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Supreme Judicial Court of Massachusetts
Docket for Case #: SJC-12276

COMMONWEALTH vs. SREYNUON LUNN

Date Filed: Feb 8, 2017
Status: Argued, under advisement
Assigned to: Gants, C.J., Lenk, Hines, Gaziano, Lowy, Budd, Cypher, JJ.
Case Type: Criminal
Entry Date: Feb 8, 2017
Lower Court: SJC for Suffolk County
Lower Ct Judge: Michael J. Coyne, J.
Nature: Superintendence, c211, s3
Status Date: Apr 4, 2017

Parties and Attorneys

Plaintiff/Appellee Commonwealth

Representation Jessica V. Barnett , A.A.G.

John P. Zanini , A.D.A.

Defendant/Appellant Sreynuon Lunn

Representation Emma C. Winger , Esquire

Alyssa Hackett , Esquire

Mark Fleming , Pro Hac Vice Attorney

Intervener Suffolk County Sheriff

Representation Allen H. Forbes , General Counsel

Jessica V. Barnett , Esquire

Amicus Bristol County Bar Advocates, In

Representation Kirsten Valerie Mayer , Esquire

Kim Nemirow , Esquire

Matthew Segal , Esquire

Jessie J. Rossman , Esquire

Carlton Williams , Esquire

Laura Murray-Tjan , Esquire

Omar C. Jadwat , Pro Hac Vice Attorney

Cody H. Wofsy , Pro Hac Vice Attorney

Spencer E. Amdur , Pro Hac Vice Attorney

Amicus

Massachusetts Association of Cri

Amicus	Pilgrim Advocates, Inc.	
Amicus	Suffolk Lawyers for Justice, Inc	
Amicus	Harvard Immigration and Refugee	
Representation	Philip L. Torrey , Esquire	Mark C. Fleming , Esquire
	Laila Ameri , Esquire	
Amicus	Immigration Legal Academics	
Representation	Christopher N. Lasch , Foreign Practitioner	
Amicus	Boston University School of Law	
Representation	Karen Judith Pita Loor , Esquire	
Out-of-state counsel for amicus	Omar C. Jadwat	
Out-of-state counsel for amicus	Cody H. Wofsy	
Out-of-state counsel for amicus	Spencer E. Amdur	
Amicus	The United States	
Representation	Joshua Press , Pro Hac Vice Attorney	Joseph Darrow , Pro Hac Vice Attorney
	Erez Reuveni , Pro Hac Vice Attorney	
Pro Se Amicus	Lisa Jacobs	

Docket Entries

Entry #	Filing Date	Description
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BL-1	Feb 8, 2017	ANNOUNCEMENT: The Justices are soliciting amicus briefs. 1. Whether a State court in Massachusetts has the authority temporarily to hold an individual, or otherwise order or arrange for him to be held, solely on the basis of a so-called ICE detainer, after the criminal charges against him have been dismissed (or after he has posted bail or been ordered released on personal recognizance). 2. Whether the detention of an individual pursuant to an ICE detainer that was issued without a prior determination of probable cause by a neutral magistrate, and without there having been an opportunity for the individual to challenge the issuance of the detainer, violates the individual's Federal and State constitutional rights. 3. Whether, as a matter of Federal law, a State court is required to comply with an ICE detainer; if not, in what circumstances can a court comply with the detainer voluntarily without violating the individual's Federal and State constitutional rights. (Amicus briefs due on or before March 10, 2017).
BL-2	Feb 8, 2017	Entered. Notice to counsel.
BL-3	Feb 8, 2017	ORDERED for argument on March 15. Notice sent. (The order for argument is VACATED)
BL-4	Feb 15, 2017	APPEARANCE of Emma C. Winger, Esquire for Sreynuon Lunn.
BL-5	Feb 16, 2017	MOTION for admission pro hac vice, filed for Mark Fleming by Emma C. Winger, Esquire. (ALLOWED)
BL-6	Feb 16, 2017	ORDER: Argument in this matter is continued to April 4, 2017. The brief for appellant is due on or before March 3, 2017; the brief for appellee is due on or before March 20, 2017. Briefs of amici shall be filed on or before March 20, 2017. By the Court.
BL-7	Feb 16, 2017	ORDERED for Argument on April 4, 2017.
BL-8	Feb 17, 2017	MOTION TO INTERVENE filed by the Suffolk County Sheriff by Allen H. Forbes, General Counsel. (ALLOWED)
BL-9	Feb 23, 2017	MOTION TO INTERVENE filed for Bristol County Bar Advocates, Inc. & others by Kirsten Valerie Mayer, Kim Nemirow, Matthew Segal, Jessie Rossman, Laura Murray-Tjan. (The motion to intervene is denied. The proposed interveners may file a brief as amici curiae. Any motion by these or any other amici to participate in oral argument will be considered in due course, after all briefs have been filed. By the Court.)
BL-10	Feb 24, 2017	APPEARANCE of Jessica V. Barnett, A.A.G. for the Commonwealth and for the Intervener Suffolk County Sheriff.
BL-11	Mar 2, 2017	SERVICE of brief & appendix for Defendant/Appellant Sreynuon Lunn by Emma C. Winger.
BL-12	Mar 6, 2017	Copy of amended docket from Boston Municipal Court.
BL-13	Mar 10, 2017	LETTER from Erez Reuveni, Senior Litigation Counsel, US Department of Justice. (Referred to the Quorum)
BL-14	Mar 20, 2017	MOTION for Admission Pro Hac Vice filed by Cody H. Wofsy. (ALLOWED)
BL-15	Mar 20, 2017	MOTION for Admission Pro Hac Vice filed by Spencer E. Amdur. (ALLOWED)
BL-16	Mar 20, 2017	MOTION for Admissions Pro Hac Vice filed by Omar C. Jadwat. (ALLOWED)
BL-17	Mar 20, 2017	SERVICE of amicus brief for Amicus Boston University School of Law Criminal Clinic Defenders by Karen Judith Pita Loor.
BL-18	Mar 20, 2017	SERVICE of amicus brief for Amicus Bristol County Bar Advocates, Inc. & others by Matthew Segal.
BL-19	Mar 20, 2017	SERVICE of amicus brief for Amicus Harvard Immigration and Refugee Clinical Program by Philip L. Torrey, Mark Fleming, Laila Ameri.
BL-20	Mar 20, 2017	SERVICE of amicus brief for Amicus Immigration Legal Academics by Christopher N. Lasch (O).
BL-21	Mar 20, 2017	SERVICE of brief for Plaintiff/Appellee/Intervener Commonwealth and Suffolk County Sheriff by Jessica V. Barnett, Allen Forbes, Sara Colb.
BL-22	Mar 24, 2017	MOTION to allow amici curiae to participate in oral argument, filed for Bristol County Bar Advocates, Inc. & others by Kirsten Valerie Mayer, Esquire. (see no. 27)

