropriate portions of the document.”).

In this case, less restrictive means other than wholesale sealing are available. The Court could release the Post-Trial Motions with any sensitive portions redacted. The Court could also release some of the Post-Trial Motions, or the underlying Motion To Seal, while other Motions remain sealed (if sufficient reasons legally justifying their impoundment exist). Notably, however, the SJC pointedly observed in *Globe Newspaper*, which involved (as here) a juror’s alleged exposure to extraneous matter during trial that may have prejudiced the jury’s

deliberations, that “protection of the reputation of some person who acted improperly would not justify redaction.” *Globe Newspaper Co.*, 407 Mass. at 887.

3. **Any Access Restriction Must Be Narrowly Tailored.**

Where no adequate alternative to sealing exists, any limitation imposed on public access must be *no broader than necessary* to protect the threatened interest. See, e.g., *Press-Enterprise II*, 478 U.S. at 13-14; *Lugosch*, 435 F.3d at 124; *ABC, Inc.*, 360 F.3d at 104; *In re New York Times Co.*, 828 F.2d at 116. If a more narrowly tailored means of protecting the interest is available, such as making documents public in redacted form, the narrower restriction must be employed to limit any impact – in both time and scope – on the public’s access rights. See *Press-Enterprise I*, 464 U.S. at 510. The constitutional obligation to limit narrowly the right of access requires a specific determination of whether the information presented warrants the extraordinary (and disfavored) remedy of sealing. *Associated Press*, 705 F.2d at 1147.

Here, in contrast, no publicly accessible documents reveal any consideration of less draconian methods of protecting whatever confidentiality interests may be asserted by the parties. The wholesale impoundment of the Post-Trial Motions and Motion To Seal at issue does not take account of the requirement that any limitation on public access must be “narrowly tailored.” *Boston Herald v. Sharpe*, 432 Mass. at 605 (“a judge is required to tailor the scope of the impoundment order so that it does not exceed the need for impoundment.”) This situation is therefore the diametric opposite of the requisite “narrow tailoring” of restraints on freedom of the press.

4. **The Restriction Will Be Effective.**

Finally, any order limiting access must be *effective* in protecting the threatened interest for which the limitation is imposed. As articulated in *Press-Enterprise II*, 478 U.S. at 14, the party seeking secrecy must demonstrate “that closure would prevent” the harm sought to be

avoided. See *In re Herald*, 734 F.2d at 101 (closure order cannot stand if “the information sought to be kept confidential has already been given sufficient public exposure”); *Associated Press v. U.S. Dist. Ct.*, 705 F.2d at 1146 (there must be “a substantial probability that closure will be effective in protecting against the perceived harm” (citation omitted)).

While not always broken out as a distinct element of the analysis, the need to demonstrate the effectiveness of any limitation on access is implicit in the requirements that a restriction of access must be “essential to preserve ‘higher values.’” *ABC, Inc.*, 360 F.3d at 100 (quoting *Press-Enterprise I*, 464 U.S. at 510; emphasis added), and must be “narrowly tailored to achieve that aim.” *Lugosch*, 435 F.3d at 124 (emphasis added; internal citations omitted). The “effectiveness” requirement follows from the need to ensure that First Amendment rights are not restricted for a futile reason. See, e.g., *Nebraska Press Ass’n v. Stuart*, 427 U.S. 539, 565-67 (1976) (citing the lack of “probable efficacy” of a prior restraint as one of three dispositive factors requiring its reversal).

Here, the purported justification for sealing the Post-Trial Motions is itself under seal. Accordingly, whether the continued sealing would be effective in protecting whatever harm Hernandez seeks to avoid by disclosure cannot be ascertained.<sup>4</sup> In any event, it is unlikely that the wholesale sealing of the Post-Trial Motion is “narrowly tailored” to achieve that aim.

### **III. TO THE EXTENT THE COURT ORDERS THE POST-TRIAL MOTIONS TO REMAIN SEALED, IT MUST ISSUE “SPECIFIC FACTUAL FINDINGS”**

If this Court determines that an “overriding interest” justifies the sealing of the Post-Trial Motions, it must “articulate this interest ‘along with findings specific enough that a reviewing

---

<sup>4</sup> In light of the wholesale sealing of the Post-Trial Motions and supporting documents (docket entries 363 to 367), GateHouse reserves its right to supplement its moving papers and supporting memorandum of law at any time as additional information becomes available or is unsealed by the Court.

court can determine whether the closure was properly entered.” *Phoenix Newspapers, Inc.*, 156 F.3d 940, 949 (9th Cir. 1998) (quoting *Press Enterprise II*, 478 U.S. at 9-10). Sealing may only be ordered “if specific findings are made demonstrating that ‘first, there is a substantial probability that the defendant’s right to a fair trial will be prejudiced by publicity that closure would prevent and, second, reasonable alternatives to closure cannot adequately protect the defendant’s fair trial rights.’” *Id.* (citing *Press Enterprise II*, 478 U.S. at 14). A court ordering closure “must make specific factual findings rather than basing its decision on conclusory assertions alone.” *Id.*

In *Phoenix Newspapers*, the Ninth Circuit found that the lower court met neither the procedural nor substantive requirements of the First Amendment when it sealed the transcript of a post-trial hearing. *Id.* at 949-51. The court found the lower court committed reversible constitutional error because it issued a only “conclusory order,” neglected to make factual findings, did not articulate the “compelling interest” justifying closure, and failed to establish the absence of alternatives to closure. *Id.* Here, if the Court continues to impound the Post-Trial Motions, it must issue the requisite on-the-record findings explaining the denial of public access. *See Globe Newspaper, Inc.*, 407 Mass. 885 (holding that, in a case of extraneous influence in a jury, that “once a decision is made that an evidentiary hearing is to be held . . . the public is entitled to be present in the absence of a ruling based on detailed findings of fact, that confidentiality is warranted in the public interest.”).

### CONCLUSION

Based on the foregoing reasons, GateHouse Media, LLC’s Motion To Intervene For The Limited Purpose Of Unsealing Certain Post-Trial Motions should be granted in its entirety.

Dated: June 5, 2015

**CERTIFICATE OF SERVICE**

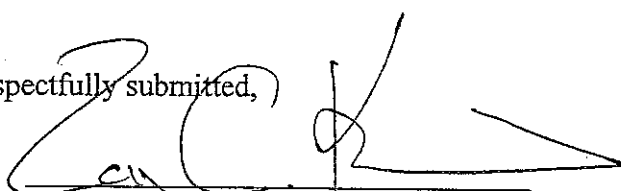
I hereby certify that a true copy of the  
above document was served upon the  
attorney of record for each other party  
by mail and on 6/5/15

Zachary C. Kleinsasser

ALB 1863132v2

Respectfully submitted,

By:

  
Michael J. Grygiel (Application for  
admission *pro hac vice* forthcoming)  
Zachary C. Kleinsasser (BBO # 664291)  
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*Attorneys for GateHouse Media, LLC*

COMMONWEALTH OF MASSACHUSETTS

BRISTOL COUNTY, ss.

SUPERIOR COURT

COMMONWEALTH OF MASSACHUSETTS, )

Plaintiff, )

v. )

AARON HERNANDEZ, )

Defendant. )

CRIMINAL ACTION NO.  
BRCR-201300983

**AFFIDAVIT OF EMILY C. HANNIGAN IN SUPPORT OF GATEHOUSE MEDIA,  
LLC'S MOTION TO INTERVENE FOR THE LIMITED PURPOSE  
OF TERMINATING ORDERS SEALING CERTAIN POST-TRIAL MOTIONS**

I, EMILY C. HANNIGAN, hereby depose and state as follows:

1. I am an attorney licensed to practice law in the Commonwealth of Massachusetts.

I am an associate of the law firm Greenberg Traurig, LLP ("GT"), which represents GateHouse Media, LLC ("GateHouse"), publisher of *The Providence Journal* (Providence RI), *The Patriot Ledger* (Quincy MA) and *The Herald News* (Fall River MA), in connection with the above-captioned proceeding. Except where stated upon information and belief, I have personal knowledge of the following facts and would competently testify thereto if necessary. I am submitting this Affidavit in support of GateHouse's Motion to Intervene For The Limited Purpose Of Terminating Orders Sealing Certain Post-Trial Motions.

2. Upon information and belief, on or about May 29, 2015, Defendant Aaron Hernandez ("Defendant") filed one or more post-trial motions (the "Post-Trial Motions") in the above-captioned action, including a motion requesting that the Post-Trial Motions be maintained under seal.

3. On June 2, 2015, I reviewed an article titled “Hernandez defense lawyers submit filings on juror ‘exposure,’ might seek new trial” and published by Boston.com (available at <http://www.boston.com/news/local/massachusetts/2015/06/02/herandez-defense-lawyers-submit-filings-concerning-juror-exposure/pFQ80e4YGNWKCeEbp4SBO/story.html> (last visited June 5, 2015)) (the “June 2, 2015, Article”). The June 2, 2015, Article states that one of the sealed documents is titled “Defense motion for post-verdict inquiry respecting a juror’s exposure to significant extraneous matter and related issues” and that “[a]nother motion seeks ‘to authorize the issuance of a subpoena to ascertain the source of the information provided to council’” [sic]. The June 2, 2015, Article is attached hereto as **Exhibit A**.

4. On June 2, 2015, GT requested a copy of the Post-Trial Motions from defense counsel. Defense counsel refused to provide a copy of the motion to seal, and declined to confirm or deny that the Post-Trial Motions had been filed.

5. Thereafter, on June 2, 2015, GT engaged Beacon Hill Research, Inc. (“Beacon Hill”) to obtain a copy of the Post-Trial Motions from the Court. A messenger for Beacon Hill appeared at the Criminal Clerk’s Office at the Bristol County Superior Court. An employee for the Clerk’s Office informed him that, although a motion to seal had been filed on May 29, 2015, the motion to seal and certain other Post-Trial Motions would not be publicly available until the Court issued a ruling.

6. On June 4, 2015, I reviewed an article titled “Hearing set on request of Aaron Hernandez’s lawyer about juror in ex-Patriot’s murder trial” and published by *The Sun Chronicle* (available at [http://www.thesunchronicle.com/news/local\\_news/hearing-set-on-request-of-aaron-hernandez-s-lawyer-about/article\\_309537e7-af55-530d-80ab-394960981f05.html](http://www.thesunchronicle.com/news/local_news/hearing-set-on-request-of-aaron-hernandez-s-lawyer-about/article_309537e7-af55-530d-80ab-394960981f05.html) (last visited June 5, 2015)) (the “June 4, 2015, Article”). The June 4, 2015, Article states that at least one



Post-Trial Motion filed by Hernandez's counsel was unsealed on Wednesday, June 3. The June 4, 2015, Article is attached hereto as **Exhibit B**.

7. On June 4, 2015, GT again sent a messenger from Beacon Hill to attempt to obtain copies of the Post-Trial Motions from the Court. The messenger appeared at the Criminal Clerk's Office at the Bristol County Superior Court. An employee for the Clerk's office informed him that the pleadings associated with docket entry numbers 363 through 367 in the above-captioned action remain under seal and will not be available to the public unless and until the Court determines whether to impound the pleadings, but, in any event, no earlier than the conclusion of the hearing scheduled for June 12, 2015. The messenger obtained a copy of the last page of the docket report in the above-captioned action. A copy of the last page of the docket report as it existed on the morning of June 4, 2015, is attached hereto as **Exhibit C**.

8. On June 4, 2015, I reviewed the last page of the docket report in the above-captioned action. The docket report contains the following entries:

- Dkt. No. 363 – RESTRICTED INFORMATION – Defendant's Motion for Leave to File Accompanying Pleadings Respecting Post-Verdict Inquiry Under Seal ("Motion To Seal");
- Dkt. No. 364 – RESTRICTED INFORMATION – Defendant's Motion for Post-Verdict Inquiry Respecting a Juror's Exposure to Significant Extraneous Matter and Related Issues;
- Dkt. No. 365 – RESTRICTED INFORMATION – Affidavit filed by Defendant Aaron J. Hernandez in support of Motion for Post-Verdict Inquiry Respecting a Juror's Exposure to Significant Extraneous Matter and Related Issues;

- Dkt. No. 366 – RESTRICTED INFORMATION – Aaron J. Hernandez’s Memorandum in support of Post-Verdict Inquiry Respecting a Juror’s Exposure to Significant Extraneous Matter and Related Issues; and
- Dkt. No. 367 – RESTRICTED INFORMATION – Defendant’s Motion to Authorize Issuance of Subpoena to Ascertain Source of Information Provided to Counsel.

The public did not have access to the pleadings associated with each of the docket entries listed above as of June 4, 2015.

9. In addition to listing the Post-Trial Motions filed by Defendant, the docket report in the above-captioned action also contains an endorsement by the Court regarding the Docket Number 363, which states: “The pleadings, except for [the Motion To Seal], are impounded ex parte, pending a hearing on the defendant’s [Motion To Seal]. That Motion is not impounded. A hearing on the defendant’s Motion for Leave to Impound will be held on June 12, 2015 at 9:00 AM. Any opposition to the motion by the Commonwealth or by any interested third person shall be served and filed no later than June 10, 2015.” (Ex. C).

**SIGNED UNDER THE PENALTIES OF PERJURY THIS 5<sup>TH</sup> DAY OF JUNE, 2015.**

  
 EMILY C. HANNIGAN, ESQ.

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the above document was served upon the attorney of record for each other party by mail hand on JUNE 5, 2015

# **EXHIBIT A**

## Hernandez defense lawyers submit filings on juror 'exposure,' might seek new trial



Former NFL player Aaron Hernandez was convicted of first-degree murder and sentenced to life in prison on April 15, 2015.

REUTERS/CJ Gunther/

By Kristin Toussaint @kristindakota  
Boston.com Staff | 06.02.15 | 8:42 AM

Lawyers for convicted murder Aaron Hernandez might be seeking a new trial, according to Boston-area defense lawyer Philip A. Tracy Jr.'s interpretation of recent court filings.

Hernandez's lawyers submitted four new court filings to Bristol County Superior Courthouse, including one titled: "Defense motion for post verdict inquiry respecting a juror's exposure to significant extraneous matter and related issues."

### RELATED LINKS

**Aaron Hernandez guilty of first-degree murder, sentenced to life in prison**

**The long, sprawling legal road still ahead for Aaron Hernandez**

Another motion seeks "to authorize the issuance of a subpoena to ascertain the source of information provided to council," the Bristol County Superior Courthouse Clerk's Office told Boston.com.

Tracy said they "probably have already filed" a motion for the judge to overrule the

verdict asking for a new trial. These filings specifically refer to "some sort of juror misconduct allegations," he said, meaning a juror may have been exposed to information about the case or voiced an opinion before the trial was over.

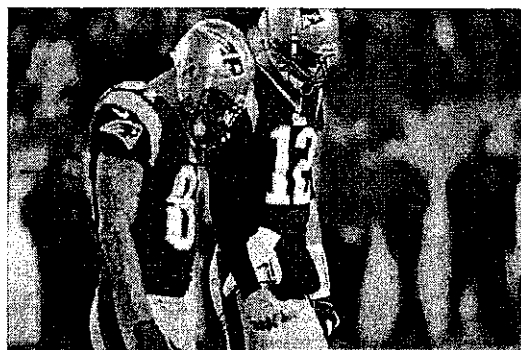
"The reality is no juror, no matter how dedicated, can be completely unexposed to media sources of all sorts," Tracy said.

Jurors are no longer locked up and isolated completely during trials, but Tracy said a "faithful juror" would change the channel if trial coverage came on the news. Still, it's not a common filing, he said, but it's something judges take very seriously when dealing with the jurors.

Hernandez was sentenced to life in prison without the possibility of parole for the murder of Odin Lloyd less than two months ago.

His lawyers also filed a motion to seal the filings, the Clerk's office said, meaning no other information can be given out at this time.

### **The Aaron Hernandez Trial in Pictures**



1 of 55

On January 20, 2013, Aaron Hernandez caught 9 passes for 83 yards in his last game with the Patriots, a 28-13 loss in the AFC Championship to the Ravens.  
*Ray Stubblebine/Reuters*

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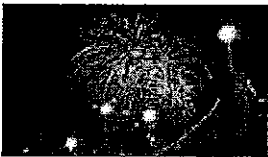
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## Taxpayers on hook to save home from falling into the sea

A Scituate home is receiving a \$180,000 federal grant to rebuild the structure and protect it from the rising waters.

News 06.03.15 | 8:41 AM Share



## Boston's First Night festivities will neglect arts

Boston's New Year's eve First Night celebration will feature less art as the event goes to the hands of a local marketing company.

News 06.03.15 | 7:04 AM Share



## Morning Updates: Related arrest in Roslindale shooting, Sox owner says team playing like 'bleep'

Here are the stories you need to know today, including the police shooting in Roslindale, the Red Sox playing like "bleep," and the failure of the war on drugs.

News 06.03.15 | 6:54 AM Share



## The missing artwork isn't the first time the library has lost important artifacts

In August 1998, a more than 100-year-old water main broke in the middle of the night and caused \$18 million worth of damage.

News 06.03.15 | 5:25 PM Share



## Has anyone seen Lincoln Chafee's Facebook password?

Democratic presidential candidate Lincoln Chafee's campaign lost the password information to the former Rhode Island governor's Facebook page, a spokesperson confirmed.

News 06.03.15 | 5:05 PM Share

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## Boston Public Library president resigns during missing artwork scandal

Two weeks after police announced that two pieces of artwork, a Dürer engraving and a Rembrandt sketch, had vanished from the Boston Public Library, the library's president, Amy E. Ryan, announced her resignation.

News 06.03.15 | 4:41 PM [Share](#)



## Here's the Boston radio host who started the Caitlyn Jenner ESPY rumor

WEEI personality tweeted that wounded vet was the runner-up to Jenner's award. ESPN denies this.

