

Table of Cases

1

133 West Main Street Realty, LLC v. Kimball, 105 Mass. App. Ct. 295, 252 N.E.3d 485 (2025)—15.5, 15.6
14, 913 N.E. 2d—63.11

7

75 Arlington St., Inc. v. Strathmore Insurance Company, 104 Mass. App. Ct. 197, 234 N.E.3d 997 (2024)—2.4

A

Aaron v. Boston Redevelopment Authority, 66 Mass. App. Ct. 804, 850 N.E.2d 1105 (2006)—48.14
Abagis, Matter of, 386 Mass. 1001, 435 N.E.2d 1042 (1982)—66.12
Abate v. Fremont Inv. & Loan, 470 Mass. 821, 26 N.E.3d 695 (2015)—48.5
Abbott v. Virusso, 450 Mass. 1031, 881 N.E.2d 133 (2008)—55.16
Abbott v. Virusso, 68 Mass. App. Ct. 326, 862 N.E.2d 52 (2007)—55.16
Abbott, In re, 437 Mass. 384, 772 N.E.2d 543 (2002)—66.1, 66.4
Abbott A. v. Commonwealth, 458 Mass. 24, 933 N.E.2d 936 (2010)—53.83, 53.84
Abby, In re Adoption of, 62 Mass. App. Ct. 816, 821 N.E.2d 490 (2005)—62.4
Abdulky v. Lubin & Meyer, P.C., 102 Mass. App. Ct. 441, 205 N.E.3d 381 (2023)—39.4, 60.57
Abdullah v. Secretary of Public Safety, 447 Mass. 1009, 851 N.E.2d 1076 (2006)—52.5
Abegglen v. Abegglen, 64 Mass. App.

Ct. 590, 834 N.E.2d 764 (2005)—55.15

Abner A. v. Massachusetts Interscholastic Athletic Association, 490 Mass. 538, 192 N.E.3d 1066, 407 Ed. Law Rep. 235 (2022)—47.7, 59.5

Abraham-Copley Square Ltd. Partnership v. Badaoui, 72 Mass. App. Ct. 339, 891 N.E.2d 699 (2008)—2.45

Abrahamson v. Estate of LeBold, 89 Mass. App. Ct. 223, 47 N.E.3d 686 (2016)—2.74

Abrams, In re, 436 Mass. 650, 767 N.E.2d 15 (2002)—66.1

Abuzahra v. City of Cambridge, 486 Mass. 818, 162 N.E.3d 653 (2021)—50.3

Ackerman v. Com., 445 Mass. 1025, 840 N.E.2d 933 (2006)—52.5

Adams v. Congress Auto Ins. Agency, Inc., 90 Mass. App. Ct. 761, 65 N.E.3d 1229 (2016)—18.2

Adams v. Schneider Electric USA, 492 Mass. 271, 210 N.E.3d 917 (2023)—28.2, 60.57

Adams v. Whitman, 62 Mass. App. Ct. 850, 822 N.E.2d 727 (2005)—60.39

Adjartey v. Central Division of Housing Court Department, 481 Mass. 830, 120 N.E.3d 297 (2019)—51.1

Adlakha v. Adlakha, 65 Mass. App. Ct. 860, 844 N.E.2d 700 (2006)—55.15

Advanced Technology Corp., Inc. v. Instron, Inc., 66 F. Supp. 3d 263 (D. Mass. 2014)—43.10

Afarian v. Massachusetts Elec. Co., 449 Mass. 257, 866 N.E.2d 901

PRIMA FACIE CASE—PROOF AND DEFENSE

- (2007)—18.2
- Aguilar v. Hernandez-Mendez*, 66 Mass. App. Ct. 367, 848 N.E.2d 779 (2006)—53.22
- A.H. v. M.P.*, 447 Mass. 828, 857 N.E.2d 1061 (2006)—55.2
- Ahmed-Kagzi v. Williams*, 479 Mass. 1027, 96 N.E.3d 704 (2018)—51.11
- Aids Support Group of Cape Cod, Inc. v. Town of Barnstable*, 477 Mass. 296, 76 N.E.3d 969 (2017)—53.31
- Aiello v. Aiello*, 447 Mass. 388, 852 N.E.2d 68 (2006)—2.74
- Aiello v. Aiello*, 63 Mass. App. Ct. 914, 829 N.E.2d 656 (2005)—61.25
- Aiello v. Planning Board of Braintree*, 91 Mass. App. Ct. 354, 75 N.E.3d 622 (2017)—65.7
- Aimtek, Inc. v. Norton Co.*, 69 Mass. App. Ct. 660, 870 N.E.2d 1114 (2007)—16.12
- Ajemian v. Yahoo!, Inc.*, 478 Mass. 169, 84 N.E.3d 766 (2017)—2.2, 2.62
- Ajemian v. Yahoo!, Inc.*, 83 Mass. App. Ct. 565, 987 N.E.2d 604 (2013)—2.62, 2.74
- Akar v. Federal Nat. Mortg. Ass'n*, 845 F. Supp. 2d 381 (D. Mass. 2012)—15.3
- Akinci-Unal v. Unal*, 64 Mass. App. Ct. 212, 832 N.E.2d 1 (2005)—60.26
- Alba v. Raytheon Co.*, 441 Mass. 836, 809 N.E.2d 516 (2004)—2.72
- Alberti v. Alberti*, 104 Mass. App. Ct. 235, 235 N.E.3d 943 (2024)—60.57
- Aldrich v. Com.*, 446 Mass. 1001, 842 N.E.2d 908 (2006)—52.5
- Aleo v. SLB Toys USA, Inc.*, 466 Mass. 398, 995 N.E.2d 740 (2013)—18.3, 21.12
- Alfeo v. Dinsmore*, 68 Mass. App. Ct. 249, 861 N.E.2d 491 (2007)—10.21
- Alharbi v. Beck*, 103 F. Supp. 3d 166 (D. Mass. 2015)—43.8
- Alharbi v. Beck*, 62 F. Supp. 3d 202 (D. Mass. 2014)—43.6
- Allen v. Allen*, 86 Mass. App. Ct. 295, 16 N.E.3d 1078 (2014)—59.54
- Allen, Matter of*, 400 Mass. 417, 509 N.E.2d 1158 (1987)—66.13
- Allmerica Financial Corp. v. Certain Underwriters at Lloyd's, London*, 449 Mass. 621, 871 N.E.2d 418 (2007)—2.4
- Alphas Co., Inc. v. Kilduff*, 72 Mass. App. Ct. 104, 888 N.E.2d 1003 (2008)—60.16
- A.L. Prime Energy Consultant, Inc. v. Massachusetts Bay Transportation Authority*, 479 Mass. 419, 95 N.E.3d 547 (2018)—2.1, 2.51
- Alsabti v. Board of Registration In Medicine*, 404 Mass. 547, 536 N.E.2d 357 (1989)—66.15
- Altria Group, Inc. v. Good*, 555 U.S. 70, 129 S. Ct. 538, 172 L. Ed. 2d 398 (2008)—25.17
- Alves v. Cohan*, 102 Mass. App. Ct. 1116, 209 N.E.3d 73 (2023)—2.79, 39.24
- Amalie, In re Care and Protection of*, 69 Mass. App. Ct. 813, 872 N.E.2d 741 (2007)—62.4
- Amaral v. Cuppels*, 64 Mass. App. Ct. 85, 831 N.E.2d 915 (2005)—32.1
- Amaral v. Seekonk Grand Prix Corp.*, 89 Mass. App. Ct. 1, 44 N.E.3d 145 (2016)—17.10
- Amberwood Development Corp. v. Board of Appeals of Boxford*, 65 Mass. App. Ct. 205, 837 N.E.2d 1161 (2005)—48.12
- American Commercial Finance Corp. v. Seneca Ins. Co.*, 66 Mass. App. Ct. 830, 850 N.E.2d 1114 (2006)—2.4
- American Exp. Co. v. Italian Colors Restaurant*, 570 U.S. 228, 133 S. Ct. 2304, 186 L. Ed. 2d 417