BL-23	Mar 27, 2017	JOINT MOTION to Supplement the Record Appendix filed for Commonwealth by Jessica V. Barnett, A.A.G. (ALLOWED)
BL-24	Mar 27, 2017	SERVICE of amicus brief for The United States by Chad A. Readler, Erez Reuveni, William C. Peachey, Joshua S. Press and Joseph A. Darrow.
BL-25	Mar 27, 2017	Supplement to Statement of Agreed Facts filed by the parties. (Distributed to quorum)
BL-26	Mar 29, 2017	MOTION to participate in oral argument, filed for The United States by Joshua Press (O), Esquire. (see no. 27)
BL-27	Mar 31, 2017	ORDER: The request of the United States to file its brief as an amicus curiae on March 27, 2017, is hereby allowed. The request of the United States to participate in oral argument is also allowed. The request of the amici, Bristol County Bar Advocates & others, to participate in oral argument is denied. The order of the oral argument will be as follows. The defendant, as appellant, will argue first and will have fifteen minutes. The United States will argue second and will have fifteen minutes. The Attorney General, in behalf of the appellees, the Commonwealth and the Suffolk County Sheriff, will argue last and will have fifteen minutes. By the Court
BL-28	Apr 4, 2017	Oral argument held. (Gants, C.J., Lenk, J., Hines, J., Gaziano, J., Lowy, J., Budd, J., Cypher, J.).
BL-29	Apr 5, 2017	LETTER from Bristol County Bar Advocates, Inc. & others Matthew Segal, Esquire.
BL-30	Apr 7, 2017	SUPPLEMENTAL CITATION filed for Bristol County Bar Advocates, Inc. & others by Kirsten Valerie Mayer, Esquire. (Distributed to Quorum)
BL-31	Apr 12, 2017	(Fax copy) Letter from Atty. Emma Winger to request a CD of oral argument. (CD sent)
BL-32	Apr 13, 2017	MOTION to reply to new matter raised at argument by the Commonwealth, filed for The United States by Erez Reuveni (O), Esquire. (The motion of the United States, as amicus, pursuant to Mass. R. A. P. 22 (c) is allowed. The parties, the petitioner and the Commonwealth, may also reply briefly in writing, if they wish, to the arguments made by the United States in its brief and in its letter. Replies by the parties shall not exceed five single-spaced pages and must be filed within ten days of the date of this order. By the Court)
BL-33	Apr 13, 2017	POST-ARGUMENT LETTER from the United States in response to oral argument. (Distributed to Quorum)
BL-34	Apr 13, 2017	SUPPLEMENTAL CITATION filed for Commonwealth by Jessica V. Barnett, A.A.G.. (Distributed to Quorum)
BL-35	Apr 18, 2017	MOTION TO FILE AMICUS BRIEF LATE, filed for Lisa Jacobs, Pro Se. (The motion to file late is referred to the quorum. The amicus brief may be filed by May 19, 2017)
BL-36	Apr 18, 2017	OPPOSITION to The United States' Motion to reply in writing to issues raised at oral argument, filed by Sreynuon Lunn. (Distributed to Quorum)

This does not constitute the official record of the court. The information is provided "as is" and may be subject to errors or omissions.