

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

SUPREME JUDICIAL COURT
FOR SUFFOLK COUNTY
No. SJ-2014-0005

SUFFOLK SUPERIOR COURT
NO.SUCR2005-10537;
BOSTON MUNICIPAL COURT
NO.0501-CR-0142;
ESSEX SUPERIOR COURT
NO.ESCR2007-1535

KEVIN BRIDGEMAN & others¹

vs.

DISTRICT ATTORNEY FOR THE SUFFOLK DISTRICT & others²

AMENDED DECLARATORY JUDGMENT

This matter came before the court, Gaziano, J., on the respondent District Attorneys' second letters filed on April 18, 2017, and on supplements to those second letters filed subsequently by the District Attorneys for the Middlesex District and Bristol District. This matter also came before the court on the recommendation of the Special Master concerning issues relating to the implementation of this court's Declaratory Judgment entered April 19, 2017.

¹Yasir Creach and Miguel Cuevas; Committee for Public Counsel Services (CPCS), intervener.

²District Attorney for the Essex District, District Attorney for the Bristol District, District Attorney for the Cape and Islands District, District Attorney for the Middlesex District, District Attorney for the Norfolk District, and District Attorney for the Plymouth District.

Pursuant to Commonwealth v. Bridgeman, 476 Mass. 298, 327 (2017), it is ORDERED that the convictions and other dispositions (including continuances without a finding, nolle prosequis, and adjudications of delinquency)³ relating to G. L. c. 94C offenses that have been identified by the District Attorneys in their respective original second letters and supplemental second letters, as listed in Amended Attachment A to this Amended Declaratory Judgment, be and hereby are VACATED AND DISMISSED WITH PREJUDICE, and any outstanding warrants associated with those convictions and other dispositions are RECALLED.⁴

It is FURTHER ORDERED that for good cause shown, Amended Attachment A shall be IMPOUNDED until further order of this court.

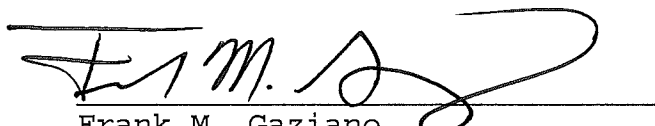
It is FURTHER ORDERED that this Amended Declaratory Judgment and attachment shall supersede the Declaratory Judgment

³ Insofar as any of second letters and supplements to second letters filed by the District Attorneys may include any case or count in which a not guilty finding was entered on the docket, such case or count is expressly excluded from the scope of this amended declaratory judgment and the previous declaratory judgment dated April 19, 2017.

⁴ With respect to the G. L. c. 94C offenses that have been identified by the district attorneys in their respective second letters and supplemental second letters filed in this matter, if the record of any such offense so identified is presently sealed, a Clerk Magistrate or Assistant Clerk or any person working on behalf of a Clerk Magistrate or Assistant Clerk may open the sealed record to update the record of the relevant offense or offenses and thereafter immediately reseal the record.

and attachment entered in this matter on April 19, 2017.⁵

By the Court,


Frank M. Gaziano
Associate Justice

DATED: June 1, 2017

⁵ The court personnel implementing this amended declaratory judgment need not start afresh to the extent the work that they have already completed pursuant to the April 19, 2017 declaratory judgment is consistent with this amended declaratory judgment.