TABLE OF CASES

- (2013)—2.45
- American Home Assur. Co. v. First Specialty Ins. Corp., 73 Mass. App. Ct. 1, 894 N.E.2d 1167 (2008)—2.4, 19.7
- American Intern. Ins. Co. v. Robert Seuffer GMBH & Co. KG, 468 Mass. 109, 9 N.E.3d 289 (2014)—60.26
- Ameripride Linen & Apparel Services, Inc. v. Eat Well, Inc., 65 Mass. App. Ct. 63, 836 N.E.2d 1116 (2005)—15.6
- a Minor, In re Adoption of, 471 Mass. 373, 29 N.E.3d 830 (2015)—62.4
- Analog Technologies, Inc. v. Analog Devices, Inc., 105 F.4th 13 (1st Cir. 2024)—2.2
- an Attorney, In re Discipline of, 451 Mass. 131, 884 N.E.2d 450 (2008)—66.6
- Andersen v. Lopez, 80 Mass. App. Ct. 813, 957 N.E.2d 726 (2011)—17.33
- Anderson v. Attar, 65 Mass. App. Ct. 910, 841 N.E.2d 1286 (2006)—39.12
- Anderson v. De Vries, 326 Mass. 127, 93 N.E.2d 251 (1950)—59.165
- Anderson v. Fox Hill Village Homeowners Corp., 424 Mass. 365, 676 N.E.2d 821 (1997)—17.6
- Anderson v. National Union Fire Insurance Company of Pittsburgh PA, 476 Mass. 377, 67 N.E.3d 1232 (2017)—15.6
- Anderson, Matter of, 416 Mass. 521, 624 N.E.2d 538 (1993)—66.6, 66.12
- Andover Housing Authority v. Shkolnik, 443 Mass. 300, 820 N.E.2d 815 (2005)—28.3
- Andrade v. City of Somerville., 92 Mass. App. Ct. 425, 87 N.E.3d 108 (2017)—17.10
- Andre v. Maguire, 305 Mass. 515, 26 N.E.2d 347 (1940)—4.2, 4.4
- Andrews v. Town of Amherst, 68 Mass. App. Ct. 365, 862 N.E.2d 65 (2007)—59.324
- Andrews v. Division of Medical Assistance, 68 Mass. App. Ct. 228, 861 N.E.2d 483 (2007)—4.8
- Angela, In re, 445 Mass. 55, 833 N.E.2d 575 (2005)—62.3
- AngioDynamics, Inc. v. Biolitec AG, 910 F. Supp. 2d 346 (D. Mass. 2012)—8.3
- AngioDynamics, Inc. v. Biolitec, Inc., 2011 WL 3157312 (D. Mass. 2011)—8.3
- an Impounded Case, Matter of, 491 Mass. 109, 199 N.E.3d 435 (2022)—60.78
- Anketell v. Office of Consumer Affairs and Business Regulation, 101 Mass. App. Ct. 628, 195 N.E.3d 464 (2022)—15.1, 29.3, 29.5
- Ansin v. Craven-Ansin, 457 Mass. 283, 929 N.E.2d 955 (2010)—2.62, 55.15
- Anthony's Pier Four, Inc. v. HBC Associates, 411 Mass. 451, 583 N.E.2d 806 (1991)—10.12
- Anton, In re Adoption of, 72 Mass. App. Ct. 667, 893 N.E.2d 436 (2008)—62.4
- Anzalone v. Administrative Office of Trial Court, 457 Mass. 647, 932 N.E.2d 774 (2010)—2.12, 47.9
- A.P. v. M.T., 92 Mass. App. Ct. 156, 84 N.E.3d 35 (2017)—53.22.50
- Appleby v. Daily Hampshire Gazette, 395 Mass. 32, 478 N.E.2d 721 (1985)—43.21
- Apthorp v. OneBeacon Ins. Group, LLC, 78 Mass. App. Ct. 115, 935 N.E.2d 365 (2010)—47.10
- Archer v. Grubhub, Inc., 490 Mass. 352, 190 N.E.3d 1024 (2022)—2.45
- Arcidi v. National Ass'n of Government

