

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

SUPREME JUDICIAL COURT
FOR SUFFOLK COUNTY
No. SJ-2025-M014

COMMONWEALTH

v.

GERSON PASCUAL-SANTANA

FINDINGS OF FACT

INTRODUCTION

The defendant, Gerson Pascual-Santana, following his conviction after a jury trial in the District Court, filed a motion for a new trial predicated on the allegation that the presiding judge and the assistant district attorney who prosecuted his case were engaged in a sexual or romantic relationship.

By order on May 13, 2025, the single justice appointed me as Special Master to "investigate the nature and extent of the relationship between former Judge Douglas Darnbrough and Assistant District Attorney Karlyn Butler and report to the Single Justice on this matter." To that end, I held an impounded evidentiary hearing over the course of five days between September 29¹ and December 4, 2025, heard testimony from

¹ I note that the transcripts reflect that the first two hearings were held on September 30, 2025, and October 2, 2025.

twenty-one witnesses, and admitted seventy exhibits in evidence.² Counsel for the parties and the various intervenors³ were present and given the opportunity for limited cross-examination.

Following the close of evidence on December 4, 2025, I permitted the parties to file post-hearing briefing and proposed findings of fact.⁴ Based on the testimony, exhibits, and post-hearing briefing, I find the following facts.⁵

However, the proper dates are September 29, 2025, and October 1, 2025. Citations in these findings are to the correct date that is reflected on the court's docket.

² A witness list and exhibit list are appended to these findings as Appendix A and Appendix B, respectively.

³ The Massachusetts Trial Court, Douglas Darnbrough, and Karlyn Butler.

⁴ The posthearing submissions by intervenor Douglas Darnbrough included nine proposed exhibits that were neither offered nor admitted in evidence before I closed the hearing in this matter. Many of those exhibits predate the hearing and, inferentially, were available to be offered at that time. Although I decline to sua sponte strike these materials, I expressly do not rely on them in formulating my findings and, to the extent necessary, I expressly reject any proposed findings or legal analysis by any party that relies on them.

⁵ After the close of evidence, the clerk's office received a telephone call from an individual named James Walker, who indicated that he had information relevant to these proceedings. In particular, he claimed that ADA Butler was in possession compromising information about him, and that she was disseminating it to others. Thereafter, I requested that the parties provide their views on whether I should reopen the evidence in order to take testimony from Mr. Walker. The defendant supported reopening the hearing on the general grounds that I should receive any and all possibly relevant information.

BACKGROUND FACTS

1. Intervenor Douglas Darnbrough was appointed to the District Court in 2016, and elevated to First Justice of the New Bedford District Court in approximately January 2019 [Oct. 23 Trans. 12:24-13:4].⁶ In his role as First Justice, he was tasked with making judicial assignments to the various court sessions [Sept. 29 Trans. 56:17-57:6; Oct. 1 Trans. 12:3-8]. During the relevant time period, he made such assignments on a daily basis and attempted to assign equitably the judges among the various sessions [Oct. 1 Trans. 12:9-18, 13:9-22].

2. Assistant District Attorney Karlyn Butler joined the Bristol County District Attorney's Office in 2020 after she

The Commonwealth opposed reopening the evidence and provided information suggesting that Mr. Walker is a criminal defendant presently being prosecuted by the Bristol County District Attorney's Office and who, on various instances, has been found incompetent to stand trial. Judge Darnbrough opposed reopening the evidence on the same grounds as the Commonwealth. ADA Butler and the Trial Court did not provide their positions. After reviewing the parties' written responses, I declined to reopen the evidence to hear testimony from Mr. Walker, largely for the reasons set forth in the Commonwealth's response. There was no indication that Mr. Walker possessed relevant information connected to any relationship between Judge Darnbrough and ADA Butler, and the issues surrounding Mr. Walker's prior competency determinations would unnecessarily complicate and delay the proceedings.

⁶ Although Judge Darnbrough is no longer on the bench, I will refer to him by the honorific of his prior office.

had graduated from law school [Nov. 14 Trans. 55:18-22]. Prior to that, she had served as a legal intern for the same office and as a student prosecutor practicing under SJC Rule 3:03 [Nov. 14 Trans. 55:23-56:10]. She was initially assigned to the Fall River District Court and was reassigned to the New Bedford District Court in the summer of 2021 [Nov. 14 Trans. 56:2-10].

3. Judge Darnbrough was the judge specially assigned to the Recovery Court [Oct. 23 Trans. 17:11-17], and ADA Butler was the assistant district attorney specially assigned to the Recovery Court [Oct. 1 Trans. 101:8-9].⁷

4. Texting was the established system for members of the Recovery Court Team to communicate with one another because of the number of people across various disciplines [Oct. 1 Trans. 101:16-102:5, 131:14-21].⁸

⁷ The Recovery Court is an alternative judicial process for certain qualifying defendants who are at a high risk of reoffending due to substance abuse and who would benefit from more oversight from probation and the court, and assistance from clinicians. [Oct. 1 Trans. 99:20-100:19]. The structure and nature of Recovery Court are more collaborative than typical criminal cases. [Sept. 29 Trans. 78:3-8; Oct. 1 Trans. 24:2-12]. It is expected that the District Attorney's Office, the defense bar, probation department, and the judge work as a team [Sept. 29 Trans. 78:9-12].

⁸ Judge Darnbrough testified that he was a part of the group thread for a few weeks, but it was "too annoying" and he removed himself [Oct. 23 Trans. 29:22-30:2]. This is inconsistent with the notes from his interview, which indicate that Judge Darnbrough was "not on it" [Ex. 29 at 0035, 41 at 0091]. It is also inconsistent with Mr. Dorman's testimony that a group text thread included all members of the Recovery Court Team [Oct. 1

5. On or about September 20, 2023, Chief Justice of the District Court Stacey Fortes received an anonymous letter alleging that Judge Darnbrough had been "having an affair with one of the prosecutors Karlyn Butler" since 2022 [Ex. 25].⁹ The letter further alleged that the two would "hang out" either outside of the courthouse for drinks at a local bar called Carmine's or in Judge Darnbrough's lobby after hours, and would coordinate on cases prior to their being heard [Ex. 25].

6. Chief Justice Fortes then ordered Margaret Pinkham (the Director of the Office of Workplace Rights and Compliance) and Ellen Shapiro (a retired Deputy Court Administrator), both of whom are lawyers, to investigate the allegations [Sept. 29 Trans. 33:9-19, 34:2-11; Oct. 1 Trans. 46:18-47:15].¹⁰

Trans. 101:18-102:5], and PO Kennedy-Mitchell's testimony that the group text thread included "the judge" [Oct. 1 Trans. 137:17-24]. Because my ultimate findings do not turn on resolving this discrepancy, I decline to do so.

⁹ Substantially similar letters were also sent to the Office of Bar Counsel [Ex. 15] and the Bristol County District Attorney [Ex. 16]. Any investigation taken by either office is beyond the scope of my appointment.