News 06.03.15 | 3:03 PM [Share](#)

## From record warmth to record cold, extremes nothing new in New England

Sunshine is returning to southern New England after three wet and chilly days in a row. June 1st and 2nd this year will go into the database as a pair of the coldest June days on record. Both days set a new benchmark for Boston, creating a noteworthy start to the month.

Weather Wisdom 06.03.15 | 12:34 PM [Share](#)



## FBI: Man killed by police had planned to 'go after ... those boys in blue'

The man shot and killed by law enforcement on Tuesday told a friend he was going to behead someone in Rhode Island and that he would "go after them, those boys in blue," according to a federal complaint.

News 06.03.15 | 12:19 PM [Share](#)

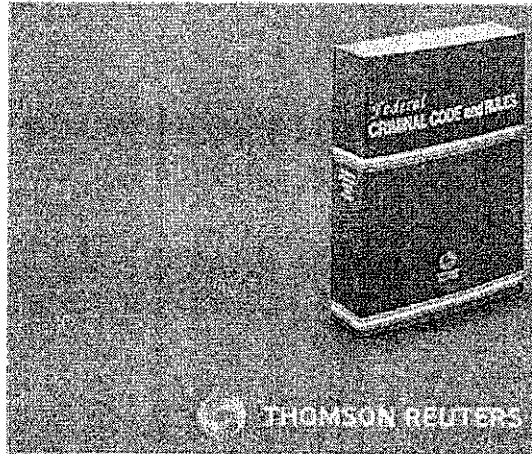


## A high school valedictorian came out in her graduation speech. Then she got a standing ovation.

Most of us don't remember our high school graduation speeches, but one valedictorian in Colorado has gotten national attention for hers. Emily Bruell, a valedictorian at Roaring Forks High School in Carbondale, Colorado, delivered a powerful message to her fellow graduates. Objectively, it was about labels. But the ultimate takeaway was the importance of courage. Bruell talked about More

06.03.15 | 12:06 PM

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## Clergy: Video supports cops' account of CVS shooting

Religious leaders who have viewed footage of authorities shooting a suspect outside a Roslindale CVS say the video corroborates officers' accounts of the shooting.

News

06.03.15 | 12:05 PM

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## These fifth-graders noticed a special needs classmate being bullied. So they stepped up.

In an interview with local news station KARE11, Mankato, MN two boys asked an important question. "Why pick on someone," said Jack, before trailing off and letting Jake finish his sentence, "who has special needs?" There's really no answer to that question, but five fifth-grade boys created a solution. Gus Gartzke, Tyler Jones, Jake Burgess, Landon Kopischke More

06.03.15 | 11:16 AM

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## Video of fatal shooting won't be released this week

Video of the fatal interaction between a Roslindale man under 24-hour FBI surveillance and two law enforcement officers will not be released this week, the Suffolk County District Attorney's office said today.



News 06.03.15 | 11:15 AM Share



## Tsarnaev's friend sentenced to six years in prison for obstruction

Kadyrbayev, a former international student at UMass Dartmouth, was sentenced to six years in prison for impeding the Boston Marathon bombing investigation.

News 06.02.15 | 9:58 AM Share



## Alan Dershowitz suing TD Garden after slipping in bathroom puddle

Alan Dershowitz is suing the TD Garden after the former Harvard Law School professor "violently" slipped and fell in a stadium bathroom puddle during the fourth quarter of a 2012 Celtics-Heat Eastern Conference finals game.

News 06.02.15 | 9:18 PM Share

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## Massachusetts sheriff: War on drugs a 'joke'

"I think the war on drugs was a flaming, dare I say joke, frankly," he said.

News 06.02.15 | 7:09 PM Share



## Local Islamic society: Police shooting victim under FBI surveillance not a regular

Two local Islamic groups said the Roslindale man killed by police Tuesday morning was not a regular at the Islamic Society of Boston Cultural Center in Roxbury.

News 06.02.15 | 5:36 PM Share

## Officials: Video captured police, FBI shooting man



Boston Police Commissioner William Evans said video captured an FBI agent and a Boston police officer shooting a Roslindale man who was carrying a large knife Tuesday morning.

News 06.02.15 | 3:45 PM [Share](#)



## MBTA's February emails show problems went beyond snow

*The Boston Globe* has published new emails between former MBTA general manager Beverly Scott and Keolis, the managing company for the commuter rail. They revealed that snow wasn't the only problem.

News 06.02.15 | 2:58 PM [Share](#)



## Listen to Ben Franklin's glass harmonica in Boston tonight

Vera Meyer will play her glass harmonica for the Boston Public Library's "Revolutionary Boston" event series.

News 06.02.15 | 2:10 PM [Share](#)

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## Kraft family gives \$1 million to U.S. Holocaust Memorial Museum

The Kraft family recently gave \$1 million to the United States Holocaust Memorial Museum's American College Youth Initiative, becoming part of the organization's Founding Society as a result.

News 06.02.15 | 12:25 PM [Share](#)



## This woman met the man who received her brother's face transplant

Sunday's episode of 60 Minutes Australia featured a story that is equal parts sentimental, incredible, and unusual. Titled "Her Brother's Face," it followed

Rebecca Aversano as she entered the Maryland home of Richard Norris. Norris received a facial transplant in 2012 thanks to the selflessness of the Aversano family. Joshua Aversano died in a car accident in 2012. His family donated More

06.02.15 | 12:24 PM [Share](#)



### 'Run Warren Run' group suspends operations, declares victory anyway

The group's leaders claim in a piece for Politico on Tuesday morning that they succeeded by bringing the Massachusetts senator and her causes to the forefront of the political landscape.

News 06.02.15 | 11:34 AM [Share](#)



### Man accused of planning to kill officer due in court

Authorities arrested a suspect in Everett on Tuesday night in connection with the police shooting of a 26-year-old Roslindale man.

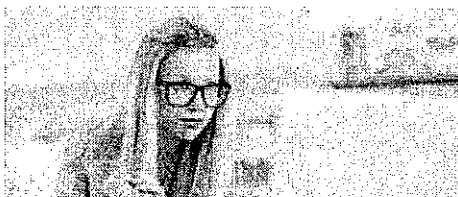
News 06.02.15 | 10:07 PM [Share](#)



### Officials: 'Highly likely' officer was hit by friendly fire in Watertown shootout

Officials said it was "highly likely" that MBTA officer Richard "Dic" Donohue was shot by a fellow officer during the hectic firefight with Dzhokhar and Tamerlan Tsarnaev.

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## Can Virtual Jobs Deliver on the American Dream?

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## The Little Volkswagen Engine That Could—Almost

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## Tech Lab: FM radio app for smartphones

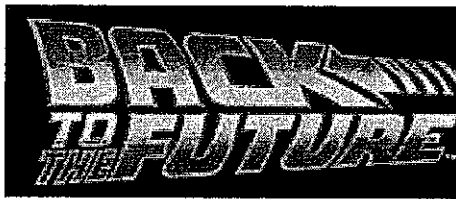
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## Best Return On Your Home Remodeling Dollar

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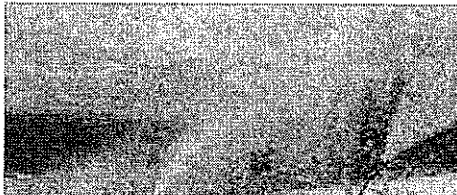
Ziploc Space Bag 15 Bag	Ziploc Space Bag
Space Saver Set (2 XL ...	Vacuum Seal Bags ...
<del>\$49.99</del> <b>\$39.99</b>	<del>\$62.99</del> <b>\$32.49</b>



Flashback to the Future with us  
at The Harp on Nov. 20

**RadioBDC**

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Alternative  
Music  
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Sunday River and Killington  
Officially Kick Off the Ski  
Season

Sports    Share



### Watch the Trailer for Lifetime's 'Grumpy Cat's Worst Christmas Ever'

Entertainment

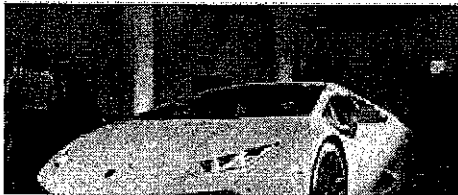
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### Providence Hip-Hop Artists Release 'Buddy Cianci' Rap

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### Lamborghini Unveils Elite Ride

Cars

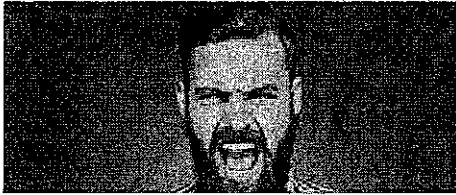
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## Starbucks Opened in My Neighborhood: Now What?

Real estate

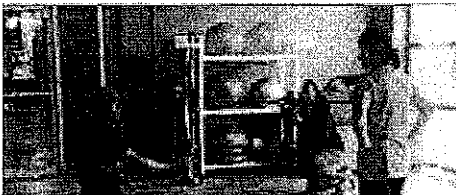
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## A Spectator's Guide to Movember and No Shave November

Entertainment

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## 5 Workouts to Burn Off Halloween Candy

Health

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## A Fun-Filled Day at the Cemetery? Absolutely!

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## Boston's 9 Sister Cities: A Quick Guide

Travel

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### Odds of Red Sox Winning 2015 World Series Open at 22/1

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## Fall Recipe Series —Beer Cheese Soup

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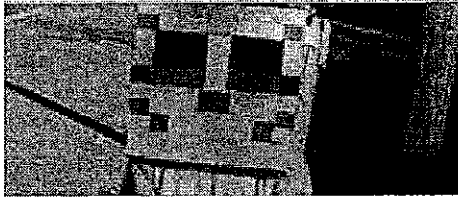
## Ten Years Ago, When the Red Sox Actually Broke the Curse

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## Map Shows Which Costumes You Will See the Most at Your Halloween Party This Year

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## Stampy Cat Costumes and Other Unexpected Tasks of Parenthood

Life   Share



## Some Thoughts on Fear and Truth: Ebola To Climate Change

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## **EXHIBIT B**

## Hearing set on request of Aaron Hernandez's lawyer about juror in ex-Patriot's murder trial

STAFF AND WIRE REPORTS | Posted: Thursday, June 4, 2015 12:00 am

**FALL RIVER** - A lawyer for former NFL player and convicted killer Aaron Hernandez has asked a judge to allow an inquiry into what he says is a juror's "exposure to significant extraneous matter."

Hernandez was convicted April 15 of first-degree murder after a 10-week trial. He was sentenced to life in prison without the possibility of parole.

Hernandez, 25, is serving a life prison without the possibility of parole for the June 2013 murder of Odin Lloyd in the North Attleboro Industrial Park, a short distance from Hernandez's Westwood Estates home in North Attleboro.

James Sultan, a lawyer for the former New England Patriots tight end, made the request in a court filing last week that was unsealed Wednesday.

A judge scheduled a June 12 hearing on the request.

Sultan also asked for a subpoena to be issued to determine the "source of information provided to counsel." The filing doesn't identify the juror, what the juror was allegedly exposed to or how it came to their attention.

Hernandez's lawyers and prosecutors didn't immediately return messages seeking comment.



### Aaron Hernandez Football

Former New England Patriots NFL football player Aaron Hernandez listens during his arraignment on a charge of trying to silence a witness in a double murder case against him by shooting the man in the face at Suffolk Superior Court Thursday, May 21, 2015, in Boston. (AP Photo/Stephan Savoia, Pool)

# **EXHIBIT C**



COMMONWEALTH OF MASSACHUSETTS  
BRISTOL COUNTY  
Docket Report

JENNIFER DONAHUE  
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jennifer.donahue@sic.state.ma.us

05/12/2015	358	Exhibits Returned to State Police #124, #184, #185, and #JJ	
05/12/2015	359	Aaron J Hernandez's Memorandum in support of Defendant's Renewal of Motion for Required Finding of Not Guilty on Counts One and Two or for Other Relief	
05/12/2015	360	Exhibits Returned to the North Attleboro Police Department (exhibit #95)	
05/12/2015		Endorsement on Motion for required finding of not guilty on counts 1 and 2 or for other relief, (#341.0): Other action taken The Commonwealth has thirty (30) days to file its response.	Garsh
05/12/2015		The following form was generated: A Clerk's Notice was generated and sent to: Attorney: James L Sultan, Esq. Attorney: Charles Wesley Rankin, Esq. Attorney: Michael Kelley Fee, Esq. Attorney: Laura Carey, Esq. Attorney: Patrick Otto Bomberg, Esq. Attorney: Roger Lee Michel, Jr., Esq. Attorney: Brian D Griffin, Esq. Attorney: William M McCauley, Esq.	
05/14/2015	361	Court Reporter Karoline Crawford is hereby notified to prepare one copy of the transcript of the evidence of 10/30/2014 12:15 PM Motion Hearing	
05/14/2015	362	Court Reporter Lori Saulnier is hereby notified to prepare one copy of the transcript of the evidence of 03/19/2015 09:00 AM Jury Trial	
05/29/2015	363	RESTRICTED INFORMATION - Defendant's Motion for Leave to File Accompanying Pleadings Respecting Post-Verdict Inquiry Under Seal	
05/29/2015	364	RESTRICTED INFORMATION - Defendant's Motion for Post-Verdict Inquiry Respecting a Juror's Exposure to Significant Extraneous Matter and Related Issues	
05/29/2015	365	RESTRICTED INFORMATION - Affidavit filed by Defendant Aaron J Hernandez in support of Motion for Post-Verdict Inquiry Respecting a Juror's Exposure to Significant Extraneous Matter and Related Issues	
05/29/2015	366	RESTRICTED INFORMATION - Aaron J Hernandez's Memorandum in support of Post-Verdict Inquiry Respecting a Juror's Exposure to Significant Extraneous Matter and Related Issues	
05/29/2015	367	RESTRICTED INFORMATION - Defendant's Motion to Authorize Issuance of Subpoena to Ascertain Source of Information Provided to Counsel	
06/03/2015		Endorsement on Motion for Leave to File Accompanying Pleadings Respecting Post-Verdict Inquiry Under Seal, (#363.0): Other action taken The pleadings, except for the instant motion, are impounded ex parte, pending a hearing on the defendant's Motion for Leave to File Accompanying Pleadings Respecting Post-Verdict Inquiry Under Seal. That Motion is not impounded. A hearing on the defendant's Motion for Leave to impound will be held on June 12, 2015 at 9:00 AM. Any opposition to the motion by the Commonwealth or by any interested third person shall be served and filed no later than June 10, 2015.	Garsh

COMMONWEALTH OF MASSACHUSETTS

BRISTOL COUNTY, ss.

SUPERIOR COURT

COMMONWEALTH OF MASSACHUSETTS,

Plaintiff,

v.

AARON HERNANDEZ,

Defendant.

CRIMINAL ACTION NO.  
BRCR-201300983

**AFFIDAVIT OF REPORTER BRIAN FRAGA IN SUPPORT  
OF GATEHOUSE MEDIA, LLC'S MOTION TO INTERVENE FOR THE  
LIMITED PURPOSE OF UNSEALING CERTAIN POST-TRIAL MOTIONS**

I, BRIAN FRAGA, being duly sworn, depose and say:

1. I am a professional journalist employed as a reporter by GateHouse Media, LLC ("GateHouse"), the publisher of *The Herald News* (the "Newspaper"), a daily and Sunday newspaper distributed in the City of Fall River, Massachusetts and vicinity, and the Newspaper's corresponding website (<http://www.heraldnews.com>). In that capacity, I have covered local courts and legal affairs for nearly three (3) years. Except where stated upon information and belief, I submit this affidavit based on personal knowledge in support of GateHouse's motion to intervene for the limited purpose of terminating this Court's impoundment of certain pleadings (the "Post-Trial Motions") filed by Defendant Aaron Hernandez ("Defendant").

2. Upon information and belief, the Post-Trial Motions were filed by Defendant on or about May 29, 2015.

3. Upon information and belief, Defendant was a professional football player for the New England Patriots. Prior to playing for the Patriots, Defendant played college football for the University of Florida, where he was a member of a national championship team and earned All-

American honors. Defendant was drafted by the Patriots in 2010, and was selected as an alternate for the Pro Bowl after his second season in the National Football League. In August 2012, the Patriots signed Defendant to a five-year contract that included a \$12.5 million signing bonus – the largest signing bonus ever given to a tight end playing in the National Football League.

4. The journalistic mission of *The Herald News* is to publish to its readers, in conformity with fair journalistic standards, the newsworthy information which it gathers. Consistent with this goal, the Newspaper often covers local court proceedings which have independent news value or have otherwise become a reasonable subject of public concern. For the reasons explained below, the first degree murder charge, subsequent trial, and conviction of Defendant all generated a significant level of public attention and concern not only in the Fall River community and throughout the Commonwealth of Massachusetts, but across the nation. The post-trial proceedings following Defendant's conviction have likewise captured the public's attention and concern. The impoundment, which currently shields certain of Defendant's post-trial pleadings from public scrutiny, has significantly prejudiced the Newspaper's ability to deliver to its readers newsworthy information concerning a criminal proceeding implicating a former star professional football player who resided in its local coverage area.

