

COMMONWEALTH OF MASSACHUSETTS

22IN59

Middlesex, SS

Newton Docket No.

2121IN001

Superior Court Docket No.

IN THE MATTER OF THE INQUEST INTO THE DEATH OF MICHAEL CONLON  
IN NEWTON, MA ON JANUARY 5, 2021

MOTION OF THE DISTRICT ATTORNEY FOR A COPY OF THE DISTRICT COURT'S REPORT

Now Comes the District Attorney for the Northern District and moves this Court for an Order authorizing the release of the Report of Findings in connection with the Inquest into the death of Michael Conlon in Newton on January 5, 2021. Notice was received by the Middlesex District Attorney's Office this day that the Report was filed with the Middlesex Superior Court this day, but the Clerk of the Newton District Court would not provide the District Attorney with the report and directed that a motion should be filed in the Superior Court to obtain a copy of the Report. G.L. c. 38, § 10, in pertinent part states, "...Said transcript shall be impounded until the district attorney files a certificate with the superior court indicating that he will not present the case to a grand jury, or files notice with the superior court that the grand jury has returned a true bill or a no bill after presentment by the district attorney." The District Attorney cannot without benefit of the Report filed by the District Court, Carroll J, file such a certificate. Therefore, the Commonwealth moves for release of the report to the Middlesex District Attorney's Office subject to a protective order of non-disclosure to the public until such time as the report can be reviewed and the necessary action taken by the District Attorney.

Respectfully submitted,

MARIAN T. RYAN  
DISTRICT ATTORNEY

By Adrienne C. Lynch  
Adrienne C. Lynch  
Assistant District Attorney  
Middlesex County (Northern District)  
15 Commonwealth Avenue  
Woburn, MA 01801  
BBO #308580  
781-897-8505

Allowed for Pin 5/13/22

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