¹⁰ The propriety, completeness, and details of the Trial Court's investigation are beyond the scope of my appointment. I therefore make minimal findings regarding the investigation only as are necessary for my other findings. I therefore disregard the arguments made by various parties in their posthearing briefing regarding the adequacy of the investigation [Darnbrough Br. 20-22, Butler Br. 34-37]

7. Attorneys Pinkham and Shapiro met with a total of ten witnesses, including Judge Darnbrough and ADA Butler [Sept. 29 Trans. 34:14-35:2; Oct. 1 Trans. 47:22-24, 48:3-17]. They additionally spoke with Judge Joseph Harrington and Clerk Magistrate Peter Thomas, but those were not formal interviews [Sept. 29 Trans. 38:18-39:1]. All witnesses cooperated [Sept. 29 Trans. 35:21-25; Oct. 1 Trans. 49:20-23]. The witnesses' statements were not under oath [Sept. 29 Trans. 36:5-7]. Both handwritten and typed notes of these interviews were admitted as Exhibits 29 and 36-47.¹¹

8. Attorneys Pinkham and Shapiro asked Judge Darnbrough if he would allow them to look at his text messages [Sept. 29 Trans. 39:25-40:6]. According to their notes, Judge Darnbrough replied that he had deleted his text messages because he was "so pissed off" [Sept. 29 Trans. 40:1-6].¹² Attorneys

¹¹ Attorney Pinkman took contemporaneous, handwritten notes [Sept. 29 Trans. 37:25-38:7]. Attorney Shapiro took contemporaneous notes that she later typed up into a memo format within a few days of the interview [Sept. 29 Trans. 38:8-17, 49:8-10; Oct. 1 Trans. 66:5-13]. These notes were fair and accurate summaries of the interviews, [Sept. 29 Trans. 39:8-10], with the exception that the date that certain witnesses were interviewed was incorrect [Sept. 29 Trans. 41:24-42:15]. No notes were taken of the informal meetings with Judge Harrington or Clerk Magistrate Thomas [Sept. 29 Trans. 38:18-21].

¹² Judge Darnbrough denies making this statement [Oct. 23 Trans. 42:1-9]. Instead, he testified that he "routinely delete[s] text messages from people, and that's it" [Oct. 23 Trans. 42:10-11].

Pinkham and Shapiro did not ask to see ADA Butler's phone or text messages [Oct. 1. Trans. 53:22-54:3].¹³ Attorney Shapiro regretted not asking to look at ADA Butler's phone [Oct. 1. Trans. 54:1-3]. Indeed, Attorney Shapiro later expressed this regret to Assistant District Attorney Jennifer Sowa and asked whether the District Attorney's Office would have provided ADA Butler's phone if Attorney Shapiro had asked for it [Oct. 1. Trans. 53:25-54:11]. According to Attorney Shapiro, ADA Sowa said the District Attorney's Office would not provide the phone [Oct. 1. Trans. 54:4-9].

9. Attorneys Pinkham and Shapiro generated a Summary of Findings to provide to Chief Justices Fortes [Sept. 29 Trans. 37:11-20; Oct. 1 Trans. 51:1-7]. Therein, they found that Judge Darnbrough exhibited poor judgment regarding his relationship with ADA Butler and that the relationship created the appearance of impropriety [Ex. 36 at 003].

10. Based on these findings, Chief Justice Fortes concluded that "it was more likely than not that Judge Darnbrough engaged in unprofessional conduct that allowed for the perception of impropriety, thus undermining his ability to

¹³ Attorney Pinkham testified that she did not recall asking to see ADA Butler's phone [Sept. 29 Trans. 40:7-8]. Attorney Shapiro, however, recalled that they did not do so [Oct. 1 Trans. 53:22-54:3]. I credit Attorney Shapiro's memory on this issue.

remain as presiding justice in the New Bedford" District Court [Ex. 36 at 0004].¹⁴

11. Effective October 3, 2023, Judge Darnbrough was removed as First Justice and reassigned to the Plymouth District Court [Ex. 29].

12. Judge Darnbrough later submitted a letter of resignation effective on November 10, 2023 [Ex. 60].¹⁵ In an amended letter of resignation, he changed the effective date to December 30, 2023 [Ex. 61]. Both letters identified ongoing health issues as the reason for his resignation, which is consistent with Judge Darnbrough's testimony and his Employee

¹⁴ A copy of Chief Justice Fortes's decision was sent to the Executive Director of the Commission on Judicial Conduct (CJC) [Ex. 28 at 0002]. On January 18, 2024, the CJC notified Chief Justice Fortes that it "voted to dismiss this complaint" [Ex. 67]. Judge Darnbrough asks that I infer from this letter (and a similar letter from the Board of Bar Overseers closing its file "without disciplinary action" [Ex. 68]) that he did not engage in the alleged conduct. He presses this same argument in his posthearing briefing [Darnbrough Br. 14-16]. I decline to draw this proposed inference, principally because I do not know what information was before these agencies or the reasons for their decisions. Instead, my findings are based on the testimony and evidence from these proceedings.

¹⁵ Though it is somewhat a distinction without a difference, Judge Darnbrough vehemently denied that he resigned from the bench during his testimony [Oct. 23 Trans. 63:4-7, 63:25-64:2, 72:20-22], becoming visibly agitated when the defendant's counsel implied that Judge Darnbrough resigned. However, I credit the language that Judge Darnbrough used in his then-contemporaneous letters: "I am resigning from my position as an Associate Justice of the District Court" [Exs. 60-61 (emphasis added)], and find that he resigned.

Exit Transaction Form signed on January 8, 2024 [Ex. 49, 62-63; Oct. 23 Trans. 71:21-25].

The Anonymous Letters

13. For many years, ADA Butler, among others, received anonymous letters, all of which appear to have been written by the same person [Ex. 8-14, 17-24]. These letters largely took aim at ADA Butler's romantic relationships. Some included allegations that ADA Butler was having a romantic and/or sexual relationship with Judge Darnbrough [Ex. 1, 2, 3, 4, 5, 12-14, 16, 25].

14. Anonymous letters containing similar allegations about the relationship between ADA Butler and Judge Darnbrough were sent to Christopher Iannella (a member of the Governor's Council), several criminal defense attorneys (including the defendant's attorney here), the Bristol County District Attorney's Office, the Office of Bar Counsel, and Chief Justice of the District Court Stacy Fortes [Ex. 1-6, 15-16, and 25].