PRIMA FACIE CASE—PROOF AND DEFENSE

- Employees, Inc., 447 Mass. 616, 856 N.E.2d 167 (2006)—2.55
- Arianne, Adoption of, 104 Mass. App. Ct. 716, 241 N.E.3d 761 (2024)—62.3
- Ariel v. Town of Kingston, 69 Mass. App. Ct. 290, 867 N.E.2d 367 (2007)—17.10
- Armstrong v. Secretary of Energy and Environmental Affairs, 490 Mass. 243, 189 N.E.3d 1212 (2022)—35.2, 59.268
- Aroesty v. Cohen, 62 Mass. App. Ct. 215, 815 N.E.2d 639 (2004)—63.2, 63.3
- Aronoff v. Board of Registration in Medicine, 420 Mass. 830, 652 N.E.2d 594 (1995)—66.16
- Arthurs v. Board of Registration in Medicine, 383 Mass. 299, 418 N.E.2d 1236, 22 A.L.R.4th 651 (1981)—66.17
- Ashe v. Shawmut Woodworking & Supply, Inc., 489 Mass. 529, 184 N.E.3d 1262 (2022)—18.15, 60.20
- Aspinall v. Philip Morris Companies, Inc., 442 Mass. 381, 813 N.E.2d 476 (2004)—15.1, 15.2, 15.6
- Aspinall v. Philip Morris, Inc., 453 Mass. 431, 902 N.E.2d 421 (2009)—25.17
- Astra USA, Inc. v. Bildman, 455 Mass. 116, 914 N.E.2d 36 (2009)—43.26
- A.T. v. C.R., 88 Mass. App. Ct. 532, 39 N.E.3d 744, 323 Ed. Law Rep. 446 (2015)—53.22.50
- Atlas Metals Products Co., Inc. v. Lumbermans Mut. Cas. Co., 63 Mass. App. Ct. 738, 829 N.E.2d 257 (2005)—2.4
- Attorney General v. Dime Sav. Bank of New York, FSB, 413 Mass. 284, 596 N.E.2d 1013 (1992)—32.2
- Attorney General v. Kenco Optics, Inc., 369 Mass. 412, 340 N.E.2d 868 (1976)—60.31
- Audette v. Com., 63 Mass. App. Ct. 727, 829 N.E.2d 248 (2005)—17.10, 45.4
- Audoire v. Clients' Security Bd., 450 Mass. 388, 879 N.E.2d 52 (2008)—66.10
- Audubon Hill South Condominium Ass'n v. Community Ass'n Underwriters of America, Inc., 82 Mass. App. Ct. 461, 975 N.E.2d 458 (2012)—60.11
- Austin v. Austin, 445 Mass. 601, 839 N.E.2d 837 (2005)—55.15
- Austin v. Austin, 62 Mass. App. Ct. 719, 819 N.E.2d 623 (2004)—55.15
- Auto Flat Car Crushers, Inc. v. Hanover Ins. Co., 469 Mass. 813, 17 N.E.3d 1066 (2014)—15.4
- Avelino-Wright v. Wright, 51 Mass. App. Ct. 1, 742 N.E.2d 578 (2001)—66.5, 66.10
- Awad v. Fisher College, 448 Mass. 1013, 862 N.E.2d 11 (2007)—52.5
- Ayash v. Dana-Farber Cancer Institute, 443 Mass. 367, 822 N.E.2d 667 (2005)—2.29, 17.29, 43.9, 63.3
- Aylward v. McCloskey, 412 Mass. 77, 587 N.E.2d 228 (1992)—23.16
- Azubuko v. Com., 448 Mass. 1033, 863 N.E.2d 1275 (2007)—52.5

B

- Babaletos v. Demoulas Super Markets, Inc., 493 Mass. 460, 225 N.E.3d 827 (2024)—64.4
- Bagley v. Monticello Ins. Co., 430 Mass. 454, 720 N.E.2d 813 (1999)—2.4
- Bailey v. Cataldo Ambulance Service, Inc., 64 Mass. App. Ct. 228, 832 N.E.2d 12 (2005)—19.34
- Bailey v. U.S., 568 U.S. 186, 133 S. Ct. 1031, 185 L. Ed. 2d 19 (2013)—53.105
- Bailey, In re, 439 Mass. 134, 786

TABLE OF CASES

- N.E.2d 337 (2003)—66.1, 66.11, 66.12
- Bak v. Bak, 24 Mass. App. Ct. 608, 511 N.E.2d 625 (1987)—55.1
- Baker v. Parsons, 434 Mass. 543, 750 N.E.2d 953 (2001)—60.39
- Baldyga v. Dudley Div. of the Dist. Court Dept., 449 Mass. 1012, 867 N.E.2d 321 (2007)—52.5
- Balistreri v. Balistreri, 93 Mass. App. Ct. 515, 106 N.E.3d 693 (2018)—55.15.50
- Ballard v. Com., 450 Mass. 1013, 877 N.E.2d 553 (2007)—52.5
- Balliro, In re, 453 Mass. 75, 899 N.E.2d 794 (2009)—66.4
- Banaghan v. Dewey, 340 Mass. 73, 162 N.E.2d 807 (1959)—17.6
- Bank v. Thermo Elemental Inc., 451 Mass. 638, 888 N.E.2d 897 (2008)—61.1
- Bank of America, N.A. v. Rosa, 466 Mass. 613, 999 N.E.2d 1080 (2013)—51.1
- Bank of America, N.A. v. Sweeney, 450 Mass. 1006, 876 N.E.2d 840 (2007)—47.8
- Bank of New York v. Bailey, 460 Mass. 327, 951 N.E.2d 331 (2011)—51.1
- Barboza v. McLeod, 447 Mass. 468, 853 N.E.2d 192 (2006)—58.5, 59.5
- Barbuto v. Advantage Sales and Marketing, LLC, 477 Mass. 456, 78 N.E.3d 37 (2017)—28.3
- Bar Counsel v. Farber, 464 Mass. 784, 985 N.E.2d 1155 (2013)—43.25, 66.1
- Barker v. Barker, 447 Mass. 1012, 853 N.E.2d 1057 (2006)—47.8
- Barlow v. Planning Bd. of Wayland, 64 Mass. App. Ct. 314, 832 N.E.2d 1161 (2005)—65.2
- Barrasso v. Hillview West Condominium Trust, 74 Mass. App. Ct. 135, 904 N.E.2d 778 (2009)—24.7
- Barrett, In re, 447 Mass. 453, 852 N.E.2d 660 (2006)—66.1, 66.9
- Barron v. Kolenda, 491 Mass. 408, 203 N.E.3d 1125 (2023)—28.10, 47.9, 59.57
- Barron Chiropractic & Rehabilitation, P.C. v. Norfolk & Dedham Group, 469 Mass. 800, 17 N.E.3d 1056 (2014)—15.4, 19.2
- Barry v. Com., 390 Mass. 285, 455 N.E.2d 437 (1983)—53.124
- Bartle v. Berry, 80 Mass. App. Ct. 372, 953 N.E.2d 243 (2011)—26.2, 26.4, 30.1
- Bartlett, In re, 442 Mass. 1021, 813 N.E.2d 841 (2004)—66.1, 66.2
- Basis Technology Corp. v. Amazon.com, Inc., 71 Mass. App. Ct. 29, 878 N.E.2d 952 (2008)—2.5, 2.87
- Bask, Inc. v. Municipal Council of Taunton, 490 Mass. 312, 190 N.E.3d 1016 (2022)—48.13, 59.325, 65.7
- Bassichis v. Flores, 490 Mass. 143, 189 N.E.3d 640 (2022)—29.11, 59.185, 60.38
- Bateman v. Com., 449 Mass. 1024, 868 N.E.2d 606 (2007)—52.5
- Battle v. Howard, 489 Mass. 480, 185 N.E.3d 1 (2022)—47.4, 59.210
- Bayless v. TTS Trio Corp., 474 Mass. 215, 49 N.E.3d 217 (2016)—19.18
- B.B.V. v. B.S.V, 68 Mass. App. Ct. 12, 859 N.E.2d 448 (2006)—55.16
- B.C. v. F.C., 90 Mass. App. Ct. 345, 59 N.E.3d 414 (2016)—53.22.75
- Beach v. Commerce Ins. Co., 69 Mass. App. Ct. 720, 871 N.E.2d 1080 (2007)—15.8
- Beal Bank, SSB v. Eurich, 448 Mass. 9, 858 N.E.2d 722 (2006)—19.35, 61.5
- Beal Bank, SSB v. Eurich, 444 Mass. 813, 831 N.E.2d 909 (2005)—19.35
- Beals v. Commercial Union Ins. Co.,

