



**COMMONWEALTH OF MASSACHUSETTS
SUFFOLK COUNTY CRIMINAL
Docket Report**

0584CR10698 Commonwealth v Holmes, Edward Anthony

CASE TYPE:	Indictment	FILE DATE:	09/28/2005
ACTION CODE:	265/23/A-0	CASE TRACK:	C - Most Complex
DESCRIPTION:	RAPE OF CHILD, STATUTORY c265 §23		
CASE DISPOSITION DATE	12/21/2006	CASE STATUS:	Closed
CASE DISPOSITION:	Disposed by Plea	STATUS DATE:	09/28/2005
CASE JUDGE:		CASE SESSION:	Criminal 1

LINKED CASE

DCM TRACK

Tickler Description	Due Date	Completion Date

PARTIES

<p>Prosecutor Commonwealth</p>	<p>Attorney for the Commonwealth 561735 Audrey Carin Mark Suffolk County District Attorney's Office Suffolk County District Attorney's Office One Bulfinch Place Boston, MA 02114 Work Phone (617) 619-4000 Added Date: 09/28/2005</p>
<p>Defendant Holmes, Edward Anthony 9416 Tuckerman Street Seabrook, MD</p>	<p>Private Counsel 546478 Jeanne Carol Law Offices of Kevin S. Nixon Law Offices of Kevin S. Nixon 65A Atlantic Ave 3rd Floor Boston, MA 02110 Work Phone (617) 423-7833 Added Date: 10/27/2005</p>



**COMMONWEALTH OF MASSACHUSETTS
SUFFOLK COUNTY CRIMINAL
Docket Report**

PARTY CHARGES

#	Offense Date/ Charge	Code	Town	Disposition	Disposition Date
1	01/01/1979 RAPE OF CHILD, STATUTORY c265 §23	265/23/A-0	Boston	Guilty Plea	12/21/2006
2	01/01/1979 RAPE OF CHILD, STATUTORY c265 §23	265/23/A-0	Boston	Guilty Plea	12/21/2006
3	01/01/1979 RAPE OF CHILD, STATUTORY c265 §23	265/23/A-0	Boston	Guilty Plea	12/21/2006
4	01/01/1979 RAPE OF CHILD, STATUTORY c265 §23	265/23/A-0	Boston	Guilty Plea	12/21/2006
5	01/01/1979 RAPE OF CHILD, STATUTORY c265 §23	265/23/A-0	Boston	Guilty Plea	12/21/2006
6	01/01/1979 RAPE OF CHILD, STATUTORY c265 §23	265/23/A-0	Boston	Guilty Plea	12/21/2006
7	01/01/1979 INDECENT A&B ON CHILD UNDER 14 c265 §13B	265/13B/A-0	Boston	Guilty Plea	12/21/2006
8	01/01/1979 INDECENT A&B ON CHILD UNDER 14 c265 §13B	265/13B/A-0	Boston	Guilty Plea	12/21/2006
9	01/01/1979 INDECENT A&B ON CHILD UNDER 14 c265 §13B	265/13B/A-0	Boston	Guilty Plea	12/21/2006
10	01/01/1979 INDECENT A&B ON CHILD UNDER 14 c265 §13B	265/13B/A-0	Boston	Guilty Plea	12/21/2006
11	01/01/1979 INDECENT A&B ON CHILD UNDER 14 c265 §13B	265/13B/A-0	Boston	Guilty Plea	12/21/2006
12	01/01/1979 INDECENT A&B ON PERSON 14 OR OVER c265 §13H	265/13H-0	Boston	Guilty Plea	12/21/2006
13	01/01/1979 INDECENT A&B ON PERSON 14 OR OVER c265 §13H	265/13H-0	Boston	Guilty Plea	12/21/2006
14	01/01/1979 INDECENT A&B ON PERSON 14 OR OVER c265 §13H	265/13H-0	Boston	Guilty Plea	12/21/2006
15	01/01/1979 INDECENT A&B ON PERSON 14 OR OVER c265 §13H	265/13H-0	Boston	Guilty Plea	12/21/2006



**COMMONWEALTH OF MASSACHUSETTS
SUFFOLK COUNTY CRIMINAL
Docket Report**

16	01/01/1979	265/13H-0	Boston		
	INDECENT A&B ON PERSON 14 OR OVER c265 §13H			Guilty Plea	12/21/2006
17	01/01/1979	272/29A/A-0	Boston		
	CHILD IN NUDE, LASCIVIOUS POSE/EXHIBIT c272 §29A(a)			Guilty Plea	12/21/2006

