

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.
DEPARTMENT

SUPERIOR COURT

NO. 2282-CR-00117

RECEIVED & FILED
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CLERK OF THE COURTS
NORFOLK COUNTY

_____)
COMMONWEALTH OF)
MASSACHUSETTS,)
Plaintiff)
)
V.)
)
KAREN READ,)
Defendant)
_____)

AFFIDAVIT OF ALAN J. JACKSON, ESQ. IN SUPPORT OF MOTION FOR ORDER PURSUANT TO MASS. R. CRIM. P. 17 DIRECTED TO BRIAN ALBERT, VERIZON, AND AT&T

I, Alan J. Jackson, Esq., under oath, do depose and state as follows:

1. I am a Partner at the firm Werksman Jackson & Quinn LLP. I represent Defendant Karen Read, *Pro Hac Vice*.
2. I submit this affidavit on personal knowledge in support of Defendant's Motion for Order Pursuant to Mass. R. Crim. P. 17 Directed to Brian Albert, Verizon, and AT&T.
3. I have carefully reviewed the discovery produced by the Commonwealth in this case, including all police reports, grand jury minutes, crime scene photographs, and other evidence. The factual assertions and reasonable inferences set forth in Defendant's Motion for Order Pursuant to Mass. R. Crim. P. 17 Directed to Brian Albert, Verizon, and AT&T fairly reflect the statements summarized in the discovery produced by the Commonwealth.
4. Attached hereto as "Exhibit A" are photographs, which clearly establish a longstanding close familial relationship between the government's seminal witnesses in this case

(i.e., the Alberts and the McCabes) and the lead detective responsible for investigating this case, Trooper Michael Proctor.

5. A true and correct copy of Trooper Michael Proctor's April 7, 2022, Report memorializing his January 29, 2022, interview with Brian Albert, which was conducted at Jennifer McCabe's residence located at 12 Country Lane, Canton Massachusetts is attached hereto as "**Exhibit B.**"

6. A true and correct copy of Trooper Michael Proctor's April 6, 2022, Report memorializing his interview with Jennifer McCabe on January 29, 2022, at 11:30 a.m., which was conducted at her residence located at 12 Country Lane, Canton Massachusetts is attached hereto as "**Exhibit C.**"

7. A true and correct copy of Trooper Michael Proctor's April 7, 2022, Report memorializing his interview with Matthew McCabe on January 29, 2022, at his residence located at 12 County Lane, Canton Massachusetts is attached hereto as "**Exhibit D.**"

8. A true and correct copy of Trooper Kathleen Prince's February 1, 2022, Interview with Jennifer McCabe at her residence located at 12 Country Lane, Canton Massachusetts is attached hereto as "**Exhibit E.**" During the course of her interview with Trooper Prince, Jennifer McCabe reported to law enforcement that she observed what she believed to be John and Karen's vehicle outside Brian Albert's residence at 34 Fairview Road and that "[t]he next time that she looked out the window, the car was gone. She did not think anything of it and thought they just decided not come in."

9. Photographs of the injuries to O'Keefe's face, arm, and hands are attached hereto as "**Exhibit F.**"

10. A true and correct copy of Sergeant Yuri Bukhenik's and Trooper Proctor's February 7, 2022, interview with Ryan Nagel is attached hereto as "**Exhibit G.**"

11. A true and correct copy of the reports generated by the Massachusetts State Police, which establish the timeline of law enforcement's analysis and production of O'Keefe's cell phone, are attached hereto as follows:

a. As set forth in Trooper Guarino's February 4, 2022 Report, which is attached hereto as "**Exhibit H,**" Trooper Proctor took possession of O'Keefe's cell phone on January 29, 2022.

b. As the January 31, 2022, GrayKey Progress Report Event Log, which is attached hereto as "**Exhibit I**" confirms, O'Keefe's cell phone was forensically imaged two days later by Trooper Guarino on January 31, 2022.

c. As set forth in the Commonwealth's Notice of Discovery VIII, which is attached hereto as "**Exhibit J,**" the mirror image of O'Keefe's phone was not produced to the defense until more than a year later, on February 8, 2023.

12. A true and correct copy of the Zillow Listing for the Albert Residence located at 34 Fairview Road Canton, Massachusetts, retrieved on April 11, 2023, is attached hereto as "**Exhibit K.**" According to public records, the Albert Residence was built in 1974 and purchased by Bernard and Mary Albert in 1975. In 2010, Brian and Nicole Albert purchased the residence from Brian Albert's parents. Publicly available information suggests that the Alberts accepted an offer on the house on February 17, 2023. That sale is currently pending.

13. A true and correct copy of the reports generated by the Massachusetts State Police, which establish the timeline of law enforcement's analysis and production of Jennifer McCabe's iPhone 11 are attached hereto as follows:

a. The GrayKey Progress Report memorializing the forensic image of Jennifer McCabe’s iPhone 11, is attached here as “**Exhibit L**,” and establishes that, unbeknownst to the defense, Trooper Keefe forensically imaged Jennifer McCabe’s iPhone 11 on February 2, 2022—mere days after the incident in question. No police reports reference the fact that Ms. McCabe’s iPhone 11 was forensically imaged on February 2, 2022. However, Computer Forensic Expert Richard Green’s subsequent analysis of that *same* forensic image makes clear that law enforcement has had significant exculpatory information in its possession since February 2, 2022, which includes, *inter alia*, evidence that Jennifer McCabe deleted a search for the phrase “‘hos long to die in cold” at 2:27 a.m. on January 29, 2022, hours before she was supposedly aware O’Keefe was missing. Significantly, the existence of this forensic image was not disclosed to the defense and was not produced to the defense in discovery until more than a year later.

b. Instead, Trooper Guarino conducted his own forensic analysis of the image and prepared an “Apple iOS Full File System Cellebrite Extraction Report” on May 31, 2022, at Trooper Proctor’s direction. Although the *complete* forensic image of Jennifer McCabe’s cell phone was withheld from the defense, Trooper Guarino’s “Full File System Extraction Report” was produced to the defense in discovery on August 12, 2022. *I have personally conducted a complete review of Trooper Guarino’s May 31, 2022, Full File System Cellebrite Extraction Report of Jennifer McCabe’s iPhone 11, which purported to capture data from January 29, 2022. Notably, this report does not include any reference to the incriminating search made by Jennifer McCabe at 2:27 a.m. on January 29, 2022.*

c. An excerpt of Trooper Guarino's May 31, 2022, Extraction Report, which includes a summary of the extraction information, the device information, and a record of deleted calls from January 29, 2022, which were recovered in the Cellebrite analysis of Jennifer McCabe's cell phone, is attached here as "**Exhibit M.**" A complete copy of this report can be filed under order of impoundment at the Court's request.

14. A true and correct copy of Sergeant Yuriy Bukhenik's February 23, 2022, Report memorializing his and Trooper Proctor's "prescheduled" interview with Nicole Albert on February 3, 2022, at her residence located at 34 Fairview Road, is attached hereto as "**Exhibit N.**"

15. According to the Commonwealth of Massachusetts Office of the Chief Medical Examiner Death Notification Report, "Trooper Yury Bukhenik called [the OCME] at 10:41 a.m. [on 1/29/22] stating the case is now being treated as suspicious due to a domestic situation that happened after D left the bar. There is a possibility D was struck in the face with a cocktail glass."

16. Based on my review of the discovery in this case, I am informed and believe that none of the law enforcement officers who responded to 34 Fairview in the early morning of January 29, 2022 observed Brian and Nicole Albert leave their residence. I am further informed and believe that law enforcement never conducted a search of the Alberts' residence and/or fenced-in backyard to determine whether there was any evidence that an altercation had occurred between O'Keefe and/or any of the partygoers.

17. The Commonwealth has produced two separate Canton Police Department Incident Reports concerning the events that transpired on January 29, 2022. A true and correct copy of the Original Report, which was produced to the defense at Ms. Read's arraignment on

February 2, 2022 is attached hereto as “**Exhibit O.**” A true and correct copy of the Altered Report, which was produced to the defense on October 25, 2022, is attached hereto as “**Exhibit P.**”

18. A true and correct copy of Judge Krupp’s September 23, 2022, Order to Preserve Electronic Evidence is attached hereto as “**Exhibit Q.**”

19. A true and correct copy of Tim Albert’s October 16, 2022, Facebook Post threatening to ruin anyone who crosses his family is attached hereto as “**Exhibit R.**” As of the date of filing of this document I am informed and believe that this threat remains publicly displayed on Tim Albert’s public Facebook page.

20. Attached hereto as “**Exhibit S**” are photographs taken from the morning of January 29, 2022, which depict the snowfall around the time O’Keefe’s body was discovered by Ms. Read. The first photograph is a screenshot from the video surveillance system at Town Library in downtown Canton at 5:56 a.m., shortly before O’Keefe’s body was discovered at 6:04 a.m. The second photograph is one of the first crime scene photographs taken by Sergeant Goode at the Albert Residence at 7:42 a.m. on January 29, 2022. Clearly, there was no “heavy snow” falling when the women arrived at 34 Fairview that morning, as Jennifer McCabe falsely claimed to police.

The Requested Records Are Evidentiary and Relevant

21. Ms. Read’s defense is predicated, in no small part, on a third-party culpability defense. As explained in the attached Affidavit of Rick Green, the defense has uncovered *significant* and *reliable* evidence that not only exculpates Ms. Read, but that inculpates Jennifer McCabe and Brian Albert. Indeed, previously withheld evidence establishes that the government’s seminal witness, Jennifer McCabe, Googled, “hos long to die in cold” at 2:27 a.m.

on June 29, 2022, hours before O'Keefe's body was supposedly discovered in the snow on her brother-in-law, Brian Albert's front lawn. Moreover, the only reasonable interpretation of the 80 steps and 3 flights of steps recorded by Apple Health on O'Keefe's cell phone clearly suggest that O'Keefe did, in fact, make it inside the Albert Residence that night and that the government's seminal witnesses have been lying to law enforcement. This reliable, data-driven information undeniably suggests that Jennifer McCabe and Brian Albert are the third parties responsible for O'Keefe's death and that additional inculpatory information will be found in the cellular data requested. Based on this (and other) evidence, I have a good faith believe that the location data and communications stored on their phones and in their corresponding carrier records during the relevant time period will unquestionably lead to relevant, admissible evidence that will support Ms. Read's third party culpability defense.

The Requested Records Are Not Otherwise Procurable Reasonably in Advance of Trial by Exercise of Due Diligence

22. I am informed and believe, based on my conversations with defense computer forensics expert Richard Green, that the only source from which the defense can obtain the requested information, namely Brian Albert's communications, Google searches, web browsing history, and data deleted by him during the relevant time period is by conducting a forensic analysis of his cell phone (or cloud-based storage systems).

23. I am also informed and believe, based on my conversations with defense computer forensics expert Richard Green, that call details from cell phone carrier companies, including Verizon and AT&T, provide an independent source of call and messaging data, which cannot be deleted by a cell phone user for the period in question.

24. Unless this Court grants the instant request, the defense will be denied access to critical communications and location data from the morning of O'Keefe's death, which will shed light on Mr. Albert's involvement in the murder of O'Keefe and support Ms. Read's third-party culpability defense.

The Defense Cannot Effectively Prepare for Trial Without These Records and the Failure to Obtain this Information May Unreasonably Delay Trial

25. I am informed and believe, based on my conversations with defense computer forensics expert Richard Green, that in order to obtain the data requested, Mr. Green will need time to make a forensic image of Mr. Albert's device and subsequently analyze the data such that the relevant data can be produced to defense counsel for review. This process takes time. Furthermore, the defense expert's analysis of Mr. Albert's cell phone will then need to be compared with records on file with Verizon and AT&T to determine whether Mr. Albert has taken steps to sanitize his own device--as was done by his sister-in-law in this case.

26. Moreover, even after that process is complete, it is likely that the production of this information will identify additional witnesses that the defense will need to interview and reveal additional information that the defense will need to further investigate. Thus, unless this critical information necessary to Ms. Read's third-party culpability defense is produced in advance of trial, it will unquestionably result in delays because the government's witness will unquestionably be asked about these issues.

This Request is Not a Fishing Expedition

27. The defense has a good faith belief, based on newly obtained *reliable, data-driven evidence*, that exculpatory evidence implicating Jennifer McCabe and Brian Albert in O'Keefe's murder will be found in the records requested based on the evidence set forth in detail, in Section

III.D, Para. 9 (a)-(k) of the accompanying Rule 17 Motion, which is incorporated herein by reference.

28. Moreover, the defense has already uncovered significant evidence establishing that Jennifer McCabe and her family members have taken affirmative steps to delete and tamper with evidence that was provided to law enforcement and misrepresent what occurred on the night in question in an attempt to interfere with the investigation into O'Keefe's death. As such, the defense needs access to the only *physical evidence* from the night in question, which will shed light on what transpired outside of Ms. Read's presence on January 29, 2022, and during law enforcement's investigation in the days that followed.

28. The instant request is narrow and targeted to Brian Albert's communications, web results and search history, and location information associated with Brian Albert's cell phone numbers, which were obtained from police reports and Jennifer McCabe's call history, over a 9-day period between January 28, 2022 (the date Brian Albert met O'Keefe at the Waterfall Bar) and February 5, 2022 (the day the substantive investigation into Ms. Read and recovery of evidence was completed). The defense clearly has a good faith belief that exculpatory evidence supporting her third-party culpability defense will be found in Mr. Albert's cell records from the night in question and will reveal Mr. Albert's communications with his family members and his contacts with law enforcement in the days that followed in an effort to interfere with this investigation. The defense has a good faith belief that Mr. Albert has already taken affirmative steps to destroy evidence (namely, by getting rid of his K-9 German Shepherd Chloe) and will take actions to similarly destroy any inculpatory evidence on his cell phone. Thus, the production of corresponding information from Mr. Albert's independently maintained cell phone carrier

records is absolutely necessary to ensure Mr. Albert does not try to manipulate, alter, or otherwise destroy the requested information.

29. I am informed and believe that Ms. McCabe took significant steps to attempt to delete, manipulate, and alter the data on her cell phone before turning it over to law enforcement on February 2, 2022, in an attempt to improperly influence the investigation into O'Keefe's death. The instant request for Ms. McCabe's cell phone carrier information is narrow and targeted to her call detail records and subscriber information over a six-day period, spanning January 28, 2022, to February 2, 2022 (when she turned her phone over to law enforcement for imaging). As further explained in Richard Green's Affidavit, the records that are independently maintained by Ms. McCabe's cell phone provider during this time period will reveal the existence of any *additional* communications that were deleted by Ms. McCabe that defense expert Richard Green's forensic tools could not recover.

30. Based on the foregoing, our office respectfully requests that this Court order the requested documents, records, and information from Brian Albert, Verizon, and AT&T, which are necessary in order for our office to be able to effectively defend Ms. Read at trial.