PRIMA FACIE CASE—PROOF AND DEFENSE

- 61 Mass. App. Ct. 189, 808 N.E.2d 824 (2004)—19.23
- Beaupre v. Cliff Smith & Associates, 50 Mass. App. Ct. 480, 738 N.E.2d 753 (2000)—28.1
- Beauregard, In re Estate of, 456 Mass. 161, 921 N.E.2d 954 (2010)—58.13, 59.306
- Bedford, Town of v. Cerasuolo, 62 Mass.App.Ct. 73, 814 N.E.2d 1162 (2004)—59.165
- Bednark v. Catania Hospitality Group, Inc., 78 Mass. App. Ct. 806, 942 N.E.2d 1007 (2011)—53.74.50
- Bednarz v. Bednarz, 27 Mass. App. Ct. 668, 542 N.E.2d 300 (1989)—40.6
- Bell v. Wolfish, 441 U.S. 520, 99 S. Ct. 1861, 60 L. Ed. 2d 447 (1979)—53.105
- Bellalta v. Zoning Board of Appeals of Brookline, 481 Mass. 372, 116 N.E.3d 17 (2019)—65.1
- Bellantini v. Boston Public Health Com'n, 70 Mass. App. Ct. 401, 874 N.E.2d 439 (2007)—17.10
- Bellemare v. Clermont, 69 Mass. App. Ct. 566, 870 N.E.2d 624 (2007)—24.2
- Benoit v. Frederickson, 454 Mass. 148, 908 N.E.2d 714 (2009)—41.1, 60.39
- Berg v. Town of Lexington, 68 Mass. App. Ct. 569, 863 N.E.2d 968 (2007)—65.1, 65.2
- Berge v. School Committee of Gloucester, 107 F.4th 33, 431 Ed. Law Rep. 996 (1st Cir. 2024)—60.31
- Berghuis v. Thompkins, 560 U.S. 370, 130 S. Ct. 2250, 176 L. Ed. 2d 1098 (2010)—53.137
- Berk v. Kronlund, 102 Mass. App. Ct. 710, 212 N.E.3d 833 (2023)—60.39, 61.26
- Berkshire Armored Car Services, Inc. v. Sovereign Bank of New England, 65 Mass. App. Ct. 96, 837 N.E.2d 290 (2005)—26.4
- Berkwitzk, In re, 323 Mass. 41, 80 N.E.2d 45 (1948)—66.1
- Bernier v. Bernier, 449 Mass. 774, 873 N.E.2d 216 (2007)—55.15
- Berube v. McKesson Wine & Spirits Co., 7 Mass. App. Ct. 426, 388 N.E.2d 309 (1979)—60.52
- Berube v. City of Northampton, 413 Mass. 635, 602 N.E.2d 560, 78 Ed. Law Rep. 481 (1992)—17.10
- Beth Israel Hosp. Ass'n v. Board of Registration in Medicine, 401 Mass. 172, 515 N.E.2d 574 (1987)—66.15
- Betsy, In re Adoption of, 69 Mass. App. Ct. 907, 870 N.E.2d 665 (2007)—62.4
- Bickford's Family Restaurants, Inc. v. Waltham Ventures, LLC, 102 Mass. App. Ct. 1121, 211 N.E.3d 1067 (2023)—2.3, 15.1
- Biliouris v. Biliouris, 67 Mass. App. Ct. 149, 852 N.E.2d 687 (2006)—55.15
- Billings v. GTFM, LLC, 449 Mass. 281, 867 N.E.2d 714 (2007)—60.35
- Bing v. Drexler, 69 Mass. App. Ct. 186, 866 N.E.2d 996 (2007)—39.12
- Biogen IDEC MA, Inc. v. Treasurer and Receiver General, 454 Mass. 174, 908 N.E.2d 740 (2009)—59.56
- Birbiglia v. St. Vincent Hosp., Inc., 427 Mass. 80, 692 N.E.2d 9 (1998)—17.29
- Birchall, In re, 454 Mass. 837, 913 N.E.2d 799 (2009)—63.3, 63.11
- Bird Anderson v. BNY Mellon, N.A., 463 Mass. 299, 974 N.E.2d 21 (2012)—58.5
- Birkenfeld, Matter of Estate of, 103 Mass. App. Ct. 628, 225 N.E.3d 331 (2023)—58.11
- Bishop v. TES Realty Trust, 459 Mass. 9, 942 N.E.2d 173 (2011)—24.12

