

Filed 5/14/15

#32

COMMONWEALTH OF MASSACHUSETTS

BRISTOL, ss.

SUPERIOR COURT DEPARTMENT
INDICTMENT NO.: BRCR2013-01141

BRISTOL, SS SUPERIOR COURT
FILED

COMMONWEALTH

MAY 14 2015

vs.

MARC J. SANTOS, ESQ.
CLERK/MAGISTRATE

SHAYANNA JENKINS

COMMONWEALTH'S MOTION TO DIMISS

NOW COMES THE COMMONWEALTH in the above-caption matter and respectfully requests that this Honorable Court DISMISS the indictment. As reason therefore, the

Commonwealth relies on the following.

The defendant was indicted by the Bristol Grand Jury in a single indictment for perjury as a result of her testimony before the grand jury on August 13, 2013 and/or August 15, 2013. The defendant's grand jury testimony related to the murder of Odin Lloyd and the consideration, by the grand jury, of charges related to Aaron Hernandez and others. This indictment was returned on September 26, 2013.

On February 10, 2015 this Honorable Court issued a judicial order of immunity to the defendant regarding her anticipated testimony in the trial of Commonwealth v. Aaron Hernandez. The defendant was "granted immunity from prosecution and ... [was] not [to] be subjected to any penalty or forfeiture, for or on account of any transaction, matter, or thing concerning which this witness is compelled to testify...."

Pursuant to this order of immunity, compelling the defendant to testify, the defendant did testify in the trial of Commonwealth v. Aaron Hernandez on March 27, 2015 and March 30, 2015. Her testimony at the trial concerned transactions and matters that are the subject of this

indictment. As a result, the Commonwealth may not further prosecute the defendant on the above-captioned indictment and this indictment should be DISMISSED.

RESPECTFULLY SUBMITTED,

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