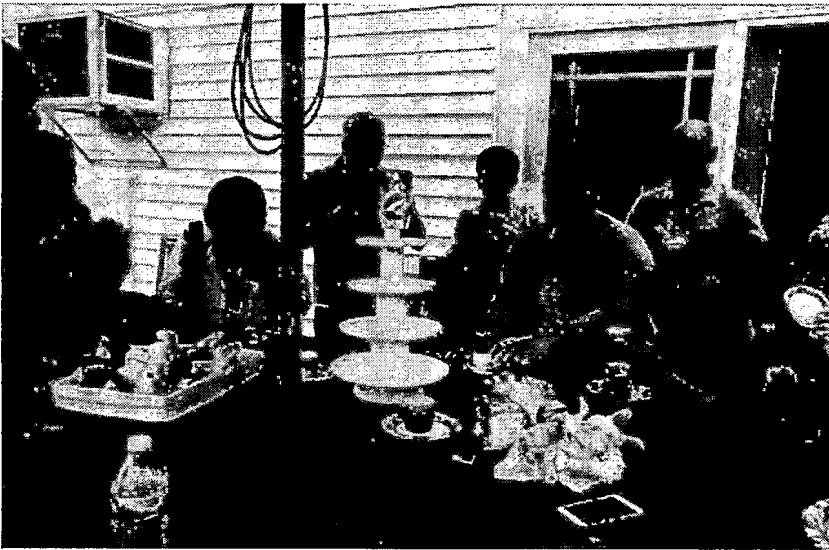
SIGNED and SWORN to under the pains and penalties of perjury this 12th day of April 2023.


Alan J. Jackson, Esq.

EXHIBIT A



Trooper Michael Proctor with Jennifer & Matthew McCabe's daughters
Source: Courtney Proctor Elburg, Facebook, Aug 20, 2017



Trooper Michael Proctor's mother (in white), Proctor's sister (tan cardigan), Colin Albert (gray T-shirt), Chris Albert (blue polo), Jennifer & Matthew McCabe's daughter (blue headband)
Source: Courtney Proctor Elburg, Facebook, Jul 15, 2016



Trooper Michael Proctor (far left), Proctor's sister (bride), Colin Albert (young boy)
Source: Courtney Proctor Elburg, Facebook, May 16, 2012

EXHIBIT B



The Commonwealth of Massachusetts
Department of State Police



CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

TERRENCE M. REIDY
SECRETARY

Division of Investigative Services
 Norfolk State Police Detective Unit
 45 Shawmut Road
 Canton, MA 02021

CHRISTOPHER S. MASON
COLONEL/SUPERINTENDENT

R. SCOTT WARMINGTON
DEPUTY SUPERINTENDENT

April 7, 2022

To: Detective Lieutenant Brian P. Tully #3520
 From: Trooper Michael Proctor #3863
 Subject: Interview of Brian Albert (DOB:09/04/1968) at 12 Country Lane, Canton MA.
 Re: John O'Keefe Motor Vehicle Homicide.
 Case: 2022-112-033

1. On January 29, 2022 at approximately 6:04AM, the Canton Police Department received a 911 call for a male party, John O'Keefe discovered unresponsive outside of 34 Fairview Road. Canton Police, Fire and EMS responded to the scene Canton Fire and EMS were dispatched to 34 Fairview Road for an unresponsive male discovered outside in the snow and CPR was in progress. Canton EMS transported the victim to Good Samaritan Hospital where he was determine to be deceased. At the Waterfall Bar on Friday night, January 28th and the home owner of 34 Fairview is Brian Albert. Brian arrived at the McCabe's house on Saturday morning and agreed to speak with investigators.

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 Captain Supervisor

2. Brian and his wife Nicole arrived at the Waterfall Bar at approximately 10:00PM to meet some friends. Brian only met John O'Keefe a few times and did not know Karen Read. Brian stated when John and Karen entered the bar they appeared to be in a good mood, did not observe any arguing amongst the two or with anyone else. While speaking with John at the bar Brian stated he did not appear to be intoxicated and did not speak with Karen. When Brian and Nicole left the bar to go home, John and Karen were still inside. Brian stated he did not know John and Karen were coming to his house and were invited by Jennifer McCabe. Brian stated he would've welcomed them inside if they arrived but did not know they were coming over. Brian stated he did not see a vehicle out front of his house, did not know John and Karen were outside and did not hear any loud noises from the street.

Respectfully submitted,

TPO. 

Trooper Michael D. Proctor #3863
Massachusetts State Police
Norfolk SPDU

EXHIBIT C



The Commonwealth of Massachusetts
Department of State Police



CHARLES D. BAKER
GOVERNOR
KARYN E. POLITO
LIEUTENANT GOVERNOR
TERRENCE M. REIDY
SECRETARY

Division of Investigative Services
Norfolk State Police Detective Unit
45 Shawmut Road
Canton, MA 02021

CHRISTOPHER S. MASON
COLONEL/SUPERINTENDENT
R. SCOTT WARMINGTON
DEPUTY SUPERINTENDENT

April 6, 2022

To: Detective Lieutenant Brian P. Tully #3520
From: Trooper Michael Proctor #3863
Subject: Interview of Jennifer McCabe (DOB:02/14/1976) at 12 Country Lane, Canton MA.
Re: John O'Keefe Motor Vehicle Homicide.
Case: 2022-112-033

1. On January 29, 2022 at approximately 6:04AM, the Canton Police Department received a 911 call for a male party, John O'Keefe discovered unresponsive outside of 34 Fairview Road. Canton Police, Fire and EMS responded to the scene Canton Fire and EMS were dispatched to 34 Fairview Road for an unresponsive male discovered outside in the snow and CPR was in progress. Canton EMS transported the victim to Good Samaritan Hospital where he was determine to be deceased. Prior to being discovered the victim was at Waterfall Bar and then traveled to 34 Fairview Road for a gathering with friends. Present at the Waterfall Bar and the residence on Fairview Road was Jennifer McCabe. Sgt. Bukhenik and I met with Jennifer at 12 Country Lane on January 29, 2022 at 11:30AM and agreed to speak with investigators.

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2. Jennifer and her husband Matthew McCabe arrived at the Waterfall Bar in Canton center at approximately 9:00PM on Friday, January 28th. At the Waterfall they met a group of friends for some drinks, food and watched a live band. At approximately 11:00PM, John O'Keefe and Karen Read entered the Waterfall Bar from CF McCarthy's bar. Jennifer and John have been friends for a long time and met Karen when the two started dating two years ago. John walked into the Waterfall wearing a baseball hat, jeans and sneakers. Jennifer observed Karen walk into the bar holding a drinking glass with a vodka mixed drink inside, she left CF McCarthy's with. Jennifer stated there was no arguments amongst Karen and John or anyone else inside of the Waterfall. Jennifer stated John and Karen did not appear to be overly intoxicated when they arrived. As the band was cleaning up, Brian Albert invited everyone back to his house at 34 Fairview Road, Canton. As everyone began to leave the Waterfall, Jennifer observed John and Karen leave together. John texted Jennifer at approximately 12:14AM, asking "Where to". Jennifer responded to John's text with the address, 34 Fairview. Jennifer spoke with John at 12:14AM and provided him the address. At 12:18AM, John called Jennifer to inquire where exactly the house was on Fairview Road.

3. While at 34 Fairview Road, Jennifer observed a large black SUV on the street outside of the house and went to the front door. The black SUV did not pull into the driveway but parked on the street by the entrance of the driveway. Jennifer observed the black SUV parked out front and texted John, "Hello. Pull up behind me" at 12:31AM. Jennifer texted John again at 12:40AM, "Hello where are you" and then again at 12:45AM, "Hello". When Jennifer sent the last text to John she observed the black SUV drive away and assumed Karen and John went home. Jennifer stated John did not reply to any of her text messages. Jennifer stated she first observed the vehicle parked on the street by the driveway facing in the direction towards Chapman St. Jennifer then observed the vehicle travel along the road towards the left side of the property in the area of where John was discovered in the morning. Jennifer and her husband left the residence at approximately 1:30AM and went home.

4. At approximately 4:53AM on January 29th, Jennifer received a call from John's niece Kayley. Karen was on the phone, hysterical and looking for John. Karen told Jennifer that she went home alone last night and last saw John at the Waterfall Bar. Jennifer had to correct Karen and told her they left the Waterfall Bar together and went to 34 Fairview Road. Jennifer told Karen to come to her house on Country Lane and they will go look for John together. Karen arrived at Jennifer's house in her black Lexus SUV. Jennifer stated she drove Karen's car back to John's house where Kerry Roberts met them. While driving back to John's house, Karen stated to Jennifer, "Could I have hit

him", "Did I hit him". Karen also told Jennifer about a broken tail light on her black SUV. Once Karen, Jennifer and Kerry arrived at John's house they looked at the broken tail light. Jennifer stated she observed a broken/cracked right tail light to Karen's SUV.

5. Jennifer and Karen got into Kerry's vehicle to go look for John. Karen was in the backseat and Jennifer sat in the front passenger seat. Jennifer described the weather at this time as snowing heavily. Jennifer stated the first place they went to look for John was 34 Fairview Road. They traveled down Chapman St and took a right turn onto Fairview Rd. Just prior to the front yard at 34 Fairview is a group of tree's on the left side of the road. Immediately passing the group of tree's, Karen stated "I see him". Jennifer stated with the heavy snow her and Kerry could not see John and did not know what Karen was talking about. The three exited the vehicle, Kerry began wiping snow off John, Jennifer called 911 and Karen laid on top of him for warmth and stated "Oh my god did I hit him". John was discovered on the left side of the property, the area where Karen's SUV was last seen earlier that night with approximately six inches of snow covering him. Jennifer stated Karen began mouth to mouth and when she discovered John's blood on her face stated "Oh my god, do I have my period". Using a cell phone application called Life 360, Jennifer was able to provide the following times; 5:39AM Karen arrived at the McCabe's residence, 5:46AM Jennifer, Karen and Kerry arrive at John O'Keefe house, 5:53AM the three leave John O'Keefe's house and 6:04AM they discover John outside of 34 Fairview Road.

Respectfully submitted,



Trooper Michael D. Proctor #3863
Massachusetts State Police
Norfolk SPDU

EXHIBIT D



The Commonwealth of Massachusetts
Department of State Police



CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

TERRENCE M. REIDY
SECRETARY

Division of Investigative Services
 Norfolk State Police Detective Unit
 45 Shawmut Road
 Canton, MA 02021

CHRISTOPHER S. MASON
COLONEL/SUPERINTENDENT

R. SCOTT WARMINGTON
DEPUTY SUPERINTENDENT

April 7, 2022

To: Detective Lieutenant Brian P. Tully #3520

From: Trooper Michael Proctor #3863

Subject: Interview of Matthew McCabe (DOB:07/10/1974) at 12 Country Lane, Canton MA.
 Re: John O'Keefe Motor Vehicle Homicide.

Case: 2022-112-033

1. On January 29, 2022 at approximately 6:04AM, the Canton Police Department received a 911 call for a male party, John O'Keefe discovered unresponsive outside of 34 Fairview Road. Canton Police, Fire and EMS responded to the scene Canton Fire and EMS were dispatched to 34 Fairview Road for an unresponsive male discovered outside in the snow and CPR was in progress. Canton EMS transported the victim to Good Samaritan Hospital where he was determine to be deceased. At the Waterfall Bar on Friday night, January 28th and at 34 Fairview Rd was Matthew McCabe. Sgt. Bukhenik and I arrived at Matthew's residence on January 29th and agreed to speak with investigators.

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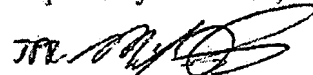
Y.P.S

Captain Supervisor

2. Matthew has known John for approximately eight years and met Karen Read a handful of times. He did not know of any medical issues John may have had. Matthew and his wife, Jennifer arrived at the Waterfall Bar at approximately 9:00PM on Friday, January 28th. Matthew stated they went to the bar to have some drinks and food with friends. Matthew stated John and Karen entered the Waterfall Bar by themselves and John was wearing a baseball hat with a curved visor. Matthew did not observe any arguing amongst John and Karen or with anyone else inside the bar. Matthew stated Karen was consuming a clear liquid, he believed to be a vodka drink. As the night was winding down Matthew went over to speak with the band as everyone in the bar was leaving. Matthew stated John and Karen left before him and the only people left inside of the bar were the four band members and himself. Matthew left and got into his vehicle where Jennifer was waiting for him and heard her call John to invite him to Brian's (Albert) house.

3. While at 34 Fairview Road, Matthew stated he observed a big dark SUV parked to the right of the house. Matthew stated he was making these observations from the front door. Matthew stated he looked out the front window and observed the same big dark SUV had moved to the other side of the property, approximately fifteen to twenty feet. Matthew was not sure how long the vehicle was outside for but did not hear any loud noises or screaming from inside. Matthew stated both times he observed the vehicle on the street the headlights were facing towards Chapman St. Matthew stated he observed tire tracks in the snow on the street in front of the house. Matthew described the pattern as a wave or "V" shape. Matthew stated the tire tracks went from the curb in front of 34 Fairview, towards the neighbor across the street and then back towards the curb. The pattern of the tracks were consistent with making a three point turn. Matthew stated he did not see these tracks prior to the big black SUV arriving outside of the house.

Respectfully submitted,



Trooper Michael D. Proctor #3863
Massachusetts State Police
Norfolk SPDU

EXHIBIT E



The Commonwealth of Massachusetts
Department of State Police



CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

TERRENCE M. REIDY
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Division of Investigative Services
 Norfolk State Police Detective Unit
 45 Shawmut Road
 Canton, MA 02021

CHRISTOPHER S. MASON
COLONEL / SUPERINTENDENT

R. SCOTT WARMINGTON
DEPUTY SUPERINTENDENT

To: Detective Lieutenant Brian P. Tully, Commanding Norfolk SPDU

From: Trooper Kathleen M. Prince # 2791, Norfolk County SPDU

Subject: MCCABE, Jennifer DOB 02/14/1976
 12 Country Lane, Canton, MA
 (781) 858-0142

Case: 2022-112-0033

1. On February 1, 2022, I along with Trooper Connor Keefe went to 12 Country Lane in Canton to speak to Jennifer McCabe concerning the investigation into the death of John O'Keefe on January 29, 2022. The following is a summary of what Ms. McCabe told us.

2. Ms. McCabe stated that on Friday, January 28, 2022, she and her husband, Matt McCabe had been at the Waterfall in Canton. Jen said that John and Karen came into the Waterfall around 11:00 PM. Jen said that she knows John O'Keefe because her daughter and John O'Keefe's niece, Kaylee are friends. She said that she had come to know Karen through John because the two were dating. Jen said that John had encouraged Jen and Karen to become friendly because Jen has Multiple Sclerosis (MS) and Karen had also been diagnosed with MS. John and Karen had been at C.F. McCarthy's before they came into the Waterfall. Jen noticed that Karen had a mixed drink in a clear glass in her hand that she had brought over from C. F. McCarthy's.

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 Captain Supervisor

3. At the end of the evening, Jen said that she and her husband were planning to go to her sister's house because it was her nephew (Brian Albert Jr.) birthday. Jen said that she asked Karen and John if they wanted to come along and they said that they would. The Alberts live at 34 Fairview Road. Jen said that John had texted her at 12:14 AM to get the address. Jen said that she spoke with John on the phone to explain where the house is. She said that she remembers providing him with directions, specifically telling him to drive past Bella's house on the right. Jen said that John would know where Bella lives, as she is a friend of Kaylee.