EVENTS

Date	Session	Event	Result	Resulting Judge
10/27/2005	Magistrate's Session	Arraignment	Held as Scheduled	
12/19/2005	Magistrate's Session	Pre-Trial Conference	Held as Scheduled	
03/08/2006	Criminal 1	Hearing	Rescheduled	
04/05/2006	Criminal 1	Hearing	Held as Scheduled	
04/27/2006	Criminal 1	Pre-Trial Hearing	Rescheduled	
05/08/2006	Criminal 1	Status Review	Held as Scheduled	
07/24/2006	Criminal 1	Status Review	Held as Scheduled	
08/01/2006	Criminal 1	Hearing	Rescheduled	
08/02/2006	Criminal 1	Hearing	Canceled	
08/17/2006	Criminal 1	Hearing	Held as Scheduled	
09/20/2006	Criminal 1	Hearing	Held as Scheduled	
10/05/2006	Criminal 1	Lobby Conference	Held as Scheduled	
10/10/2006	Criminal 5	Final Pre-Trial Conference	Canceled	
10/23/2006	Criminal 5	Jury Trial	Canceled	
11/16/2006	Criminal 1	Lobby Conference	Held as Scheduled	
12/21/2006	Criminal 1	Hearing for Change of Plea	Held as Scheduled	
01/08/2007	Criminal 1	Hearing for Sentence Imposition	Held as Scheduled	
04/09/2010	Criminal 1	Violation of Probation Hearing	Held as Scheduled	

FINANCIAL SUMMARY

	Fees/Fines/Costs	Assessed	Paid	Dismissed	Balance
Total		0.00	0.00	0.00	0.00

Deposit Account(s) Summary	Received	Applied	Checks Paid	Balance
Total				



**COMMONWEALTH OF MASSACHUSETTS
SUFFOLK COUNTY CRIMINAL
Docket Report**

INFORMATIONAL DOCKET ENTRIES			
Date	Ref	Description	Judge
09/28/2005	1	Indictment returned	
09/28/2005	2	Motion by Commonwealth for arrest warrant to issue; filed & allowed, Locke, J.	
09/28/2005		Warrant on indictment issued	
09/28/2005		Warrant was entered onto the Warrant Management System 9/28/2005	
10/27/2005		Defendant brought into court. Warrant Recalled.	
10/27/2005		Appointment of Counsel Jeanne L Carol, pursuant to Rule 53	
10/27/2005		Deft arraigned before Court	
10/27/2005		Deft waives reading of indictment	
10/27/2005		RE Offense 1:Plea of not guilty	
10/27/2005		RE Offense 2:Plea of not guilty	
10/27/2005		RE Offense 3:Plea of not guilty	
10/27/2005		RE Offense 4:Plea of not guilty	
10/27/2005		RE Offense 5:Plea of not guilty	
10/27/2005		RE Offense 6:Plea of not guilty	
10/27/2005		RE Offense 7:Plea of not guilty	
10/27/2005		RE Offense 8:Plea of not guilty	
10/27/2005		RE Offense 9:Plea of not guilty	
10/27/2005		RE Offense 10:Plea of not guilty	
10/27/2005		RE Offense 11:Plea of not guilty	
10/27/2005		RE Offense 12:Plea of not guilty	
10/27/2005		RE Offense 13:Plea of not guilty	
10/27/2005		RE Offense 14:Plea of not guilty	
10/27/2005		RE Offense 15:Plea of not guilty	
10/27/2005		RE Offense 16:Plea of not guilty	
10/27/2005		RE Offense 17:Plea of not guilty	
10/27/2005		Bail set: \$150,000.00 Surety or \$15,000.00 Cash without prejudice. Condition of Bail: (1). Report to Probation Dept once a week by telephone. (2). Surrender Passport to the Court - not to apply for another. (3). No unsupervised contact with children under 16 years of age. (4). Probation to notify Washington, DC, Probation of this case and the Probation Condition inherent therein. Bail warning read. Mittimus issued.	
10/27/2005		Assigned to track "C" see scheduling order	
10/27/2005		Case Tracking scheduling order (Gary D Wilson, Magistrate) mailed 10/27/2005	
10/27/2005		Continued to 12/19/2005 for hearing on PTC by agreement.	