15. In these unique circumstances, there does not appear to be any direct precedent for how to analyze what weight, if any, I should give the anonymous letters generally. The Commonwealth advances in its posthearing brief that the Aguilar-Spinelli¹⁶ analysis for evaluating information provided

¹⁶ Aguilar v. Texas, 378 U.S. 108 (1964); Spinelli v. United States, 393 U.S. 410 (1969).

by an anonymous tipster may apply [Commonwealth Br. 33-35]. ADA Butler and Judge Darnbrough argue in their posthearing briefs that the letters are inadmissible hearsay [Butler Br. 6-7 and n.13; Darnbrough Br. 17-18], and Judge Darnbrough further argues that the letters are inadmissible because they were never authenticated [Darnbrough Br. 17-18].¹⁷ Neither the defendant nor the intervenor Trial Court proposed any methodology.

16. In my view, the Aguilar-Spinelli analysis provides some useful guideposts. Where the identity of the anonymous letter writer here is unknown, this case is most akin to information provided by an anonymous tipster.

17. In Commonwealth v. Lyons, 409 Mass. 16, 19 (1990), the Supreme Judicial Court articulated how the Aguilar-Spinelli test applies in cases involving anonymous tipsters: "our focus is on the tipster's reliability and his basis of

¹⁷ Hearsay and authenticity go to the admissibility of evidence, not its weight. At no time during the proceedings or prior to closing the evidence did any party object to the admissibility of the anonymous letters on any grounds. The parties were clearly comfortable throughout the proceedings with seeking guidance or clarification on documents, procedure, and my orders. "It is well established that hearsay evidence admitted without objection may be considered by the jury and may be given any probative value it possesses." Commonwealth v. Stewart, 398 Mass. 535, 543 (1986). The same is true for authenticity. Commonwealth v. Blake, 409 Mass. 146, 159 (1991) ("The argument that the photograph should not have been admitted because it was not properly authenticated fails as well, since no objection was made on this basis at trial.").

knowledge, together with any independent police corroboration that may compensate for deficiencies in one or both of these factors."

18. Here, the anonymous letters are detailed. Many list specific locations at which Judge Darnbrough and ADA Butler were seen, specific dates, and specific actions that they took. Some of these events did, in fact, occur, such as Judge Darnbrough attending ADA Butler's 30th birthday party and drinking together at the 222 bar. See Commonwealth v. Alvarez, 422 Mass. 198, 207 (1996) ("informant's knowledge that drugs would be moved, provided sufficient detail to establish basis of knowledge"). Moreover, ADA Butler stated to the Dartmouth Police¹⁸ that several of the anonymous letters contained "very specific, accurate details about where [she has] been and on what days" as well as stating "as for places [she has] been, [the letters] are accurate" [Ex. 65]. Given the level of detail and the accuracy of many of the statements, I find that the anonymous letters meet the basis of knowledge prong.

19. However, veracity is the more difficult prong for anonymous tipsters to satisfy. Several witnesses testified that

¹⁸ In 2018, ADA Butler provided written statements to the Dartmouth Police Department complaining about her receipt of anonymous letters [Ex. 65]. According to ADA Butler, nothing came of the Dartmouth Police Department's investigation [Dec. 4 Trans. 82:5-7].

they believed Attorney Tara George was the author based on prior interactions they had with her.¹⁹

20. For her part, Attorney George testified that she did not author the anonymous letters marked as exhibits in this proceeding [Nov. 14 Trans. 14:15-18:7].²⁰ While I find much of

¹⁹ Those witnesses include ADA Butler, Cheryl Latimer (a case specialist working at the New Bedford District Court), and Melissa Cathcart (Probation Officer working at the New Bedford District Court). ADA Butler testified that she believed Attorney George authored the letters because ADA Butler had previously dated one of Attorney George's boyfriends and now-fiancé, Frank Ribeiro [Nov. 14 Trans. 86:6-19]. Ms. Latimer testified that she believed that Attorney George authored the anonymous letters because Attorney George was "the only common denominator" and Attorney George was Ms. Latimer's divorce attorney in 2018 [Sept. 29 Trans. 13:10-25]. Similarly, PO Cathcart testified that she was a former client of Attorney George, and the two had a fee dispute [Sept. 29 Trans. 72:5-21]. PO Cathcart subsequently received an anonymous letter falsely alleging that she did not pay her bills; PO Cathcart's daughter also received an anonymous letter falsely accusing PO Cathcart of having an affair with her daughter's boyfriend [Sept. 29 Trans. 76:4-20].

²⁰ Attorney George invoked her right against self-incrimination with respect to any face-to-face confrontations with ADA Butler or any other employee of the Bristol County District Attorney's Office. I held an in camera hearing pursuant to Commonwealth v. Martin, 423 Mass. 496 (1996), after which I determined that Attorney George had a valid privilege on those topics. No party with standing appealed my order. "Because a witness who exercises [her] Fifth Amendment right is not admitting guilt, no inferences, either in favor of the prosecutor or of the defendant, may be drawn from that refusal to testify." Commonwealth v. Gagnon, 408 Mass. 185, 197-198 (1990). Therefore, I draw no inferences from Attorney George's refusal to testify about any face-to-face confrontations with ADA Butler or any other employee of the Bristol County District Attorney's Office.

Attorney George's testimony not to be credible, there is insufficient evidence for me to conclusively find that she indeed wrote the anonymous letters.

21. In Commonwealth v. Alvarado, 423 Mass. 266, 274 (1996), the Supreme Judicial Court held that "reasonable suspicion justifying an investigatory stop cannot be founded on an anonymous tip . . . by a person whose reliability is not established." Instead, further proof either from the tipster or through police corroboration, was required. Id. at 274. For this reason, I find that the anonymous letters do not meet the veracity prong. Therefore, I consider the allegations contained in the anonymous letters only insofar as they provide context or where such allegations are independently corroborated by other evidence.

ADA Butler argues in her posthearing briefing that I must draw a negative inference and find that Attorney George wrote the anonymous letters, relying on Wansong v. Wansong, 395 Mass. 154, 157 (1985) [Butler Br. 1 & n.3]. Judge Darnbrough echoes this argument, but relies instead on Mass. G. Evid. § 525 (a) [Darnbrough Br. 16-17]. Neither Wansong nor § 525 (a) is applicable here because they address invocation by a party in the context of a civil proceeding. Wansong, 395 Mass. at 157 ("In a civil action, a reasonable inference adverse to a party may be drawn from the refusal of that party to testify on the grounds of self-incrimination" [emphasis added]); Mass. G. Evid. § 525 (a) (explaining in section titled Civil Case that "[c]omment may be made and an adverse inference may be drawn against a party when that party, or in certain circumstances a witness, invokes a privilege." [emphasis added]). This is a criminal action and Attorney George is not a party to these proceedings. Thus, Gagnon, 408 Mass. at 197-198, controls.

Rumors of an affair between Judge Darnbrough and ADA Butler

22. Many witnesses testified generally about rumors that Judge Darnbrough and ADA Butler were in a romantic and/or sexual relationship. The rumors were widespread and talked about throughout the courthouse [Sept. 29 Trans. 24:1-4, 66:25-67:13, 84:20-85:6; Oct. 1 Trans. 74:3-6, 80:25-81:5, 103:16-104:18, 122:5-8]. Both Judge Darnbrough and ADA Butler deny engaging in any romantic or sexual relationship with one another [Oct. 23 Trans. 9:7-10:14; Nov. 14 Trans. 58:10-20].