4. Jen said that while she was at the house, someone said that there was a car outside. Jen looked out the front door of the house and saw the car. She assumed it was John and Karen. She said that she did not notice what kind of car it was. Jen said that she is not good at identifying cars and was not able to provide a description of the car. She noticed that the vehicle was facing in the opposite direction of how it would've been if they had followed the directions provided earlier. Jen then texted John at 12:21 AM, "Here?". She texted John again at 12:31 AM and told him to pull behind her vehicle. She looked out the window a little while later and noticed that the car was further away from the house closer to the neighbor. At 12:40Am she texted again and said, "Hello, where are you?" There was no response from John. Jen said that her phone shows a call from her phone to John around that time but she thinks that she dialed him by accident when she was putting her phone in and out of her pants pocket. The next time that she looked out the window, the car was gone. She did not think anything of it and thought that they just decided not to come in. Jen said that she and her husband were at the house from around 11:45 AM to about 1:30 AM. She said that she and her husband drove two of her nephew's friends home and then they went home.

5. The following morning, Jen got a call from Kaylee (John's niece). Kaylee said, "Hi Jen, Karen needs to talk to you." Karen got on the phone and was yelling, "John never came home." Karen told Jen that she left him at the Waterfall. Jen thought that perhaps he was with a friend. Jen said that she checked with Julie Albert to see if he had gone to their house. Jen explained to Karen that she did not leave him at the Waterfall because they were outside Jen McCabe's sisters house after the waterfall. Karen then told Jen that when she got home John was not with her. Jen began to think of other friends that John might have ended up going to such as Tom Beatty but he was not there either. Karen was telling Jen that she (Karen) had not planned to stay at John's house that night and that John would not have stayed out all night leaving Kaylee home alone overnight. At some point while they were talking on the phone, Karen got into her car and started driving. Jen said that Karen was hysterical screaming. Karen drove to Jen's house.

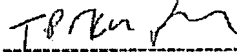
6. Jen said that when Karen showed up at her house around 5:30 AM, she went outside and started to drive Karen's car to John's house. She said that they got to John's house around 5:45 AM. Shortly after, Kerry arrived. They looked in John's house to make sure he was not there. The three decided to all get into one vehicle to look for him. They took Kerry's car. Jen said that Karen was saying things like, "Could I have hit him?", "Look at the crack in my taillight, there is a crack in it." Jen said that she did notice damage to the taillight. Jen said that Karen was so hysterical and was saying so many things that Jen did not think that Karen actually hit him. Karen was also saying things about him possibly being with old girlfriends.

7. Jen said that they probably got on the road around 5:53 AM to go to look for John. Kerry was driving, Karen was in the back and Jen was in the passenger seat. They pulled down to Fairview from Chapman Street. Jen said that as they were approaching the 34 Fairview house, Karen said, "Pull the fucking car over. There he is." Jen said that she did not notice him but Karen did. Kerry stopped in the middle of the road and Karen jumped out of the car and went to him. Jen said that John was in the area of where she had last seen the vehicle night prior. Jen said that he was

on the lawn. There was a coating of about six inches of snow on him. Karen threw herself on top of him. He was lying on his back and his phone was on the ground underneath him. Jen said that she called 911. They attempted CPR and then the ambulance and police arrived. Jen said that Karen was very hysterical. She was asking people if she had hit him. Karen was told to sit in a car. Jen went over to Karen when she was in the car. Jen observed Karen to have blood on her hands and face. Karen was holding her hands up and was saying, "I have my period." Jen said that she told Karen that was not her blood that it was John's blood from them doing CPR. Jen also stated that while her and Karen were in the back of the car, Karen was yelling and screaming one moment and then completely calm the next. Jen said that they prayed the "Our Father" together. Karen then immediately yelled at Jen two times to Google, "How long do you have to be left outside to die from hypothermia?" Jen was unsure if she Karen was brought from the scene by ambulance to the hospital.

8. Jen was asked about what Karen and John were like when they were at the Waterclub. She said that she did not notice them fighting. She has known them to be together as a couple for about two years and to her knowledge, they loved each other. She said that she did not think that there were any issues between them. Jen said that the only thing that she can think of is once Karen made a comment that if there were not any kids, they would not have anything to fight over. Jen told Karen that was very normal. Jen was asked about their level of intoxication and she said that they were both drinking but did not appear to be drunk.

Respectfully submitted,

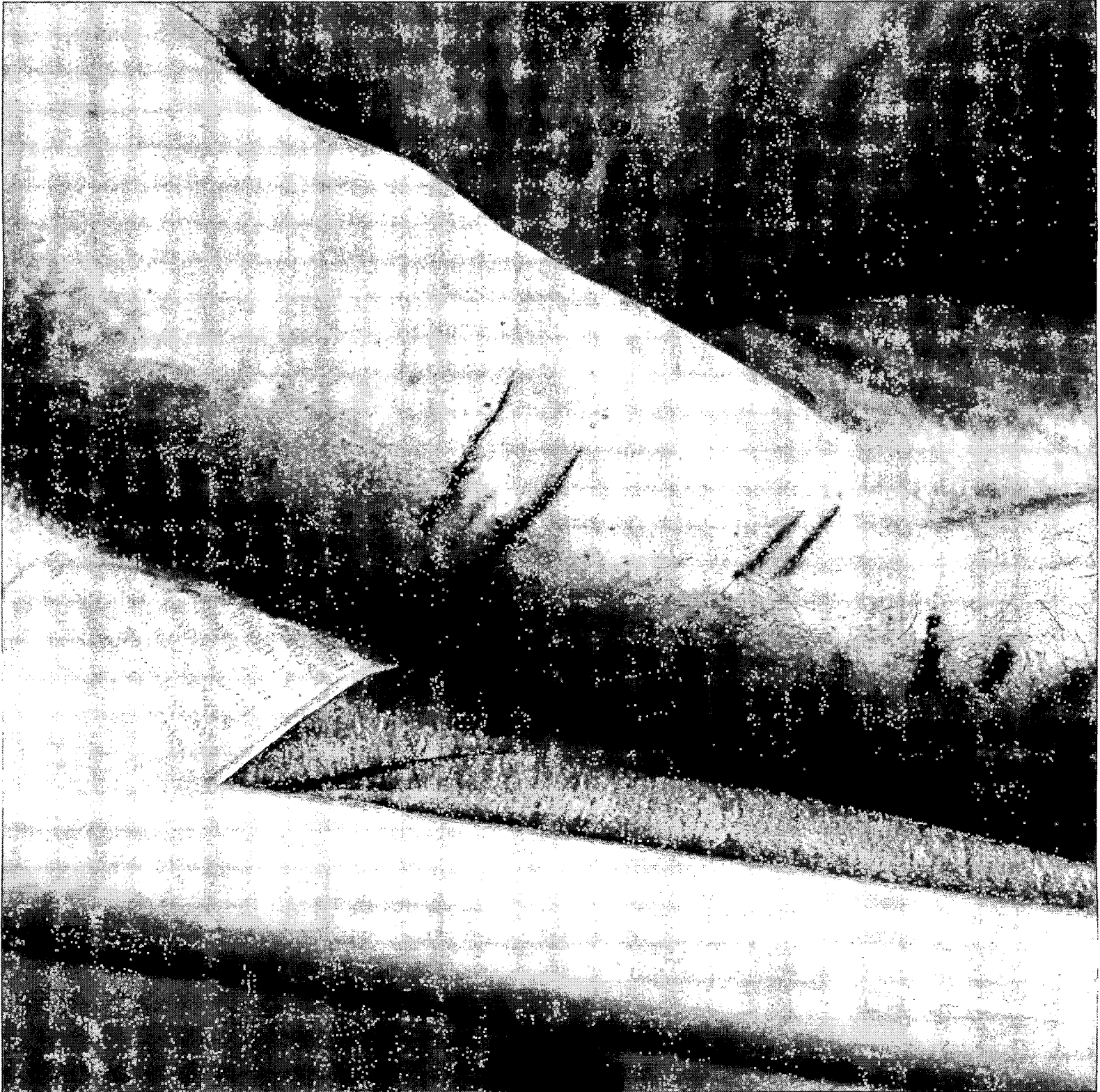


Trooper Kathleen M. Prince, # 2791
Norfolk County SPDU
Massachusetts State Police

EXHIBIT F







Okeefe, John

AC#:GM0066240607 M/R#:GS20062319

DOB:12/08/1975 46Y M

ADM: 01/29/22 06:49

EXHIBIT G



CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

TERRENCE M. REIDY
SECRETARY

The Commonwealth of Massachusetts Department of State Police

Division of Investigative Services
Norfolk County State Police Detective Unit
45 Shawmut Road, Canton, MA 02021

February 7, 2022



CHRISTOPHER S. MASON
COLONEL/SUPERINTENDENT

R. SCOTT WARMINGTON
DEPUTY SUPERINTENDENT

TO: Detective Lieutenant Brian Tully, #3520
FROM: Sergeant Yuriy Bukhenik, #3543
SUBJECT: Ryan Nagel (DOB 3/13/1993) at Norfolk DA's RE: O'Keefe MV Homicide
Case: 2022-112-33

1. On January 29, 2022, at approximately 6:04AM Canton Police Department received a 911 call from a woman reporting a male party, John O'Keefe found in the snow at 34 Fairview Road. At the time of the 911 call there was heavy snow and the temperature was in the teens. Officers Saraf and Mullaney, were dispatched to the scene along with Canton Fire and EMS. Officer Saraf arrived on scene and observed three females waving at him. Looking at 34 Fairview from the roadway the three females were in the left corner of the property. Officer Saraf observed the victim lying on the ground as two of the females were performing CPR. The three females on scene were identified by Canton PD as Karen Read, Jennifer McCabe and Kerry Roberts. Additionally a male party was identified as being in the area the night prior and possibly could have witnessed the victim arriving in the area of 34 Fairview.

DIVISION OF INVESTIGATIVE SERVICE
MASS. STATE POLICE
Year / Dist / Crime / Case

17
Serial

Captain Supervisor

2. The said male was identified as Ryan Nagel (DOB 3/13/1993) (617-894-9911) who was contacted by his sister Julie Nagel (DOB 12/4/1997) (617-981-3377) asking for a ride home, while visiting with her friend Brian Albert at 34 Fairview. Ryan came into the Norfolk District Attorney's Office for a prescheduled interview on Monday, February 7, 2022 at 2:35 PM. The following is a summary of information requested and provided by Ryan during that interview with Tpr. Proctor and me.

3. Ryan confirmed that he was contacted by Julie, requesting a ride home. At the time Ryan was with his friend Richie D'Antuono (DOB 5/6/1994) (617-966-0184) who was driving his gray in color Ford F-150 pick-up truck with Ryan seated in the front passenger seat and Ryan's girlfriend Heather Maxon (DOB 4/5/1994) (508-838-8941) seated in the back passenger compartment. Ryan recalls Richie driving down Cedarcrest Rd. from the direction of the Kennedy Elementary school. As the F-150 approached Fairview, Ryan remembers seeing a set of headlights of a mid-size black SUV coming from the opposite direction of Cedarcrest. Subsequently Richie yielded to the vehicle allowing it to make a right hand turn onto Fairview as their F-150 then followed making a left hand turn onto Fairview.

4. Ryan told us that Richie stopped the F-150 directly in front of the driveway belonging to #34 Fairview, and remembers the black SUV stopping along the right hand curb towards the left side of the property as you look at the home from the street. When asked, Ryan stated he did not observe any erratic operation by the SUV as it turned from Cedarcrest onto Fairview or at any point while in his presence.

5. Ryan went on to say that their F-150 remained in front of the home for a period of time that was no longer than five minutes at which time his sister Julie came out of the home and asked if the three of them would like to come inside. Ryan refused the invite and Julie stated that she wanted to stay a while longer and would most likely spend the night at 34 Fairview. Upon conclusion of their conversation, Julie retreated back inside the home, and Ryan noticed the that SUV pulled up a few feet to the far edge of the property line between #34 and the neighboring property where the flagpole was located along with some bushes. Ryan stated that the SUV's driver did not appear to place the vehicle into "Park" as the rear brake lights were illuminated to include the third top center light at the initial positioning and after it had pulled up.

6. Tpr. Proctor asked Ryan if at any point he heard screams, yelling, or any noise coming from the black SUV while he was on Fairview, to which he stated "No". Ryan added that as Richie pulled away from 34 Fairview, their F-150 drove passed the black SUV, at which time Ryan observed the interior light on and a Caucasian female operator seated inside the vehicle holding the steering wheel at the 10 and 2 looking straight ahead of her. Ryan told us that he did not see anyone else inside the passenger compartment during his brief observations of the SUV as they drove by it. Ryan did not see the SUV leave and did not note any damage to the vehicle as he remembers.

7. When asked, Ryan stated that it had just started snowing approximately half an hour prior and there was a coating of snow on the ground. While present in the area of Cedarcrest and Fairview, Ryan did not see any other vehicles operating besides the F-150 and the black SUV. Without having anything further to provide about the evening, Tpr. Proctor and I concluded our interview with Ryan.

Respectfully Submitted,

Sgt. Yuriy Bukhenik #3543
Sergeant Yuriy Bukhenik, #3543
Massachusetts State Police
Norfolk District Attorney's Office

EXHIBIT H



The Commonwealth of Massachusetts
Department of State Police



CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

TERRENCE M. REIDY
SECRETARY

Division of Investigative Services
 Norfolk State Police Detective Unit
 45 Shawmut Road
 Canton, MA 02021

CHRISTOPHER S. MASON
COLONEL/SUPERINTENDENT

R. SCOTT WARMINGTON
DEPUTY SUPERINTENDENT

February 4, 2022

To: Detective Lieutenant Brian Tully #3520, Norfolk SPDU, Commanding Norfolk SPDU

From: Trooper Nicholas Guarino #3962

Subject: Cell phone extraction and forensic analysis of a cell phone belonging to John O'Keefe (DOB 12/8/1975)

Case: 2022-112-0033

1. On Saturday, January 29, 2022, Trooper Michael Proctor and Sgt. Yuri Bukherik of the Norfolk District Attorney's Office responded to an unattended death of John O'Keefe (DOB 12/8/1975) at 34 Fairview Road in Canton. Through his investigation it was found that O'Keefe was a victim of a motor vehicle homicide. While on scene Tpr. Proctor secured O'Keefe's cell phone and brought it to the Norfolk DA's Office for forensic analysis.

DIVISION OF INVESTIGATIVE SERVICE
 MASS. STATE POLICE
 Year / Dist / Crime / Case

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 Serial# YPB

 Captain Supervisor

2. The evidence was given to me in good working order and transported to the Norfolk District Attorney's office by Tpr. Proctor. The evidence provided to me is as follows:


- One (1) Apple iPhone 11 cell phone

3. To perform the data extraction of this device, I used the following equipment:

- GreyKey
- Cellebrite Physical Analyzer
- Windows 10

4. A copy of the cell phone extraction was placed on the server for future reference. This report is not inclusive of all potential data contained within this device. Any additional analysis will be documented in future reports.