**COMMONWEALTH OF MASSACHUSETTS
SUFFOLK COUNTY CRIMINAL
Docket Report**

10/27/2005		Continued to 4/27/2006 for hearing on Initial PTH by agreement.
10/27/2005		Continued to 10/10/2006 for hearing on Final Pre-Trial Hearing.
10/27/2005		Continued to 10/23/2006 for hearing on Presumptive Trial Date. Vaughan, Mag - A. Mark, ADA - ERD - J. Carol, Attorney
10/27/2005	3	Commonwealth files statement of the case.
10/27/2005	4	Commonwealth files motion to restrict distribution of videotapes.
10/27/2005		Motion (P#4) allowed
10/27/2005	5	Commonwealth files certificate of initial discovery compliance. Vaughan, Mag - A. Mark, ADA - ERD - J. Carol, Attorney
11/18/2005	6	Commonwealth files Certificate of supplemental discovery compliance.
11/23/2005	7	Commonwealth files Certificate of second supplemental discovery compliance.
12/19/2005		Defendant came into court
12/19/2005	8	Pre-trial conference report filed
12/19/2005	9	Deft files Motion for funds
12/19/2005	10	Deft files Motion for order for production of criminal records
12/19/2005		Motion (P#9) allowed up to \$3,000.00 at CPCS rates. (Gary D Wilson, Magistrate).
12/19/2005		Motion (P#10) allowed (Gary D Wilson, Magistrate).
12/19/2005		Continued to 3/8/06 by agreement for hearing on contested motion. Motions to be filed by 2/27/06 defendant excused. Wilson, MAG - A. Galatis for A. Mark, AD A- ERD - J. Carol, Atty
02/06/2006	11	Commonwealth files certificate of third supplemental discovery compliance.
02/27/2006	12	Deft files Motion for discovery I.
02/27/2006	13	Deft files Motion for issuance of documents.
02/27/2006	14	Deft files Motion for discovery of witnesses to whom disclosure was made regarding allegations contained in this indictments.
02/27/2006	15	Deft files Motion for discovery fo expert evidence.
02/27/2006	16	Deft files Motion for discovery of identification of procedures.
02/27/2006	17	Deft files Motion for discovery of treatment providers and schools.
02/27/2006	18	Deft files Motion for exculpatory evidence- similiar crimes by other person.
03/08/2006		Defendant comes into court, continued until 4/5/2006 for hearing re: contested motion by agreement. (Defendant's presence waived) Quinlan, J - G. Brooks for A. Mark, ADAs - E. Roscoe, Court Reporter - J. Carol, Attorney
03/20/2006	19	Commonwealth files motion to impound defendant motion for discovery I and order of issuance of document and memorandum of law in support of.
03/20/2006	19.1	Commonwealth files omnibus response to the defendant discovery motion.
04/05/2006		Defendant not present for motions hearing..



**COMMONWEALTH OF MASSACHUSETTS
SUFFOLK COUNTY CRIMINAL
Docket Report**

04/05/2006	20	Commonwealth files cetificate of fourth supplemental discovery compliance.
04/05/2006	21	Deft files motion for discovery II
04/05/2006		Motion (P#21) allowed (as endorsed.
04/05/2006		Motion (P#19) allowed as endorsed.(Paper #12 impounded 4/5/06)
04/05/2006		Motion (P#10) allowed as endorsed and impounded.
04/05/2006	22	ORDERED: Order for issuance of documents I filed.
04/05/2006	23	Deft files motion for issuance fo documents II.
04/05/2006		Motion (P#23) allowed as endorsed and impounded.
04/05/2006	24	ORDERED: order of the issuance of documents (re: P#23) filed and impounded. (Carol S Ball, Justice)
04/05/2006	25	Deft files motion for order for defense counsel and investigator to view court records of prosecution witnesses' prior adult and juvenile cases.
04/05/2006		Motion (P#25) allowed as endorsed and impounded. (Carol S Ball, Justice).
04/05/2006	26	ORDERED: Order for defense counsel and investigator to view court records of prosecution wirtnesses prior adult and juvenile cases filed and impounded. (Carol S Ball, Justice)
04/05/2006	27	Deft files motion for an order for the production of criminal records of prosecution witnesses II.
04/05/2006		Motion (P#27) allowed and impounded. (Carol S Ball, Justice).
04/05/2006	28	ORDERED: Order for the production of criminal records of prosecution witnesses filed. (Carol S Ball, Justice)
04/05/2006		Continued to 5/8/2006 for hearing on status by agreement - defendant excused. Carol S Ball, Justice - A mark, ADA - J Carol, Attorney - B Sutton, Court Reporter
04/06/2006		Summons issued to the Keepers of the Records for Atty. Joseph V. Cavanagh, of the Law Offices of Blish & Cavanagh, Commerce Center, 30 Exchange Terrace, Providence, Rhode Island, 02903 and to the Keepers of the Records for Atty. Roderick MacLeish and Courtney B. Pillsbury, of the Law Offices of Greenberg Traurig, LLP, One International Place, Boston, MA.
04/12/2006		Summons returned w/service from the Keepers of the Records: Atty. Roderick MacLeish and Atty. Courtney B. Pillsbury, Law Offices of Greenberg Traurig, LLP, One International Place, Boston, MA. - Delivered in-hand to Robert Branch of the CSC Company, 84 State Street, Boston.
05/08/2006		Defendant not present.
05/08/2006	29	Deft files motion for order permitting the Attorney's of Record Access to Impound Pleadings.
05/08/2006	30	Order permitting the Attonneys of Record Access to Impounded Pleadings, filed.