#### **The Herald News's Coverage of Defendant's Prosecution**

5. *The Herald News* has reported on the criminal charges, trial, and conviction of Defendant, including the post-trial proceedings in the above-captioned action, in more than 300 news articles since June 2013, when criminal charges, including a charge of first degree murder, were brought against Defendant in connection with the death of Odin Lloyd. A representative



sample of the Newspaper's coverage of Defendant's criminal case includes the following articles:

- a. a June 27, 2013, article captioned "Aaron Hernandez Investigated in Two Additional Murders" and reporting, *inter alia*, on the charge of first degree murder brought against Defendant in connection with the death of Odin Lloyd;
- b. an August 22, 2013, article captioned "Ex-New England Patriots Player Aaron Hernandez Indicted on Murder Charge" and reporting, *inter alia*, on Defendant's indictment on criminal charges, including first degree murder;
- c. a September 6, 2013, article captioned "Aaron Hernandez Pleads Not Guilty to First Degree Murder" and reporting, *inter alia*, on Defendant's not-guilty plea to six criminal charges;
- d. an April 15, 2015, article captioned "Life in prison for ex-Patriot Aaron Hernandez, convicted of first degree murder" and reporting, *inter alia*, on Defendant's conviction on a charge of first degree murder as well as firearm and ammunition charges; and
- e. a May 14, 2015, article captioned "Aaron Hernandez jury wasn't 'rational,' lawyers claim in appeal of murder conviction" and reporting, *inter alia*, on Defendant's post-trial appeal of the jury's first degree murder verdict.

As a reporter for *The Herald News*, I authored several of the articles listed above, among others. True and correct copies of the above news articles are attached hereto as **Exhibit A**.

6. Continuing its coverage of post-trial proceedings in this case, *The Herald News* reported on Defendant's Post-Trial Motions. Specifically, I authored and *The Herald News* published an article captioned "Hernandez's attorneys want court to examine whether juror was

tainted” on June 4, 2015. This article reported, to the extent possible given the seal on the pleadings, on Defendant’s filing of the Post-Trial Motions currently maintained under seal by the Court. A true and correct copy of the June 4, 2015, article is attached hereto as **Exhibit B**.

#### **The National Press Coverage of the Criminal Case Against Defendant**

7. In addition to the news coverage of the criminal charges against Defendant by *The Herald News*, there has been widespread national interest in the charges against Defendant. On June 26, 2013, the day that Defendant was arraigned, nearly every major news outlet prominently covered the criminal investigation involving and charges against Defendant. The New York Times, CNN, USA Today, NBC, ABC, CBS, and ESPN all posted articles on their websites on July 26, 2013, reporting on the arraignment of Defendant and the detailed statements made by prosecutors about Defendant’s alleged role in the murder of Odin. Lloyd. True and correct copies of these news articles are attached hereto as **Exhibit C**.

8. Likewise, on April 15, 2015, the day that Defendant was convicted of first degree murder, The New York Times, Fox News, USA Today, the Chicago Tribune, ABC, CBS, and ESPN all posted articles on their websites reporting on Defendant’s conviction and sentence. True and correct copies of these news articles are attached hereto as **Exhibit D**.

#### **Impoundment of Defendant’s Post-Trial Motions**

9. Upon information and belief, the Post-Trial Motions were impounded on May 29, 2015, and will continue to remain unavailable to the public until the conclusion of a hearing currently scheduled for June 12, 2015.

10. I respectfully submit that the inability to view these judicial documents constitutes a continuing abridgment of the public’s rights of access protected under the First Amendment and Massachusetts common law. To engage in the informed participation in the criminal justice system contemplated by the public’s access rights recognized under both constitutional and

Massachusetts common law, the press and the public must have contemporaneous access to the Post-Trial Motions and other court records that provide the bases for the decisions and judgments of the Court – here, decisions and judgments implicating, *inter alia*, the First Amendment right of public access to judicial proceedings.

11. Based on the foregoing, I respectfully request that the Court immediately make the Post-Trial Motions available to the public and grant me immediate permission to inspect and copy the Post-Trial Motions in order that *The Herald News* may continue to carry out its important responsibility of reporting fully, accurately, and contemporaneously on the post-trial proceedings involving legitimate matters of public concern in this case.

**SIGNED UNDER THE PENALTIES OF PERJURY THIS 5TH DAY OF JUNE, 2015.**

  
BRIAN FRAGA

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the above document was served upon the attorney of record for each other party by mail-hand on June 5, 2015

# **EXHIBIT A**

## The Herald News

By TV Guide

Print Page

June 27, 2013 6:23PM

### Aaron Hernandez Investigated in Two Additional Murders

On the heels of being charged with the murder of an acquaintance, former New England Patriots tight end Aaron Hernandez is now being investigated for a drive-by shooting in Boston that left two men dead, ABC News reports. Last July, officer's ...

On the heels of being charged with the murder of an acquaintance, former New England Patriots tight end Aaron Hernandez is now being investigated for a drive-by shooting in Boston that left two men dead, ABC News reports.

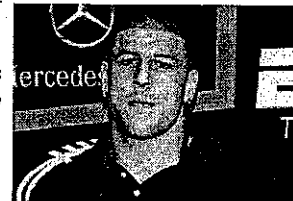
Last July, officer's found "three individuals suffering from what appeared to be gunshot wounds. Two of the victims were pronounced deceased on scene." The deceased were identified as Daniel Jorge Correia de Abreu, 29, and Safiro Teixeira Furtado, 28.

Add new fall shows to your watchlist

The shooting occurred hours after the former New England Patriots star was involved in a nightclub altercation. Police would not comment on Hernandez's role in the latest investigation.

Hernandez was charged Wednesday with the murder of Odin Lloyd and five gun-related offenses. According to reports, the Lloyd was shot multiple times in the back and chest a few hours after getting into a fight with Hernandez at a nightclub. Following his arrest, Hernandez was released from the Patriots.

Hernandez will be back in court Thursday afternoon for a bail hearing.



Aaron Hernandez | Photo Credits: Robin Marchant/Getty Images

View original Aaron Hernandez Investigated in Two Additional Murders at TVGuide.com

#### Other Links From TVGuide.com

- New England Patriots (NFL)



- TV Guide iPhone App
- TV Listings
- New Tonight on TV

<http://www.heraldnews.com/article/20130627/NEWS/306279969>

Print Page

## The Herald News

By TV Guide

Print Page

August 22, 2013 6:55PM

### Ex-New England Patriots Player Aaron Hernandez Indicted on Murder Charge

Former New England Patriots tight end Aaron Hernandez was indicted with a first degree murder charge, TMZ.com reports.

In June, Hernandez was arrested and charged with murder, possessing a firearm without a license, possessing a large capacity firearm and possessing a ...

Former New England Patriots tight end Aaron Hernandez was indicted with a first degree murder charge, TMZ.com reports.

In June, Hernandez was arrested and charged with murder, possessing a firearm without a license, possessing a large capacity firearm and possessing a firearm without an ID card in connection with the death of an acquaintance. The indictment includes those charges, which Hernandez initially plead not guilty to.

Aaron Hernandez investigated in two additional murders

The 23-year-old NFL player became the focus of an investigation surrounding the murder of 27-year-old Odin Lloyd after police searched Hernandez's home and also found that his security system and cell phone were destroyed. Surveillance footage shows Hernandez was with Lloyd just two hours before his death.

Following the arrest, the Patriots released Hernandez, who they signed to a five-year, \$40 million contract last summer.



Aaron Hernandez | Photo Credits: Jared Wickerham/Getty Images

View original Ex-New England Patriots Player Aaron Hernandez Indicted on Murder Charge at TVGuide.com

#### Related Articles on TVGuide.com

- Aaron Hernandez investigated in two additional murders

#### Other Links From TVGuide.com

- Aaron Hernandez



- TV Guide iPhone App
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<http://www.heraldnews.com/article/20130822/NEWS/308229939>

Print Page

**The Herald News**

By TV Guide

[Print Page](#)

September 06, 2013 6:14PM

**Aaron Hernandez Pleads Not Guilty to First Degree Murder**

Aaron Hernandez pleaded not guilty to first degree murder on Friday, The Associated Press reports. In addition to the murder charge, Hernandez also pleaded not guilty to five other charges, including weapons and ammunition possession charges, in the shooting death of a friend. His attorneys ...

Aaron Hernandez pleaded not guilty to first degree murder on Friday, The Associated Press reports. In addition to the murder charge, Hernandez also pleaded not guilty to five other charges, including weapons and ammunition possession charges, in the shooting death of a friend.

His attorneys agreed that Hernandez will continue to be held without bail, but reserved the right to request it later. Hernandez is due back in court Oct. 9.

The former New England Patriots star was indicted for shooting Odin Lloyd five times in an industrial park. Lloyd's body was found on June 17, approximately a mile from Hernandez's home. Authorities say he was killed with a .45-caliber Glock, which they haven't yet recovered. Though prosecutors say there is footage of Hernandez at his house with a Glock in the hours preceding and following Lloyd's murder.



Aaron Hernandez | Photo Credits: Jared Wickerham/Getty Images

Fall Preview: Get scoop on 40 of your favorite returning shows

According to the prosecution, Hernandez, 23, killed Lloyd because the deceased had talked to people with whom the former NFL star had issues at a nightclub a few days prior. Hernandez is also suspected of being involved in a separate 2012 double homicide near a Boston nightclub. While investigating Lloyd's murder, police found an SUV that had been tied to the previous deaths at Hernandez's uncle's house in Bristol, Conn.

Ernest Wallace and Carlos Ortiz, who were allegedly with Hernandez at the time of Lloyd's death, also pleaded not guilty to charges of accessory to murder after the fact and a firearms charge, respectively.

Following Hernandez's arrest in June, the Patriots released the tight end, whom the team had signed to a five-year, \$40 million contract last summer.

[View original Aaron Hernandez Pleads Not Guilty to First Degree Murder at TVGuide.com](#)

**Other Links From TVGuide.com**

- New England Patriots (NFL)
- Aaron Hernandez



- TV Guide iPhone App
- TV Listings
- New Tonight on TV

<http://www.heraldnews.com/article/20130906/NEWS/309069945>

[Print Page](#)

## The Herald News

By Brian Fraga

April 15, 2015 10:31AM

Print Page

### Life in prison for ex-Patriot Aaron Hernandez, convicted of first-degree murder

Aaron Hernandez will spend the rest of his life in prison after being convicted today for the first-degree murder of Odin Lloyd in North Attleborough.

FALL RIVER — Aaron Hernandez, the former New England Patriots star tight end with a once-promising NFL career and a \$40 million contract, will spend the rest of his life in prison after being convicted Wednesday for the first-degree murder of Odin Lloyd in North Attleborough.

Hernandez, 25, shook his head and appeared to say, "You're wrong," as the verdict forewoman announced guilty verdicts on murder, firearm and ammunition charges.

The ex-NFL star also looked over at his mother, Terri Hernandez, who sat in the front row of the courtroom crying and consoling his distraught fiancée, Shayanna Jenkins. Hernandez appeared to tell them: "Be strong, be strong, you'll be OK. I love you."

After being ushered away from the courtroom for the last time, Hernandez was taken by a Bristol County Sheriff Department transport van to MCI Cedar Junction in Walpole for processing. Barring an overturning of his conviction, Hernandez will serve out his life sentence at a maximum security prison without the possibility of parole.

Several of Lloyd's relatives, who attended every day of the eight-week trial at Bristol County Superior Court in Fall River, cried and gasped in the courtroom as the verdict was read aloud. Lloyd's mother, Ursula Ward, told the court in her official victim impact statement that she felt as if her heart had stopped beating when she laid her son to rest in June 2013.

Ward also said she would forgive Hernandez and everyone else who had a hand in Lloyd's death. While later addressing reporters outside the courthouse, Ward looked up to the sky and thanked God, as well as the prosecutors and police detectives who investigated her son's murder.

"I miss my boy Odin so much, but I know I will see him again," Ward said.

Bristol County District Attorney Tom Quinn also addressed the throng of national media that descended on downtown Fall River throughout the high-profile trial. Despite Hernandez's celebrity status as a star football player, Quinn said that in the end, Hernandez was held accountable like anyone else charged with a serious crime.

Lloyd, 27, a Dorchester man who worked as a landscaper and dated Jenkins' sister, "did not deserve to be killed," said Quinn, who credited the prosecuting trio of William McCauley, Patrick Bomberg and Brian Griffin with assembling a solid case.

"Our prosecution team did a very good job of marshalling together all the evidence in this case," Quinn said.

Without any eyewitness testimony or direct evidence that linked Hernandez to the homicide — such as the murder weapon, which was never recovered — the prosecution built a circumstantial case using voluminous cellphone records and surveillance video footage to piece together the timeline leading up to Lloyd's slaying just before 3:30 a.m. on June 17, 2013, in the North Attleborough Industrial Park.

Over 39 days of testimony, prosecutors called on 131 witnesses and presented more than 430 exhibits of evidence. The prosecution's effective use of "electronic witnesses" practically forced the defense team during closing arguments last Tuesday to concede that Hernandez was present at the crime scene.

Defense attorney James Sultan — who had previously challenged police testimony that shoe prints and tire tracks at the crime scene matched a pair of sneakers that Hernandez wore and a rented Nissan Altima he drove — told the jury last week that Hernandez was a "23-year-old kid" who had witnessed "a shocking killing by someone he knew." Sultan did not say who pulled the trigger.

Several jurors later said they were surprised at Sultan's admission, which they said corroborated the prosecution's evidence. Quinn said the evidence "was very clear" that Hernandez was present when Lloyd was shot at least five times with a .45-caliber handgun.

"The evidence targeted Aaron Hernandez, the evidence led to Aaron Hernandez and the evidence is what convicted Aaron Hernandez," said Quinn, who dismissed the defense team's suggestion that law enforcement authorities had "targeted" Hernandez from the moment a 15-year-old boy jogging home discovered Lloyd's body, almost 15 hours after he was killed.

McCauley said the prosecution team had "great confidence" in the case they put together, and he added that it was "quite a relief" when the jury returned its guilty verdict. McCauley thanked the jury and everyone in the district attorney's office who contributed to building the case. He also said he was happy for Lloyd's family.

"We're very grateful for them. We drew strength from their dignity and commitment to show up every day and let the process play out," McCauley said. "This has been a wonderful family to get to know. Odin Lloyd, he was a special person."



PHOTO: AP

Former New England Patriots football player Aaron Hernandez listens as the guilty verdict is read during his murder trial, Wednesday, April 15, 2015, at Bristol County Superior Court in Fall River, Mass. Hernandez was found guilty of first-degree murder in the shooting death of Odin Lloyd in June 2013. He faces a mandatory sentence of life in prison without parole (Dominick Reuter/Pool Photo via AP)



Ward, who said she has received cards from around the world expressing support, said the last thing Lloyd told her was that she looked beautiful when he wished her a Happy Father's Day a few hours before his death. Having grown up without a father, Lloyd considered Ward to be like a mother and father.

Shayanna Jenkins and Hernandez's mother left the courthouse without speaking to reporters. Hernandez's three high-powered Boston defense attorneys also declined to address the media.

Despite now being a convicted murderer, Hernandez's legal problems are far from over. He has another murder trial in Boston, where he is accused of being the gunman in a deadly 2012 drive-by shooting that killed two men and left a third wounded. He is also a defendant in two civil wrongful death lawsuits related to the murders.


Hernandez also has additional pending criminal charges in Bristol County stemming from allegations that he threatened a correctional officer and assaulted another inmate at the Bristol County House of Correction in Dartmouth. He is also still facing a weapons charge related to an unregistered 7.62-caliber rifle that police recovered from his garage in June 2013.

Hernandez's alleged accomplices in Lloyd's slaying — Ernest Wallace and Carlos Ortiz — will later stand trial on charges of murder and accessory to murder after the fact. Shayanna Jenkins also has a pending perjury charge and Tanya Singleton, Hernandez's cousin, is charged as an accessory after the fact after allegedly helping Wallace flee Massachusetts. Quinn said prosecutors will "move forward" with all those cases.

by Jan Root 2 months ago

## Aaron Hernandez found guilty of first-degree murder

In a unanimous verdict, former New England Patriots star Aaron Hernandez was found guilty of first-degree murder by a jury Wednesday morning at the Fall River Justice Center, sealing the downfall of an athlete who once had a \$40 million contract and a standout career ahead of him.

**Brian Fraga**  
@BfragaHN

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The verdict:

#AaronHernandez

Guilty of first-degree murder

10:21 AM - 15 Apr 2015

43 22

**Brian Fraga**  
@BfragaHN

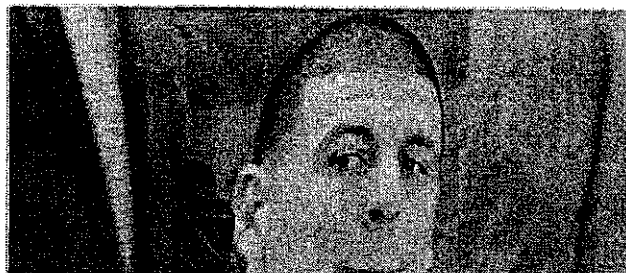
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#AaronHernandez also guilty of firearm and ammunition charges

10:23 AM - 15 Apr 2015 · Fall River, MA, United States

31 19

Hernandez had pleaded not guilty to the 2013 killing of Odin Lloyd, who was dating the sister of Hernandez's fiancée. Jurors deliberated for more than 30 hours.



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<http://www.heraldnews.com/article/20150415/NEWS/150417787>

Print Page

## The Herald News

By Brian Fraga

Print Page

May 14, 2015 5:02PM

### Aaron Hernandez jury wasn't "rational," lawyers claim in appeal of murder conviction

"No rational jury" could have convicted Aaron Hernandez of first-degree murder, his lawyers say in court documents seeking an appeal of Hernandez's conviction.

FALL RIVER — "No rational jury" could have convicted Aaron Hernandez of first-degree murder, the former Patriots star tight end's lawyers say in newly filed court documents seeking an appeal of Hernandez's conviction.

Hernandez's attorneys argue that jurors relied on "improper speculation, conjecture and guesswork" to convict Hernandez, 25, for the June 17, 2013, murder of Odin Lloyd in North Attleborough. The defense team said prosecutors never presented any evidence that proved Hernandez acted with malice or intentionally participated in Lloyd's murder.