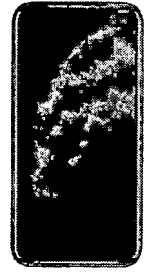
Respectfully submitted,



Trooper Nicholas Guarino #3962
Norfolk County SPDU
Massachusetts State Police

EXHIBIT I

GrayKey Progress Report



GrayKey Serial #: 9a926beed4690508
 GrayKey Software: OS Version: 1.7.3.19461530, App Bundle: 2.2.4
 Report generation time: 2022-01-31 16:10:11 UTC

Target Device Information

Device Name	johnny
Software Version	15.2.1 [19C63]
Model	iPhone11 [iPhone12,1 N104AP]
Unique Device ID (UDID)	00008030-001435991423402E
Serial Number	F4GFRBEQN72Q
Unique Chip ID (ECID)	5688431118336046
WiFi MAC Address	08:87:c7:a9:f7:b0
Bluetooth MAC Address	08:87:c7:ac:a6:2e
Phone Number	1 (617) 922-9234
IMEI	356864117494517
IMEI(2)	356864117404904
Data Partition Size	83.23GB (89371246592 bytes)
Lock State	Unlocked
Agent Version	2.2.3
Backup State	iCloud Backup, Last Backup Date: 2022-01-28 05:27:55 UTC
Owner Name	John OKeefe
Accounts	john.okeefe@pd.boston.gov, kkfurbush@icloud.com, jjokeefe28@yahoo.com

Event Log

2022-01-31 14:37:53 UTC: Initial access started.
 2022-01-31 14:42:09 UTC: Initial access succeeded.
 2022-01-31 14:42:10 UTC: On-device agent started. Device Time: 2022-01-31 09:42:11 -05:00
 Device Boot Time: 2022-01-27 00:25:11 -05:00 OS Version: 1.7.3.19461530 AL Version: 2.2.3
 2022-01-31 14:42:10 UTC: Connected to on-device agent.
 2022-01-31 14:42:23 UTC: Manual data extraction requested.
 2022-01-31 14:42:24 UTC: Target device unlocked.
 2022-01-31 14:42:24 UTC: Keychain extraction started.
 2022-01-31 14:42:24 UTC: Keychain extraction complete. Result: Success
 2022-01-31 14:42:24 UTC: Filesystem extraction started.
 2022-01-31 16:09:44 UTC: Filesystem extraction complete. Result: Success
 2022-01-31 16:09:49 UTC: On-device agent uninstalled.
 2022-01-31 16:10:11 UTC: Progress report generated.
 2022-01-31 16:27:20 UTC: Progress report generated.

Extraction Result Summary

Full Filesystem	2022-01-31 16:09:41.789002 UTC
Extraction size	125.69GB (134957293133 bytes)

SHA256	cc1a81762624827df0c1e948eb00cd0a122e3bc08ccb3b505894cf5549e4066
MD5	bd5360d89dda614aeaa6f78a9226a16a

Keychain	71 Keys, 12 Certificates, 223 Internet passwords, 899 General passwords
SHA256	f5713727548b791e9335672f7e238770b1803f87c1f92384d56e2f33e366ec0c
MD5	6fb385167aff9b2d1b8bc65860fddcb3

EXHIBIT J

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

SUPERIOR COURT DEPARTMENT
NORFOLK SUPERIOR COURT
DOCKET NO. 2282CR0117

COMMONWEALTH

v.

KAREN READ

COMMONWEALTH'S NOTICE OF DISCOVERY VIII

Now comes the Commonwealth in the above-captioned matter and indicates that of this date the following discovery and materials have been provided to the defendant through defense counsel:

1. Copy of Norfolk County Regional Emergency Communication Center (RECC) 911 call from January 29, 2022, (1 disc);
2. Copy of forensic image of John O'Keefe's cellular telephone, (1 flash drive);
3. Copy of forensic image of Jennifer McCabe's cellular telephone, (1 flash drive);
4. Copy of Canton Police Department Scene Photos, electronic copies, (1 disc).

Respectfully Submitted
For the Commonwealth,

MICHAEL W. MORRISSEY
DISTRICT ATTORNEY

By: _____

Adam C. Lally
Assistant District Attorney
45 Shawmut Road
Canton, MA 02021
781-830-4800

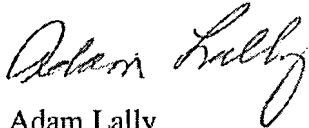
DATED: 2-08-23

January 20, 2023

Yannetti Criminal Defense Law Firm
ATTN: David Yannetti, Esq.
44 School Street, Suite 100A
Boston, MA 02108

If you have any questions or concerns, please feel free to contact me at (781) 830-4800;
ext. 4842.

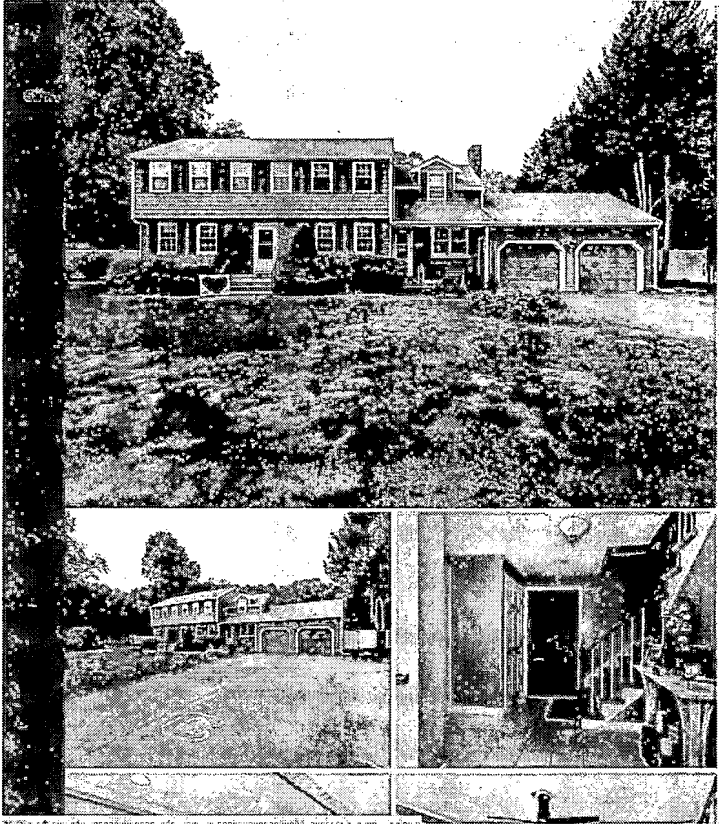
Sincerely,

A handwritten signature in cursive script that reads "Adam Lally". The signature is written in black ink and is positioned above the printed name and title.

Adam Lally
Assistant District Attorney

Enclosures

EXHIBIT K



Zillow

Save Share Hide More

\$949,000 5 bd | 4 ba - 2,366 sqft

34 Fairview Rd, Canton, MA 02021

Est. payment: \$6,004/mo ? Get pre-qualified

Contact agent

Overview Facts and features Home value Price and tax h >

0.77 Acres

\$401 price/sqft

Overview

This home has a pending offer.

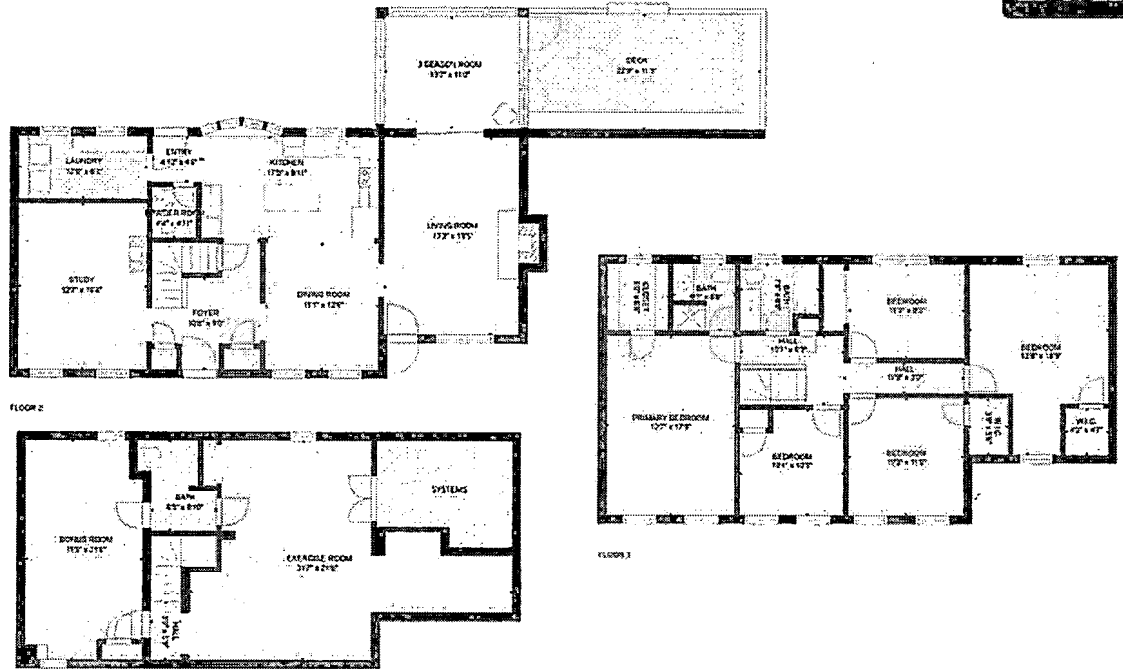
Have you been looking for a great house in a perfect Neighborhood? Well, here it is!!!! This 5 bedroom, 2 full and 2 half bath home is perfectly located in the Kennedy School district. The home boasts a master bedroom with walk-in closet, with 4 other bedrooms on the second floor, completely finished basement with a family room and exercise room, an amazing back yard with a perfectly placed in-ground pool, and the list goes on... I could go on and on about this house, but just come on by and see for yourself... Fairview Road is located in a perfect commuter location too - just minutes to Amtrak and Commuter Rail stations and easily accessible to I-95, Rte 128 and Rte 1. Welcome home!

Hide

Contact agent



23 of 23



SOUTH SHORE
STAGING + PHOTOGRAPHY

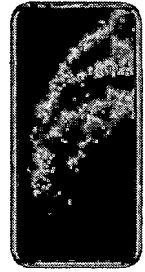
GROSS INTERNAL AREA
FLOOR 1: 847 sq. ft., FLOOR 2: 1235 sq. ft.
FLOOR 3: 1130 sq. ft., EXCLUDED AREAS:
DECK: 250 sq. ft.
TOTAL: 3262 sq. ft.

MEASUREMENTS ARE CALCULATED BY CURIACASA TECHNOLOGY, DEEMED HIGHLY RELIABLE BUT NOT GUARANTEED.

Pending: \$949,000 (5 beds, 4 baths, 2,366 Square Feet)

EXHIBIT L

GrayKey Progress Report



Evidence ID: 2022-112-33

Examiner Name: Tpr Keefe

GrayKey Serial #: 9a926beed4690508

GrayKey Software: OS Version: 1.7.3.19461530, App Bundle: 2.2.4

Report generation time: 2022-02-02 22:41:39 UTC

Target Device Information

Device Name	iPhone
Software Version	15.2.1 [19C63]
Model	iPhone11 [iPhone12,1 N104AP]
Unique Device ID (UDID)	00008030-001611E90A2B802E
Serial Number	G0NCX5RRN72W
Unique Chip ID (ECID)	6212142083309614
WiFi MAC Address	3c:7d:0a:b6:2b:db
Bluetooth MAC Address	3c:7d:0a:ac:0f:e7
Phone Number	+1 (781) 858-0142
IMEI	352897117246523
IMEI(2)	352897117215668
Data Partition Size	111.41GB (119621726208 bytes)
Lock State	Unlocked
Agent Version	2.2.4
Backup State	iCloud Backup, Last Backup Date: 2022-02-02 11:43:34 UTC
Owner Name	Jennifer McCabe
Accounts	jennm1410@hotmail.com

Event Log

2022-02-02 19:25:40 UTC: Initial access succeeded.

2022-02-02 19:25:41 UTC: On-device agent started. Device Time: 2022-02-02 14:25:42 -05:00
Device Boot Time: 2022-01-24 02:48:02 -05:00 OS Version: 1.7.3.19461530 AL Version: 2.2.4

2022-02-02 19:25:41 UTC: Connected to on-device agent.

2022-02-02 19:27:13 UTC: Manual data extraction requested.

2022-02-02 19:27:13 UTC: Target device unlocked.

2022-02-02 19:27:13 UTC: Keychain extraction started.

2022-02-02 19:28:03 UTC: Keychain extraction complete. Result: Success

2022-02-02 19:28:03 UTC: Filesystem extraction started.

2022-02-02 21:16:53 UTC: Filesystem extraction complete. Result: Success

2022-02-02 21:16:58 UTC: On-device agent uninstalled.

2022-02-02 21:17:51 UTC: Manual data extraction requested.

2022-02-02 21:17:51 UTC: Target device unlocked.

2022-02-02 21:17:51 UTC: Keychain extraction started.

2022-02-02 21:18:52 UTC: Manual data extraction requested.

2022-02-02 22:41:39 UTC: Progress report generated.

Extraction Result Summary

Full Filesystem	2022-02-02 21:16:51.934000 UTC
Extraction size	154.88GB (166297000193 bytes)
SHA256	d4c61df2d41211749a96ec2a8f20a4384f67a0126037ff8de7ab3e00a0a6d109
MD5	0cf8d3e963eea09f701138e81886abe4
Keychain	100 Keys, 14 Certificates, 452 Internet passwords, 1314 General passwords
SHA256	3d3c9b43579f022eb798e1671ff6c641742b61198177584c676be88325797dbc
MD5	a0a50a99a3ea19d64519eb96ace43104

EXHIBIT M



Extraction Report - Apple iOS Full File system

Summary

Cellebrite Physical Analyzer version	7.53.0.29
Report creation time	5/31/2022 9:50:06 PM -04:00
Time zone settings (UTC)	(UTC-05:00) New_York (America)
Examiner name	Tpr Guarino
Department	MSP
Investigator	Tpr Proctor

Source Extraction

Legacy	
Selected manufacturer	Apple
Selected device name	APPLE_IOS_FULL_FILE_SYSTEM

Device Information

Name	Value
Legacy	
Phone Settings	
Message Retention Duration	Forever
Location Services Enabled	True
Automatic date & time	True
Automatic time zone	True
Find my iPhone enabled	True
Tethering	
Last Hotspot Activity	1/24/2022 7:49:56 AM(UTC+0)
Model number	N104AP
Last user ICCID	89148000000299649922
Last used MSISDN	+17818580142
Unique ID	00008030-001611E90A2B802E
IMEI	352897117246523
IMEI2	352897117215668
Serial	G0NCX5RRN72W
Last Cloud Backup Date	2/2/2022 6:43:34 AM(UTC-5)
Time Zone	(UTC-05:00) New_York (America)
Apple ID	jennm1410@hotmail.com
iCloud account present	True
Advertising Id (IDFA) #1	6D7FB4FE-3546-47B2-875E-B4C2229BB1F0
Advertising Id (IDFA) #2	52A009B1-44D9-42EA-AF31-2164D08AFA48
Device Name	iPhone
ICCID	89148000000299649922
MSISDN	17818580142
IMSI	311480030555308
IMSI	311480090176405
Detected Phone Model	iPhone 11
Network Interfaces	
Wi-Fi MAC address	3C:7D:0A:B6:2B:DB
MAC address	3E:7D:0A:AA:C6:F6
MAC address	3E:7D:0A:AA:C6:09
MAC address	52:13:38:49:84:5F
Bluetooth device address	3E:7D:0A:AC:0F:E7

Image Hash Details (1)

⚠ No reference hash information is available for this extraction.