**COMMONWEALTH OF MASSACHUSETTS
SUFFOLK COUNTY CRIMINAL
Docket Report**

05/08/2006		Continued to 7/24/2006 for hearing on status re: Bishop. Carol S Ball, Justice - S. Hoban, Court Reporter - J. Carol, Attorney
05/08/2006		Records from the Law Office of Greenberg Traurig, LLP received this date.
07/18/2006	31	Commonwealth files: Certificate of Fifth Supplemental Discovery Compliance.
07/24/2006		Defendant not present defendant 's presence WAIVED hearing re: motions.
07/24/2006	32	Deft files Motion for additional funds and affidavit of indigency in support of motion for additional fund.
07/24/2006		Motion (P#32) allowed (Jeffrey A Locke, Justice).
07/24/2006	33	Deft files Exparte motion for funds for an expert and affidavit of indigency in support of motion for funds
07/24/2006		Motion (P#33) allowed subject to prevailing rates determined by CPCS. (Jeffrey A Locke, Justice).
07/24/2006	34	Deft files motion for order of issuance of exculpatory evidence monetary settlements filed.
07/24/2006		Continued to 8/2/06 hearing motion by agreement. Locke, J - A. Mark, ADA - ERD -J. Carol, Atty
08/01/2006		Defendant not present - continued to 8/17/06 by agreement re: motions at 2 p.m. cancel 8/2/06 Locke, J - ERD - J. Carol, Atty
08/09/2006	35	Deft files: Revised motion for order of issuance of exculpatory evidence-monetary settlements
08/17/2006		Defendant not present. Hearing re: motions.
08/17/2006	36	Deft files motion for order of issuance of exculpatory evidence.
08/17/2006		Continued to 9/20/2006 for hearing on motions.
08/17/2006		Continued to 10/5/2006 for hearing on lobby. (Jeffrey A Locke, Justice) - A. Mark, ADA - ERD - J. Carol, Attorney
09/18/2006	37	Deft files Motion for discovery III
09/18/2006	38	Deft files Motion to view evidence seized from the defendant's apartment and for the return of property
09/18/2006	39	Deft files Motion to continue tracking order trial date and affidavit in support of
09/20/2006		Defendant not present - hearing re: motions
09/20/2006		MOTION (P#37) allowed as endorsed.
09/20/2006		MOTION (P#38) allowed as to #1 - reserved as to #2
09/20/2006		MOTION (P#39) allowed (Court orders all tracking order dates cancelled)
09/20/2006		Continued to 10/5/2006 for lobby conference and hearing re: motions (non-custody) Locke, J - A. Mark, ADA - ERD - J. Carol, Attorney
10/05/2006		Defendant comes into court, hearing continued until 11/16/2006 re: lobby. Ball, J. - A. Mark, ADA - ERD - J. Carol, Attorney
11/16/2006		Defendant came into court



