

**COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
SUPERIOR COURT DEPARTMENT**

BRISTOL, ss.

Docket No. 1773CV00325

**SHAYANNA JENKINS HERNANDEZ
Personal Representative on behalf of the
Estate of AARON HERNANDEZ
Plaintiff**

BRISTOL, SS SUPERIOR COURT
FILED

APR 21 2017

MARC J. SANTOS, ESQ.
CLERK/MAGISTRATE

v.

**MASSACHUSETTS DEPARTMENT OF CORRECTION,
THOMAS TURCO,
Commissioner of the Department of Correction,
DANIEL BENNETT,
Secretary of Public Safety and Security, and
STEVEN SILVA,
Superintendent of the Souza-Baranowski Correctional Center,
Defendants**

ORDER

The plaintiff has filed a civil action in the nature of a bill of discovery seeking to preserve evidence concerning the death of Aaron Hernandez, an inmate of the Department of Correction. The defendants agree that evidence pertaining to the death should be preserved. At this point, however, it is not clear that the parties agree on the specific items that constitute the relevant evidence.

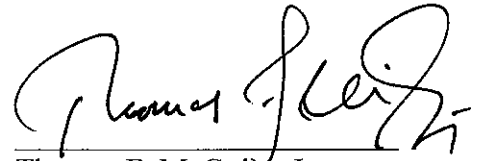
After hearing on the plaintiff's request for preliminary injunctive relief, the court **ORDERS** the defendants to preserve all evidence in their possession, custody or control relating to the time, cause, manner and means of the death of Aaron Hernandez, an inmate at the Souza-Baranowski Correctional Center. Such evidence includes the following items, if such items exist and are in the defendants' possession, custody and control:

- 1) Video recordings depicting Hernandez' cell and the entrance to that cell for the period of eight hours prior to one hour after the discovery of his body.
- 2) All records of Aaron Hernandez' physical location for the period of eight hours prior to the discovery of his body.
- 3) All of Mr. Hernandez' property, including all documents written by him.
- 4) The sheets and ligature found in Mr. Hernandez' cell as well as any other instruments and clothing found with Mr. Hernandez' body.
- 5) All photographs depicting the cell in which Mr. Hernandez' body was found.
- 6) All test results and reports obtained by the State Medical Examiner as a result of Mr. Hernandez' autopsy and all photographs depicting Mr. Hernandez' body.
- 7) All medical and mental health records pertaining to Mr. Hernandez.
- 8) All recordings of emergency communications by correctional officers, medical personnel and law enforcement officers at the time of and for a one hour period following the discovery of Mr. Hernandez' body, concerning his death.
- 9) All recordings of telephone calls made by Mr. Hernandez for the period of thirty days prior to the discovery of his body.
- 10) Reports of forensic tests and examinations concerning Mr. Hernandez' death.
- 11) Records of interviews of witnesses concerning Mr. Hernandez' death.
- 12) Investigative reports concerning Mr. Hernandez' death.

This Order does not prohibit or restrict the Department of Correction, the State Police, the District Attorney for the Worcester District, the Medical Examiner or any other governmental official or agency with jurisdiction to investigate the circumstances of Aaron Hernandez' death, from conducting and completing an investigation into his death. Such

investigation may include the collection, examination and testing of all such evidence, so long as the evidence is not disposed of or destroyed and remains available for future examination and/or testing by the plaintiff.

April 21, 2017

A handwritten signature in black ink, appearing to read "Thomas F. McGuire, Jr.", written in a cursive style.

Thomas F. McGuire, Jr.
Justice of the Superior Court