

COMMONWEALTH OF MASSACHUSETTS

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SUFFOLK, SS.

SUPERIORCOURTDEPARTMENT
NOS. 2003-10985/001-004

COMMONWEALTH

v.

JOSE LOPES

NOLLE PROSEQUI

Now comes the Commonwealth in the above-captioned matter and respectfully states that it will not prosecute the above-numbered indictments any further at this time.

The Commonwealth respectfully submits that after a careful and thorough review of the present state of the evidence, particularly in light of the unexplained absence of a necessary and essential percipient witness for the Commonwealth, the Commonwealth may not be able to meet its burden of proving every element of the crimes charged beyond a reasonable doubt. The Commonwealth specifically reserves the right to initiate new charges against the defendant arising out of his alleged conduct in this matter at some future date.

Respectfully Submitted
For the Commonwealth,

DANIEL F. CONLEY
DISTRICT ATTORNEY

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