**COMMONWEALTH OF MASSACHUSETTS
SUFFOLK COUNTY CRIMINAL
Docket Report**

11/16/2006	40	Deft files motion for issuance of documents IV - Mass. R. Crim. Proc., Rule 17(a) (2)
11/16/2006	41	Order for issuance of exculpatory evidence VI - Mass. R. Crim. Proc., Rule 17(1)(2) (IMPOUNDED)
11/16/2006	42	Deft files motion for current addresses of Commonwealth's witnesses.
11/16/2006		After hearing, MOTION (P#40) allowed] Order impounded after sent out.
11/16/2006		Continued to 12/21/2006 for change of plea by agreement. Ball, J - A. Mark, ADA - ERD - J. Carol, Attorney
11/17/2006		Summons issued to the Keeper of the Records for Attorney Mitchell Garabedian, 100 State St. Boston, MA. (2). (P#'s40&41). w/copy of Order. Hand delivered.
12/21/2006		Defendant came into court . Deft offers to plead guilty to offenses #001-017 as charged.
12/21/2006	43	Waiver of defendants' rights
12/21/2006		Defendant warned per Chapter 278, Sec 29D of alien status
12/21/2006		Commonwealth's oral motion for to amend indictments made and allowed,Deft not objecting. Indictments #007 -016 amended as follows: #007 & 008 each to read "on diverse dates between 1979 and 3/5/1982" #009,010,&011 each to read on diverse dates between 1979 & and 5/25/1980" #012&013 each to read" on diverse dates between 3/5/1982 and 1983". #014,015 &016 each to read "on diverse dates between 5/25/1980 and October 1980."
12/21/2006		After colloquy, court accepts Deft's offer. Defendant pleads guilty to #001 thru #017 as charged
12/21/2006		RE Offense 1:Guilty plea
12/21/2006		RE Offense 2:Guilty plea
12/21/2006		RE Offense 3:Guilty plea
12/21/2006		RE Offense 4:Guilty plea
12/21/2006		RE Offense 5:Guilty plea
12/21/2006		RE Offense 6:Guilty plea
12/21/2006		RE Offense 7:Guilty plea
12/21/2006		RE Offense 8:Guilty plea
12/21/2006		RE Offense 9:Guilty plea
12/21/2006		RE Offense 10:Guilty plea
12/21/2006		RE Offense 11:Guilty plea
12/21/2006		RE Offense 12:Guilty plea
12/21/2006		RE Offense 13:Guilty plea
12/21/2006		RE Offense 14:Guilty plea
12/21/2006		RE Offense 15:Guilty plea
12/21/2006		RE Offense 15:Guilty plea



**COMMONWEALTH OF MASSACHUSETTS
SUFFOLK COUNTY CRIMINAL
Docket Report**

12/21/2006		RE Offense 16:Guilty plea
12/21/2006		RE Offense 17:Guilty plea. Commonwealth moves for sentencing
12/21/2006		Defendant sentenced as to #001-MCI Cedar Junction-Max-Five(5) years and one (1) day -Min-Five(5) years
12/21/2006		Administrative probation fees waived.
12/21/2006		Condition of Administrative probation: surrender to the Court for execution of sentence on 1/8/07.
12/21/2006		Victim-witness fee imposed: \$90.
12/21/2006		Defendant warned per Chapter 22E Sec. 3 of DNA
12/21/2006		Notified of right to file an appeal within ten(10) days to the Appellate Division of the Superior Court for review of the sentence imposed pursuant to Superior Court rule 64.
12/21/2006		Sentence credit given as per 279:33A: 14 days (10/15/05-10/28/05)
12/21/2006		Defendant's oral motion for stay of execution of sentence made.
12/21/2006		After hearing motion allowed, Commonwealth not objecting thereto.
12/21/2006		Court orders deft to remain on same \$15,000 cash bail posted.
12/21/2006		Bail warning read
12/21/2006		Case continued by agreement to 1/8/07 for execution of sentence .(Judges session.) Ball,J.- A. Mark ADA - J. Carol, Atty- L. Beers ERD.
12/21/2006		Defendant sentenced to Offenses 002 thru 016: as to each offense herein: MCI Cedar Junction: Max. Five (5) Years and One (1) Day; Min. Five (5) Years to be served concurrently withone another and with Offense 001
12/21/2006		Defendant sentenced to Offenses 017: Three (3) Years administrative (Unsupervised) probation, said probation to be served concurrently with sentence imposed on Offense 001.
01/08/2007		Defendant came into court
01/08/2007		Sentence stay revoked; sentence imposed (John P Connor, Jr., Justice) - P. Pietrella, Court Reporter - J. Carol, Attorney
01/08/2007		Victim-witness fee paid as assessed in the sum of 90.00.
01/08/2007		Legal counsel fee paid as assessed in the amount of \$150.00
01/11/2007	44	Defendant files MOTION to revise and revoke sentence (Ball J notified w/ copy and dockets)
04/09/2010		Defendant not in court.
04/09/2010		ORDERED: Probation terminated; by order of the Court. Ball. J - J. Ledbetter, PO - ERD(LB)
09/26/2015		Warrant CKA alias created for party #1 Alias Name: Edward Anthony Holmes