TABLE OF CASES

- Bjorklund v. Zoning Bd. of Appeals of Norwell, 450 Mass. 357, 878 N.E.2d 915 (2008)—65.1
- Blackstone v. Cashman, 448 Mass. 255, 860 N.E.2d 7 (2007)—26.4
- Blair v. Department of Conservation and Recreation, 457 Mass. 634, 932 N.E.2d 267 (2010)—50.1, 50.2
- Blanchard v. Steward Carney Hospital, Inc., 483 Mass. 200, 130 N.E.3d 1242 (2019)—60.39
- Blanchard v. Steward Carney Hospital, Inc., 477 Mass. 141, 75 N.E.3d 21 (2017)—60.39
- Bleicken v. Stark, 61 Mass. App. Ct. 619, 813 N.E.2d 572 (2004)—16.2, 31.4, 31.6
- Blueford v. Arkansas, 566 U.S. 599, 132 S. Ct. 2044, 182 L. Ed. 2d 937, 77 A.L.R. Fed. 2d 737 (2012)—53.93
- Blue View Const., Inc. v. Town of Franklin, 70 Mass. App. Ct. 345, 874 N.E.2d 425 (2007)—59.166
- Board of Health of Sturbridge v. Board of Health of Southbridge, 461 Mass. 548, 962 N.E.2d 734 (2012)—60.81
- Bock v. Board of Registration in Medicine, 492 Mass. 1024, 216 N.E.3d 1258 (2023)—63.3, 66.14
- Boehm v. Premier Ins. Co., 446 Mass. 689, 846 N.E.2d 1145 (2006)—19.2
- Boffoli v. Premier Ins. Co., 71 Mass. App. Ct. 212, 880 N.E.2d 826 (2008)—19.2
- Bonafini v. G6 Hospitality Property, LLC, 101 Mass. App. Ct. 612, 194 N.E.3d 234 (2022)—17.2
- Bongaards v. Millen, 440 Mass. 10, 793 N.E.2d 335 (2003)—2.12
- Bonilla v. Najera, 102 Mass. App. Ct. 435, 208 N.E.3d 736 (2023)—10.14, 47.4, 55.14
- Bonina v. Marshall, 71 Mass. App. Ct. 904, 883 N.E.2d 299 (2008)—19.34
- Bonina v. Sheppard, 91 Mass. App. Ct. 622, 78 N.E.3d 128 (2017)—57.1
- Boone v. Commerce Ins. Co., 451 Mass. 192, 884 N.E.2d 483 (2008)—19.2
- Boone v. Commerce Ins. Co., 68 Mass. App. Ct. 354, 862 N.E.2d 49 (2007)—19.2
- Booth v. Augis, 72 Mass. App. Ct. 164, 889 N.E.2d 59 (2008)—2.72
- Boothroyd v. Bogartz, 68 Mass. App. Ct. 40, 859 N.E.2d 876 (2007)—48.14
- Boothroyd v. Zoning Bd. of Appeals of Amherst, 449 Mass. 333, 868 N.E.2d 83 (2007)—65.1
- Borden v. Humm, 70 Mass. App. Ct. 102, 872 N.E.2d 1162 (2007)—59.296
- Borden Chemical, Inc. v. Jahn Foundry Corp., 64 Mass. App. Ct. 638, 834 N.E.2d 1227 (2005)—12.5
- Bortolotti v. Hayden, 449 Mass. 193, 866 N.E.2d 882 (2007)—10.13, 10.14
- Bose Corp. v. Ejaz, 732 F.3d 17 (1st Cir. 2013)—2.22
- Boston, City of v. Conservation Commission of Quincy, 490 Mass. 342, 190 N.E.3d 501 (2022)—48.12, 59.324, 65.7
- Boston, City of v. Massachusetts Com'n Against Discrimination, 39 Mass. App. Ct. 234, 654 N.E.2d 944 (1995)—2.72, 28.1, 28.4, 28.8, 53.147
- Boston, City of v. Roxbury Action Program, Inc., 68 Mass. App. Ct. 468, 862 N.E.2d 763 (2007)—47.6
- Boston Firefighters Union, Local 718, International Association of Fire Fighters, AFL-CIO v. City of Boston, 491 Mass. 556, 205 N.E.3d 282 (2023)—47.9
- Boston Globe Media Partners, LLC v.