#	Name	Info
1	Archive File (Zip, Tar)	Path Size (bytes)
		00008030-001611E90A2B802E_files_full.zip 165696654799

Plugins

#	Name	Author	Version
1	PreProject	Cellebrite	2.0
2	iPhoneKeyChainPlugin iPhoneKeyChainPlugin	Cellebrite	2.0
3	ContactsCrossReference Cross references the phone numbers in a device's contacts with the numbers in SMS messages and Calls. Will fill in the Name field of calls and SMS if there's a match.	Cellebrite	2.0
4	ProjectProcessorFinisher	Cellebrite	2.0
5	PostProject	Cellebrite	2.0

Contents

Type	Included in report	Total
Call Log	24	24
Contacts	6	6
Instant Messages	65	65
Tags	95	95

Call Log (24)

#	Parties	Timestamp	Duration	Status	Country code	Network	Video call	Source Info	Deleted
1	To: 16175841822 Direction: Outgoing	1/30/2022 11:58:44 AM(UTC-5)	00:01:37	Answered	us	Network Name: Unknown network (United States)*		Source:	
2	To: 16175841822 Direction: Outgoing	1/30/2022 11:10:10 AM(UTC-5)	00:12:55	Answered	us	Network Name: Unknown network (United States)*		Source:	
3	To: 16175841822 Direction: Outgoing	1/30/2022 11:02:52 AM(UTC-5)	00:00:02	Answered	us	Network Name: Unknown network (United States)*		Source:	
4	To: 16175841822 Direction: Outgoing	1/30/2022 11:02:45 AM(UTC-5)	00:00:02	Answered	us	Network Name: Unknown network (United States)*		Source:	
5	To: 16175841822 Direction: Outgoing	1/30/2022 9:32:16 AM(UTC-5)	00:17:46	Answered	us	Network Name: Unknown network (United States)*		Source:	
6	To: 16175841822 Direction: Outgoing	1/30/2022 8:27:37 AM(UTC-5)	00:30:18	Answered	us	Network Name: Unknown network (United States)*		Source:	
7	From: +16175841822 Direction: Incoming	1/29/2022 6:27:01 PM(UTC-5)	00:08:00	Answered	us	Network Name: Unknown network (United States)*		Source:	

8	To: +16175841822 Direction: Outgoing	1/29/2022 5:16:47 PM(UTC-5)	00:08:32	Answered	us	Network Name: Unknown network (United States)*	Source:			
9	From: +16175841822 Direction: Incoming	1/29/2022 3:57:59 PM(UTC-5)	00:34:37	Answered	us	Network Name: Unknown network (United States)*	Source:			
10	To: +16175841822 Direction: Outgoing	1/29/2022 3:43:16 PM(UTC-5)	00:00:05	Answered	us	Network Name: Unknown network (United States)*	Source:			
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17	To: +16175841822 Direction: Outgoing	1/29/2022 9:30:08 AM(UTC-5)	00:00:02	Answered	us	Network Name: Unknown network (United States)*	Source:			
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Contacts (6)

#	Contact	Timestamp	Entries	Addresses	Notes	Additional info	Deleted	
1	Interaction Statuses: Chat Participant Source: Native Messages Account: jennm1410@hotmail.com		Phone: Phone Number +16179229234					
2	Name: John O'Keefe Interaction Statuses: Friend Source: Facebook Messenger Account: 1375838607 Photos:		User ID: Username johno'keefe Facebook Id 1409439871 Profile Picture: profile_picture_url https://scontent.xx.fbcdn.net/v/t1.6435-1/cp0/e15/q65/c0.47.120.120a/p120x120/116599131_10224841885460318_3071984816157828480_n.jpg?_nc_cat=107&ccb=1-5&_nc_sid=dbb9e7&_nc_ohc=YChnzgl43wUAX9ITpks&_nc_ad=z- m&_nc_cid=0&_nc_ht=scontent.xx&oh=00_AT8_hlrpRj5c-HFRl_Qnq76pNganwBcXh_ej9bWNf6RBnw&oe=6211E0CD profile_picture_large_url https://scontent.xx.fbcdn.net/v/t1.6435-1/cp0/e15/q65/c0.78.200.200a/p200x200/116599131_10224841885460318_3071984816157828480_n.jpg?_nc_cat=107&ccb=1-5&_nc_sid=dbb9e7&_nc_ohc=YChnzgl43wUAX9ITpks&_nc_ad=z- m&_nc_cid=0&_nc_ht=scontent.xx&oh=00_AT_zaBNOB_cL1A6xV8pD5FYV57PFxD42KWSpxoVKAhLvQ&oe=621161DA					
3	Interaction Statuses: Chat Participant Source: Native Messages Account: jennm1410@hotmail.com		Phone: Phone Number +16179479554					

EXHIBIT N



CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

TERRENCE M. REIDY
SECRETARY

The Commonwealth of Massachusetts Department of State Police

Division of Investigative Services
Norfolk County State Police Detective Unit
45 Shawmut Road, Canton, MA 02021

February 23, 2022



CHRISTOPHER S. MASON
COLONEL / SUPERINTENDENT

R. SCOTT WARMINGTON
DEPUTY SUPERINTENDENT

TO: Detective Lieutenant Brian Tully, #3520
FROM: Sergeant Yuriy Bukhenik, #3543
SUBJECT: Nicole Albert (DOB 12/18/1970) (781-858-0204) at 34 Fairview Rd. Canton
RE: O'Keefe MV Homicide
Case: 2022-112-33

1. On February 3, 2022, at approximately 5:20 PM, Tpr. Proctor and I travelled to 34 Fairview Rd. Canton for a prescheduled interview with Nicole Albert (DOB 12/18/1970) (781-858-0204) at her residence. Through our investigation into the death of John O'Keefe, Nicole had been identified as a witness present with the group of friends at Waterfall Bar and Grill on January 28, 2022. Nicole is also the resident with her husband Brian who invited some friends and family back to 34 Fairview Rd. in Canton following the bar closing for the night and was a witness to events inside the home. The following is a summary of information requested and provided by Nicole during that interview with Tpr. Proctor and me.

DIVISION OF INVESTIGATIVE SERVICE
MASS. STATE POLICE
Year / Dist / Crime / Case

12
Serial#

Captain Supervisor

2. After being invited into the home by Nicole and her husband Brian, Trooper Proctor and I formally introduced ourselves and thanked the both of them for their time. Nicole began by saying that she does not know Karen and had never met her prior to the 28th of January. She had met John O'Keefe once or twice out in a social setting. Nicole shared that she was aware that John had recently moved near her sister's home and only knew him as Kayley's uncle. On the night of January 28th, Nicole stated that she met her sister Julie, daughter Tristen and her boyfriend out at dinner at approximately 7:30 PM at the Waterfall Bar and Grill. At approximately 9:00 PM Jen and Matt McCabe met the Nicole and Julie at the bar and then at approximately 10:00 PM Brian came out after his return from New York City.

3. At Approximately 11:00 PM Nicole remembered that John and Karen came into the bar and were positioned on the opposite end of the high-top table the group was occupying. Nicole recalled John coming over once and asking if they wanted anything from the bar. Nicole stated that John was wearing jeans, sneakers and a hat. At approximately midnight, Nicole stated that she left the Waterfall and was met at her home by her sister Jen McCabe, brother-in-law Matt McCabe and husband Brian. Nicole went on to say that all the guests left her home an hour later at approximately 1:00 AM on the 29th of January.

4. Later on, during the morning hours of January 29, 2022, Nicole stated that she was still in bed when her sister Jen came into the room and shared with Nicole what had transpired outside and that John was found deceased on the edge of her property by the street in the snow. Nicole stated that she never left her home and by the time she came down stairs, Canton Fire Department must have transported both John and Karen from the scene.

5. According to Nicole there was no fights, arguments or altercation at any time during the night between anyone present at Waterfall or her home at 34 Fairview Rd. in Canton. Nicole stated that everything was fine and she remembered John talking to her sister Jen at the bar. Nicole did not observe any injuries on John while he was present at the bar. Nicole shared that her and Brian walked out of Waterfall prior to John and Karen; and that the two were still at the bar at that time. When asked about the utility box at the edge of her property, near the flag pole where John was found, Nicole stated that it had been open and slightly damaged for a long time prior to January 28, 2022.

6. Directing her attention to her home following the Waterfall, Nicole stated that she did not hear any arguments, noises coming from the outside of her home and that neither John nor Karen came into the home at any point. Nicole went on to say that she was not even aware that her sister Jen had even invited John and Karen to the house following the Waterfall. Without having any additional information to share with Tpr. Proctor and me, we thanked Nicole for her time and concluded the interview.

Respectfully Submitted,

Sgt. Yuriy Bukhenik #3543

Sergeant Yuriy Bukhenik, #3543
Massachusetts State Police
Norfolk District Attorney's Office

EXHIBIT O



**Canton Police Department
Incident Report**

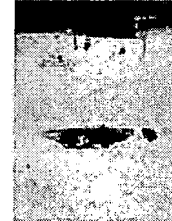
Page: 1
01/30/2022

**Incident #: 22-87-OF
Call #: 22-449**

Date/Time Reported: 01/29/2022 0608
Report Date/Time: 01/29/2022 0824
Status: No Crime Involved

Reporting Officer: Sergeant Sean Goode

Signature: _____



#	INVOLVED	SEX RACE	AGE	SSN	PHONE
1	READ, KAREN 481 GILBERT ST MANSFIELD MA 02048	F W	41	013-70-2413	617-947-9554

Military Active Duty: N
 BODY: NOT AVAIL. COMPLEXION: NOT AVAIL.
 DOB: 02/26/1980 PLACE OF BIRTH: NOT AVAIL.
 LICENSE NUMBER: NOT AVAIL. ETHNICITY: NOT HISPANIC

[CONTACT INFORMATION]

Home Phone (Primary) 617-947-9554

#	EVENTS (S)
	LOCATION TYPE: Residence/Home/Apt./Condo Zone: West Sector 32 FAIRVIEW RD CANTON MA 02021

1 Assist Fire/EMS

#	VICTIM(S)	SEX RACE	AGE	SSN	PHONE
1	O'KEEFE, JOHN J 1 MEADOWS AVE CANTON MA 02021-3216	M W	46	028-66-1444	

DOB: 12/08/1975
 INJURIES: Other Major Injury
 ETHNICITY: Not of Hispanic Origin
 RESIDENT STATUS: Resident
 TAKEN TO: Good Samaritan
 TAKEN BY: Canton Fire Dept
 TREATED DATE: 01/29/2022 @ 0608
 VICTIM CONNECTED TO OFFENSE NUMBER(S): 1

**Canton Police Department
Incident Report**

Page: 2
01/30/2022

Incident #: 22-87-OF
Call #: 22-449

#	PERSON(S)	PERSON TYPE	SEX	RACE	AGE	SSN	PHONE
1	MCCABE, JENNIFER J 12 COUNTRY LN CANTON MA 02021 DOB: 02/14/1976 CONTACT INFORMATION: Home Phone (Primary) 781-858-0142 Work Phone (Primary) 781-821-0906	REPORTING PARTY	F	W	45	NOT AVAIL	781-858-0142
2	ROBERTS, KERRY A 14 PONKAPOAG WAY CANTON MA 02021 DOB: 01/10/1977 CONTACT INFORMATION: Home Phone (Primary) 617-584-1822	REPORTING PARTY	F	W	45	NOT AVAIL	617-584-1822
3	HIGGINS, BRIAN P 1492 WASHINGTON ST CANTON MA 02021 DOB: 10/23/1972 CONTACT INFORMATION: Home Phone (Primary) 617-504-2506	WITNESS	M	W	49	012-58-2595	617-504-2506
4	ALBERT, B 34 FAIRVIEW RD CANTON MA 02021 DOB: 09/04/1968 CONTACT INFORMATION: Home Phone (Primary) 617-777-0888	WITNESS	M	W	53	032-64-4611	617-777-0888
5	ALBERT, NICOLE A 34 FAIRVIEW RD CANTON MA 02021-1720 DOB: 12/18/1970 CONTACT INFORMATION: Home Phone (Primary) 781-858-0204	WITNESS	F	W	51	020-66-7338	781-858-0204
6	MCCABE, MATTHEW L 12 COUNTRY LN CANTON MA 02021 DOB: 07/10/1974 CONTACT INFORMATION: Home Phone (Primary) 781-571-9835	WITNESS	M	W	47	029-52-2615	781-571-9835
7	ALBERT, BRIAN 34 FAIRVIEW RD CANTON MA 02021 DOB: 01/29/1999 CONTACT INFORMATION: Home Phone (Primary) 617-571-1406 Home Phone 617-777-0888	WITNESS	M	W	23	022-82-5246	

**Canton Police Department
Incident Report**

Page: 3
01/30/2022

Incident #: 22-87-OF
Call #: 22-449

#	PERSON(S)	PERSON TYPE	SEX RACE	AGE	SSN	PHONE
8	ALBERT, CAITLIN 34 FAIRVIEW RD CANTON MA 02021 DOB: 03/08/1996	WITNESS	F W	25	016-80-4532	
9	MORRIS, TRISTIN 158 DEDHAM ST CANTON MA 02021 DOB: 08/19/1995 CONTACT INFORMATION: Home Phone (Primary) 617-710-9630	WITNESS	M W	26	032-78-6601	617-710-9630
10	NAGEL, JULIE 78 HIGHLAND ST CANTON MA 02021 DOB: 12/04/1997	WITNESS	F W	24	034-80-0135	

#	OTHER PROPERTIES	PROPERTY #	STATUS
1	BROKEN DRINKING GLASS QUANTITY: 1 SERIAL #: NOT AVAIL DATE: 01/29/2022 OWNER: O'KEEFE, JOHN JOSEPH	22-18-PR VALUE:	Evidence (Not Nibrs Reportable)
2	6 SOLO CUPS WITH BLOOD AND WATER QUANTITY: 1 SERIAL #: NOT AVAIL DATE: 01/29/2022 OWNER: O'KEEFE, JOHN JOSEPH	22-19-PR VALUE:	Evidence (Not Nibrs Reportable)

Canton Police Department
NARRATIVE FOR SERGEANT SEAN E GOODE

Page: 1

Ref: 22-87-OF

1. On 01/29/2022 I was the Patrol Supervisor of the 12AM-8AM shift. At approximately 6:04AM, I received E911 call from woman reporting an unresponsive male party found in the snow at 34 Fairview Road. At the time, the weather was very heavy snow with air temperature in the teens. The call was then transferred to Canton Fire and I dispatched Ofc Saraf and Mullaney to assist. I notified Lt. Gallagher and Det Sgt Lank respectfully after hearing the seriousness of the call.