23. Lisa Amaral, the judicial secretary at the New Bedford District Court, recalls hearing rumors from other employees (she cannot remember who) about a dating relationship between Judge Darnbrough and ADA Butler [Sept. 29 Trans. 84:20-85:6]. Ms. Amaral told Judge Darnbrough about these rumors, and he said something to the effect of "don't be silly" [Sept. 29 Trans. 85:13-23].²¹ She sometimes wondered whether the rumor was true because ADA Butler spent so much time in Judge Darnbrough's lobby [Sept. 29 Trans. 86:11-20]. However, she never observed

²¹ Judge Darnbrough had a different recollection of this conversation. He testified that Ms. Amaral "was worried because [he] had bouts of high blood pressure" and she "was concerned about [his] health, and she said something like . . . these lawyers have to stop coming in here so often." [Oct. 23 Trans. 25:8-15]. I credit Ms. Amaral's recollection of this conversation.

Judge Darnbrough do anything inappropriate with ADA Butler in his lobby [Sept. 29 Trans. 88:7-10].

24. Judge Harrington learned of the rumors after the anonymous letter was sent to Chief Justice Fortes [Oct. 1 Trans. 10:7-22]. He did not believe that there was any inappropriate relationship between Judge Darnbrough and ADA Butler [Oct. 1 Trans. 11:1-4].

25. Chief Court Officer Douglas Macedo was aware of rumors that ADA Butler and Judge Darnbrough "could have a relationship outside of work" though he does not recall from whom he heard these rumors [Oct. 1. Trans. 73:25-74:13]. He did not believe the rumors because he "never saw anything that would warrant to make those rumors true" [Oct. 1. Trans. 74:19-23].

26. Eric Dorman, the New Bedford District Court specialty court coordinator, heard about the rumors, but he viewed them as gossip and paid little attention to them [Oct. 1 Trans. 103:19-104:5]. He did not believe the rumors principally because he never saw ADA Butler and Judge Darnbrough act inappropriately together [Oct. 1 Trans. 104:21-23, 105:24-106:1].

27. Probation Officer Heather Kennedy-Mitchell heard rumors around the courthouse that ADA Butler and Judge Darnbrough were in a sexual relationship [Oct. 1 Trans. 122:5-19]. She believed that they were engaged in a sexual

relationship [Oct. 1 Trans. 123:3-5], though she conceded that she never saw them engage in inappropriate behavior.

28. Attorney George does not have any personal knowledge of any inappropriate relationship between Judge Darnbrough and ADA Butler [Nov. 14 Trans. 18:17-20]. However, she learned of the rumors from her fiancé, Attorney Ribeiro, who told her that several other lawyers who worked in the New Bedford District Court had shared these rumors with him [Nov. 14 Trans. 18:21-19:17].

29. Attorney Ribeiro, who used to practice extensively in the New Bedford District Court, first as an assistant district attorney and later as a bar advocate [Dec. 4 Trans. 10:21-11:2], never personally witnessed any inappropriate conduct between Judge Darnbrough and ADA Butler [Dec. 4 Trans. 11:9-13]. However, he heard various rumors about an affair between Judge Darnbrough and ADA Butler [Dec. 4 Trans. 11:16-18].

30. Attorney Ribeiro recalls being told by Craig Fries and Jeremy Waxler, both attorneys in New Bedford, that Judge Darnbrough and ADA Butler were seen at Carmine's at a Recovery Court party sitting together and they were the last two to leave [Dec. 4 Trans. 11:20-12:3].

31. Attorney Ribeiro testified that Attorney Waxler also told him that either ADA Butler or Judge Darnbrough were seen getting out of the other's car [Dec. 4 Trans. 12:12-17].

32. Attorney Ribeiro testified that Attorney Flor told Attorney Ribeiro that Attorney Waxler had seen ADA Butler and Judge Darnbrough "cuddled up at the bar" [Dec. 4 Trans. 13:7-18].

33. Attorney Ribeiro also heard rumors that ADA Butler and Judge Darnbrough were seen at a hotel together and they were "touching each other" [Dec. 4 Trans. 14:23-15:4]. Apparently, this information was provided by a criminal defendant to their attorney, Patrick Mullen, who in turn told Attorney Fries, who finally conveyed it to Attorney Ribeiro [Dec. 4 Trans. 15:1-4].²²

34. Attorney John Flor likewise has no personal knowledge of any inappropriate relationship between ADA Butler and Judge Darnbrough [Dec. 4 Trans. 39:17-20]. To the best of his recollection, Attorney Flor only spoke with Attorney Ribeiro

²² Attorney Fries denies any recollection of this conversation with Attorney Ribeiro [Dec. 4 Trans. 42:6-10]. Rather, he recalls that information being discussed in the lawyer's lounge at the New Bedford District Court, but it did not originate from him, and he does not recall passing it along to Attorney Ribeiro [Dec. 4 Trans. 42:9-18]. Similarly, Attorney Mullen denies ever being told by a client that they saw Judge Darnbrough ADA Butler together at a hotel [Dec. 4 Trans. 90:22-91:5]. I credit Attorney Fries and Attorney Mullen on this point.

about information that Attorney Flor learned about through the press [Dec. 4 Trans. 39:21-40:13].

35. Attorney Jeremy Waxler has no personal knowledge of any inappropriate relationship between ADA Butler and Judge Darnbrough [Dec. 4 Trans. 49:13-19]. He recalls rumors and conversations in the lawyer's lounge at the New Bedford District Court that ADA Butler and Judge Darnbrough were having an affair, but no one seemed to have any specific information to provide [Dec. 4 Trans. 49:20-50:7]. He denies ever seeing ADA Butler and Judge Darnbrough "cuddling" together at the back of a bar [Dec. 4 Trans. 51:20-21].

36. Attorney Craig Fries has no personal knowledge of any inappropriate relationship between ADA Butler and Judge Darnbrough [Dec. 4 Trans. 64:20-25]. He recalls hearing rumors from other lawyers, including Jeremy Waxler, that ADA Butler and Judge Darnbrough were overly friendly, but he does not recall anything about a sexual relationship [Dec. 4 Trans. 65:1-18]. Specifically, he recalls a rumor that ADA Butler could get anything she wanted from Judge Darnbrough [Dec. 4 Trans. 70:2-7].

37. Attorney Patrick Mullen has no personal knowledge of any inappropriate relationship between ADA Butler and Judge Darnbrough [Dec. 4 Trans. 83:16-20]. He received an anonymous letter, [Ex. 3], sometime in 2023 [Dec. 4 Trans. 83:21-84:11].

Other than what he saw on the media, he never heard any rumors about an inappropriate relationship between ADA Butler and Judge Darnbrough [Dec. 4 Trans. 88:5-20].