PRIMA FACIE CASE—PROOF AND DEFENSE

- Chief Justice of Trial Court, 483 Mass. 80, 130 N.E.3d 742 (2019)—52.5, 53.22, 53.96
- Boston Housing Authority v. Bridgewater, 452 Mass. 833, 898 N.E.2d 848 (2009)—51.5
- Boston Housing Authority v. Bridgewater, 69 Mass. App. Ct. 757, 871 N.E.2d 1107 (2007)—51.5
- Boston Housing Authority v. Garcia, 449 Mass. 727, 871 N.E.2d 1073 (2007)—51.5
- Boston Public Health Com'n v. Massachusetts Com'n Against Discrimination, 67 Mass. App. Ct. 404, 854 N.E.2d 111 (2006)—28.4
- Boston Water & Sewer Com'n v. Com., 64 Mass. App. Ct. 611, 834 N.E.2d 1205 (2005)—50.13
- Bott, In re, 462 Mass. 430, 969 N.E.2d 155 (2012)—66.1
- Boulanger v. Dunkin' Donuts Inc., 442 Mass. 635, 815 N.E.2d 572 (2004)—2.59
- Bouley v. Reisman, 38 Mass. App. Ct. 118, 645 N.E.2d 708 (1995)—19.42
- Bowers v. P. Wile's, Inc., 475 Mass. 34, 54 N.E.3d 1089 (2016)—23.12
- Bowers v. P. Wile's, Inc., 87 Mass. App. Ct. 362, 30 N.E.3d 847 (2015)—23.12
- Boyd v. National Railroad Passenger Corp., 62 Mass. App. Ct. 783, 821 N.E.2d 95 (2005)—21.9
- Boyd v. National R.R. Passenger Corp., 446 Mass. 540, 845 N.E.2d 356 (2006)—21.7, 21.9
- Boyle v. Wenk, 378 Mass. 592, 392 N.E.2d 1053 (1979)—27.2
- Boylston Development Group, Inc. v. 22 Boylston Street Corp., 412 Mass. 531, 591 N.E.2d 157 (1992)—2.12
- Bradston Associates, LLC v. County Sheriff's Dept., 452 Mass. 275, 892 N.E.2d 732 (2008)—2.2
- Branch v. Federal National Mortgage Association, 491 Mass. 1009, 199 N.E.3d 857 (2022)—52.5
- Brandao v. DoCanto, 80 Mass. App. Ct. 151, 951 N.E.2d 979 (2011)—48.14
- Brangan v. Commonwealth, 478 Mass. 361, 84 N.E.3d 1269 (2017)—53.93
- Brangan v. Commonwealth, 477 Mass. 691, 80 N.E.3d 949 (2017)—52.5
- Branyan v. Southwest Airlines Co., 105 F. Supp. 3d 120 (D. Mass. 2015)—43.9
- Bratton v. Rudnick, 283 Mass. 556, 186 N.E. 669 (1933)—18.39, 20.24
- Brauer, In re, 452 Mass. 56, 890 N.E.2d 847 (2008)—66.9
- Braun v. Braun, 68 Mass. App. Ct. 846, 865 N.E.2d 814 (2007)—55.15
- Braxton v. City of Boston, 96 Mass. App. Ct. 714, 138 N.E.3d 440 (2019)—39.4
- Bray v. Community Newspaper Co., Inc., 67 Mass. App. Ct. 42, 851 N.E.2d 1087 (2006)—28.2
- Breakiron v. Gudonis, 452 Mass. 1008, 893 N.E.2d 351 (2008)—47.8
- Breda v. Cellco Partnership, 934 F.3d 1 (1st Cir. 2019)—59.69
- Brettel v. Omron Scientific Technologies, Inc., 302 F. Supp. 3d 460 (D. Mass. 2018)—17.6
- Brewster Wallcovering Co. v. Blue Mountain Wallcoverings, Inc., 68 Mass. App. Ct. 582, 864 N.E.2d 518, 62 U.C.C. Rep. Serv. 2d 552 (2007)—2.9, 26.4
- Brice Estates, Inc. v. Smith, 76 Mass. App. Ct. 394, 922 N.E.2d 800 (2010)—60.39
- Bridgeman v. District Attorney for Suffolk Dist., 471 Mass. 465, 30 N.E.3d 806 (2015)—60.87

TABLE OF CASES

- Bridge Street Automotive, Inc. v. Green Valley Oil, LLC, 985 F. Supp. 2d 96 (D. Mass. 2013)—8.3
- Bridgwood v. A.J. Wood Construction, Inc., 480 Mass. 349, 105 N.E.3d 224 (2018)—15.23, 39.5
- Briscoe v. Virginia, 559 U.S. 32, 130 S. Ct. 1316, 175 L. Ed. 2d 966 (2010)—59.162
- Bristol Asphalt, Co., Inc. v. Rochester Bituminous Products, Inc., 493 Mass. 539, 227 N.E.3d 1019 (2024)—60.39
- Britton v. Britton, 69 Mass. App. Ct. 23, 865 N.E.2d 1174 (2007)—55.15
- Brockton Power LLC v. City of Brockton, 948 F. Supp. 2d 48 (D. Mass. 2013)—26.4, 30.1
- Brodie v. Jordan, 447 Mass. 866, 857 N.E.2d 1076 (2006)—2.29
- Brodie v. Jordan, 66 Mass. App. Ct. 371, 847 N.E.2d 1125 (2006)—2.29
- Brooks v. Brooks, 65 Mass. App. Ct. 129, 837 N.E.2d 308 (2005)—61.2
- Brooks v. Martha's Vineyard Transit Authority, 433 F. Supp. 3d 65 (D. Mass. 2020)—28.10
- Brooks v. Peabody & Arnold, LLP, 71 Mass. App. Ct. 46, 878 N.E.2d 572 (2008)—28.3
- Brooks v. Piela, 61 Mass. App. Ct. 731, 814 N.E.2d 365 (2004)—55.16
- Brower v. Brower, 61 Mass. App. Ct. 216, 808 N.E.2d 836 (2004)—55.15
- Brown v. Bayview Crematory, LLC, 79 Mass. App. Ct. 337, 945 N.E.2d 990 (2011)—27.2
- Brown v. F.L. Roberts & Co., Inc., 452 Mass. 674, 896 N.E.2d 1279 (2008)—28.5
- Brown v. Kalicki, 90 Mass. App. Ct. 534, 62 N.E.3d 71 (2016)—48.2
- Brown v. Office of Com'r of Probation, 87 Mass. App. Ct. 729, 35 N.E.3d 1 (2015)—17.10, 28.8
- Brown v. Saint Vincent Radiological Associates, Inc., 105 Mass. App. Ct. 1, 246 N.E.3d 847 (2024)—17.6, 39.1
- Bruno v. Alliance Rental Group, LLC, 103 Mass. App. Ct. 170, 219 N.E.3d 265 (2023)—4.1
- Bruno v. Board of Appeals of Wrentham, 62 Mass. App. Ct. 527, 818 N.E.2d 199 (2004)—65.7, 65.11
- Bryan, Matter of, 411 Mass. 288, 581 N.E.2d 1301 (1991)—66.9, 66.10, 66.12
- Buccaneer Development, Inc. v. Zoning Bd. of Appeals of Lenox, 87 Mass. App. Ct. 871, 35 N.E.3d 737 (2015)—65.7
- Buckhannon Bd. and Care Home, Inc. v. West Virginia Dept. of Health and Human Resources, 532 U.S. 598, 121 S. Ct. 1835, 149 L. Ed. 2d 855 (2001)—61.4
- Buddy's Inc. v. Town Of Saugus, 62 Mass. App. Ct. 256, 816 N.E.2d 134 (2004)—61.1
- Budnitz, Matter of, 425 Mass. 1018, 681 N.E.2d 813 (1997)—66.4, 66.11, 66.12
- Buffalo-Water 1, LLC v. Fidelity Real Estate Company, LLC, 481 Mass. 13, 111 N.E.3d 266 (2018)—60.31
- Bui v. Ma, 62 Mass. App. Ct. 553, 818 N.E.2d 572 (2004)—2.72
- Bullcoming v. New Mexico, 564 U.S. 647, 131 S. Ct. 2705, 180 L. Ed. 2d 610 (2011)—59.245
- Burke v. Com., 67 Mass. App. Ct. 88, 852 N.E.2d 122 (2006)—17.10
- Business Interiors Floor Covering Business Trust v. Graycor Construction Company Inc., 494 Mass. 216, 235 N.E.3d 263 (2024)—2.11