The arguments are included in a memorandum Hernandez's lawyers filed Tuesday in support of a motion asking that Superior Court Judge E. Susan Garsh enter not guilty verdicts on the charges of murder and illegal carrying a firearm. The motion is a routine part of the post-verdict appeals process. Garsh rejected a similar defense motion after prosecutors rested their case last month in Hernandez's 10-week murder trial at Bristol County Superior Court in Fall River.

On April 15, jurors convicted Hernandez of first-degree murder, which carries an automatic life sentence without the possibility of parole, and illegally carrying a firearm. The jury convicted Hernandez of first-degree murder after deciding that he had acted with "extreme atrocity or cruelty." Lloyd, 27, of Dorchester, was shot at least six times at point-blank range with a .45-caliber handgun.

Prosecutors have 30 days to respond to the defense team's motion for the not-guilty finding. Garsh could issue a ruling based on the written motions, or she could schedule a hearing for oral arguments before making a decision.

Meanwhile, Hernandez's fiancée, Shayanna Jenkins, is scheduled to appear in Superior Court Friday morning for a status review hearing. Jenkins, 25, is charged with one count of perjury based on allegations that she lied 29 times to a grand jury in 2013. Jenkins testified during Hernandez's trial after receiving a grant of immunity.



PHOTO: POOL PHOTO / REUTERS

Former NFL player Aaron Hernandez listens as the guilty verdict is read during his murder trial at the Bristol County Superior Court in Fall River, Massachusetts, April 15. Lawyers for Hernandez, 25, a former tight end for the New England Patriots, are appealing the conviction.

<http://www.heraldnews.com/article/20150514/NEWS/150517656>

Print Page

## **EXHIBIT B**

## The Herald News

By Brian Fraga

Print Page

June 04, 2015 12:01AM

### Hernandez's attorneys want court to examine whether juror was tainted

FALL RIVER — Aaron Hernandez's attorneys believe a juror in the former NFL star's trial may have been exposed to "significant extraneous matter," and they want to investigate that allegation under the cloak of court-approved secrecy.

A June 12 motion hearing has been scheduled at Bristol County Superior Court in Fall River to review the defense team's request to seal two motions and accompanying documents related to the juror issue. Those documents are sealed at least until Judge E. Susan Garsh hears oral arguments next week. Prosecutors and any interested third parties have until June 10 to file opposition to the defense motion.

In their motion filed Wednesday, Hernandez's attorneys, Michael K. Fee and James L. Sultan, say keeping the documents private is important because they disclose the juror's identity, as well as the grounds for conducting a post-verdict inquiry of that unnamed juror on "several enumerated subjects."

"Public disclosure of these documents prior to the convening of such an inquiry, if ordered by the court, would seriously compromise the integrity and effectiveness of the fact-finding process. The likelihood of discovering the truth in this matter will be maximized if the witnesses being questioned do not know in advance what they are going to be asked or the specific nature of the allegations which have been made," Fee and Sultan said.

The two sealed defense motions include a request for a subpoena to determine a source of information provided to counsel and for the inquiry of the juror based on his or her exposure to "significant extraneous matter and related issues." Also sealed for now is an affidavit Sultan wrote and a memorandum of law filed in support of the juror motion.

The court experienced some juror issues during the Hernandez trial, which began Jan. 29 and ended April 15, when the jury convicted the 25-year-old former New England Patriots tight end for first-degree murder stemming from the June 2013 fatal shooting of Odin Lloyd in North Attleborough.

During the trial, Garsh dismissed three jurors: two for undisclosed reasons and a third, a woman, who allegedly did not disclose during the prescreening process that she had discussed the case and attended Patriots home games at Gillette Stadium in Foxboro.

Before the trial, Hernandez's attorneys expressed concerns about the jury pool in Bristol County being tainted because of the intense media coverage surrounding the case. They requested a change of venue and hired a polling company to make their case that a majority of residents in the county believed Hernandez was guilty, but Garsh decided to keep the trial in Bristol County.

Throughout the trial, and during a joint interview with reporters after the verdict, the jurors said they had abided by the judge's instructions not to read about or discuss the case. They also said that they did not learn several key details that Garsh did not allow at trial — such as allegations that Hernandez shot his best friend two years ago in Florida and the contents of Lloyd's text messages to his sister just before his death — until the judge told them after the trial ended.

Hernandez, who is also awaiting trial in Suffolk County for his alleged role in a 2012 double homicide in Boston, is serving a life sentence without the possibility of parole at Souza-Baranowski Correctional Center in Shirley. His attorneys are appealing the conviction. In a motion filed last month requesting that Garsh overturn his conviction, Hernandez's attorneys suggested the jury relied on "improper speculation, conjecture and guesswork" to convict Hernandez. Garsh has not ruled on that motion.

<http://www.heraldnews.com/article/20150604/NEWS/150608256>

Print Page

# **EXHIBIT C**

## **Former New England Patriot Hernandez charged with murder**

*By Rick Hall, Susan Cardioti and Catherine E. Shoichet, CNN  
updated 5:00 PM EDT, Wed June 26, 2013*

CNN.com

**North Attleborough, Massachusetts (CNN)** — Former New England Patriots tight end Aaron Hernandez was charged with first-degree murder Wednesday.

Hernandez is accused in last week's shooting death of Odin Lloyd, whose body was found in an industrial park area less than a mile from Hernandez's home.

Hernandez "drove the victim to the remote spot, and then he orchestrated his execution," First Assistant District Attorney Bill McCauley said in court Wednesday.

"He orchestrated the crime from the beginning and took steps to conceal and destroy evidence," the prosecutor said.

A judge ordered that Hernandez be held without bail.

Michael Fee, the former NFL player's attorney, had argued that the evidence is circumstantial and that bail should be granted.

Lloyd's family tearfully watched during Wednesday's hearing. They did not speak to reporters after leaving the courthouse.

Hernandez, 23, wore a white T-shirt when he appeared in court at Wednesday's arraignment hearing. He stood beside his attorney, his hands cuffed.

After the court hearing, Fee said Hernandez is "doing fine."

A gag order issued during the hearing stopped attorneys from providing additional details afterward.

The Patriots released Hernandez Wednesday after he was arrested and booked at a police station in North Attleborough.

### **Prosecutor: Surveillance footage showed Hernandez with gun**

After days of secrecy in the closely watched investigation, the prosecutor's comments in court provided the first detailed account of Lloyd's killing and the evidence detectives have uncovered.

A jogger found Lloyd's body, riddled with gunshot wounds, in a secluded area of an industrial park near Hernandez's house June 17, McCauley said.

Investigators later found five shell casings at the scene.

Around 2:30 a.m. that same day, the prosecutor said, Lloyd was last seen leaving his Boston

home with Hernandez in a silver Nissan Altima.

Less than an hour later, surveillance cameras at the North Attleborough industrial park showed the vehicle heading toward the remote area where Lloyd's body was later found, McCauley said.

"The car goes down there at 3:22," McCauley said. "Four minutes later, the car is visible again. During the interval between 3:23 and 3:27, people who were working the overnight shift hear gunshots."

Minutes later, surveillance video from Hernandez's home security system shows the former NFL player arriving back at his house with two other people, according to the district attorney. Hernandez appears to be holding a firearm, McCauley said.

"The defendant goes walking through the house with the gun in his hand. That is captured in the video. ... And they all go down to the basement," McCauley said. "Once in the basement, the surveillance gets shut off."

McCauley said the gun Hernandez was carrying in the surveillance video has not been found.

### **Investigation continues**

For the past several days, investigators have been searching the area near Hernandez's home as they have investigated Lloyd's death. Authorities Wednesday said the investigation was ongoing.

It was unclear whether there had been any additional arrests in the case.

"One critical part of this case that we don't know anything about at this point is the two other men (Hernandez is) accused of being with," CNN senior legal analyst Jeffrey Toobin said. "Were they shooters? Were they involved? Will they flip against Hernandez? They are obviously key figures in this, and we'll watch how that unfolds."

The Patriots released Hernandez from the team before the charges against him were made public Wednesday.

"Words cannot express the disappointment we feel knowing that one of our players was arrested as a result of this investigation," the team said in a statement.

The NFL released its own statement, calling the involvement of a player in the case "deeply troubling."

Both the NFL and Patriots expressed sympathy for the victim's family.

Hernandez's lawyer broke his silence Monday, saying his client has been subjected to "a relentless flood of rumors, misinformation and false reports," including unsubstantiated



accounts in some media outlets late last week that an arrest warrant had been issued in connection with the investigation.

On Wednesday, about a half-dozen plainclothes police officers went to Hernandez's house and then led him out in handcuffs. He was wearing a white T-shirt and shorts.

#### Death inquiry, silence from player and cops

#### **Victim's family reacts**

Authorities had been tight-lipped since 27-year-old Lloyd's body was found last week.

Before Wednesday's hearing, Lloyd's sister, Olivia Thibou, said she was glad to hear about Hernandez's arrest.

"God is great," she said. "It's the best news I've had since my brother was killed last week."

On Tuesday, a notice posted at the courthouse said all records relating to the investigation have been "impounded by order of the court."

The move seals all records related to the case, including search warrants.

#### House searched again

Lloyd died of gunshot wounds, the prosecutor said Wednesday.

Thibou told CNN last week that Lloyd and Hernandez were friends who were at a Boston nightclub together a few days before Lloyd's death. She said her brother was dating the sister of Hernandez's fiancée. She did not know when or how her brother and Hernandez met.

Thibou said she did not know of any problems between Hernandez and Lloyd, who worked for a landscaping company. She said she couldn't imagine why anyone would want to kill her brother, whom she described as a friendly guy who was like a father to her 7-year-old daughter.

CNN's Rick Hall and Susan Candiotti reported from North Attleborough. CNN's Catherine E. Shoichet reported from Atlanta. CNN's Rande Laboni contributed to this report.

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**The New York Times**

June 26, 2013

# Former Patriots Tight End Is Charged With Murder

By BILL PENNINGTON

NORTH ATTLEBOROUGH, Mass. — The N.F.L. player Aaron Hernandez was charged Wednesday with the murder of Odin Lloyd, a 27-year-old semipro football player who was found dead on June 17 in an industrial park within a mile of Hernandez's home.

Hernandez pleaded not guilty to that charge and five other gun-related charges. He was held without bail.

Hernandez was arrested and led away from his home in North Attleborough on Wednesday morning. Hernandez, wearing a white T-shirt and red athletic shorts, was driven to the North Attleborough police department. He was arraigned Wednesday afternoon in Attleborough District Court.

Prosecutors said home surveillance videos taken from Hernandez's house show him in possession of firearms before and after Lloyd was killed, that Hernandez was observed picking Lloyd up at 2:30 a.m. on the night he was killed, that a silver Nissan Altima — the same make of vehicle Hernandez had rented — was seen going to and coming from the site where Lloyd's body was found and that Hernandez was seen exiting his vehicle with a gun at his home at 3:29 a.m., shortly after authorities say Lloyd had been murdered.

Prosecutors added that .45 caliber shell casings found at the scene matched shell casings found in the rental car after Hernandez turned it in.

"The defendant orchestrated the execution," an assistant district attorney, Bill McCauley, said. Lloyd, he said, was shot five times.

One of Hernandez's lawyers, Michael Fee, called the case against him "weak" and "circumstantial."

Hernandez was impassive in the courtroom and showed no emotion as members of Lloyd's family were led from the courtroom crying. At the end of proceedings, with his hands cuffed in front of him, he wiped sweat from above his eyebrow.

About an hour and a half after the arrest, the New England Patriots announced they had released Hernandez.

"A young man was murdered last week and we extend our sympathies to the family and friends who mourn his loss," the team said in a statement. "Words cannot express the disappointment we feel knowing that one of our players was arrested as a result of this investigation."

The N.F.L. said in a statement that "the involvement of an N.F.L. player in a case of this nature is deeply troubling. The Patriots have released Aaron Hernandez, who will have his day in court. At the same time, we should not forget the young man who was the victim in this case and take this opportunity to extend our deepest sympathy to Odin Lloyd's family and friends."

Lloyd's family members said Lloyd and Hernandez were friends who had been together the previous day. Published reports have indicated that Lloyd was dating the sister of Hernandez's fiancée.

Massachusetts State Police have twice searched Hernandez's home as well as a nearby pond and woods but until Wednesday would only characterize the investigation as "active and ongoing."

For the last several days, Hernandez had been secluded inside his home in an exclusive residential section near the Patriots' training facility and stadium in the adjacent town of Foxborough. He was visited by one of his lawyers, James Sultan, Tuesday afternoon. Sultan brought some paperwork into Hernandez's home and spent about 20 minutes in the house.

Roughly 18 hours later, North Attleborough police cruisers drove up the Hernandez driveway. Hernandez was escorted out of the ornate front door of his home and placed in the back of a police cruiser.

Less than a year ago, Hernandez signed a contract extension with the Patriots, that with incentives, was worth nearly \$40 million.

## Aaron Hernandez arrested, taken into police custody

New England Patriots tight end Aaron Hernandez was taken from his home in handcuffs Wednesday, more than a week after a Boston semi-pro football player was found dead in an industrial park a mile from the player's house. (June 26)

Kevin Manahan, USA TODAY Sports 2:22 p.m. EDT June 26, 2013



(Photo: Melina Vastola, USA TODAY Sports)

NORTH ATTLEBOROUGH, Mass. — Former New England Patriots tight end Aaron Hernandez has been arrested and taken into custody by police, who are investigating the homicide of semi-pro football player Odin Lloyd, who was found shot execution-style about a half-mile from Hernandez's home.

Hernandez, wearing red shorts and sneakers, was led out from his home handcuffed, his arms inside a white V-neck white T-shirt and behind his back, and placed in the back seat of a police cruiser.

Hernandez has been at the center of a police investigation into Lloyd's death.

The 27-year-old's body was found on June 17 in an industrial park by a nighttime jogger, about a half-mile from Hernandez's home. Police ruled the death a homicide, and Lloyd's family members said Lloyd, who was shot in the head, and Hernandez were friends who had been together the previous day.

Just hours after the arrest, the New England Patriots announced in a statement that the team released Hernandez (<http://www.usatoday.com/story/sports/nfl/2013/06/26/aaron-hernandez-released-new-england-patriots-arrested/2459401/>).

"A young man was murdered last week and we extend our sympathies to the family and friends who mourn his loss," the team said in a statement. "Words cannot express the disappointment we feel knowing that one of our players was arrested as a result of this investigation. We realize that law enforcement investigations into this matter are ongoing. We support their efforts and respect the process. At this time, we believe this transaction is simply the right thing to do."

The Patriots drafted Hernandez out of Florida in 2010, and last summer, the team gave Hernandez a five-year contract worth \$40 million.

Seven officers were present for the 8:47 a.m. arrest by Massachusetts State Police and North Attleboro Police. Hernandez will be arraigned at Attleboro District Court. In an email statement, the office of Bristol District Attorney C. Samuel Sutter said he will meet with the press and issue a statement following Hernandez's arraignment, scheduled for 2 p.m. ET.



**MASS STATE POLICE**  
@MassStatePolice



Hernandez arrested at his home this morning shortly after MSP obtained arrest warrant.

9:35 AM - 26 Jun 2013

253 RETWEETS 23 FAVORITES



**MASS STATE POLICE**  
@MassStatePolice



We are not releasing the charge against Hernandez until it is presented to the court. Again, he will be arraigned in

"The involvement of an NFL player in a case of this nature is deeply troubling," NFL spokesman Greg Aiello said in an email statement. "The Patriots have released Aaron Hernandez, who will have his day in court. At the same time, we should not forget the young man who was the victim in this case and take this opportunity to extend our deepest sympathy to Odin Lloyd's family and friends."

ABC News has reported that Hernandez destroyed his cellphone and video surveillance system and had his home professionally cleaned the day Lloyd's body was found. And Massachusetts State Police have twice searched Hernandez's home, along with nearby woods and a pond.

On Saturday, police swarmed Hernandez's home with investigators and two police dogs for nearly four hours. They concentrated on the house, a large playhouse in the back yard that Hernandez uses as a doghouse, nearby woods and Hernandez's white SUV, which was parked in the driveway. Investigators left with approximately a dozen bags.

They returned to Hernandez's upscale neighborhood Monday, when two divers in scuba gear checked a nearby pond before the team scoured densely wooded areas with metal detectors. According to one member of the six-man search team, who spoke on the condition of anonymity because he was not authorized to speak about the case, investigators found no evidence during the hourlong search.

With the Wednesday's arrest, the center of attention has shifted from Hernandez's home, where nearly two dozen reporters have been camped out the past few days, to the court house, a two-story brick building near downtown Attleborough. Unaware of the latest developments, a Coca-Cola delivery truck was turned away at courthouse: "Should I come back another day?" Nearby, two helicopters circled the police station.

Lloyd's mother, Ursula Ward, declined comment to The Associated Press at her Boston home Wednesday morning.

"Nothing to say, please. Thank you," she said, before shutting the door.

**HERNANDEZ: Past troubles coming into focus** (<http://www.usatoday.com/story/sports/nfl/patriots/2013/06/22/aaron-hernandez-connecticut-background/2449237/>)

Last week another man from Connecticut filed a civil lawsuit in Florida saying Hernandez shot him in the face in February, causing him to lose an eye; he is seeking damages in excess of \$100,000.

In the complaint filed by attorneys for 30-year-old Alexander S. Bradley, Hernandez is accused of shooting Bradley in the face while the two were in a vehicle early Feb. 13 after a night of partying at a strip club in Miami.

According to the complaint and a police report from the Palm Beach County Sheriff's Office obtained by USA TODAY Sports, Bradley lost his right eye and has lost much of the use of his right arm. He said he needed further surgeries and experienced pain and difficulty eating and was requesting damages in excess of \$100,000.