38. PO Kennedy-Mitchell testified that she observed ADA Butler's WhatsApp²³ profile picture of only ADA Butler and Judge Darnbrough [Oct. 1 Trans. 124:4-125:9]. ADA Butler testified, and I credit her testimony, that she did not have a profile picture connected with her WhatsApp account and that she used WhatsApp only to communicate when she was on a vacation [Nov. 14 Trans. 81:1-8, 113:21-114:2, 114:12-16].

39. Finally, there was testimony that ADA Butler had a past practice of drawing a smiley face on motions for continuances that were filed with the clerk's office [Nov. 14 Trans. 111:24-112:1]. ADA Butler testified that she did so because it was an informal pleading and it was a lot of work for the clerk's office to handle [Nov. 14 Trans. 112:7-10, 137:18-138:7]. She testified, and I credit her testimony, that she did not do so in any attempt that it be received or viewed by Judge Darnbrough [Nov. 14 Trans. 138:8-10].

²³ WhatsApp is a communication platform that allows users to send text messages, voice messages, images, videos, and files and to make voice and video calls. See WhatsApp Inc. v. NSO Group Techs. Ltd., 17 F.4th 930, 933 (9th Cir. 2021), cert. denied, 143 S. Ct. 562 (2023).

40. Other than rumors and the anonymous letters, there is no evidence establishing any dating, romantic, sexual, or otherwise inappropriate relationship between Judge Darnbrough and ADA Butler.

Electronic Communications between Judge Darnbrough and ADA Butler

41. The anonymous letters alleged that Judge Darnbrough and ADA Butler communicated with one another using text messages on their phones [Exs. 5, 15]. Several witnesses testified that it appeared that Judge Darnbrough and ADA Butler would text one another during Recovery Court sessions as well as normal criminal sessions [Oct. 1 Trans. 77:21-78:6, 116:17-118:12], though they conceded that they could not be sure [Sept. 29 Trans. 66:1-19].

42. Judge Darnbrough testified that he had no memory of ever sending text messages to ADA Butler when he was presiding in New Bedford and that she did not send him any text messages [Oct. 23 Trans. 29:14-21].²⁴

43. Although ADA Butler testified initially that she never texted with Judge Darnbrough prior to October 2023, when confronted with the notes from the Trial Court's investigation,

²⁴ Judge Darnbrough denies the statements attributed to him in the Trial Court investigation notes, which indicate that he admitted to receiving and sending text messages to ADA Butler [Oct. 23 Trans. 31:23-32:5].

[Ex. 38], she conceded that she "might occasionally text him, and . . . it might have been through the group message [Nov. 14 Trans. 145:16-18]" that she sent text messages to Judge Darnbrough.

44. When Attorneys Pinkham and Shapiro asked to see his text messages, Judge Darnbrough said that he had erased all of his text messages [Sept. 29 Trans. 39:25-40:6]. The investigatory notes indicate that Judge Darnbrough said it is his habit not to keep a lot of text messages unless they are important to him, and that he purposefully deletes his text messages on a regular basis [Ex. 41 at 0091].²⁵

45. In October 2023, Judge Darnbrough provided his cell phone to MWV Multi-Media Forensic Investigative Services, Inc. for an extraction and review to determine whether any text messages had been sent to or received from ADA Butler [Ex. 26].

²⁵ I do not find Judge Darnbrough's explanation persuasive. For one, he initially offered a fervent denial of texting ADA Butler and accusations that the investigatory notes contained inaccuracies about whether he stated he texted with her. Later in his testimony, he equivocated by claiming that he had no memory of texting ADA Butler but if he had done so, it would have been administrative in nature and not personal [Oct. 23 Trans. 34:25-35:14]. Additionally, Judge Darnbrough's explanation for his habit of deleting text messages was inconsistent. He testified that he did not have a regular routine for deleting text messages, but then later testified that he in fact deleted text messages every other day [Oct. 23 Trans. 36:5-18].

Similarly, in September 2024, ADA Butler provided her cell phone to Cimplifi for the same purpose [Ex. 27]. In both instances, reports were generated regarding the results of the extraction, which were entered in evidence as Exhibits 26 and 27. My review of Judge Darnbrough's report indicates that there were two text messages exchanged with ADA Butler through October 25, 2023 [Ex. 26]. My review of ADA Butler's report indicates that there were no text messages between the two of them between January 2021, and December 2023 [Ex. 27]. It is concerning that the evaluations of Judge Darnbrough's and ADA Butler's phones are inconsistent, and nothing in the testimony or the posthearing briefing explains the inconsistency.

46. However, Judge Darnbrough's testimony and the inconsistent reports taken together are not sufficient to support a reasonable inference that Judge Darnbrough and ADA Butler texted one another on any regular basis or that the contents of those putative text messages would support a finding of an inappropriate relationship or coordination.

Judge Darnbrough's interactions with ADA Butler within the courthouse

47. There are four categories of alleged conduct between Judge Darnbrough and ADA Butler related to potentially inappropriate interactions at the courthouse: (1) Judge Darnbrough intentionally assigned himself to court sessions so

that he could preside over criminal cases being prosecuted by ADA Butler [Ex. 1, 3, 4, 16, 25]; (2) ADA Butler and Judge Darnbrough conferred about cases and trials that had not yet occurred [Ex. 1, 2, 3, 4, 5, 16, 25]; (3) ADA Butler was in Judge Darnbrough's lobby with the door closed, more frequently than other attorneys, and after official courthouse hours [Ex. 1, 3-5, 16, 25]; and (4) Judge Darnbrough showed ADA Butler favoritism on Recovery Court recommendations and criminal sentencing.

Assignment to court sessions with ADA Butler

48. The anonymous letters alleged, and the Trial Court's findings reference, that ADA Butler and Judge Darnbrough coordinated between themselves to ensure that he was the presiding judge for sessions to which she had been assigned. Inferentially, this would allow him to issue rulings favorable to ADA Butler.

49. Judicial assignments are made by the First Justice [Sept. 29 Trans. 56:17-57:6; Oct. 1 Trans. 12:3-8]. When Judge Darnbrough was the First Justice, he made assignments daily and attempted to equitably assign the judges among the various sessions [Oct. 1 Trans. 12:9-18, 13:9-22].

50. Assistant district attorneys are assigned to courtroom sessions by the district court supervisor for each courthouse on a weekly basis [Oct. 1 Trans. 30:1-14; Nov. 14

Trans. 67:12-25]. The judges do not have any input on which assistant district attorneys are assigned to which session on any given day [Oct. 1 Trans. 14:17-22]. Judges often do not know which assistant district attorney is assigned to the courtroom until the judge takes the bench [Oct. 1 Trans. 14:22-15:3, 30:15-17].