2. Once on scene the victim was already in the back of the ambulance and CPR was in progress. I was met by MCCABE, Jennifer (02/14/1976), ROBERTS, Kerry (01/10/1977) and READ, Karen (2/26/1980) standing outside of the ambulance. All parties will be referenced by their first names going forward. Jennifer introduced herself to me and explained that they found their friend O'KEEFE, John (12/08/1975) lying unresponsive on his back in the snow. Jennifer explained that they arrived at this address because it was the last place Karen (Johns girlfriend) believed he would be. Jennifer stated she had gotten a call from Karen around 4:53AM inquiring about John's whereabouts. She told Karen she didn't know where he was. I asked Jennifer why she would think you would know where he was. Jennifer explained that a group of them had all been at the Waterfall Grill and Bar in Canton earlier in the night. At around 12AM Jennifer and her husband left the bar heading to her brother-in-law Brian Albert's house at 34 Fairview Road. Jennifer stated Karen and John were at the bar together and around 12:14AM John texted Jennifer asking where they were going. Jennifer invited them to 34 Fairview Road. A short time later Jennifer stated she saw Karen and John pull up in their car and saw the passenger door open but they never came in and she saw the car drive off. Jennifer just thought they changed their mind and went home for the night.

3. I walked over to Karen and ask her who she was and how she ended up here. I also placed Karen in the back of my marked cruiser 682 to warm up. Karen was hysterical and continually yelling "is he dead!". I kept reassuring her that Canton Fire was doing everything they can to save his life. I asked how John ended up there and she stated "I don't know". I asked her if she drove here last night and she stated "I think so" then "I can't remember". At this point I stopped asking questions because she was too upset and she was unable to keep her train of thought.

4. At this time Det Sgt Lank arrived on scene and I briefed him on what had transpired so far. I then spoke to Kerry who stated she was contacted by her friend Karen around 5AM wondering if she knew where John was. Kerry stated she called a few hospitals and the Canton Police to see if he had been transported at some point during the night. Then Kerry picked up Jennifer and Karen and they began to search for John ending up here at 34 Fairview.

5. Canton Fire began to transport the victim to Good Samaritan and Karen who was now sitting in Kerry's car began to act out yelling and screaming "is he dead" and trying to get out of the car and walk around. At this time, I advised Kerry to take Karen home and that she was not needed anymore. Moments later I was contacted by dispatch that Karen was making suicidal statements to her father over the phone. I made the decision to have Kerry bring Karen back to the scene and had her transported to the hospital via Section 12.

6. Det Sgt Lank at this time contacted the homeowners at 34 Fairview Road and completed a supplemental report.

7. I spoke to Ofc Saraf and asked him what he observed arriving first on scene. Saraf stated he saw a woman (Karen) attempting CPR on the victim in the snow. Saraf stated Karen had blood around her mouth which he believed was from the victims mouth and nose area. Saraf explained seconds later Canton Fire arrived on scene and took over medical care and moments later I arrived.

SUPPLEMENTAL NARRATIVE FOR PATROLMAN STEVEN A SARAF

Ref: 22-87-OF

1. On 01/29/22, I was dispatched to 34 Fairview Rd. for a report of a unresponsive party in the snow. When I arrived I saw three people on the ground over the victim (O'KEEFE) waving at me. They said he was not breathing. They were performing CPR on O'KEEFE. I noticed READ, Karen, the victim's girlfriend had blood on her face from doing mouth to mouth. O'KEEFE was bleeding from his face. I went over to the victim and felt his skin and it was cold to the touch. I asked if he was a drug user and they said no, he is a Boston Cop. I went to get the A.E.D. from my patrol vehicle and at the same moment the Canton Fire Department was arriving. CFD took over the care of Mr. O'KEEFE.

2. Following that, READ, Karen kept screaming is he dead, is he dead. She was severely distraught and was not able to tell me what happened. I tried to console her and keep her out of the inclement weather. I had her sit in one of the cars. Sgt Goode arrived and started speaking to the the parties that were there.

1. On Wednesday January 29, 2022 I, Officer Mullaney was assigned to patrol the East sector for the 11:45p-7:45a patrol shift. At approximately 6:05a Officer Saraf and I were dispatched to 34 Fairview Road for a report of an unresponsive party.
2. Upon my arrival, Canton FD was arriving on scene. Ofc. Saraf had already been on scene. When I exited my cruiser I observed a female party attempting CPR on the victim in the snow. As I approached the victim, Canton FD began CPR. I then assisted Canton FD with lifting the victim onto a stretcher. The victim was then taken by stretcher to the ambulance.
3. At this time, Ofc. Saraf asked me to assist in getting witnesses information. I then spoke with MCCABE, Jennifer. I asked MCCABE who the victim was and she identified the victim as O'KEEFE, John. MCCABE then explained to me that a group of people had gone out to Waterfall Grill and Bar In Canton Center earlier in the night. Jennifer stated that she and her husband left the bar at approximately 12a and went to her brother-in-law's house at 34 Fairview Road. MCCABE then told me that O'KEEFE and his girlfriend, READ, Karen were invited to 34 Fairview road but never arrived. I asked MCCABE if she possibly knew how long the victim had been where he was found and she told he was dropped off by READ sometime between 12a-1a. MCCABE then told me that she was called by READ at approximately 5:00a wondering if she knew where John was. At this time, Sgt. Goode arrived on scene and the victim was transported to Good Samaritan shortly after.
4. While talking to MCCABE, READ was hysterical and distraught and repeatedly screamed, "is he dead," and "that's my boyfriend." Sgt. Goode then advised ROBERTS, Kerry to take READ home. After READ and ROBERTS left, Canton Control advised officers that READ was making suicidal statements to her father. ROBERTS then brought READ back to the scene where Sgt. Goode asked me to fill out Section 12 paperwork and she was transported to Good Samaritan Hospital.
5. I stayed on scene and assisted Sgt. Goode, Det. Sgt. Lank and Lt. Gallagher.

On 01/29/2022, at 608am, I was contacted at home by Sgt. Sean Goode. Sgt. Goode advised me that a male party had been found in the snow by the area of 34 Fairview Rd. Sgt. Goode stated that the party involved, who is a Boston Police officer, was in grave condition and Canton EMS was on scene. The conditions at this time were blizzard like, with heavy snow, wind, and freezing temperatures.

2. At approximately 624am, I arrived on scene at 34 Fairview Rd. Sgt. Goode, Officer Saraf, and Officer Mullaney had already spoken to multiple witnesses and the victim was being treated in the ambulance by Canton EMS. The ambulance left for Good Samaritain Hospital shortly after I arrived. Sgt. Goode made me aware that the officers and EMT's told him that the victim was bleeding from the nose and mouth. They also stated that he appeared to have swelling above one of his eyes.

3. The first person that I spoke to was MCCABE, Jennifer. She was able to provide us with a general timeline of events:

- Jennifer was at Waterfall bar and Grill in Canton with her husband, Matthew McCabe, Brian Albert (brother-in-law), and Nicolole Albert (sister).
- Approximately 1100pm. They were accompanied at the bar by O'KEEFE, John, and his girlfriend, READ, Karen.
- Approximately 1200am. Jennifer, Matthew, Brian and Nicole left the bar and went back to ALBERT'S house at 34 Fairview Rd.
- Approximately 1214am. O'KEEFE texted Jennifer and asked where they were going. Jennifer responded that they were going to 34 Fairview Rd. Moments later a vehicle pulled up in front of the house, which Jennifer believed was O'KEEFE and his girlfriend, READ. She observed as the vehicle just sat out in front of the house for several minutes. The vehicle was facing uphill, with the passenger side facing the house. She thought that the vehicle sat outside for at least fifteen minutes. MCCABE stated that neither party ever came to the door and ultimately the vehicle drove away. She attempted to text O'KEEFE, but never got a response.
- Approximately 130am. MCCABE and her husband leave the house and give a ride home to Julie Nagel, who lives on Highland Street in Canton.
- Approximately 453am. MCCABE was contacted by READ and FURBUSH, Kayley (neice of O'Keefe). They were distraught because O'KEEFE never arrived home and was not answering his phone. MCCABE and READ attempted to call some of O'KEEFE's close friends, including ROBERTS, Kerry.
- Approximately 500am. ROBERTS picked up MCCABE and READ to go looking for O'KEEFE.
- Approximately 600am. ROBERTS, MCCABE, and READ locate O'KEEFE in the yard of 34 Fairview Rd. He was located on the left side of the yard about eight feet in from the street. He was found unconscious on the ground, laying on his back. ROBERTS began to perform

CPR.

- *Approximately 604am. 911 call was placed to the Canton Police Station.*

4. Officers on scene were able to secure the scene as best they could, as the weather conditions continued to be severe. State Police CPAC unit was contacted at 638am. Trooper Proctor called back within a few minutes and was made aware of the situation.

5. While on scene, all attempts to speak with READ were unsuccessful. She was hysterical and difficult to control. The only statement that she was able to relay to Canton officers while on scene, was that she did not remember ever being at 34 Fairview Rd. READ later made statements via telephone to her parents, threatening suicide. Canton EMS ultimately responded back to the scene and READ was taken to the hospital under a Section 12 order.

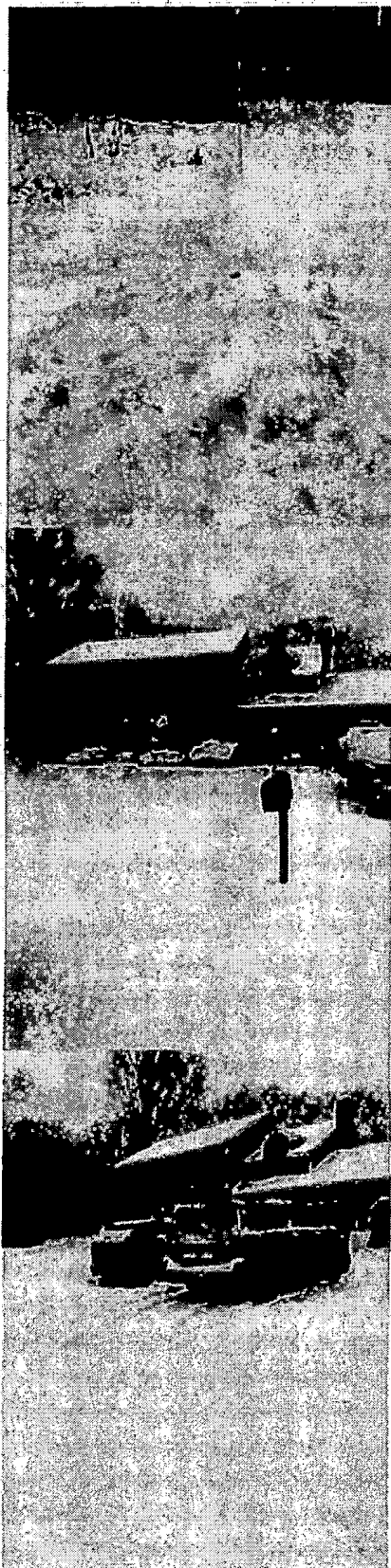
6. Next, I went into 34 Fairview Rd. and spoke with the home owners, ALBERT, Brian and ALBERT, Nicole. Both parties from this point forward will be referred to by their first names. Brian stated that they had seen the victim at Waterfall Bar and Grill and had spoken to him. He stated that he did not know the party well, but knew that he was a friend of MCCABE (sister-in-law). Brian and Nicole recalled that the victim had been welcomed to come to their house, but he never arrived. When asked about O'KEEFE's demeanor or if O'KEEFE had any altercations with anyone earlier at the bar, Brian said that he seemed to be fine at the bar and there were no issues whatsoever. MCCABE, Matthew (husband of Jennifer) also stated that he had observed the vehicle pull up out front of the house, but never saw either party get out of the vehicle. Matthew also reiterated what Brian said. O'KEEFE seemed to be fine at the bar and that there was really nobody else in the establishment other than their group. Next, I asked Brian and Nicole who else was at the house that night. Aside from the names already mentioned, the following people were present at some point during the time in question: Brian Albert Jr. (Brian and Nicole's son), Caitlin Albert (daughter), Julie Nagel (Brian Jr.'s friend), and Brian Higgins, who is a friend of Brian Albert Sr. They advised me that their daughter Caitlin left the house around 1215am, when she was picked up by her boyfriend, Tristin Morris.

7. While still on scene, Lt. Gallagher, Sgt. Goode and I attempted to retrieve as much evidence as possible given the weather conditions. Lt. Gallagher was able to use a leaf blower to blow away the top layers of snow. We were able to observe a broken drinking glass and multiple patches of red, which appeared to be frozen blood drops. Six samples of this substance was retrieved by using red Solo plastic cups. The broken glass was retrieved and bagged into evidence. Both items were returned to the Canton police station and logged into evidence.