Bradley refused to cooperate with the police investigation, giving only a vague description of "black and Hispanic" men that shot him. When he wouldn't speak any further with investigators, the case was deemed inactive, and it will not be reopened without Bradley's cooperation.

Hernandez's relationship with Bradley is unclear, though both are from Connecticut, with their hometowns located about 20 miles apart. Bradley was convicted of selling drugs in 2006 and spent 18 months in jail.

Bradley's lawsuit was initially filed four days before Lloyd's death in Massachusetts.

**PHOTOS: AARON HERNANDEZ SAGA**

## Former Patriots tight end Aaron Hernandez charged with murder

By Elizabeth Chuck, Staff Writer, NBC News  
Wed Jun 26, 2013 2:53 PM EDT

NBCNews.com

Former New England Patriots tight end Aaron Hernandez was formally charged Wednesday afternoon with first-degree murder, more than a week after a body was found near his Massachusetts home.

Hernandez pleaded not guilty to murder and to five firearms charges, including possessing a large-capacity firearm. A judge ordered him to be held without bail because of the murder charge.

"He orchestrated the crime from the beginning and took steps to conceal and destroy evidence," First Assistant District Attorney Bill McCauley told the court.

Wearing a white V-neck shirt, red sports shorts, and handcuffs in Attleboro District Court, Hernandez showed no emotion as prosecutors laid out a bruising account of what allegedly happened the night semi-professional football player Odin Lloyd was killed, citing what they say is surveillance camera footage, text messages, and witnesses who were working the overnight shift who heard gunshots as evidence. Hernandez wiped tears from his face at the very end of the arraignment.

The bullet-punctured body of Lloyd, 27, was found by a jogger on June 17 in an industrial park about one mile away from the ex-tight end's North Attleborough home. The death was ruled a homicide.

Prosecutors said that the killing was prompted by a fight between the two friends during a trip on June 14 to a Boston nightclub. On June 17, Hernandez and two friends allegedly picked Lloyd up at his house at 2:30 a.m. Surveillance footage from Hernandez's house shows him leaving earlier in the night with a weapon, prosecutors said.

After getting into the car, Lloyd allegedly texted a family member, asking, "Did you see who I am with," prosecutors said. He then texted that it was Hernandez and followed it up with, "Just so you know" in another text message, they alleged during the arraignment.

Later that morning, between 3:23 a.m. and 3:27 a.m., employees who were working the overnight shift at the industrial park where Lloyd's body would later be found reported hearing gunshots, authorities said. It's not clear who investigators believe fired the shots.

"It is not a strong case," Michael Fee, Hernandez's attorney, who had asked for bail, said in court.

But prosecutors allege home security videos from Hernandez's house show him with firearms after Lloyd had been murdered, and show a Nissan Altima — the same type of car Hernandez had rented — going to and coming from the site where Lloyd's body had been

found. He was seen exiting the vehicle at 3:29 a.m. with a gun at his home on the surveillance footage, prosecutors claim, shortly after authorities say Lloyd was killed.

Hernandez, 23, was placed in handcuffs and put in a police cruiser just before 9 a.m. on Wednesday by Massachusetts State Police and North Attleborough police. Authorities have searched his home, on the Rhode Island line not far from the Patriots' stadium, several times over the past week.

Less than two hours after the arrest, the Patriots announced they were releasing Hernandez.

"A young man was murdered last week and we extend our sympathies to the family and friends who mourn his loss. Words cannot express the disappointment we feel knowing that one of our players was arrested as a result of this investigation. We realize that law enforcement investigations into this matter are ongoing. We support their efforts and respect the process. At this time, we believe this transaction is simply the right thing to do," a statement from the team read.

The Patriots drafted Hernandez in 2010. Last summer, the team gave Hernandez a five-year contract that is worth \$40 million, including a signing bonus of \$12.5 million.

The investigation also cost Hernandez his endorsement contract with CytoSport, which makes Muscle Milk and other supplements for athletes, last week.

A call to Fee, Hernandez's attorney, was not immediately returned.

Separately, Hernandez is also embroiled in a civil lawsuit by a Connecticut man, Alexander Bradley, who alleges Hernandez shot him in the eye after the two left a Miami strip club in February.

According to a Palm Beach County police report, the case was abandoned because Bradley refused to cooperate with authorities.

Hernandez lives with his fiancée and their infant, according to Fee.

**Related content:**

- [Florida lawsuit alleges Patriots' Hernandez shot friend in face](#)

*The Associated Press contributed to this report.*

This story was originally published on

## **NFL Star Aaron Hernandez Charged With Murder**

By COLLEEN CURRY, JOSH HASKELL and MICHELE MCPHEE  
June 26, 2013—

abcnews.go.com

### **New England Patriots Release Hernandez Ahead of Murder Charges**

Former New England Patriots star Aaron Hernandez was charged with murder today for allegedly shooting and killing his friend, Odin Lloyd, 11 days ago.

Hernandez, who was taken out of his house in handcuffs this morning, appeared in gym shorts and a white T-shirt during his arraignment in Bristol County district court today. He remained silent as prosecutors read aloud the six charges he faces, including murder and weapons charges, and described the investigation into Lloyd's death.

Prosecutors said they pieced together the night of Lloyd's death using surveillance video culled from the area and cellphone records. Lloyd's body was found June 17.

Prosecutors outlined a potential timeline of Hernandez's allegedly driving to Lloyd's home, picking him up, driving him back to North Attleborough, and allegedly firing two bullets at Lloyd, age 27.

Lloyd's family members appeared in court, escorted by Massachusetts State Police.

Hernandez was ordered held without bail and will be taken to the Bristol County House of Correction, despite his lawyer's insistence that he is no flight risk.

"We ask for the defendant to be evaluated on the merits and on the strength of this case, and it is a circumstantial case, if the court separates the facts from the inferences, you'll see it's circumstantial," Hernandez's defense attorney said at the hearing.

"The defendant has never been accused of a violent crime, he is a resident of North Attleborough, has been a resident of North Attleborough, lives in domestic partnership in that home with his small baby and his girlfriend, his fiancée, and deserves to be home on the conditions of bail. There is no risk of flight."

Hernandez arrived in court in the back of a North Attleborough, Mass., police car. As he arrived, a fan waiting outside the courthouse shouted, "Free Aaron Hernandez."

He was arrested earlier today, around 8:45 a.m., at his \$1.7 million mansion in North Attleborough, Mass., about a mile away from where Lloyd's body was found.

Shortly after the arrest, around 10:30 a.m., the Patriots announced they were releasing Hernandez from the team, calling it "the right thing to do."

### **Watch Cops Search the Home of Patriots Star Aaron Hernandez**

"A young man was murdered last week and we extend our sympathies to the family and



friends who mourn his loss," the statement said. "Words cannot express the disappointment we feel knowing that one of our players was arrested as a result of this investigation.

"We realize that law enforcement investigations into this matter are ongoing. We support their efforts and respect the process. At this time, we believe this transaction is simply the right thing to do."

**Read About the Arrest Warrant Issued for Aaron Hernandez**

Both the NFL and Massachusetts state police told ABC News they had no comment on Hernandez's arrest. The district attorney is expected to talk about the case with reporters after court this afternoon.

Hernandez has been at the center of the investigation since Lloyd's body was found shot in the back of the head in a scrubby clearing of an industrial park roughly a mile from the Patriots star's \$1.7 million mansion.

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 **[PRINT]** ESPN.com: NFL[Print without images]

Wednesday, June 26, 2013

## Murder charge for Aaron Hernandez

ESPN.com news services

ATTLEBORO, Mass. -- Aaron Hernandez has been charged with murdering his friend after the two had a dispute during a trip to a nightclub.

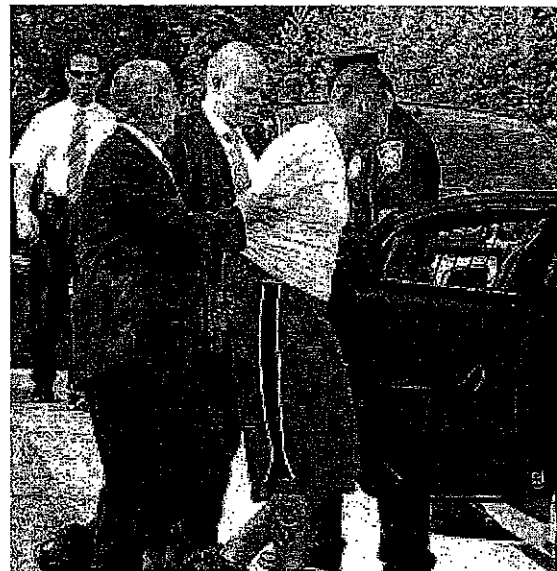
Hernandez was arrested Wednesday and charged with the first-degree murder of 27-year-old Odin Lloyd, a semi-pro football player whose body was found in an industrial park about a mile from the former New England Patriots tight end's home.

Hernandez, released by the Patriots less than two hours after his arrest, pleaded not guilty and has been ordered to be held without bail. Hernandez also faces five gun-related charges, which were revealed Wednesday afternoon in Attleboro District Court.

Lloyd's relatives said he was dating the sister of Hernandez's fiancée, that the two men were friends and that the men were out together on the last night of Lloyd's life. He was shot multiple times in the back and chest, authorities said.

In court, prosecutors described a killing borne out of a trip to a Boston nightclub on the night of June 14.

Hernandez and two friends picked up Lloyd at home at 2:30 a.m. on June 17, prosecutors said. Surveillance footage from Hernandez's home shows him leaving earlier with a gun. He also told someone in the house that he was upset and couldn't trust anyone anymore, prosecutors said.



Aaron Hernandez was arrested Wednesday morning at his home in North Attleborough, Mass., and charged with first-degree murder later in the day.

After picking up Lloyd, Hernandez said he was upset with Lloyd because Lloyd had spoken with people Hernandez had trouble with during their outing to the nightclub, prosecutors said.

After that conversation, Lloyd texted his sister, "Did you see who I am with," prosecutors said. When his sister asked who, he answered at 3:22 a.m., "NFL," then, a minute later, "Just so you know," prosecutors said.

Between 3:23 a.m. and 3:27 a.m., people working the overnight shift at the industrial park reported hearing gunshots, authorities said.

It's not clear who investigators believe fired the shots.

Hernandez's attorney, Michael Fee, asked for bail, saying Hernandez is not a flight risk, is a homeowner

and lives with his fiancée and an 8-month-old baby. He also said Hernandez never had been accused of a violent crime.

"It is at bottom, a circumstantial case. It is not a strong case," Fee said.

Hernandez was wearing a white V-neck T-shirt, with his arms inside the shirt and behind his back as he was led from his sprawling North Attleborough home at approximately 8:45 a.m. Wednesday. He casually spit into some bushes on his way to a police cruiser.

At about 10:20 a.m. Wednesday morning, the Patriots announced they had released Hernandez and expressed sympathy to Lloyd's family and friends.

"Words cannot express the disappointment we feel knowing that one of our players was arrested as a result of this investigation," the Patriots said in a statement. "We realize that law enforcement investigations into this matter are ongoing. We support their efforts and respect the process. At this time, we believe this transaction is simply the right thing to do."

The NFL also released a statement Wednesday, saying that Hernandez's arrest is "deeply troubling."

"The involvement of an NFL player in a case of this nature is deeply troubling," the league's statement said. "The Patriots have released Aaron Hernandez, who will have his day in court. At the same time, we should not forget the young man who was the victim in this case and take this opportunity to extend our deepest sympathy to Odin Lloyd's family and friends."

The Patriots drafted Hernandez, who is originally from Bristol, Conn., out of the University of Florida in 2010. Last summer, the team gave him a five-year contract worth \$40 million.

Hernandez is one of 28 NFL players arrested since this year's Super Bowl on Feb. 3, according to a database kept by U-T San Diego.

*Information from The Associated Press was used in this report.*

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## **EXHIBIT D**



**The New York Times** | <http://nyti.ms/1b36ulu>

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PRO FOOTBALL

# Aaron Hernandez Found Guilty of First-Degree Murder

By **KEN BELSON** and **VICTOR MATHER** APRIL 15, 2015

Aaron Hernandez, a former tight end with the New England Patriots, was convicted of first-degree murder and several weapons and ammunitions charges Wednesday, ending the stunning downfall of a player who was once one of the N.F.L.'s most promising young stars.

Mr. Hernandez, 25, will spend the rest of his life in prison without the possibility of parole for the murder of Odin Lloyd, who was dating the sister of Mr. Hernandez's fiancée, Shayanna Jenkins. The body of Mr. Lloyd, a 27-year-old semiprofessional football player, was found, shot six times, in June 2013 in a pit at an industrial park near Mr. Hernandez's home in North Attleboro, Mass.

Mr. Hernandez's motive, prosecutors said, was that Mr. Lloyd spoke with people Mr. Hernandez did not like at a bar in Boston. Their case, which was largely circumstantial, took more than two months to present; more than 100 witnesses were called. No murder weapon was found, and no independent witness to the shooting came forward.

The defense's case lasted only a day and included three witnesses. Mr. Hernandez's lawyer, James Sultan, acknowledged that his client was at the scene of the killing and claimed that two other men, who are charged separately for the crime, committed it while high on PCP.

After the jury deliberated for more than six days, Mr. Hernandez stood as the verdict was read in Bristol County Superior Court in Fall River, Mass., which is less than an hour's drive from Gillette Stadium, where the Patriots play. After the foreman said that Mr. Hernandez was guilty of first-degree murder, he was shackled

by guards and sat down. His mother and fiancée cried on a bench nearby, not far from where Mr. Lloyd's family was also in tears.

"I felt like I wanted to go in the hole with my son, Odin," Lloyd's mother, Ursula Ward, said in court after the verdict was read.

Mr. Hernandez, clad in a gray suit, white shirt and dark tie, did not speak after his sentencing. His eyes were partly bloodshot, and he licked his lips frequently. He still faces a trial on charges of fatally shooting two men outside a nightclub in 2012.

His conviction is unwelcome news for the N.F.L., which has long had to contend with current and former players getting into trouble, including those arrested on weapons and assault charges. Last year, the league was accused of not grasping the seriousness of domestic violence after a video was released showing the former Baltimore Ravens running back Ray Rice knocking out his fiancée.

The league has tried to portray itself as having no tolerance for players involved in violence off the field, but N.F.L. Commissioner Roger Goodell, like other commissioners, has put more emphasis on punishing players for poor behavior than giving them incentives to change their behavior, according to Robert A. Boland, who teaches sports law at New York University.

"I don't think it's a blot on the N.F.L.'s reputation, but you certainly don't want to have members of your organization involved in murders," he said. "The players are sometimes not the people that the owners and the sponsors think they are. It shows a particular blind spot that all pro sports have."

The N.F.L. and the Patriots had no statement on the verdict.

Mr. Hernandez is the latest former N.F.L. player involved in a murder case. Rae Carruth, a wide receiver with the Carolina Panthers, was found guilty in 2001 for conspiring to murder a woman who was pregnant with his child. The year before, Ray Lewis, a linebacker on the Baltimore Ravens, was indicted on murder charges after a fight broke out at a Super Bowl party. He later pleaded guilty to a lesser charge and served no time in prison. Lawrence Phillips, a running back selected sixth in the 1996 draft by the St. Louis Rams, is suspected of killing his cellmate on April 11 in a California prison where he is serving a 31-year sentence for choking his girlfriend in 2005 and for driving his car into three teenagers later that year.

Mr. Hernandez's conviction is a stark reversal for a player who was portrayed as a feel-good story after he was taken by the Patriots in the 2010 draft. A star at the University of Florida, he signed a \$40 million contract extension in 2012 to continue

playing for the Patriots not far from where he was raised in Bristol, Conn. In his second season, the best of his three in the N.F.L., he caught 79 passes and helped the Patriots reach the Super Bowl.

But as his trial revealed, he never fully separated himself from the troubled streets where he grew up. His conviction, which may be appealed, is a reminder of a sporting culture in which teams and leagues often turn a blind eye toward a player's troubled past.

"It's possible for someone to go through every step like Hernandez without having to sever ties to the place where he grew up," said Eric Hipple, a former N.F.L. quarterback who is an outreach specialist at After the Impact, a traumatic brain injury center in Michigan. "The interest is putting the ball on the field. We'll surround them with money, but we won't look very deeply."

Mr. Hipple said that athletes who suddenly were showered with large paydays often had trouble fending off family and friends who sought their money and steered them into trouble. "The culture of football, you suck it up, you play with pain, and if you're not comfortable with where you came from, you suck it up and deal with it," he said.

Mr. Hernandez played on a Florida team that had numerous encounters with the police. Between 2005 and 2010, players were arrested at least 31 times on charges as varied as underage drinking, disorderly conduct, stalking and assault. Hernandez was questioned with three teammates after a shooting in 2007.

During the trial, the prosecution called Robert K. Kraft, the owner of the Patriots. He was questioned about a conversation he had with Mr. Hernandez shortly after the killing. He recounted that Mr. Hernandez had looked him in the eye and said he was innocent. Hernandez was released by the Patriots after he was arrested in 2013.

Current and former N.F.L. players said on Twitter that the verdict was shocking but also a reminder to stay out of trouble.

"Sad to see someone like Hernandez throw his talent away like this but the sad truth is there are a lot of talented people who get caught up," Chris Baker, a defensive end for the Washington Redskins, wrote on Twitter.

Defense lawyers did not portray Mr. Hernandez as a saint, but they argued that because he had signed a big contract extension, he had little motive to be involved in a murder.

They also accused the police of conducting a sloppy investigation.

A key witness for the prosecution was Ms. Jenkins, Mr. Hernandez's fiancée, who received immunity in exchange for her testimony.

She said that on the night that Mr. Lloyd's body was found, but before she knew he was dead, Mr. Hernandez called her from the police station and asked her to give some money to Ernest Wallace, one of the other men eventually charged in the killing.