51. Other than the anonymous letters themselves, PO Kennedy-Mitchell was the only witness who testified that Judge Darnbrough intentionally assigned himself to court sessions in which ADA Butler was the prosecutor [Oct. 1 Trans. 120:21-121:8]. She testified that "everyone knows" that he does so [Oct. 1 Trans. 120:21-121:8].²⁶ However, PO Kennedy-Mitchell also testified that she has no personal knowledge about how judges or assistant district attorneys are assigned to sessions [Oct. 1 Trans. 127:18-128:1]. Given her lack of personal knowledge, I do not credit her testimony on this point.

52. Judge Harrington did not notice Judge Darnbrough assigning himself to courtroom sessions where ADA Butler was trying cases [Oct. 1 Trans. 12:19-22].

53. Similarly, ADA McPherson, who supervised ADA Butler, did not notice that Judge Darnbrough seemed to be in a

²⁶ No other witness corroborated this statement.

courtroom with ADA Butler more often than other assistant district attorneys [Oct. 1 Trans. 31:5-8].

54. Chief Macedo saw ADA Butler and Judge Darnbrough in session together more often than other assistant district attorneys, but he believed "a big part of that was [because] of [Recovery Court]" [Oct. 1 Trans. 78:7-13].

55. In response to my order of production, the parties filed documents in their possession that showed what sessions that ADA Butler was assigned to and when those sessions may have overlapped with Judge Darnbrough.²⁷ The parties acknowledge, and I consider, that there is no certain method to identify every appearance that ADA Butler may have had before Judge Darnbrough, given the fluidity of assignments to various court sessions and, in some instances, the information provided is based on the memories of the parties. However, based on my review of the documents provided by the parties, I find that ADA Butler and Judge Darnbrough were, at the very least, scheduled to be in session together:²⁸

²⁷ The intervenor Trial Court noted in its filing that neither the online nor paper dockets record appearances of assistant district attorneys before specific judges. Similarly, the Commonwealth noted in its filing that its schedules are "always subject to change."

²⁸ I have excluded Recovery Court sessions from this calculation because it is unremarkable that ADA Butler (the sole assistant district attorney assigned to Recovery Court) and

- a. Eight days in March 2023 (1, 3, 8, 10, 13, 14, 20, 24);
- b. Eight days in April 2023 (3, 4, 5, 12, 13, 18, 21, 25);
- c. Nine days in May 2023 (2, 8, 12, 19, 22, 23, 24, 25, 26);
- d. Eleven days in June 2023 (1, 2, 5, 6, 13, 14, 15, 21, 22, 28, 29);
- e. Seven days in July 2023 (3, 11, 12, 14, 26, 27, 28; and
- f. Eleven days in August 2023 (2, 10, 14, 16, 17, 18, 22, 23, 25, 29, 30).

56. ADA Butler did not provide the assistant district attorneys' assignments to Judge Darnbrough [Nov. 14 Trans. 68:14-16]. To her knowledge, Judge Darnbrough never intentionally assigned himself to sessions in which ADA Butler was the prosecuting attorney [Nov. 14 Trans. 68:20-25].

57. Attorney Ribeiro was told by Attorney Fries that Judge Darnbrough would contact Christine Leches, the New Bedford District Court Supervisor, asking about which assistant district attorneys would be assigned to Judge Darnbrough's sessions [Dec.

Judge Darnbrough (the sole judge assigned to Recovery Court) would be assigned to those sessions.

4 Trans. 20:8-13]. Attorney Fries partially corroborates this; he recalls one instance in which he was told by Christine Leches that Judge Darnbrough reached out to her via text over the weekend to ask who would be in the trial session the following Monday [Dec. 4 Trans. 66:18-23]. It does not appear that Judge Darnbrough asked specifically about ADA Butler [Dec. 4 Trans. 68:1-3].

58. There is insufficient evidence to find that Judge Darnbrough improperly or unduly assigned himself to sessions in which ADA Butler was prosecuting a case. At most, they appeared to be in session together as often as eleven days in June and August 2023 and as infrequently as seven days in July 2023. While eleven days a month in a four-courtroom courthouse may seem excessive, this fact standing alone is not enough for me to find any impropriety. Furthermore, while it is concerning that Judge Darnbrough reached out to Christine Leches via text to ascertain who would be the assistant district attorney in the upcoming trial session, there is no evidence that this conduct was more than a single isolated instance and it was not specifically about ADA Butler.

Conferring about cases

59. Other than the anonymous letters themselves, there is no evidence that Judge Darnbrough and ADA Butler ever conferred with one another about cases that had not yet been

tried or motions that had not yet been ruled upon. Judge Darnbrough and ADA Butler each testified that they did not do so, and I credit their testimony on this point [Oct. 23 Trans. 21:22-22:1; Nov. 14 Trans. 64:17-19, 69:1-6].

Meetings in Judge Darnbrough's Lobby

60. It was common for attorneys (particularly assistant district attorneys) to come to a judge's lobby for feedback after motions were decided or trials concluded [Sept. 29 Trans. 84:2-7, 88:14-24; Oct. 1 Trans. 19:2-25, 28:6-9; Nov. 14 Trans. 62:16-24, 63:21-23].

61. Both Judge Teresa Lamarre and Judge Harrington met with attorneys to provide feedback, including with ADA Butler [Sept. 29 Trans. 21:18-25; Oct. 1 Trans. 19:25-20:7].

62. There was a perception among some court staff that ADA Butler was in Judge Darnbrough's lobby too frequently [Sept. 29 Trans. 24:1-25:1].

63. Ms. Amaral's desk is located "very close" to the First Justice Lobby where Judge Darnbrough sat [Sept. 29 Trans. 81:13-17] and close enough for her to be able to hear "bits and pieces" of conversations that happened in the lobby [Sept. 29 Trans. 83:4-5] including "social things" such as family and their plans for the weekend [Sept. 29 Tran. 83:14-21]. Ms. Amaral believed that ADA Butler was in Judge Darnbrough's lobby

too often because she was there more often than other assistant district attorneys [Sept. 29 Trans. 82:16-20].

64. Ms. Amaral conveyed to Judge Darnbrough that she "heard people talking about their relationship, if they had a relationship going on." [Sept. 29 Tran. 85:18-19].²⁹ Judge Darnbrough responded with something to the effect of "don't be silly. . . ." [Sept. 29 Trans. 85:18-23].³⁰

65. Ms. Amaral also conveyed her perception to Judge Lamarre [Sept. 29 Trans. 24:8-15]. Judge Lamarre in turn spoke with Judge Darnbrough because they were colleagues and friends, and she wanted him to be aware of the perception that ADA Butler was in Judge Darnbrough's lobby too often [Sept. 29 Trans. 25:2-10, 26:1-4].³¹ Judge Darnbrough responded that nothing was going on between him and ADA Butler [Sept. 29 Trans. 26:11-13]. After this conversation, it seemed that ADA Butler spent less time in Judge Darnbrough's lobby [Sept. 29 Trans. 27:3-7]. Judge Darnbrough explained that "[e]verybody spent less time" in his lobby, not just ADA Butler [Oct. 23 Trans. 27:20].