PRIMA FACIE CASE—PROOF AND DEFENSE

- Butcher v. University of Massachusetts, 483 Mass. 742, 136 N.E.3d 719, 373 Ed. Law Rep. 334 (2019)—43.25
- Butler v. Verizon New England, Inc., 68 Mass. App. Ct. 317, 861 N.E.2d 794 (2007)—28.3
- Butler v. City of Waltham, 63 Mass. App. Ct. 435, 827 N.E.2d 216 (2005)—59.5, 65.7
- Buzulis v. Mohegan Sun Casino, 69 Mass. App. Ct. 708, 871 N.E.2d 527 (2007)—17.10
- B.V.G., In re Guardianship of, 474 Mass. 315, 52 N.E.3d 988 (2016)—62.2
- B.W. v. J.W., 67 Mass. App. Ct. 295, 853 N.E.2d 585 (2006)—58.12
- C**
- Cablevision of Boston, Inc. v. Shamatta, 63 Mass. App. Ct. 523, 827 N.E.2d 246 (2005)—32.12
- Cabot Corp. v. AVX Corp., 448 Mass. 629, 863 N.E.2d 503 (2007)—2.49
- Cachopa v. Town of Stoughton, 72 Mass. App. Ct. 657, 893 N.E.2d 407 (2008)—26.2
- Cadle Co. v. Schlichtmann, 448 Mass. 242, 859 N.E.2d 858 (2007)—60.39
- Cadle Co. v. Webb, 66 Mass. App. Ct. 269, 846 N.E.2d 1179 (2006)—11.27
- Caesars Massachusetts Management Co., LLC v. Crosby, 778 F.3d 327 (1st Cir. 2015)—66.18
- Caetano v. Massachusetts, 577 U.S. 411, 136 S. Ct. 1027, 194 L. Ed. 2d 99 (2016)—53.36
- Caffyn v. Caffyn, 70 Mass. App. Ct. 37, 872 N.E.2d 811 (2007)—55.3, 55.15, 60.25
- Cahaly v. Benistar Property Exchange Trust Co., Inc., 68 Mass. App. Ct. 668, 864 N.E.2d 548 (2007)—31.1
- Calci v. Reitano, 66 Mass. App. Ct. 245, 846 N.E.2d 1164 (2006)—48.14
- Calderon v. Royal Park, LLC, 96 Mass. App. Ct. 49, 132 N.E.3d 1021 (2019)—19.5, 23.4
- Calimlim v. Foreign Car Center, Inc., 392 Mass. 228, 467 N.E.2d 443 (1984)—15.3
- Callahan v. Callahan, 85 Mass. App. Ct. 369, 10 N.E.3d 159 (2014)—53.22
- Calnan v. Planning Bd. of Lynn, 63 Mass. App. Ct. 384, 826 N.E.2d 258 (2005)—65.7
- Cambridge Point Condominium Trust, Trustees of v. Cambridge Point, LLC, 478 Mass. 697, 88 N.E.3d 1142 (2018)—51.3
- Cambridge Street Realty, LLC v. Stewart, 481 Mass. 121, 113 N.E.3d 303 (2018)—51.1, 51.5, 51.6
- Cameron Painting, Inc. v. University of Massachusetts, 83 Mass. App. Ct. 345, 983 N.E.2d 1210, 290 Ed. Law Rep. 257 (2013)—2.74
- Camoscio v. Board of Registration in Podiatry, 385 Mass. 1002, 430 N.E.2d 1212 (1982)—66.16
- Campbell v. Cape & Islands Healthcare Services, Inc., 81 Mass. App. Ct. 252, 961 N.E.2d 1096 (2012)—64.4
- Campbell v. Commonwealth, 494 Mass. 750, 242 N.E.3d 580 (2024)—53.154
- Campbell v. Nickerson, 73 Mass. App. Ct. 20, 895 N.E.2d 488 (2008)—59.164
- Cannon v. Cannon, 69 Mass. App. Ct. 414, 868 N.E.2d 636 (2007)—2.12
- Canton, Ohio, City of v. Harris, 489 U.S. 378, 109 S. Ct. 1197, 103 L. Ed. 2d 412 (1989)—53.133
- Capital Site Management Associates v. Inland Underwriters Ins.