She also spoke of a box that she said Mr. Hernandez instructed her to remove from their house and discard the day after Mr. Lloyd's body was found.

On March 30, she said that she disposed of the box after driving to a Dumpster, but did not recall where that was. She also said that Mr. Hernandez did not tell her what was in the box, nor did she look inside.

Some jurors who spoke to reporters after they were dismissed said that they were surprised that the defense admitted in its closing argument that Mr. Hernandez had been at the scene of the crime.

A version of this article appears in print on April 16, 2015, on page B13 of the New York edition with the headline: Hernandez Receives Life Sentence for Murder.





Print Close

## Convicted murderer Aaron Hernandez sentenced to life in prison without parole

Published April 15, 2015 | FoxNews.com

Aaron Hernandez, the former star tight end for the New England Patriots, was sentenced to life in prison without parole after being convicted Wednesday of first-degree murder in the death of his fiancée's sister's boyfriend, who prosecutors say may have known too much about two previous killings in which Hernandez is a suspect.

The hulking former Pro-Bowler, who commanded a salary of nearly \$10 million per year and was one of the top young stars in the game as recently as three seasons ago, looked to his right and pursed his lips after the jury forewoman read the verdict. The conviction in the murder of Odin Lloyd, a 27-year-old landscaper and amateur weekend football player, carries a sentence of life in prison without the possibility of parole.

Hernandez's mother, Terri, and his fiancée, Shayanna Jenkins, cried and gasped when they heard the verdict. Shayanna Jenkins wept on his mother's shoulder. Hernandez later mouthed to them: "Be strong. Be strong."

The former football pro was also found guilty on firearm and ammunition charges.

Hernandez's lawyer acknowledged during closing arguments that he was at the scene when Lloyd was killed. But he pinned the shooting on two of Hernandez's pals, saying his client was a 23-year-old kid who didn't know what to do.

Prosecutors said Hernandez planned the killing and then helped cover it up.

**VIDEO: Judge Napolitano breaks down Hernandez guilty verdict**

Lloyd was shot six times in the middle of the night on June 17, 2013, in a deserted industrial park near Hernandez's home in North Attleborough. Prosecutors presented a wealth of evidence that Hernandez was with Lloyd at the time he was killed, including home security video from Hernandez's mansion, witness testimony and cellphone records that tracked Lloyd's movements.

Hernandez's lawyer, James Sultan, acknowledged for the first time during closing arguments that Hernandez was there when Lloyd was killed.

But the attorney pinned the shooting on two of Hernandez's friends, Ernest Wallace and Carlos Ortiz, saying his client was a "23-year-old kid" who witnessed a shocking crime and didn't know what to do. Wallace and Ortiz will stand trial later.

Prosecutors have suggested Lloyd may have been killed because he knew too much about Hernandez's alleged involvement in a deadly 2012 drive-by shooting in Boston. But they were not allowed to tell the jury that because the judge said it was speculation.

As a result, they never offered a motive beyond saying Hernandez appeared angry with Lloyd at a nightclub two nights before the killing.

Hernandez faces further legal trouble: He is awaiting trial on murder charges in the drive-by shooting. He is accused of gunning down two men over a spilled drink at a nightclub.


The former tight end grew up in Connecticut, where he starred for Bristol Central High School. Heavily recruited, he initially committed to play for the University of Connecticut, but later switched to the University of Florida, where he played from 2007 to 2009. With the Gators, he became a starter as a sophomore, and starred in the 2009 BCS National Championship Game in which Florida beat the Oklahoma Sooners, 24-14. The next season, Hernandez was named a first-team All-American.

Hernandez declared for the NFL draft after his junior year, and was selected by the New England Patriots in the fourth round. Days after he was selected, The Boston Globe reported that Hernandez had failed multiple drug tests while in college. As a pro,

Hernandez became a rookie starter and scored six touchdowns in 14 games. He was named a Pro Bowl alternate in his second season, in 2011, and helped lead the Patriots to Super Bowl XLVI, which the team lost to the New York Giants 17-21.

After cutting Hernandez, the team immediately voided the remaining years on the contract and moved to recoup all of the signing bonus. Less than a year later, he was arrested for the murder of Lloyd and was soon cut by the Patriots, winners of this year's Super Bowl.

*The Associated Press contributed to this report*

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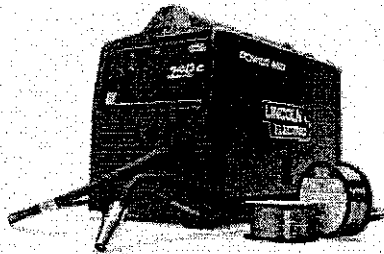
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## Aaron Hernandez found guilty of first-degree murder

AP 2:08 p.m. EDT April 15, 2015

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Former New England Patriots player Aaron Hernandez has been found guilty of first-degree murder. A Massachusetts jury on Wednesday found Hernandez killed Odin Lloyd on June 17, 2013. (April 15)  
AP



(Photo: Dominick Reuter, Pool)

FALL RIVER, Mass. (AP) — Former New England Patriots star Aaron Hernandez was found guilty Wednesday of first-degree murder and sentenced to life in prison in a late-night shooting, sealing the downfall of an athlete who once had a \$40 million contract and a standout career ahead of him.

Hernandez, 25, looked to his right, pursed his lips and sat down as the jury forewoman announced him guilty in the slaying of Odin Lloyd, a 27-year-old landscaper and amateur weekend football player who was dating the sister of Hernandez's fiancée. The first-degree murder conviction carried a mandatory sentence of life in prison without parole and automatically triggered an appeal to Massachusetts' highest court.

Hernandez's mother, Terri, and his fiancée, Shayanna Jenkins, cried and gasped when they heard the verdict. Shayanna Jenkins wept on his mother's shoulder. Hernandez, his eyes red, later mouthed to them: "Be strong. Be strong."

Lloyd's mother also cried.

The former football pro was also found guilty on firearm and ammunition charges. The jury deliberated over seven days before rendering its verdict.



**FOR THE WIN**

The world reacts to the Aaron Hernandez murder verdict

<http://ftw.usatoday.com/2015/04/aaron-hernandez-guilty-murder-verdict-odin-lloyd-new-england-patriots>

"The jury found that he was just a man who committed a brutal murder," District Attorney Thomas Quinn said. "The fact that he was a professional athlete meant nothing in the end."

For reasons that were never made clear to the jury, Lloyd was shot six times in the middle of the night on June 17, 2013, in a deserted industrial park near Hernandez's home.

Police almost immediately zeroed in on Hernandez because they found in Lloyd's pocket the key to a car the NFL player had rented. Within hours of Hernandez's arrest, the Patriots cut the former Pro Bowl athlete, who was considered one of the top tight ends in the game.

Prosecutors presented a wealth of evidence that Hernandez was with Lloyd at the time he was killed, including home security video from Hernandez's mansion, witness testimony and cellphone records that tracked Lloyd's movements.

## Aaron Hernandez convicted of 1st-degree murder, gets life in prison

By Tribune wire reports

APRIL 15, 2015, 8:01 PM | FALL RIVER, MASSACHUSETTS

**F**ormer New England Patriots star Aaron Hernandez was convicted of first-degree murder and sentenced to life in prison Wednesday for a deadly late-night shooting, sealing the downfall of an athlete who once had a \$40 million contract and a standout career ahead of him.

Hernandez, 25, who had been considered one of the top tight ends in professional football, shook his head, pursed his lips and sat down after the jury forewoman pronounced him guilty in the slaying of Odin Lloyd, a 27-year-old landscaper and amateur weekend football player who was dating the sister of Hernandez's fiancée.

Hernandez's mother, Terri, and his fiancée, Shayanna Jenkins, cried and gasped when they heard the verdict. Hernandez, his eyes red, mouthed to them: "Be strong. Be strong." Lloyd's mother also cried.

Jurors deliberated for 36 hours over seven days before rendering their decision, which also included convictions on weapons charges.

"The jury found that he was just a man who committed a brutal murder," District Attorney Thomas Quinn said after the verdict. "The fact that he was a professional athlete meant nothing in the end."

Lloyd was shot six times early on June 17, 2013, in a deserted industrial park near Hernandez's home in North Attleborough. The motive has never been explained.

Police almost immediately zeroed in on the former Pro Bowl athlete because they found in Lloyd's pocket the key to a car the NFL player had rented. Within hours of Hernandez's arrest, the Patriots cut him from the team. The team declined to comment on the verdict.

Prosecutors presented a wealth of evidence that Hernandez was with Lloyd at the time he was killed, including home security video from Hernandez's mansion, witness testimony and cellphone records that tracked Lloyd's movements.

Hernandez's lawyer, James Sultan, acknowledged for the first time during closing arguments that Hernandez was there when Lloyd was killed.

But the attorney pinned the shooting on two of Hernandez's friends, Ernest Wallace and Carlos Ortiz, saying his client was a "23-year-old kid" who witnessed a shocking crime and did not know what to do. Wallace and Ortiz will stand trial later.

Prosecutors have suggested Lloyd may have been killed because he knew too much about Hernandez's alleged involvement in a 2012 drive-by shooting in Boston that killed two. But they were not allowed to tell the jury that because the judge said it was speculation.

As a result, they never offered jurors a motive beyond saying Hernandez appeared angry with Lloyd at a nightclub two nights before the killing.

In the 2012 case, Hernandez is accused of gunning down a pair of men over a spilled drink at a nightclub.

All 12 jurors and three alternates spoke to reporters Wednesday, saying they were shocked by the defense admission that Hernandez was at the scene of the killing — an acknowledgement that they said helped confirm that he was guilty.

They also described how the judge talked to them privately after they reached their decision and told them about other allegations and evidence not presented in the case, including the 2012 slayings and the last texts Lloyd sent minutes before he died saying that said he was with "NFL."

The jurors said that information reaffirmed their feeling that they had made the right decision.

In the Lloyd killing, the defense argued that investigators fixated on Hernandez because of his celebrity and conducted a shoddy investigation in their zeal to confirm their suspicions.

Prosecutors said Hernandez organized the killing, summoned his two friends to help carry it out and drove Lloyd and the others to the secluded spot in the industrial park. During closing arguments, prosecutors also accused Hernandez of pulling the trigger, though under the law it was not necessary to prove who fired the shots to convict him.

Security video from inside Hernandez's home showed him holding what appeared to be a gun less than 10 minutes after Lloyd was killed. The surveillance system also captured Hernandez, Wallace and Ortiz relaxing at his home hours after Lloyd was shot, hanging out in the basement "man cave," lounging by the pool and cuddling Hernandez's baby daughter.

The conviction carries a mandatory sentence of life without parole and automatically triggers an appeal to Massachusetts' highest court.

Hernandez was initially taken to the state's Cedar Junction prison, a maximum-security facility less than a 4-mile drive from Gillette Stadium, where he once caught touchdown passes from Tom Brady in front of tens of thousands of fans.

He was to be processed there and eventually taken to Souza Baranowski prison in Shirley, another maximum-security institution, according to Darren Duarte, a spokesman for the Massachusetts Department of Corrections.

Lloyd's sister, Olivia Thibou, said Wednesday that prosecutors in the trial were her "dream team." Lloyd's mother, Ursula Ward, told the judge she forgave Hernandez and everyone else "who had a hand in my son's murder, either before or after."

Defense lawyers left the courthouse without commenting.

Hernandez, who grew up in Bristol, Connecticut, was an All-American from the University of Florida who was drafted by the Patriots in the fourth round in 2010.

*Associated Press*

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## Aaron Hernandez Sentenced to Life After Murder Conviction

By EMILY SHAPIRO and GILLIAN MOHNEY

Former New England Patriots player Aaron Hernandez has been found guilty of first-degree murder and sentenced to life in prison without the possibility of parole.

Hernandez, 25, was charged with killing Odin Lloyd, 27, on June 17, 2013. Lloyd, who was dating the sister of Hernandez's fiancée, was found shot to death in an abandoned industrial yard.

In addition to the murder charge, Hernandez was found guilty of unlawful possession of a firearm and unlawful possession of ammunition. As the verdict was read against him this morning, Hernandez sat down. His mother, Terri Hernandez, and fiancée, Shayanna Jenkins, burst into tears after the football player was found guilty. Jenkins had testified, with immunity, for the prosecution.

Lloyd's mother, seated among relatives, also sobbed in the courtroom.

After the sentencing hearing, state Assistant District Attorney William McCauley told reporters the verdict was "a relief."

"It was quite a relief," McCauley, the lead prosecutor, said. "We're the front person and we have so many people counting on us to bring about a successful result."

Bristol County District Attorney Thomas Quinn said Hernandez's position as a professional football player affected the attention given to the trial, but insisted he received a fair one.

"In the end, he was a man who committed a serious murder and was convicted of that with a jury of his peers," Quinn told reporters.

During sentencing hearing, Lloyd's mother and sister were among the relatives who spoke before the judge.

"Odin was the first best gift I ever received," Lloyd's mother, Ursula Ward, told the court. "I thank God every second and every day of my son's life that I spent with him."

Ward also said she forgave those responsible for her son's death.

"I forgive the hands of the people that had a hand in my son's murder, either before or after," she said.

Lloyd's sister Olivia Thibou said the time after her brother's death feels "like a bad dream."



"These last couple of years have been the hardest time of our lives," Thibou told the court. "At the age of 25, I was asked to write my brother's eulogy. That's the hardest thing I've ever done in my life."

Because of the first-degree murder conviction, Hernandez was automatically sentenced to life in prison without the possibility of parole.

Jurors decided on the guilty verdict after they deliberated for nearly 36 hours.

Prosecutors had alleged that Hernandez and two other men picked up Lloyd from his house and brought him to the industrial park near the Patriots' Gillette Stadium, about a mile from Hernandez's home.

Hernandez had pleaded not guilty.

Jurors heard testimony from 135 witnesses during the nine week trial, including Patriots' owner Robert Kraft. At the time of the murder, Hernandez had a \$40 million contract with the New England Patriots.

Hernandez was recently indicted for the 2012 drive-by shooting deaths of two men outside a Boston nightclub. He has pleaded not guilty.

*ABC News' Aaron Katersky has contributed to this report.*

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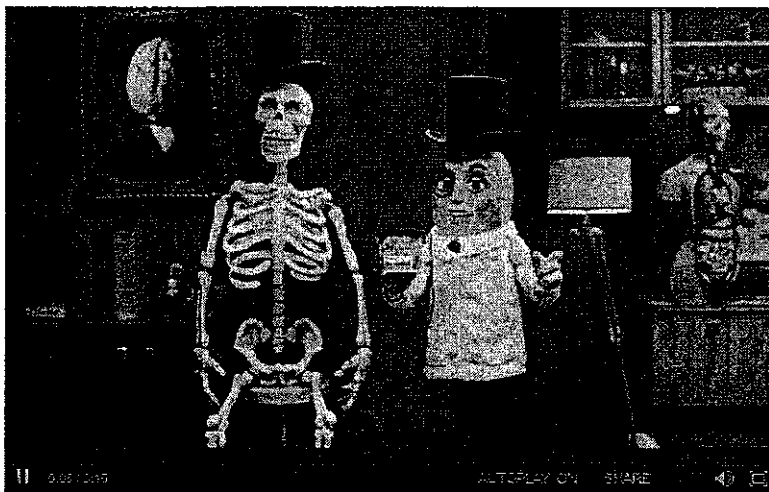
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By STEPHANIE SLIFER / CBS NEWS / April 15, 2015, 10:26 AM

# Aaron Hernandez guilty of first-degree murder in death of Odin Lloyd



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Last Updated Apr 15, 2015 1:30 PM EDT

**FALL RIVER, Mass.** - Aaron Hernandez, who once dominated the football field as a star tight end for the New England Patriots, was found guilty of first-degree murder in the death of Odin Lloyd, the boyfriend of his fiancée's sister, and was sentenced to life in prison without parole.

A 12-person jury reached the verdict Wednesday, on the seventh day of deliberations. The trial spanned more than two months and saw 135 witnesses - 132 of which were called by the prosecution.

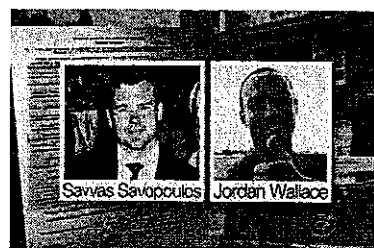
Hernandez was also found guilty of illegal possession of a firearm and illegal possession of ammunition.



34 PHOTOS  
Aaron Hernandez trial

Hernandez's fiancée and mother gasped and sobbed as the verdict was read. Lloyd's mother also cried. Hernandez appeared emotionless. At one point, the former NFL star shook his head and appeared to mouth the words, "You're wrong" in the direction of the jury. He also mouthed to his mother and fiancée: "Be strong. Be strong." Shortly after the verdict was delivered, Hernandez was sentenced by Judge Susan Garsh. Prior to

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Garsh handing down the automatic sentence of life in prison without parole, members of Lloyd's family gave victim impact statements to the court.

Lloyd's mother, Ursula Ward, spoke first, saying her only son Odin was the "best gift I ever received."

"The day I laid my son Odin to rest, I felt my heart stop beating for a moment," she said.

Lloyd's uncle, sister and cousin also spoke.



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**Patriots owner Robert Kraft testifies in Aaron Hernandez trial**

the investigation was "sloppy" and "unprofessional."

The defense argued Hernandez had no motive to kill Lloyd - who they described as Hernandez's friend and future brother-in-law. Instead, they pinned the killing on Hernandez's co-defendants, Ernest Wallace and Carlos Ortiz.

Ortiz and Wallace have pleaded not guilty to murder charges in the case and will be tried separately.