²⁹ This is consistent with the investigatory notes [Ex. 37].

³⁰ See note 21, supra.

³¹ Judge Darnbrough recalled this conversation differently. According to him, Judge Lamarre warned Judge Darnbrough not to have ADA Butler in his lobby because "she's a pain . . . she shouldn't be in here. She's a pain." [Oct. 23 Trans. 27:5-7]. I credit Judge Lamarre's recollection of this conversation.

66. There is no evidence that Judge Darnbrough's lobby door was closed when ADA Butler -- or any attorney for that matter -- was there.³² In contrast, several disinterested witnesses testified that they never saw the door closed, including Judge Lamarre, Judge Harrington, and Ms. Amaral, all of whom I credit on this point [Sept. 29 Trans. 23:14-18, 82:21-23, 88:25-89:1]. In particular, Ms. Amaral's desk is positioned close to the First Justice's lobby [Sept. 29 Trans. 81:6-17], giving her perhaps the best vantage point to observe whether the lobby door was closed.

Judge Darnbrough exhibiting favoritism toward ADA Butler

67. Other than the anonymous letters, PO Kennedy-Mitchell is the only witness who testified that Judge Darnbrough showed a particular bias toward ADA Butler, would ask for ADA Butler's opinion over probation's recommendations, and would give ADA Butler more attention during Recovery Court meetings [Oct. 1 Trans. 118:1-7, 14-17, 18-20].³³ In contrast, neither

³² Notes from the Trial Court's investigation indicate that Chief Macedo stated that Judge Darnbrough's lobby door was often closed when ADA Butler was there [Ex. 47]. However, Chief Macedo testified that he does not "remember it ever being really one way or another. It could have been open; it could have been closed" [Oct. 1 Trans. 77:8-13].

³³ Somewhat inconsistently, PO Kennedy-Mitchell also testified that Judge Darnbrough did not show favoritism toward ADA Butler [Oct. 1 Trans. 118:8-13].

Mr. Dorman nor Attorney Waxler -- who was one of the defense attorneys on the Recovery Court Team -- noticed Judge Darnbrough favoring recommendations made by ADA Butler over other members of the Recovery Court Team or favoring ADA Butler in usual court sessions [Oct. 1 Trans. 102:19-22, 109:1-6].

68. Neither Probation Officer Melissa Cathcart nor Chief Macedo observed Judge Darnbrough favor ADA Butler or give harsher sentences to criminal defendants prosecuted by ADA Butler [Sept. 29 Trans. 75:11-18; Oct. 1 Trans. 78:21-79:6].³⁴ ADA McPherson did not believe that Judge Darnbrough gave harsher sentences to criminal defendants whom ADA Butler prosecuted [Oct. 1 Trans. 33:25-34:4].

69. In response to my production order, Judge Darnbrough provided numerous criminal dockets and filings from hearings that, ostensibly, show that he has ruled against ADA Butler in a number of cases: "There was one or two bench trials that were guilty. Everything else, you know, she lost." [Oct. 23 Trans. 81:18-19].

Judge Darnbrough's interactions with ADA Butler outside of court

70. There are four out-of-court interactions between Judge Darnbrough and ADA Butler that are referenced, directly or

³⁴ PO Cathcart's and Chief Macedo's testimony contradicts the statements attributed to them in the Trial Court investigation notes [Ex. 39, 47].

indirectly, in the anonymous letters: (1) going out for drinks after the McLaughlin Muse Mock Trial training program; (2) taking the Recovery Court Team out for dinner at Carmine's for the holidays; (3) attending ADA Butler's surprise 30th birthday party; and (4) meeting ADA Butler and ADA Jen Czapiga for drinks at the 222 bar.

71. The McLaughlin Muse Mock Trial training program was sponsored by the court and attended by numerous other participants beyond Judge Darnbrough and ADA Butler [Nov. 14 Trans. 74:25-75:14, 124:18-125:2]. There was no testimony that anything inappropriate occurred between Judge Darnbrough and ADA Butler when the participants went out for drinks.

72. Judge Darnbrough took all members of Recovery Court Team out for dinner and drinks around the Christmas holiday [Oct. 23 Trans. 8:23-9:1; Nov. 14 Trans. 76:11-21; Dec. 4 Trans. 51:6-11]. There was no testimony that anything inappropriate occurred between Judge Darnbrough and ADA Butler during the course of this dinner.

73. As to ADA Butler's surprise 30th birthday party, Judge Darnbrough testified to his "understanding" that "people from the recovery court were invited to go" [Oct. 23 Trans. 42:18-43:3], though he never testified that he himself was

invited.³⁵ Moreover, there is no evidence that any other judges were invited or attended; in fact, when Judge Darnbrough invited Judge Lamarre [Oct. 23 Trans. 43:10-17], she declined because she "wasn't a member of the recovery court" and she felt the invitation was inappropriate [Sept. 29 Trans. 27:23-24, 28:5-8]. There is no dispute that Judge Darnbrough did, in fact, attend, though he apparently never interacted with her and ADA Butler did not even know he was there [Oct. 23 Trans. 104:19-23; Nov. 14 Trans. 80:16-18].

74. There is no dispute that in May or June 2023, Judge Darnbrough, ADA Butler, and ADA Czapiga were at the 222 bar having drinks together after work [Nov. 14 Trans. 77:12-15].³⁶ Indeed, they were seen there by Court Officer Mark Johnson [Oct. 1 Trans. 86:14-24], who took a photograph of them sitting at the bar, [Sept. 29 Trans. 59:23-60-1], and sent it to Chief Court Officer Macedo [Oct. 1 Trans. 75:12-13, 89:10-20].³⁷

³⁵ In any event, there is no dispute that ADA Butler herself did not invite him [Nov. 14 Trans. 84:20-85:5].

³⁶ I reject Judge Darnbrough's view of the evidence that this interaction was tantamount to other attorneys and court staff having drinks after work hours [Darnbrough Br. 8-9]. Other witnesses made clear that judges rarely attended after hour drinks and, when they did, it was usually to celebrate a retirement by a member of the court staff [Dec. 4 Trans. 77:9-12].

³⁷ Both Officer Johnson and Chief Macedo deleted the photograph from their phones [Oct. 1 Trans. 75:16-22, 89:24-90:7].

Testimony from both Judge Darnbrough and ADA Butler bears out that he was not invited and, instead, that he showed up unexpectedly [Oct. 23 Trans. 44:19-23, 45:7-8; Nov. 14 Trans. 84:8-17].³⁸ Judge Darnbrough testified that

"Earlier in the day in a session when the session was done, I always thank people. Thank you for the hustle today. One thing or the other. It's a very, very busy court. I would thank everybody, and I think [ADA Butler] said something along the lines of, I'm meeting Jen [Czapiga] tonight, and I said, oh, where, and she said at this place, and I said, oh, maybe I'll pass by and see her. I wanted to see how Jen was doing."

