

NORFOLK, SS.

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NORFOLK COUNTYSUPERIOR COURT DEPARTMENT  
NORFOLK SUPERIOR COURT  
DOCKET NO. 2282CR0117

COMMONWEALTH

v.

KAREN READ

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**COMMONWEALTH'S MOTION IN LIMINE TO EXCLUDE MENTION OF AIDAN KEARNEY A/K/A "TURTLEBOY" AND HIS PENDING CRIMINAL CHARGES FOR WITNESS INTIMIDATION**

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The Commonwealth moves to exclude any reference to Mr. Aidan Kearney a/k/a "turtleboy", his blog postings, his protests in support of the defendant, and his pending criminal charges for the intimidation of witnesses associated with this case. As grounds, Mr. Kearney is an extremely vocal observer of this case. He is not a witness to the facts and circumstances that led to John O'Keefe's death and is only peripherally related due to his criminal conduct of harassing and intimidating witnesses. Reference to Mr. Kearney, his blog postings, or the pending criminal charges he faces, have no rational tendency to prove any material issue in this case. See Commonwealth v. Fayerweather, 406 Mass. 78, 83 (1989). Evidence that is not relevant is not admissible. Green v. Richmond, 369 Mass. 47, 59 (1975).

The Commonwealth will also instruct its witnesses not to discuss the relentless harassment they have endured and not to discuss the pending criminal charges against Mr. Kearney that are being handled by a special prosecutor. Such evidence is irrelevant to the defendant's criminal conduct at trial and its introduction would confuse the jury or possibly prejudice the defendant.

Respectfully Submitted,

For the Commonwealth

By: */s/ Adam Lally*  
Adam Lally  
Assistant District Attorney