

COMMONWEALTH OF MASSACHUSETTS**NORFOLK, ss.****SUPERIOR COURT
CRIMINAL ACTION
22-00117****COMMONWEALTH****vs.****KAREN READ****RULING ON MOTIONS HEARD APRIL 16, 2025****Defendant's Motion for Reconsideration of Portion of February 18, 2025 Order Denying
Defendant's Motion to Compel Production of Forensically Sound Copy of January 29, 2022
Sallyport Video Surveillance Footage****Paper # 532: Allowed in part and Denied in part**

The Commonwealth has agreed to the motion insofar as it seeks to have a defense expert download a protected file pertaining to this case from the Canton Police Department. To the extent the motion seeks an order permitting the defense to forensically image the entire "Canton Police Detective File," it is denied.

Commonwealth's Renewed Motion to Exclude Testimony of Garrett Wing**Paper #658 Denied without prejudice**

After review of the Expert Witness Report by Lt. Garrett Wing (Ret.), I find that he appears to be qualified by experience to provide some help to the jury on some issues in dispute. If the Commonwealth still asserts that Wing lacks the qualifications necessary to provide expert opinion, it should re-new its motion prior to Wing taking the witness stand. If needed, the Court will conduct a limited voir dire at that time.

**Defendant's Motion for Reconsideration of March 6, 2025 Order Denying Motion to
Exclude James Crosby****Paper #601 Allowed in part and Denied in part**

Dr. Crosby is clearly qualified as an expert, but he is precluded from testifying that his bitemark analysis excludes Chloe as the cause of the marks on the victim's arm. He is not precluded from testifying as to the anatomy of a canine mouth or of Chloe in particular including the measurements of her mouth. To the extent there is a question as to what testimony the Commonwealth may elicit from Dr. Crosby to rebut any defense expert, it can be raised at trial.

Commonwealth's Motion Substitute DNA analyst**Paper #663 Allowed**

No objection by defendant.

Commonwealth Motion for Notice of any Visual Aids, Potential Exhibits or Potential Chalks that will be Displayed to Jury During Opening Statements

Paper #669 Allowed

No objection by defendant.

Defendant's Motion and Notice that Defendant Intends to Display Visual Aids to the Jury During Opening Statements

Paper #670 Allowed

No objection by Commonwealth.

Commonwealth's Notice of Intention to Introduce Extrajudicial Statements of Defendant

Paper #667 Allowed

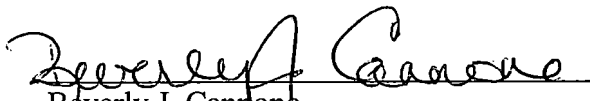
The defendant does not object to the introduction of the defendant's extrajudicial statements. To the extent that the defendant objects to the Commonwealth's use of an independent reader(s) for text messages between the defendant and John O'Keefe, the defendant should submit her objection in writing by close of business on April 18, 2025.

Defendant's Motion for Specific Discovery

Paper #638 Allowed

The Commonwealth and the defendant have reached an agreement as to all remaining disputed materials except for materials #3 and #4. Number 3 seeks "[a]ny information including any oral or written statements or communication of any witness suggesting a reluctance or refusal to testify in connection with this case." Number 4 seeks "[a]ny information including any oral or written statements or communication of any witness wherein a witness suggested a reluctance or refusal to cooperate." Though it is a close call, arguably, this request is covered by Mass. R. Crim. P. 14(b)(2)(B)(iii) and should be provided. Therefore, as to #3 and #4, the motion is allowed. The Commonwealth must provide this information within one week. If the witness is scheduled to testify prior to then, the Commonwealth must provide the information at least one day prior to the witness being called to testify.

Date: April 17, 2025


Beverly J. Cannone
Justice of the Superior Court