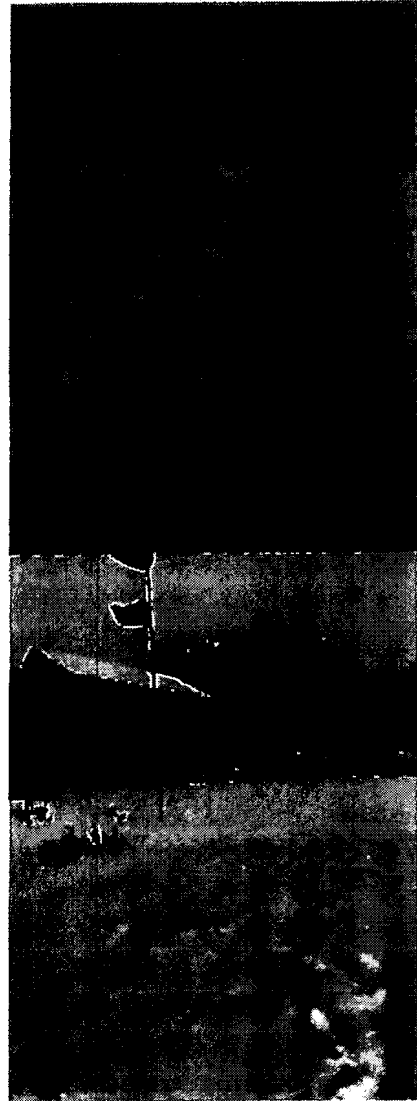
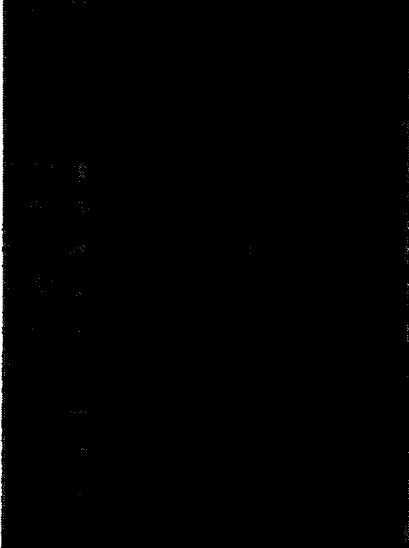
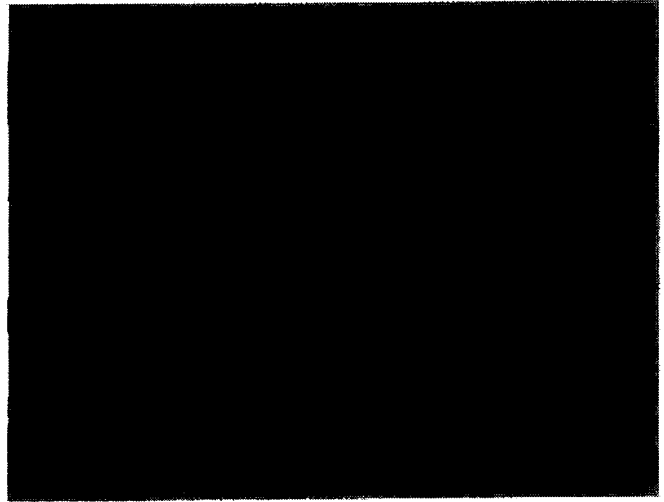
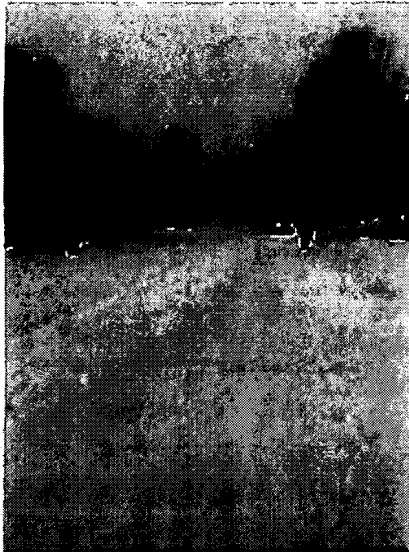
8. At approximately 900am, I was contacted at the police station by MCCABE, Jennifer.

She asked if it was possible to come back to 34 Fairview Rd. and speak with her. Lt. Gallagher and I both left immediately and arrived back at 34 Fairview within a few moments. MCCABE told us that she recalled something that she was not sure if we were aware of. She said that when READ was driving around with her and ROBERTS looking for the victim, she said something to the effect of "I hope I didn't hit him". MCCABE told us that she made these statements again at the scene when the victim was discovered. She thought that READ may have made these statements in front of a police officer, but she was not sure.

Canton Police Department
Images Associated with 22-87-OF



Canton Police Department
Images Associated with 22-87-OF



Canton Police Department
Images Associated with 22-87-OF

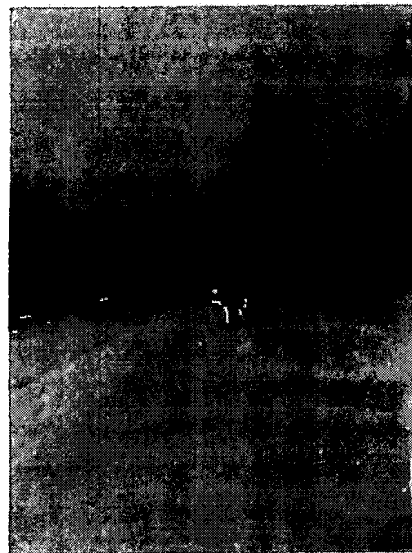
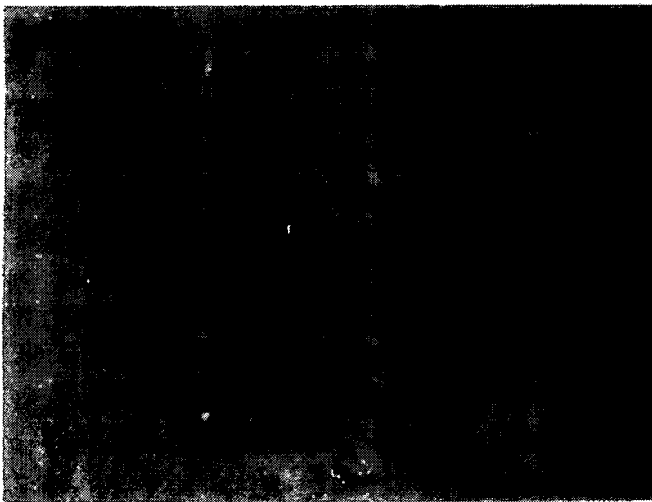
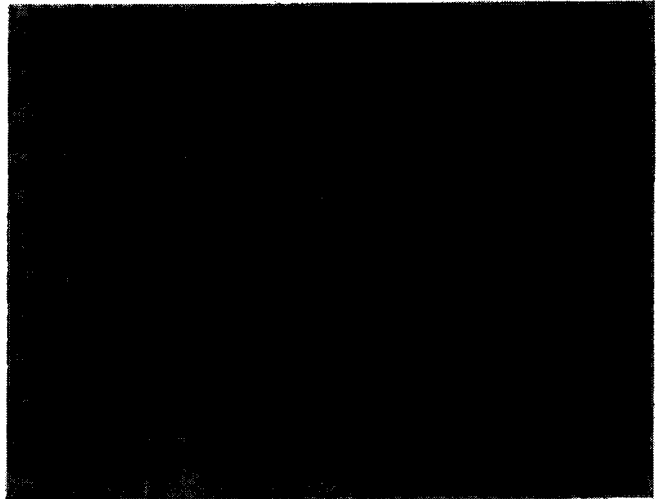


EXHIBIT P



Canton Police Department
Incident Report

Page: 1
10/25/2022

Incident #: 22-87-OF
Call #: 22-449

Date/Time Reported: 01/29/2022 0608
Report Date/Time: 01/29/2022 0824
Status: No Crime Involved
Reporting Officer: Sergeant Sean Goode

Signature: _____



#	INVOLVED	SEX	RACE	AGE	SSN	PHONE
1	READ, KAREN 481 GILBERT ST MANSFIELD MA 02048	F	W	41	013-70-2413	617-947-9554

Military Active Duty: N
 BODY: NOT AVAIL. COMPLEXION: NOT AVAIL.
 DOB: 02/26/1980 PLACE OF BIRTH: NOT AVAIL.
 LICENSE NUMBER: NOT AVAIL. ETHNICITY: NOT HISPANIC

[CONTACT INFORMATION]

Home Phone (Primary) 617-947-9554

#	EVENTS(S)
	LOCATION TYPE: Residence/Home/Apt./Condo Zone: West Sector 32 FAIRVIEW RD CANTON MA 02021

1 Assist Fire/EMS

#	VICTIM(S)	SEX	RACE	AGE	SSN	PHONE
1	O'KEEFE, JOHN J 1 MEADOWS AVE CANTON MA 02021-3216	M	W	46	028-66-1444	

DOB: 12/08/1975
 INJURIES: Other Major Injury
 ETHNICITY: Not of Hispanic Origin
 RESIDENT STATUS: Resident
 TAKEN TO: Good Samaritan
 TAKEN BY: Canton Fire Dept
 TREATED DATE: 01/29/2022 @ 0608
 VICTIM CONNECTED TO OFFENSE NUMBER(S): 1

Canton Police Department
Incident Report

Page: 2
10/25/2022

Incident #: 22-87-OF
Call #: 22-449

#	PERSON(S)	PERSON TYPE	SEX	RACE	AGE	SSN	PHONE
1	MCCABE, JENNIFER J 12 COUNTRY LN CANTON MA 02021 DOB: 02/14/1976 CONTACT INFORMATION: Home Phone (Primary) 781-858-0142 Work Phone (Primary) 781-821-0906	REPORTING PARTY	F	W	45	NOT AVAIL	781-858-0142
2	ROBERTS, KERRY A 14 PONKAPOAG WAY CANTON MA 02021 DOB: 01/10/1977 CONTACT INFORMATION: Home Phone (Primary) 617-584-1822	REPORTING PARTY	F	W	45	NOT AVAIL	617-584-1822
3	HIGGINS, BRIAN P 1492 WASHINGTON ST CANTON MA 02021 DOB: 10/23/1972 CONTACT INFORMATION: Home Phone (Primary) 781-821-5090 Home Phone 617-504-2506	WITNESS	M	W	49	012-58-2595	781-821-5090
4	ALBERT, B 34 FAIRVIEW RD CANTON MA 02021 DOB: 09/04/1968 CONTACT INFORMATION: Home Phone (Primary) 617-717-0802 Home Phone 617-777-0888	WITNESS	M	W	53	032-64-4611	617-717-0802
5	ALBERT, NICOLE A 34 FAIRVIEW RD CANTON MA 02021-1720 DOB: 12/18/1970 CONTACT INFORMATION: Home Phone (Primary) 781-858-0204	WITNESS	F	W	51	020-66-7338	781-858-0204
6	MCCABE, MATTHEW L 12 COUNTRY LN CANTON MA 02021 DOB: 07/10/1974 CONTACT INFORMATION: Home Phone (Primary) 781-571-9835	WITNESS	M	W	47	029-52-2615	781-571-9835
7	ALBERT, BRIAN 34 FAIRVIEW RD CANTON MA 02021 DOB: 01/29/1999 CONTACT INFORMATION: Home Phone (Primary) 617-571-1406 Home Phone 617-777-0888	WITNESS	M	W	23	022-82-5246	

Canton Police Department
Incident Report

Page: 3
10/25/2022

Incident #: 22-87-OF
Call #: 22-449

#	PERSON(S)	PERSON TYPE	SEX	RACE	AGE	SSN	PHONE
8	ALBERT, CAITLIN 34 FAIRVIEW RD CANTON MA 02021 DOB: 03/08/1996	WITNESS	F	W	25	016-80-4532	
9	MORRIS, TRISTIN 158 DEDHAM ST CANTON MA 02021 DOB: 08/19/1995	WITNESS	M	W	26	032-78-6601	617-710-9630
	CONTACT INFORMATION: Home Phone (Primary) 617-710-9630						
10	NAGEL, JULIE 78 HIGHLAND ST CANTON MA 02021 DOB: 12/04/1997	WITNESS	F	W	24	034-80-0135	

#	OTHER PROPERTIES	PROPERTY #	STATUS
1	BROKEN DRINKING GLASS QUANTITY: 1 SERIAL #: NOT AVAIL DATE: 01/29/2022 OWNER: O'KEEFE, JOHN JOSEPH	22-18-PR	Evidence (Not Nibrs Reportable)
2	6 SOLO CUPS WITH BLOOD AND WATER QUANTITY: 1 SERIAL #: NOT AVAIL DATE: 01/29/2022 OWNER: O'KEEFE, JOHN JOSEPH	22-19-PR	Evidence (Not Nibrs Reportable)

Attachments for 22-87-OF	
Description	Type
ATTORNEY LETTER	PDF
Attachment#: 4D3FCC51A66043FDDB93A1E701611D4B	

Ref: 22-87-OF

1. On 01/29/2022 I was the Patrol Supervisor of the 12AM-8AM shift. At approximately 6:04AM, I received E911 call from woman reporting an unresponsive male party found in the snow at 34 Fairview Road. At the time, the weather was very heavy snow with air temperature in the teens. The call was then transferred to Canton Fire and I dispatched Ofc Saraf and Mullaney to assist. I notified Lt. Gallagher and Det Sgt Lank respectfully after hearing the seriousness of the call.

2. Once on scene the victim was already in the back of the ambulance and CPR was in progress. I was met by MCCABE, Jennifer (02/14/1976), ROBERTS, Kerry (01/10/1977) and READ, Karen (2/26/1980) standing outside of the ambulance. All parties will be referenced by their first names going forward. Jennifer introduced herself to me and explained that they found their friend O'KEEFE, John (12/08/1975) lying unresponsive on his back in the snow. Jennifer explained that they arrived at this address because it was the last place Karen (Johns girlfriend) believed he would be. Jennifer stated she had gotten a call from Karen around 4:53AM inquiring about John's whereabouts. She told Karen she didn't know where he was. I asked Jennifer why she would think you would know where he was. Jennifer explained that a group of them had all been at the Waterfall Grill and Bar in Canton earlier in the night. At around 12AM Jennifer and her husband left the bar heading to her brother-in-law Brian Albert's house at 34 Fairview Road. Jennifer stated Karen and John were at the bar together and around 12:14AM John texted Jennifer asking where they were going. Jennifer invited them to 34 Fairview Road. A short time later Jennifer stated she saw Karen and John pull up in their car and saw the passenger door open but they never came in and she saw the car drive off. Jennifer just thought they changed their mind and went home for the night.

3. I walked over to Karen and ask her who she was and how she ended up here. I also placed Karen in the back of my marked cruiser 682 to warm up. Karen was hysterical and continually yelling "is he dead!". I kept reassuring her that Canton Fire was doing everything they can to save his life. I asked how John ended up there and she stated "I don't know". I asked her if she drove here last night and she stated "I think so" then "I can't remember". At this point I stopped asking questions because she was too upset and she was unable to keep her train of thought.

4. At this time Det Sgt Lank arrived on scene and I briefed him on what had transpired so far. I then spoke to Kerry who stated she was contacted by her friend Karen around 5AM wondering if she knew where John was. Kerry stated she called a few hospitals and the Canton Police to see if he had been transported at some point during the night. Then Kerry picked up Jennifer and Karen and they began to search for John ending up here at 34 Fairview.

5. Canton Fire began to transport the victim to Good Samaritan and Karen who was now sitting in Kerry's car began to act out yelling and screaming "is he dead" and trying to get out of the car and walk around. At this time, I advised Kerry to take Karen home and that she was not needed anymore. Moments later I was contacted by dispatch that Karen was making suicidal statements to her father over the phone. I made the decision to have Kerry bring Karen back to the scene and had her transported to the hospital via Section 12.

6. Det Sgt Lank at this time contacted the homeowners at 34 Fairview Road and completed a supplemental report.

7. I spoke to Ofc Saraf and asked him what he observed arriving first on scene. Saraf stated he saw a woman (Karen) attempting CPR on the victim in the snow. Saraf stated Karen had blood around her mouth which he believed was from the victims mouth and nose area. Saraf explained seconds later Canton Fire arrived on scene and took over medical care and moments later I arrived.

NARRATIVE FOR SERGEANT SEAN E GOODE

Ref: 22-87-OF

SUPPLEMENTAL NARRATIVE FOR PATROLMAN STEVEN A SARAF

Ref: 22-87-OF

1. On 01/29/22, I was dispatched to 34 Fairview Rd. for a report of a unresponsive party in the snow. When I arrived I saw three people on the ground over the victim (O'KEEFE) waving at me. They said he was not breathing. They were performing CPR on O'KEEFE. I noticed READ, Karen, the victim's girlfriend had blood on her face from doing mouth to mouth. O'KEEFE was bleeding from his face. I went over to the victim and felt his skin and it was cold to the touch. I asked if he was a drug user and they said no, he is a Boston Cop. I went to get the A.E.D. from my patrol vehicle and at the same moment the Canton Fire Department was arriving. CFD took over the care of Mr. O'KEEFE.

