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COMMONWEALTH OF MASSACHUSETTS

PLYMOUTH, SS

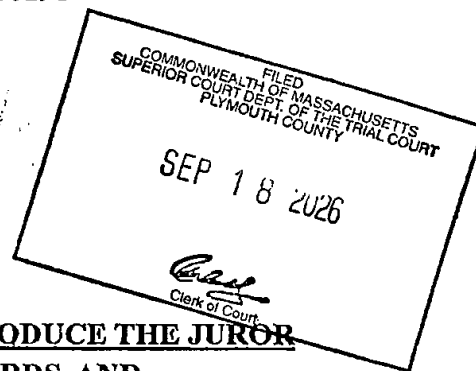
PLYMOUTH SUPERIOR COURT

NO. 2383CR00198

COMMONWEALTH

v.

LINDSAY CLANCY



**MOTION TO PRESERVE JUROR RECORDS, TO PRODUCE THE JUROR
QUESTIONNAIRE AND RELATED RECORDS, AND
FOR A LIMITED INQUIRY INTO JUROR DOE**

Lindsay Clancy moves the Court, under Mass. R. Crim. P. 13 and 17(a)(2), G.L. c. 234A, §§ 22, 23, and 67A, the Sixth and Fourteenth Amendments, and Article 12 of the Massachusetts Declaration of Rights, for orders concerning one deliberating juror, referred to here as "Juror Doe." Because the Court's Order of Impoundment of September 14, 2026, is in force, this motion identifies that juror by that placeholder and in gender-neutral terms. The Impounded Supplement and the Affidavit of Counsel that follow the proposed order—**filed under seal**—identify Juror Doe by juror number, seat, name, and date of birth.

The grounds are stated in the accompanying memorandum. The Court is asked to enter the following orders.

1. That the Clerk, the Office of Jury Commissioner, the court officers, and the Commonwealth preserve, effective on entry: the original confidential juror questionnaires of the twelve deliberating jurors and six alternates and the trial judge's copies, G.L. c. 234A, § 23; Juror Doe's summons, badge, and service records; every jury note and the Court's written responses; the electronic recordings of July 20-24, September 3, and September 4, 2026, including sidebars,

court-officer logs, and sign-in sheets concerning jurors' mobile telephones from August 27 through September 4, 2026; courthouse video of the jury-room corridor for those dates; the impounded juror list; and all juror information the Commonwealth obtained before or during trial.

2. That the Clerk produce to the Court and counsel, under the impoundment order, Juror Doe's confidential juror questionnaire and any supplement, G.L. c. 234A, § 23; and that the Commissioner of Probation produce to the Court, under seal, Juror Doe's record from the statewide domestic violence registry, G.L. c. 209A, § 7, including the order now in force and its docket.

3. That the Commonwealth state, under seal within seven days, what juror information it obtained under its Motion for Access to Prospective Juror Information (Feb. 27, 2026) and what background checks it ran, producing the results; and whether the Plymouth County District Attorney's Office has, or since January 1, 2021, has had, **any matter** in which Juror Doe is a defendant, complainant, or subject, including the 2021 prosecution and the abuse-prevention order identified in the Impounded Supplement.

4. That summonses issue under Mass. R. Crim. P. 17(a)(2), returnable to the Court for review in camera, (a) to the carrier serving Juror Doe's mobile telephone for call and text detail records (sender, recipient, date, and time only) and data-session logs from August 27 through September 4, 2026, between the hours of 8:30 a.m. and 4:30 p.m. on each deliberation day; and (b) directing Juror Doe to deliver the mobile telephone carried into the jury room during that period to a neutral examiner designated by the Court for the date-and-hour-limited extraction, returned within 48 hours.

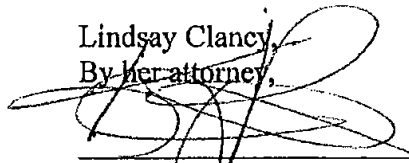
5. That, after reviewing the foregoing, the Court examine Juror Doe on the record, with counsel present, on three subjects only: the truthfulness of the questionnaire and voir dire answers;

the sworn assurance of September 3, 2026; and the use of a mobile telephone or receipt of outside information during deliberations. The inquiry will not touch the substance of deliberations. The Court may also hear from Juror No. 10, limited to what he observed of Juror Doe's phone use.

Ms. Clancy requests that this motion be heard in open court on September 29, 2026, and asks that this motion be allowed.

Dated: September 16, 2026

Lindsay Clancy,
By her attorney,



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