

MIDDLESEX, SS.

COMMONWEALTH OF MASSACHUSETTS

SUPERIOR COURT
DOCKET #2181IN00080

INQUEST INTO THE DEATH OF SAYED ARIF FAISAL

COMMONWEALTH MOTION REGARDING IMPOUNDMENT MATTERS

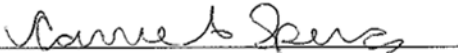
Now comes the Commonwealth and states the following:

On May 22-25, 2023, Judge John Coffey conducted an inquest hearing into the death of Sayed Arif Faisal pursuant to G.L. c. 38, § 10. On September 15, 2023, Judge Coffey issued his report and findings in the matter. On September 25, 2023, the Middlesex District Attorney's Office filed a certification stating evidence related to the death of Sayed Arif Faisal will not be presented to the Grand Jury. Therefore, pursuant to G.L. c. 38, § 10, all materials, which are not statutorily required to be impounded, should now be available for public access. See *The Globe Newspaper Company, Inc.* 461 Mass. 113 (2011).

Further, Kenneth Anderson Esq., the Attorney for Officer Liam McMahon, and Marsha Kazarosian Esq., the Attorney for the Family of the deceased, Sayed Arif Faisal, have stated that there are no requests for further impoundment of the inquest materials. The statutorily exempt material identified by the Commonwealth include the autopsy report and photographs. See G. L. c. 38, § 2; 505 C.M.R. 1.00, G.L. c. 4, § 7 (26); cellular phone records G.L. c. 4, § 7(26) See 18 U.S.C. §§ 2701-2712; and personal addresses, dates of birth, and phone numbers. G. L. c. 4, § 7(26)(c).

As such, the Commonwealth requests the materials should now be made public in accordance with the statute and the procedure relative to the inquest process.

Respectfully Submitted
For the Commonwealth,


Carrie A. Spiros

Dated: 10/5/23