Odin Lloyd / CBS BOSTON

The 25-year-old Hernandez had a \$40 million contract with the Patriots when he was arrested and charged on June 26, 2013 in the death of Lloyd, a semi-pro football player who was found shot to death on June 17, 2013 in an industrial park near Hernandez's North Attleborough home. Hernandez was 23 at the time.

Throughout the trial, prosecutors argued the former pro-athlete orchestrated the murder of Lloyd and facilitated a cover-up, while the defense contended Hernandez was "targeted" by authorities because of his celebrity status and that

During closing arguments, Hernandez's defense attorney James Sultan acknowledged for the first time that Hernandez was present when Lloyd was killed, but said Hernandez was just a kid who didn't know how to react.

"He was a 23-year-old kid who witnessed a shocking killing, committed by someone he knew. He didn't know what to do, so he just put one foot

in front of the other," Sultan said.

But during the prosecution's closing arguments, Assistant District Attorney William McCauley urged jurors to convict Hernandez and pointed to the defendant's behavior after the crime, which McCauley said illustrated his guilt.

The prosecutor said Hernandez hung out with his two co-defendants after Lloyd's murder and later helped them flee.

During the course of the more than 2-month-long trial, the prosecution submitted hundreds of pieces of evidence, including video surveillance, cell phone records and receipts, in an effort to show Hernandez was with Lloyd the night he was murdered. They also repeatedly referred to surveillance images from inside Hernandez's home on the night of the murder that show Hernandez holding a black object that prosecutors contend was a gun.

The defense, however, called into question whether it really was a gun that Hernandez was seen holding. Instead, they aimed to suggest it was an iPad, TV remote or video game controller.

The weapon used to kill Lloyd was never found.

Prosecutors have said Hernandez and his two co-defendants used a rental car to pick Lloyd up at his home in Boston just after 2:30 a.m. on the day



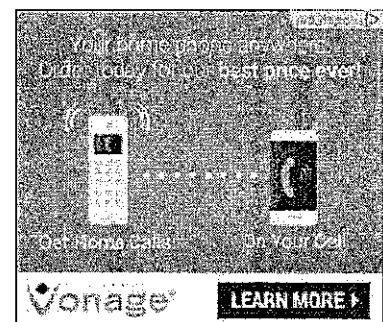
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### Aaron Hernandez's fiancée testifies in court

body and another found in a car rented by Hernandez. Testimony indicated that all of the shell casings were fired by the same firearm.

Also called to testify by the prosecution were Robert Kraft, owner of the New England Patriots; Shayanna Jenkins, Hernandez's fiancée; and Alexander Bradley, a former friend of Hernandez who has a lawsuit pending against the ex-NFLer alleging he shot Bradley in the face in Florida in 2013.

Hernandez's defense team presented their case in just a day and called only three witnesses. A doctor testified on their behalf about the drug PCP and said it can cause people to be suddenly violent, even days after smoking it.

Hernandez's cousin had testified earlier that Hernandez's co-defendants were smoking what she thought was PCP just days before Lloyd was killed. The defense's two other witnesses testified about DNA found on a shell casing inside a car Hernandez rented, which prosecutors have said the ex-NFL star used to drive Lloyd to his death. Hernandez's DNA was found on the shell casing, but the defense argued it got there from bubble gum that was found stuck to it.

After Hernandez was sentenced Wednesday, members of the jury spoke to the media and said the case against Hernandez was compelling. They said they did not buy the PCP defense and while they would not discuss what went on during deliberations, they said it was an emotional and stressful experience but they feel they reached the right conclusion.

"I think we will all remember it for the rest of our lives. It will definitely be a part of us," one said.

Hernandez also faces another trial in which he is charged with two counts of murder stemming from a 2012 double homicide, but the jury hearing the Lloyd case was not permitted to know about that. Hernandez has pleaded not guilty in that case.

Members of the jury said Wednesday that Judge Garsh told them about the 2012 murders after Hernandez was sentenced. The jurors said the judge also told them about the lawsuit Hernandez faces alleging he shot Alexander Bradley in the face. They said that after learning that information, they are even more confident they made the right decision in convicting him.

Bristol County District Attorney Thomas Quinn and prosecutor William McCauley also spoke to the media after Hernandez's sentencing. Both thanked the jury for the verdict and commended Lloyd's family for trusting in the trial process.

"The jury found that he was just a man who committed a brutal murder," Quinn said. "The fact that he was a professional athlete meant nothing in the end."

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**Stephanie Slifer**

ON TWITTER »

Stephanie Slifer covers crime and justice for CBSNews.com.

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FANBABE Apr 17, 2015 11:11AM

juries are picked by both the prosecution and the defense...they MUST agree on each and every juror that is selected...the fact that none were African-American makes it even more impressive...meaning there was zero racial bias involved...if they were AA, they would have had a verdict much fast I would assume anyway...the judge and the lead prosecutor were at odds a little bit from what I heard/read so if anything I would say the judge leaned harder on the prosecution...I mean the things she did not allow were many and yet the prosecution was still able to get, what I believe is the correct decision...AH is far from an angel...I mean look, he's got a ton of other stuff pending...and all are aggressive actions involving injury and/or death from a gun in his hands...the system worked!!!

[LIKE](#) / [REPLY](#)

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FANBABE April 16, 2015 2:22PM

Anyone who thinks AH got more than he should have in terms of sentencing...Let me remind you that immediately following the murder of OL, AH and his bitches go back to AH's mansion (AH with apparent gun in hand) party in the man cave & have drinks pool-side the next day...so the attorney's for AH really blew it in my humble opinion saying "he was young & scared"...B/S, yes he was young but AH was NOT scared...if he were I suspect he would have somehow gotten those thugs out of his mansion ASAP and maybe even rang the police...instead he tried to destroy evidence, lied to Kraft, his fiancé & the police!!! AH was and is not scared of anyone...that was evident in his courtroom "swagger" I'm a gigantic Gator fan and I still believe he got exactly what he deserved...and he's gonna get more!!! I'm hearing in the double murder case they have eve more evidence...a witness & the gun!!! I just wonder what the g/f is gonna do now...he's broke so she's broke...I just wonder if she will still "stand by her man"...I mean he's a pig...he lied to her continually from what I got out of the trial...constantly cheating on her, putting their little baby in harms way with his thug friends...I mean, come on, really, some of you people think he got slighted?

The other thing that really gets me is the attorney admitting at the 11th hour that AH was at the crime scene...doesn't the dude know that you don't necessarily have to pull the trigger to be convicted of murder? I'm no attorney but I even know that...I'm glad he did it cuz I think it made it easier for the jury, I'm just baffled...automatic appeal so there's still a chance for AH...however, with all the other crap hanging over his head, it's hard to believe he's not in his final resting place and definitely where he should be!!!

LIKE / REPLY

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BLUE1040 April 15, 2015 11:11PM

Bada-Bing Baby...guilty as hell

LIKE / REPLY

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1776USA2016 April 15, 2015 10:10PM

All 3 of these guys took Odin out there with one thing in mind - to murder him.

LIKE / REPLY

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VISTA8635 April 15, 2015 10:10PM

That pretty-boy probably won't have a hard time finding a prison "girlfriend" to give him oral pleasure during the next 40 years. That's something that he can look forward to. lol

LIKE / REPLY

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RICH2777 April 15, 2015 5:55PM

I stopped watching "Pro Football" way back in 1969, immediately after I saw a lineman pickup a quarterback, turn him upside down, and spike him, head first, into the ground. The quarterback was taken away on a stretcher, unconscious, of course. I turned off my TV in disgust, even before the announcers reported on that sickening event, and the condition of the quarterback. I haven't watched a "professional football" game since, and never will. *That day* football became a game of brutality and was no longer a game of skill. From what I've read and heard, it's still a game of who inflicts the most pain and damage; their track record on this speaks for itself. How professional is that? It's certainly not a game of who's the most skilled with their disciplines. How can anyone support such a "sport"?

4 LIKE / REPLY

SYMERA1 April 15, 2015 3:5PM

@rich2777 - what's your point? If you don't like it - don't watch it - nobody really cares -

1 LIKE / REPLY

---

1776USA2016 April 15, 2015 10:10PM

@Symera1 @rich2777 His next post will be "Get Off My Lawn".

LIKE / REPLY

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SCOTTPATRICK1234 April 15, 2015 4:4PM

His face says, "I didn't get away with hit."

1 LIKE / REPLY

---

MOUNTAINSTATES1 April 15, 2015 4:4PM

So done with the NFL. Why is it you never hear of these criminals in hockey or basketball or baseball? Why does the NFL scour the streets for the lowest life "scums" to recruit? Dog killers, wife beaters, drug dealers, murderers... No thanks. I'd rather watch soccer from now on.

3 LIKE / REPLY

---

DAPPER7878 April 15, 2015 4:4PM

Hey Chuckles, where'd you go? You were sooooo much fun?

LIKE / REPLY

---

BG20071 April 15, 2015 2:2PM

King of the ol' gridiron, The guy who had everything, who had too much.....but smart? Ain't no way.....there is one hopped-up stupid man....

3 LIKE / REPLY

---

JDK47 April 15, 2015 2:2PM

He is the definition of being too stupid to realize just how stupid he is.

7 LIKE / REPLY

---

NINAROGERS723 April 15, 2015 1:1PM

Hernandez was brutal, and as a New England Patriots fan and citizen I am happy he is off our streets, we are all safer. When it comes down to it though, I don't worry much about murderers, I more worry about a real strike against us. The important thing is that we need to be able to live our lives without fear, because there are no guarantees.

My advice for everyone? Life is short, enjoy it. Live each day as if it were your last and do your best to make an impact on this world. Keep healthy mentally, physically, and spiritually. Be prepared financially in case your time comes sooner than later. You don't want to leave your family a financial burden. Life insurance is only \$16 a month (Life Ant is very inexpensive). I know because I purchased it recently. Hearing about stuff like this makes me very happy that I did too.

1 LIKE / REPLY

---

MAKEMYDAY2DAY April 15, 2015 2:2PM

@ninarogers723 Seriously, you're going to use this as a 'platform' to sell life insurance?! FYI, the price varies depending on age, sex, smoking, and many more factors. Someone who is 55 won't likely get much of a policy for \$16/mo.

2 LIKE / REPLY

---

DAPPER7878 April 15, 2015 2:2PM

Capitalism strikes again.!!

2 LIKE / REPLY

ANN7174 April 15, 2015 4:4PM

@ninarogers723 \$16 a month?? Probably when you're 30 years old or younger!

1 LIKE / REPLY

JUSTROG April 15, 2015 1:1PM

This piece of scrap more than likely killed the other two men in Boston. He probably to Lloyd about boston killings and got himself killed. Very sad situation for all involved. I wouldn't doubt that he shot them people when he was playing for Florida. He got what was coming too him.

1 LIKE / REPLY

JDK47 April 15, 2015 2:2PM

@justrog 7 by my count. 3 dead.

LIKE / REPLY

JUSTROG April 15, 2015 2:2PM

@jdk47 @justrog Yea I knew it was quite a few thanks for the number

LIKE / REPLY

SSPORLEDER April 15, 2015 1:1PM

And of course they will appeal so it will go on and on...

Is it any wonder that people do not want to serve on a jury for any period of time, deliberate and then have it appealed?

LIKE / REPLY

RIPNREAD April 15, 2015 1:1PM

Shame there is no death penalty because this guy is a poster boy for capital punishment.

4 LIKE / REPLY

JUSTROG April 15, 2015 1:1PM

@RipNRead you can say that again

1 LIKE / REPLY

SUSAN STO HELIT April 15, 2015 4:4PM

@RipNRead LWOP is cheaper and easier.

LIKE / REPLY

April 15, 2015 1:1PM

Since when do dueling football jocks get convicted of anything, its usually kept in house

1 LIKE / REPLY

DAPPER7878 April 15, 2015 1:1PM

As often as the rest of society. Look at Darren Sharper, next up Warren Sapp. Hail to the power of pussy.

1 LIKE / REPLY

HRHRAUS1090 April 15, 2015 0:12PM



Lawrence Phillips cell has an opening.. Just sayin

4 LIKE / REPLY

VERISSIMA April 15, 2015 0:12PM

Hope he doesn't have a negative influence on other criminals in jail. He is reeeeeeely bad.

LIKE / REPLY

HDTEE April 15, 2015 0:12PM

Waste of life....waste of talent....waste of money.

7 LIKE / REPLY

STUPAS April 15, 2015 0:12PM

Book em Danno! (aka: Hawaii 5-O)

Walpole State prison is looking for a few good football players for their prison football team!

3 LIKE / REPLY

LEGAL HOUND DOGS #1 April 15, 2015 0:12PM

It is not about your personal feelings of guilt. Under the law, it all boils down to reasonable doubt. It is impossible to be certain he had the intent for first degree murder based on the evidence. If there is even 1% of doubt, the jury must acquit. A majority of these comments are so ignorant and reflective of the stupid ass people who serve on juries these days and ignore the law they are supposed to follow. The jury got it wrong in this case. I'm not surprised though, I have a law degree and am very well aware of the shortcomings in our justice system. I want to believe in juries, but decisions like this break my faith. I already see many issues ripe for appeal, so we shall see. I am definitely disappointed in this decision.

1 LIKE / REPLY

RZARC101 April 15, 2015 0:12PM

@Legal Hound Dogs #1

So, in other words, you require the murder to be recorded with impartial witnesses to certify what they saw was in fact a murder by the accused. OK, got it.

5 LIKE / REPLY

LEGAL HOUND DOGS #1 April 15, 2015 0:12PM

@rzarc101 @Legal Hound Dogs #1 Your reading comprehension is off. I am saying the prosecution had to prove AH had the intent for first degree murder (premeditation, deliberation, etc.) And in this case, the evidence did not support that intent. Bottom line. Second degree, maybe. First degree, no way. And I'm sorry if you are offended, but half the time juries don't even pay attention to the evidence and focus more on their personal feelings, how the Defendant looks, if they like how the prosecutor dresses or how the defense looks, if they are bored, and a bunch of other mundane BS. So you are saying a jury could find reasonable doubt in the Casey Anthony case? George Zimmerman? And a multitude of cases the general public does not hear about. But no reasonable doubt in this case. After all the evidence, I am not certain he had the intent for first degree murder. That is reasonable doubt.

1 LIKE / REPLY

HDTEE April 15, 2015 0:12PM

@Legal Hound Dogs #1 @rzarc101 " half the time juries don't even pay attention to the evidence and focus more on their personal feelings, how the Defendant looks, if they like how the prosecutor dresses or how the defense looks, if they are bored"

You have a better process?

LIKE / REPLY

---

LEGAL HOUND DOGS #1 April 15, 2015 0:12PM

@HDTEE @Legal Hound Dogs #1 @rzarc101 Yes. Do the job that you are sworn in to do. Someone's life is on the line. Pay attention to the facts and the law. If you don't understand the law ask and really listen. If you don't understand after being explained, ask again. Obviously there were some hold outs on this jury considering how long they deliberated and the guilty votes just wore out the hold outs until they caved. That is not justice. I will be interested to see if the jury agrees to be polled by the attorneys.

1 LIKE / REPLY

---

LEGAL HOUND DOGS #1 April 15, 2015 0:12PM

@HDTEE @Legal Hound Dogs #1 @rzarc101 They probably won't be polled though due to the media attention surrounding this case. I would like to hear their rational though.

LIKE / REPLY

---

HDTEE April 15, 2015 0:12PM

@Legal Hound Dogs #1 @HDTEE @rzarc101 It's nice to want things doesn't make it happen though. Humans are inherently FALLIBLE. Just the ways it is.

LIKE / REPLY

---

LEGAL HOUND DOGS #1 April 15, 2015 0:12PM

@HDTEE @Legal Hound Dogs #1 @rzarc101 I agree. It is just so frustrating. In my opinion, sometimes it is just so obviously erroneous I cannot make sense of it. It does not matter if I think he did it, it is what the evidence proves.

LIKE / REPLY

---

HRHRAUS1090 April 15, 2015 0:12PM

@Legal Hound Dogs #1 @HDTEE @rzarc101 Someone's life is on the line?.. How about not murdering someone and his life won't be on the line.

2 LIKE / REPLY

---

HDTEE April 15, 2015 0:12PM

@HRHRAUS1090 @Legal Hound Dogs #1 @HDTEE @rzarc101 I don't like the death penalty either. I also don't like paying to keep someone in jail for 60 years. Tough choice. I do think AH is a thug and probably a murderer.... what to do....what to do.

LIKE / REPLY

---

LEGAL HOUND DOGS #1 April 15, 2015 0:12PM

@HDTEE @HRHRAUS1090 @Legal Hound Dogs

#1 @rzarc101 I am in California and the last person executed was in 2006. In most states, a death sentence is usually just a life sentence. It is hard with some of these jury decisions to support someone being put to death. However, I agree as incarceration does cost A LOT!

LIKE / REPLY

---

HDTEE April 15, 2015 0:12PM

@Legal Hound Dogs

#1 @HDTEE @HRHRAUS1090 @rzarc101 I'm in NY. Last person executed was the year I was born, 1963. tell me about it...

1 LIKE / REPLY

---

LEGAL HOUND DOGS #1 April 15, 2015 0:12PM

@HRHRAUS1090 @Legal Hound Dogs

#1 @HDTEE @rzarc101 Were you in the industrial yard with him? Exactly. No one expect those parties that were present truly know. So you should take another life without being certain of his guilt? That is why the prosecution carries such a heavy burden. Which is not a burden of the preponderance of the evidence (more likely than not he did it), it is reasonable doubt (must be certain, not one doubt in your mind). And I stand firm the evidence did not support 1st degree murder. As I stated above, I could possibly see 2nd. I do not think the prosecution met their burden. I believe BOTH sides have lost in this case.