2. Following that, READ, Karen kept screaming is he dead, is he dead. She was severely distraught and was not able to tell me what happened. I tried to console her and keep her out of the inclement weather. I had her sit in one of the cars. Sgt Goode arrived and started speaking to the the parties that were there.

On 01/29/2022, at 608am, I was contacted at home by Sgt. Sean Goode. Sgt. Goode advised me that a male party had been found in the snow by the area of 34 Fairview Rd. Sgt. Goode stated that the party involved, who is a Boston Police Officer, was in grave condition and Canton EMS was on scene. The conditions at this time were blizzard like, with heavy snow, wind, and freezing temperatures.

2. At approximately 624am, I arrived on scene at 34 Fairview Rd. Sgt. Goode, Officer Saraf, and Officer Mullaney had already spoken to multiple witnesses and the victim was being treated in the ambulance by Canton EMS. The ambulance left for Good Samaritain Hospital shortly after I arrived. Sgt. Goode made me aware that the officers and EMT's told him that the victim was bleeding from the nose and mouth. They also stated that he appeared to have swelling above one of his eyes.

3. The first person that I spoke to was MCCABE, Jennifer. She was able to provide us with a general timeline of events:

- Jennifer was at Waterfall bar and Grill in Canton with her husband, Matthew McCabe, Brian Albert (brother-in-law), and Nicolole Albert (sister).
- Approximately 1100pm. They were accompanied at the bar by O'KEEFE, John, and his girlfriend, READ, Karen.
- Approximately 1200am. Jennifer, Matthew, Brian and Nicole left the bar and went back to ALBERT'S house at 34 Fairview Rd.
- Approximately 1214am. O'KEEFE texted Jennifer and asked where they were going. Jennifer responded that they were going to 34 Fairview Rd. Moments later a vehicle pulled up in front of the house, which Jennifer believed was O'KEEFE and his girlfriend, READ. She observed as the vehicle just sat out in front of the house for several minutes. The vehicle was facing uphill, with the passenger side facing the house. She thought that the vehicle sat outside for at least fifteen minutes. MCCABE stated that neither party ever came to the door and ultimately the vehicle drove away. She attempted to text O'KEEFE, but never got a response.
- Approximately 130am. MCCABE and her husband leave the house and give a ride home to Julie Nagel, who lives on Highland Street in Canton.
- Approximately 453am. MCCABE was contacted by READ and FURBUSH, Kayley (neice of O'Keefe). They were distraught because O'KEEFE never arrived home and was not answering his phone. MCCABE and READ attempted to call some of O'KEEFE's close friends, including ROBERTS, Kerry.
- Approximately 500am. ROBERTS picked up MCCABE and READ to go looking for O'KEEFE.
- Approximately 600am. ROBERTS, MCCABE, and READ locate O'KEEFE in the yard of 34 Fairview Rd. He was located on the left side of the yard about eight feet in from the street.

He was found unconscious on the ground, laying on his back. ROBERTS began to perform CPR.

- Approximately 604am. 911 call was placed to the Canton Police Station.

4. Officers on scene were able to secure the scene as best they could, as the weather conditions continued to be severe. State Police CPAC unit was contacted at 638am. Trooper Proctor called back within a few minutes and was made aware of the situation.

5. While on scene, all attempts to speak with READ were unsuccessful. She was hysterical and difficult to control. The only statement that she was able to relay to Canton officers while on scene, was that she did not remember ever being at 34 Fairview Rd. READ later made statements via telephone to her parents, threatening suicide. Canton EMS ultimately responded back to the scene and READ was taken to the hospital under a Section 12 order.

6. Next, I went into 34 Fairview Rd. and spoke with the home owners, ALBERT, Brian and ALBERT, Nicole. Both parties from this point forward will be referred to by their first names. Brian stated that they had seen the victim at Waterfall Bar and Grill and had spoken to him. He stated that he did not know the party well, but knew that he was a friend of MCCABE (sister-in-law). Brian and Nicole recalled that the victim had been welcomed to come to their house, but he never arrived. When asked about O'KEEFE's demeanor or if O'KEEFE had any altercations with anyone earlier at the bar, Brian said that he seemed to be fine at the bar and there were no issues whatsoever. MCCABE, Matthew (husband of Jennifer) also stated that he had observed the vehicle pull up out front of the house, but never saw either party get out of the vehicle. Matthew also reiterated what Brian said. O'KEEFE seemed to be fine at the bar and that there was really nobody else in the establishment other than their group. Next, I asked Brian and Nicole who else was at the house that night. Aside from the names already mentioned, the following people were present at some point during the time in question: Brian Albert Jr. (Brian and Nicole's son), Caitlin Albert (daughter), Julie Nagel (Brian Jr.'s friend), and Brian Higgins, who is a friend of Brian Albert Sr. They advised me that their daughter Caitlin left the house around 1215am, when she was picked up by her boyfriend, Tristin Morris.

7. While still on scene, Lt. Gallagher, Sgt. Goode and I attempted to retrieve as much evidence as possible given the weather conditions. Lt. Gallagher was able to use a leaf blower to blow away the top layers of snow. We were able to observe a broken drinking glass and multiple patches of red, which appeared to be frozen blood drops. Six samples of this substance was retrieved by using red Solo plastic cups. The broken glass was retrieved and bagged into evidence. Both items were returned to the Canton Police Station and logged into evidence.

8. At approximately 900am, I was contacted at the police station by MCCABE, Jennifer. She asked if it was possible to come back to 34 Fairview Rd. and speak with her. Lt. Gallagher and I both left immediately and arrived back at 34 Fairview within a few moments. MCCABE told us that she recalled something that she was not sure if we were aware of. She said that when READ was driving around with her and ROBERTS looking for the victim, she said something to the effect of "I hope I didn't hit him". MCCABE told us that she made these statements again at the scene when the victim was discovered. She thought that READ may have made these statements in front of a police officer, but she was not sure.

9. On 2/4/2022, I was working the 8am-4pm shift as the Detective Sergeant. At approximately 850am, I was contacted by Lt. Gallagher, who advised me that Chief Berkowitz was at 34 Fairview Rd. and had possibly discovered more evidence.

Detective Taylor and I drove to the scene at 34 Fairview Rd. and met with Chief Berkowitz. He directed our attention to the area where O'KEEFE had been discovered. I was able to observe a red broken piece of hard plastic, which appeared to have been broken off of a motor vehicle light fixture. The temperature overnight had reached 45 degrees with heavy rains, which melted much of the snow from the storm on Saturday. This revealed much of the area that had originally been covered in deep snow. I photographed the broken plastic as it was in the snow and will attach to this report.

State Police CPAC unit was notified and responded to the scene. Trooper Bukhenik arrived and secured the item into evidence.

SUPPLEMENTAL NARRATIVE FOR STEPHEN MULLANEY

Ref: 22-87-OF

1. On Wednesday January 29, 2022 I, Officer Mullaney was assigned to patrol the East sector for the 11:45p-7:45a patrol shift. At approximately 6:05a Officer Saraf and I were dispatched to 34 Fairview Road for a report of an unresponsive party.
2. Upon my arrival, Canton FD was arriving on scene. Ofc. Saraf had already been on scene. When I exited my cruiser I observed a female party attempting CPR on the victim in the snow. As I approached the victim, Canton FD began CPR. I then assisted Canton FD with lifting the victim onto a stretcher. The victim was then taken by stretcher to the ambulance.
3. At this time, Ofc. Saraf asked me to assist in getting witnesses information. I then spoke with MCCABE, Jennifer. I asked MCCABE who the victim was and she identified the victim as O'KEEFE, John. MCCABE then explained to me that a group of people had gone out to Waterfall Grill and Bar in Canton Center earlier in the night. Jennifer stated that she and her husband left the bar at approximately 12a and went to her brother-in-law's house at 34 Fairview Road. MCCABE then told me that O'KEEFE and his girlfriend, READ, Karen were invited to 34 Fairview road but never arrived. I asked MCCABE if she possibly knew how long the victim had been where he was found and she told he was dropped off by READ sometime between 12a-1a. MCCABE then told me that she was called by READ at approximately 5:00a wondering if she knew where John was. At this time, Sgt. Goode arrived on scene and the victim was transported to Good Samartian shortly after.
4. While talking to MCCABE, READ was hysterical and distraught and repeatedly screamed, "is he dead," and "that's my boyfriend." Sgt. Goode then advised ROBERTS, Kerry to take READ home. After READ and ROBERTS left, Canton Control advised officers that READ was making suicidal statements to her father. ROBERTS then brought READ back to the scene where Sgt. Goode asked me to fill out Section 12 paperwork and she was transported to Good Samaritan Hospital.
5. I stayed on scene and assisted Sgt. Goode, Det. Sgt. Lank and Lt. Gallagher.

EXHIBIT Q

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, ss.

SUPERIOR COURT
Criminal No. 22-117

COMMONWEALTH

vs.

KAREN READ

ORDER RE: PRESERVATION OF CELLULAR TELEPHONES

After hearing on defendant's oral motion for preservation of the cellular telephones at issue in Defendant's Motion for Order Pursuant to Mass. R. Crim. P. 17 Directed to Brian Albert, Julie Albert, Colin Albert, Brian Higgins and the Commonwealth (Docket #27),¹ it is hereby ORDERED as follows:

The Commonwealth shall notify Brian Albert, Nicole Albert, Matthew McCabe, Julie Albert, Brian Higgins, Colin Albert, and Julie Nagel, that they shall preserve any cellular telephones they used between January 28, 2022, and February 28, 2022, and shall not alter, delete, destroy, or in any way manipulate any of the electronic data associated with the cell phones at issue, by giving the following notice on the letterhead of the Norfolk County District Attorney's Office and/or by email using an official state-issued email address, together with a copy of this Order:

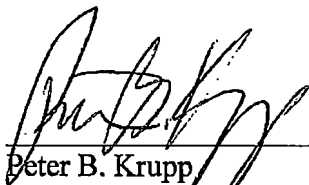
You are hereby notified that the defense in the case of Commonwealth v. Karen Read, Norfolk Superior Court Criminal Case No. 22-117, has filed a motion pursuant to Mass. R. Crim. P. 17 for the production of any cell phones that you used between January 28, 2022, and February 28, 2022, and/or any data associated with those cell phones. The hearing on Ms. Read's motion will be held on October 3, 2022, at 2 p.m. in Courtroom 1

¹ Although the title of this motion only lists four names, the motion also relates to the cellular telephones used by Nicole Albert, Matthew McCabe, and Julie Nagel.

of the Norfolk Superior Court. You may be heard on the motion at that time. You are hereby placed on notice that these cell phones are the subject of pending litigation and you must not alter, delete, destroy, or in any way manipulate any of the electronic data associated with the cell phones at issue.

SO ORDERED.

Dated: September 23, 2022



Peter B. Krupp
Justice of the Superior Court

EXHIBIT R



I stand by my family 100%.
You don't fuck with them.
You do, and I won't hesitate
to make you the most
miserable person. It's a
promise.

Tim Albert
Oct 16, 2022 · 🌐

👍👎 14

1 comment

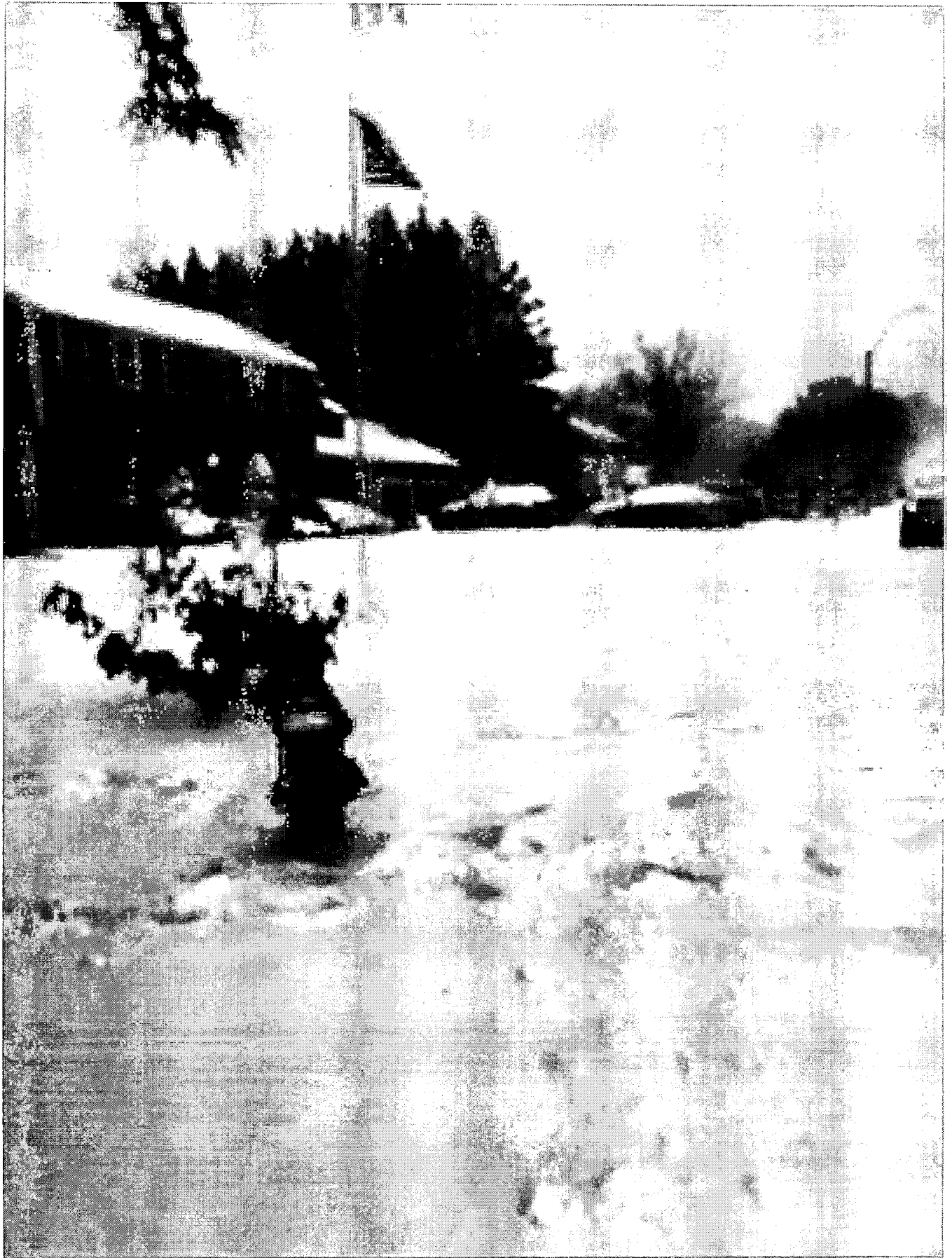
➦ Share

EXHIBIT S

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Go to Settings to activate Windows



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Template: C:\Users\KREAD\AppData\Roaming\Microsoft\Templates\Normal.dotm
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Author: Read, Karen
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