Similarly, ADA Butler testified that she did not invite Judge Darnbrough to have drinks with her and ADA Czapiga [Nov. 14 Trans. 84:8-17].³⁹

75. Although it is surprising that Judge Darnbrough would attend ADA Butler's surprise birthday party or go out for drinks -- uninvited -- with ADA Butler and another assistant district attorney, these two instances are not sufficient on their own to establish that ADA Butler and Judge Darnbrough were engaged in a romantic, emotional, or sexual relationship -- especially where ADA Butler did not invite Judge Darnbrough in

³⁸ Although Judge Darnbrough was not invited, ADA Butler testified that she was not surprised when he showed up at the 222 bar [Nov. 14 Trans. 84:18-19].

³⁹ In his posthearing brief, Judge Darnbrough argues that "his sole goal was to see and speak with Ms. Czapiga, not ADA Butler, who was also present [Darnbrough Br. 8]." However, Judge Darnbrough did not testify that this was his sole goal.

either instance, and she was not even aware that he attended her birthday party.

ULTIMATE FINDINGS

Based on the above subsidiary findings, I find that:

1. Judge Darnbrough and ADA Butler did not engage in a romantic, emotional, sexual, or otherwise inappropriate relationship.

2. There was nothing improper about ADA Butler being present in Judge Darnbrough's lobby, including the timing, length, and frequency. The door was always open.

3. Judge Darnbrough did not intentionally assign himself to court sessions in which ADA Butler was prosecuting cases.

4. Judge Darnbrough and ADA Butler did not coordinate or otherwise communicate about cases that had yet to be tried.

5. Judge Darnbrough did not exhibit bias or favoritism toward ADA Butler.

/s/ Ernest L. Sarason, Jr.
Hon. Ernest L. Sarason, Jr. (ret.)
Special Master

Appendix A: Witness List (in order of appearance)

Cheryl Latimer

Hon. Teresa F. Lamarre

Margaret Peterson Pinkham

Clerk Magistrate Peter J. Thomas

Melissa Cathcart

Lisa Amaral

Hon. Joseph P. Harrington

Kyle McPherson

Ellen Shapiro

Douglas Macedo

Mark Johnson

Eric Dorman

Heather Kennedy-Mitchell

Hon. Douglas Darnbrough

Tara George

Karlyn Butler

Frank Ribeiro

John Flor

Craig Fries

Jeremy Waxler

Patrick Mullen

Appendix B: Exhibit List

<u>Number</u>	<u>Document</u>
1	Anonymous Letter to Councilman Iannella (undated)
2	Anonymous Letter to Atty Dan Mcolgan (post marked Sept. 15, 2023)
3	Anonymous Letter to Atty Patrick Mullen (post marked September 15, 2023)
4	Anonymous Letter to Dana Sargent (undated)
5	First Anonymous Letter to Atty James McKenna
6	Second Anonymous Letter to Atty James McKenna (received May 14, 2025)
7	Anonymous Letter and Picture to Melissa Cathcart
8	Anonymous Letter to Christopher Furtado (postmarked April 27, 2018)
9	Anonymous Letter to Christopher Furtado (undated)
10	Anonymous Letter to ADA Butler (post marked February 3, 2018)
11	Anonymous Letter to ADA Butler (post marked March 29, 2018)
12	Anonymous Letter to Michael Frates (postmarked June 17, 2022)
13	Anonymous Letter to Michael Frates (date unknown; believed to be 2023)
14	Anonymous Letter to Michael Frates (postmarked May 11, 2023)
15	Anonymous Letter to Office of Bar Counsel (postmarked January 8, 2024)
16	Anonymous Letter to the Bristol County District Attorney (postmarked September 18, 2023)

17	Anonymous Letter to Laurie Gordon (postmarked July 30, 2015)
18	Anonymous Letter to Laurie Gordon (postmarked July 17, 2015)
19	Anonymous Letter to Laurie Gordon and photograph (postmarked July 30, 2015)
20	Anonymous Letter to Laurie Gordon (postmarked October 13, 2015)
21	Anonymous Letter to Julie Biardi and Valentine's card (postmarked August 14, 2017)
22	Anonymous Letter to Melissa Cathcart Gordon (postmarked July 28, 2021)
23	Anonymous Letter to Taylor Gordon (postmarked February 27, 2018)
24	Anonymous Letter to David Abbot (postmarked February 18 2023)
25	Anonymous Letter of Chief Justice Fortes (received September 20, 2023)
26	Expert Report of Steven Verronneau (phone extraction)
27	Expert Report of Donnie Tennant (phone extraction)
28	Trial Court's Letter to Douglas Darnbrough (October 10, 2023)
29	Margaret Pinkham Peterson's Notes
30	Calendar of Judicial Assignments, March 2023
31	Calendar of Judicial Assignments, April 2023
32	Calendar of Judicial Assignments, May 2023
33	Calendar of Judicial Assignments, June 2023
34	Calendar of Judicial Assignments, July 2023
35	Calendar of Judicial Assignments, August 2023

36	Deputy Court Administrator (ret.) Ellen Shapiro's notes
37	Interview Notes of Judicial Secretary Lisa Amaral
38	Interview Notes of ADA Butler
39	Interview Notes of Probation Officer Melissa Cathcart
40	Interview Notes of Judge Darnbrough
41	Second Interview Notes of Judge Darnbrough
42	Interview Notes of Specialty Court Coordinator Eric Dorman
43	Interview Notes of Court Officer Mark Johnson
44	Interview Notes of Probation Officer Heather Kennedy-Mitchell
45	Interview Notes of Judge Therese Lamarre
46	Interview Notes of Case Specialist Cheryl Lattimore
47	Interview Notes of Chief Court Officer Douglas Macedo
48	Affidavit of Margaret A. Peterson Pinkham
49	Judge Darnbrough's Employee Exit Transaction Form
50	Trial Court Standing Order 1-16
51	Docket for 2033-CR-001342
52	Docket for 1933-CR-003842
53	Docket for 1633-CR-001210
54	Docket for 1033-CR-03071
55	Sentencing Commission Master Crime List
56	Typed Judicial Calendars June 2023
57	Print out of Baseball Prospect Clinic Flier
58	Medical Services Payment Detail
59	Printout of Haircut Appointment

60	November 3, 2023 Letter of Resignation
61	November 9, 2023 Revised Letter of Resignation
62	Intervenor Douglas Darnbrough's Analysis
63	Unredacted November 3, 2023 Letter of Resignation
64	Unredacted November 9, 2023 Revised Letter of Resignation
65	Redacted Dartmouth Police Department Reports
66	Commonwealth v. Lopez Criminal Docket
67	January 18, 2024, Letter from Commission on Judicial Conduct
68	April 7, 2025 Letter from the Board of Bar Overseers
69	Various Criminal Dockets and filings
70	Judge Darnbrough's Analysis