LIKE / REPLY

---

HRHRAUS1090 April 15, 2015 0:12PM

@Legal Hound Dogs

#1 @HRHRAUS1090 @HDTEE @rzarc101 His defense team admitted to him being at the scene, so he was a part of it one way or another. Argue 1st or 2nd degree all you want, doesnt change the fact that he's a murderer

1 LIKE / REPLY

---

LEGAL HOUND DOGS #1 April 15, 2015 0:12PM

@HRHRAUS1090 @Legal Hound Dogs

#1 @HDTEE @rzarc101 Agreed. But it makes a huge difference when sentenced. Huge.

LIKE / REPLY

---

HRHRAUS1090 April 15, 2015 1:1PM

@Legal Hound Dogs

#1 @HRHRAUS1090 @HDTEE @rzarc101 No doubt... As the trial was going on it did start to feel like he could get off..Im very surprised they admitted to him being at the scene, they must have felt like they were behind and had to do something drastic.

1 LIKE / REPLY

---

LEGAL HOUND DOGS #1 April 15, 2015 1:1PM

**@HRHRAUs1090 @Legal Hound Dogs**  
#1 **@HDTEE @rzarc101** I was obviously very surprised by the verdict. Lol.

LIKE / REPLY

WYYT April 16, 2015 11:11PM

**@Legal Hound Dogs #1**

"You have a better process?"

"Yes. Do the job that you are sworn in to do."

That's your solution to fix the system? Lecture people?

Here's a newsflash for you: People are human. They make mistakes.

LIKE / REPLY

RZARC101 April 15, 2015 1:11PM

**@Legal Hound Dogs #1**

You rent a car, pick someone you know up at 3am and leave them dead in a lot a mile from your house what else would you call it?

1 LIKE / REPLY

JUSTROG April 15, 2015 2:22PM

**@Legal Hound Dogs #1 @rzarc101** How can you say it wasn't first degree murder he went to Lloyds house and picked him up. I truly think he had it in the works. Then he gave his accomplices money to hit the road.

LIKE / REPLY

DAPPER7878 April 15, 2015 1:11PM

I sure as hell hope your rationale holds true for Slager because all the elements you espouse are crucial components of Walter Scott's murder

LIKE / REPLY

ST247 April 15, 2015 0:12PM

**@Legal Hound Dogs #1** Hound dog, you may have some valid points (emphasis on "may" and "some"). But after reading your initial post and the ones below that you've posted so far, one would think you were on the jury and sat through all this. In fact, that you had opportunity observe Hernandez for months prior to the crime and were at the scene.

btw, that you have a law degree does not impress (presumably that translates to: did not take and/or pass the bar exam and do not have a license to practice law. And even if you were a practicing attorney, Having worked with dozens of attorneys over the course of my career, I can tell you a lot of them are hardly rocket scientists

5 LIKE / REPLY

LEGAL HOUND DOGS #1 April 15, 2015 0:12PM

**@st247 @Legal Hound Dogs #1** Maybe I was on the jury...

LIKE / REPLY

RESPONDERX April 15, 2015 0:12PM

@st247 @Legal Hound Dogs #1 You took the words right out of my keyboard, ST247. Thanks for saving me the time of writing it out. People can be anybody they want to be on the internet.

LIKE / REPLY

LEGAL HOUND DOGS #1 April 15, 2015 1:11PM

@ResponderX @st247 @Legal Hound Dogs #1 I do not need to pretend to be anyone so your insinuation is off base. I have no problems with who I am. So keep trying.

LIKE / REPLY

LEGAL HOUND DOGS #1 April 15, 2015 1:11PM

@ResponderX @st247 @Legal Hound Dogs #1 And maybe try focusing on the article and your opinion of the verdict. I am pretty sure that is the point.

LIKE / REPLY

LEGAL HOUND DOGS #1 April 15, 2015 0:12PM

@st247 @Legal Hound Dogs #1 And your assumptions about my job and license are inaccurate. In fact, I have not once insulted anyone. This is called a forum to debate opinions. Just because I don't agree with your opinion, don't insult my intelligence. I will not stoop to your level.

LIKE / REPLY

LEGAL HOUND DOGS #1 April 15, 2015 0:12PM

@st247 @Legal Hound Dogs #1 This is the exact ignorance in our society that I am speaking of.

LIKE / REPLY

JUSTROG April 15, 2015 2:2PM

@st247 @Legal Hound Dogs #1 Well put. Could not have said it better.

1 LIKE / REPLY

LEGAL HOUND DOGS #1 April 15, 2015 2:2PM

@justrog @st247 @Legal Hound Dogs #1 You're right, you couldn't have said it better. Why? Because you have not said anything productive to contribute to this forum and it does not appear you have any original thought.

LIKE / REPLY

JUSTROG April 15, 2015 2:2PM

@Legal Hound Dogs #1 @justrog @st247 as

LIKE / REPLY

JUSTROG April 15, 2015 1:11PM

@Legal Hound Dogs #1 You are insane. I wouldn't doubt he killed the two guys in Boston. You know they have a witness in that case. Why would you hide a brand new truck in your uncle's garage if you did nothing wrong. He will be found guilty in that case also. He left a witness this time.

LIKE / REPLY

LEGAL HOUND DOGS #1 April 15, 2015 2:2PM

@justrog @Legal Hound Dogs #1 First, I am not insane. Second, not once in any of my statements do I say I don't think he did it. I merely stated I do not believe the evidence supported a 1st degree murder conviction in this particular case. Lastly, from what I have read I have always believed the double homicide case against him was a stronger case than this one. Since he was convicted in this case, he will almost undoubtedly be convicted in that case.

LIKE / REPLY

---

JUSTROG April 15, 2015 2:2PM

@Legal Hound Dogs #1 @justrog sorry I was harsh. I do believe he was trying to kill off people that could incriminate him. After his father died he had no sense of direction but that doesn't give you a license to kill.

LIKE / REPLY

---

LEGAL HOUND DOGS #1 April 15, 2015 2:2PM

@justrog @Legal Hound Dogs #1 It's all good, I understood what you meant by insane. And I appreciate your opinion and I actually can see both sides here. Even if I don't agree, I was not on the jury and they have spoke. Unlike some people on this page, I respect people's opinion even when mine is different.

LIKE / REPLY

---

RESPONDERX April 15, 2015 4:4PM

@Legal Hound Dogs #1 @justrog

"Maybe I was on the jury..." (A quote from you) Hmmmm.....

Now you're saying that you were not.

Yet you want to argue tooth and nail about having a "law degree".

LIKE / REPLY

---

LEGAL HOUND DOGS #1 April 15, 2015 4:4PM

@ResponderX @Legal Hound Dogs #1 @justrog "Maybe I was on the jury..." Sarcasm. Damn you are thick.

LIKE / REPLY

---

LEGAL HOUND DOGS #1 April 15, 2015 4:4PM

@ResponderX @Legal Hound Dogs #1 @justrog Do you have a degree for being a wise guy? haha. Your insults don't bother me, just give me a good laugh. I am confident in my schooling and career. I wonder if you can say the same for yourself?

LIKE / REPLY

---

LEGAL HOUND DOGS #1 April 15, 2015 4:4PM

@ResponderX @Legal Hound Dogs #1 @justrog You would be considered a troll. No intelligent, productive, or even funny comments to make about this article and the

verdict. I have not fought tooth and nail about anything, just debating the result of the case. Get a grip!

LIKE / REPLY

---

JDK47 April 15, 2015 2:2PM

@Legal Hound Dogs #1 12 people who heard all the evidence, (without even knowing about the other incidents), say you're an idiot.

LIKE / REPLY

---

LEGAL HOUND DOGS #1 April 15, 2015 2:2PM

@jdk47 @Legal Hound Dogs #1 Nice. You are officially at the level of an elementary school child with that name-calling. Quite mature. Your intelligence is unsurpassed with that witty insight.

LIKE / REPLY

---

SUSAN STO HELIT April 15, 2015 4:4PM

@Legal Hound Dogs #1

You don't have a law degree. If you did, you'd never say "if there is even 1% of doubt". The legal standard is beyond a reasonable doubt, the level of certainty you use in your important business dealings in your life.

LIKE / REPLY

---

LEGAL HOUND DOGS #1 April 15, 2015 5:5PM

@Susan Sto Helit @Legal Hound Dogs #1 Whatever you want to believe is fine with me. I do not need to justify anything to you. The only reason I mentioned my law degree and the fact that I work in Criminal law was to reflect my interest in the case and all criminal cases for that matter. I debate about our justice system with colleagues all the time. So you can get off your soapbox at anytime now. I never stated anyone's opinion was right or wrong, but I am certainly entitled to mine.

LIKE / REPLY

---

SUSAN STO HELIT April 15, 2015 5:5PM

@Legal Hound Dogs #1 Reading below, you seem to be arguing that your emotional feeling about what the evidence proved or didn't about premeditation is different than what the jury concluded. Renting a car, other activities can and do prove premeditation. Assuming everyone other than yourself is an idiot is a sad way to go through life - and you're usually wrong.

LIKE / REPLY

---

LEGAL HOUND DOGS #1 April 15, 2015 5:5PM

@Susan Sto Helit @Legal Hound Dogs #1 For the record, JDK47 called me an idiot. You may want to re-read my comments because not once do I call anyone any names. I do not need to do that and thought this was a forum for a debate of opinions. I actually make it very clear that name calling and trolling is unnecessary and to focus on the verdict and article. So not sure what you are getting at about a sad way to go through life. Seriously, this is a case I followed and I have an opinion. Get over it. I never insulted anyone and have no problem with people's respectful and intelligent opinions that differ from mine. WoW, pretty ridiculous.

LIKE / REPLY

---

WYYT April 16, 2015 11:11PM

**@Legal Hound Dogs #1**

If you really DID have a law degree as you claim, you would know that the legal definition of first degree murder varies based on on each state's laws. In Massachusetts you can be convicted of first degree based on the cruelty and indifference of the act itself, regardless of whether prosecutors prove prior intent, or even whether you pulled the trigger yourself. Continuing to pump bullets into Lloyd's body while it was on the ground, then heading back to the Hernandez mansion and hanging out certainly fits that definition. And Hernandez didn't do himself any favors with his courtroom demeanor during the trial.

Self proclaimed experts like yourself disseminating misinformation are as much to blame for the justice system's bad reputation as are bad jury decisions.

LIKE / REPLY

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Wednesday, April 15, 2015

## Aaron Hernandez sentenced to life in prison for first-degree murder

ESPN.com news services

FALL RIVER, Mass. -- Former New England Patriots star Aaron Hernandez was found guilty Wednesday of first-degree murder in a deadly late-night shooting and was sentenced to life in prison, sealing the downfall of an athlete who once had a \$40 million contract and a standout career ahead of him.

Hernandez, 25, looked to his right, pursed his lips and sat down after the jury forewoman announced him guilty in the slaying of Odin Lloyd, a 27-year-old landscaper and semipro football player who was dating the sister of Hernandez's fiancée. The conviction carried a mandatory sentence of life without parole and automatically triggered an appeal to Massachusetts' highest court.

No date for that appeal has been set.

Hernandez's mother, Terri, and his fiancée, Shayanna Jenkins, cried and gasped when they heard the verdict, and Lloyd's mother also cried. Jenkins wept on his mother's shoulder. Hernandez, his eyes red, mouthed to them: "Be strong. Be strong."

Hernandez was also found guilty on firearms and ammunition charges. The jury deliberated for 36 hours over seven days before rendering its verdict.

Some 135 witnesses were called to the stand during the nine-week trial.

### Charges Against Aaron Hernandez



The jury verdict brought against former New England Patriots tight end Aaron Hernandez in the June 2013 shooting death of Odin Lloyd:

Charges	Verdict
First-degree murder	Guilty*
Carrying firearm without license	Guilty
Carrying large-capacity firearm (2 counts)	Guilty
	Guilty

\* Mandatory sentence of life in prison with no parole

Charges	Verdict
Possession of ammunition without FID card	
Possession of firearm without FID card	Guilty
* Mandatory sentence of life in prison with no parole	

"The jury found that he was just a man who committed a brutal murder," District Attorney Thomas Quinn said. "The fact that he was a professional athlete meant nothing in the end."

Defense lawyers left the courthouse without commenting.

Hernandez was initially taken to the state's Cedar Junction prison, a maximum-security facility less than a 4-mile drive from Gillette Stadium, where he once caught touchdown passes from Tom Brady in front of tens of thousands of fans. He was to be processed there and eventually taken to Souza Baranowski prison in Shirley, another maximum-security institution, according to Darren Duarte, a spokesman for the Massachusetts Department of Corrections.

Lloyd's mother, Ursula Ward, was one of six people who gave victim impact statements after Hernandez was convicted, saying she forgives anyone who had a hand in her son's death.

She said she felt her heart stop beating for a moment on the day she laid Lloyd to rest.

"I felt like I wanted to go into the hole with my son," she said.

Olivia Thibou, Lloyd's younger sister, called Wednesday a great day but also "an awful, painful day."

"At the age of 25, I was asked to write my brother's eulogy, the hardest thing I've ever done in my life," she said.

For reasons that were never made clear to the jury, Lloyd was shot six times in the middle of the night on June 17, 2013, in a deserted industrial park near Hernandez's home in North Attleborough.

Police almost immediately zeroed in on Hernandez because they found in Lloyd's pocket the key to a car the NFL player had rented. Within hours of Hernandez's arrest, the Patriots cut the former Pro Bowl player, who was considered one of the top tight ends in the game.

**Follow The Aaron Hernandez Trial**



Aaron Hernandez has handcuffs placed on him after the guilty verdict was read Wednesday in Fall River, Mass.



ESPN.com has full coverage of the Aaron Hernandez murder trial, in which the former tight end was found guilty. [HQ »](#)

Prosecutors presented a wealth of evidence that Hernandez was with Lloyd at the time he was killed, including home security video from Hernandez's house, witness testimony and cellphone records that tracked Lloyd's movements.

Hernandez's lawyer, James Sultan, acknowledged for the first time during closing arguments that Hernandez was there when Lloyd was killed.

But the attorney pinned the shooting on two of Hernandez's friends, Ernest Wallace and Carlos Ortiz, saying his client was a "23-year-old kid" who witnessed a shocking crime and didn't know what to do. Wallace and Ortiz will stand trial later.

All 12 jurors and three alternates spoke to reporters Wednesday, saying they were shocked by the defense admission that Hernandez was at the scene of the killing -- an admission that they said helped confirm that he was guilty.

They also said they found April 1 testimony by Patriots owner Robert Kraft especially compelling.

Prosecutors have suggested Lloyd may have been killed because he knew too much about Hernandez's alleged involvement in a deadly 2012 drive-by shooting in Boston. But they were not allowed to tell the jury that because the judge said it was speculation.



Ursula Ward, the mother of Odin Lloyd, reacts to the verdict Wednesday, later saying, "I felt like I wanted to go into the hole with my son," on the day he was buried.

As a result, they never offered a motive beyond saying Hernandez appeared angry with Lloyd at a nightclub two nights before the killing.

Hernandez faces further legal trouble: He is awaiting trial on murder charges in the drive-by shooting, in which he is accused of gunning down two men over a spilled drink at a nightclub. Hernandez has pleaded not guilty to two counts of murder in that case. No date in that trial has been set.

### ESPN Radio on Aaron Hernandez Verdict

ESPN reporter Michele Steele covers the scene in the courtroom during the Aaron Hernandez verdict announcement, Hernandez's response to the verdict and the reactions of the families involved in the case. [Podcast](#)

• **Maurice Clarett:** [On 'The Herd'](#) • **Roger Cossack:** [On 'SVP & Russillo'](#)

<http://abcnews.go.com/US/aaron-hernandez-found/story?id=30155008>

The jurors who convicted Hernandez say the judge spoke to them privately after they rendered their verdict and told them other allegations against him. The jurors said the information reaffirmed their feeling that they'd made the right decision.

In the Lloyd killing, the defense argued that investigators fixated on Hernandez because of his celebrity and conducted a shoddy investigation in their zeal to confirm their suspicions.

Prosecutors said Hernandez organized the killing, summoned his two friends to help carry it out, and drove Lloyd and the others to the secluded spot in the industrial park. During closing arguments, prosecutors also accused Hernandez of pulling the trigger, though under the law it was not necessary to prove who fired the shots to convict him.

#### ABC News: Aaron Hernandez coverage



ABC News has in-depth coverage of the conviction of Aaron Hernandez, the former New England Patriots star who was found guilty of first-degree murder of Odin Lloyd. [Coverage](#)

<http://abcnews.go.com/US/aaron-hernandez-found/story?id=30155008>

Security video from inside Hernandez's home showed him holding what appeared to be a gun less than 10 minutes after Lloyd was killed. The surveillance system also captured Hernandez, Wallace and Ortiz relaxing at his home hours after Lloyd was shot, hanging out in the basement "man cave," lounging by the pool and cuddling with Hernandez's baby daughter.

Hernandez was an All-American out of the University of Florida who was drafted by the Patriots in the fourth round in 2010.

Brandon Spikes, a former teammate with the Patriots, was one of several players who weighed in on the verdict via Twitter after it was announced.



**BrandonSpikes55**

@brandonspikes55

Follow

IM CONFUSED ABOUT THE JUSTICE SYSTEM THESE DAYS !!!

10:41 AM - 15 Apr 2015

1,271

784

The Patriots declined to comment on the verdict.

David Nelson, a former teammate of Hernandez's at Florida, tweeted his surprise.

Meanwhile, the mayor of Bristol, Connecticut, Hernandez's hometown, sympathized with Lloyd's family and expressed disappointment at the former NFL star's downfall.

"I feel bad for the Odin Lloyd family," Mayor Ken Cockayne told the Hartford Courant. "They lost someone close to them.

"It's too bad someone who had it all and was the idol of so many young children has crashed those dreams of the youngsters.

"It just shows that no matter who you are, you still have to live within the law and respect others."

*Information from The Associated Press was used in this report.*

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