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NORFOLK COUNTY

SUPERIOR COURT DEPARTMENT  
NORFOLK SUPERIOR COURT  
DOCKET NO. 2282CR0117

COMMONWEALTH

v.

KAREN READ

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COMMONWEALTH'S MOTION IN LIMINE FOR VIEW

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The Commonwealth's moves this Court under G. L. c. 234A, § 69A to allow a view of the scene where the death of John O'Keefe took place on January 29, 2022;

The locations include:

- 1) The front exterior of 34 Fairview Road, Canton, Massachusetts.
- 2) The driveway of 34 Fairview Road, Canton, Massachusetts.
- 3) The front yard of 34 Fairview Road, Canton, Massachusetts including the area of a flagpole and public water hydrant.
- 4) The public roadway of Fairview Road from 34 Fairview Road to intersection with Cedarcrest Road, Canton, Massachusetts
- 5) The interior and exterior of the 2021 Lexus LX SUV (MA Registration 3GC684). The Commonwealth intends to have the Massachusetts State Police tow this vehicle to the public roadway in front of 34 Fairview Road, Canton, Massachusetts.

The taking of a view is a matter within the discretion of the trial judge and the "right to order a view in furtherance of justice extends to places without as well as within the county where the crime is alleged to have been committed." Commonwealth v. DiMarzo, 364 Mass. 669, 673 (1974) (citation omitted); Commonwealth v. Curry, 368 Mass. 195, 198 (1975) citing Commonwealth v. Dascalakis, 246 Mass. 12, 29 (1923). A view of the above-specified locations and evidence will enable the jury to better understand the evidence that will be introduced. All locations are visible from the public roadway and the Commonwealth is not seeking to infringe upon the homeowner's privacy or property rights.

Moreover, given the substantial interest in this case, the Commonwealth respectfully requests an order of this Court to temporarily close the relative portions of Fairview Road to enable the jury to view the evidence and roadway without outside influence. The Commonwealth further requests a police escort to the view and use of Canton police officers and/or Massachusetts State Police to escort the jury and close the roadway.

Respectfully Submitted,

For the Commonwealth

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By: */s/ Adam Lally*

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