TABLE OF CASES

- Agency, Ltd., 61 Mass. App. Ct. 14, 806 N.E.2d 959 (2004)—2.85
- Caplan v. Donovan, 450 Mass. 463, 879 N.E.2d 117 (2008)—53.22
- Cappiello, Matter of, 416 Mass. 340, 622 N.E.2d 268 (1993)—66.13
- Cardno ChemRisk, LLC v. Foytlin, 476 Mass. 479, 68 N.E.3d 1180 (2017)—60.39
- Carey v. New England Organ Bank, 446 Mass. 270, 843 N.E.2d 1070 (2006)—39.7
- Carifio v. Town of Watertown, 27 Mass. App. Ct. 571, 540 N.E.2d 1341 (1989)—17.10
- Carleton v. Com., 447 Mass. 791, 858 N.E.2d 258 (2006)—28.3
- Carlin v. Cohen, 73 Mass. App. Ct. 106, 895 N.E.2d 793 (2008)—59.165
- Carpaneda v. Domino's Pizza, Inc., 991 F. Supp. 2d 270 (D. Mass. 2014)—53.74.50
- Carpenter v. United States, 585 U.S. 296, 138 S. Ct. 2206, 201 L. Ed. 2d 507 (2018)—53.105
- Carrasquillo v. Hampden County District Courts, 484 Mass. 367, 142 N.E.3d 28 (2020)—52.5
- Carrel v. National Cord & Braid Corp., 447 Mass. 431, 852 N.E.2d 100 (2006)—29.5
- Carrigan, Matter of, 414 Mass. 368, 609 N.E.2d 442 (1993)—66.9
- Carroll v. Select Board of Norwell, 493 Mass. 178, 223 N.E.3d 1178 (2024)—60.57
- Carrozza v. CVS Pharmacy, Inc., 391 F. Supp. 3d 136, 109 Fed. R. Evid. Serv. 1003, 99 U.C.C. Rep. Serv. 2d 526 (D. Mass. 2019)—13.1
- Cartledge v. Evans, 67 Mass. App. Ct. 577, 855 N.E.2d 429 (2006)—55.16
- Casavant v. Norwegian Cruise Line Ltd., 460 Mass. 500, 952 N.E.2d 908 (2011)—15.3, 15.5
- Casavant v. Norwegian Cruise Line, Ltd., 63 Mass. App. Ct. 785, 829 N.E.2d 1171 (2005)—20.25, 60.24
- Case Comment Commonwealth v. Walczak, 96 Mass. R. Rev. 18 (2014)—53.83
- Case of Drumm, 74 Mass. App. Ct. 38, 903 N.E.2d 1127 (2009)—18.6
- Case of MacDonald, 277 Mass. 418, 178 N.E. 647 (1931)—55.1
- Case of Sellers, 452 Mass. 804, 898 N.E.2d 494 (2008)—61.22
- Casson, Matter of, 412 Mass. 1007, 589 N.E.2d 305 (1992)—66.2, 66.3, 66.9
- Castellucci v. U. S. Fidelity & Guaranty Co., 372 Mass. 288, 361 N.E.2d 1264 (1977)—60.7, 60.11
- Castle Hill Apartments Ltd. Partnership v. Planning Bd. of Holyoke, 65 Mass. App. Ct. 840, 844 N.E.2d 1098 (2006)—65.2
- Castricone v. Mical, 74 Mass. App. Ct. 591, 909 N.E.2d 29 (2009)—15.7
- Cavanagh v. Cavanagh, 490 Mass. 398, 191 N.E.3d 975 (2022)—54.1, 55.14, 55.15, 55.16, 59.83
- Cavicchi v. Koski, 67 Mass. App. Ct. 654, 855 N.E.2d 1137 (2006)—26.4
- C.D.L. v. M.M.L., 72 Mass. App. Ct. 146, 889 N.E.2d 63 (2008)—55.15
- Cefalu v. Globe Newspaper Co., 8 Mass. App. Ct. 71, 391 N.E.2d 935 (1979)—43.9
- Central Ceilings, Inc. v. National Amusements, Inc., 70 Mass. App. Ct. 172, 873 N.E.2d 754 (2007)—11.26
- Central Street, LLC v. Zoning Bd. of Appeals of Hudson, 69 Mass. App. Ct. 487, 868 N.E.2d 1245 (2007)—65.7
- Cepeda v. Kass, 62 Mass. App. Ct. 732, 819 N.E.2d 979 (2004)—59.44,

PRIMA FACIE CASE—PROOF AND DEFENSE

- 60.26
- Cepulonis v. Com., 446 Mass. 1014, 846 N.E.2d 378 (2006)—52.5
- Cepulonis v. Com., 443 Mass. 1019, 825 N.E.2d 77 (2005)—53.124
- Cesar, In re Adoption of, 67 Mass. App. Ct. 708, 856 N.E.2d 198 (2006)—62.4
- Chace v. Curran, 71 Mass. App. Ct. 258, 881 N.E.2d 792 (2008)—39.24
- Chaidez v. U.S., 568 U.S. 342, 133 S. Ct. 1103, 185 L. Ed. 2d 149 (2013)—53.130
- Chalupowski v. Metaxas, 448 Mass. 1026, 863 N.E.2d 1273 (2007)—52.5
- Chambers, Matter of, 421 Mass. 256, 656 N.E.2d 1226 (1995)—66.6
- Chamseddine v. Zoning Bd. of Appeals of Taunton, 70 Mass. App. Ct. 305, 873 N.E.2d 1197 (2007)—65.2
- Chan v. Chen, 70 Mass. App. Ct. 79, 872 N.E.2d 1153 (2007)—17.8
- Chandanais v. Com., 448 Mass. 1013, 862 N.E.2d 46 (2007)—52.5, 53.93, 60.91
- Chandra v. Foster, 449 Mass. 1032, 873 N.E.2d 215 (2007)—52.5
- Chapman, 482 Mass. 293, 122 N.E.3d 507 (2019)—53.63
- Chapman v. Katz, 448 Mass. 519, 862 N.E.2d 735 (2007)—2.3
- Chapman v. Katz, 65 Mass. App. Ct. 826, 844 N.E.2d 270 (2006)—2.3
- Charara v. Yatim, 78 Mass. App. Ct. 325, 937 N.E.2d 490 (2010)—55.16
- Chardin v. Police Com'r of Boston, 465 Mass. 314, 989 N.E.2d 392 (2013)—53.36
- Charron v. Amaral, 451 Mass. 767, 889 N.E.2d 946 (2008)—55.2
- Chelsea, City of v. New England Police Benevolent Association, Inc., Local 192, 491 Mass. 426, 203 N.E.3d 1142 (2023)—2.45, 59.69
- Chelsea Housing Authority v. McLaughlin, 482 Mass. 579, 125 N.E.3d 711 (2019)—2.54
- Chenard v. Commerce Ins. Co., 440 Mass. 444, 799 N.E.2d 108 (2003)—2.4
- Cherin v. Cherin, 72 Mass. App. Ct. 288, 891 N.E.2d 684 (2008)—60.26
- Cherubino v. Board of Registration of Chiropractors, 403 Mass. 350, 530 N.E.2d 151 (1988)—66.16
- Chervin v. Travelers Ins. Co., 448 Mass. 95, 858 N.E.2d 746 (2006)—40.4
- Chervin v. Travelers Ins. Co., 65 Mass. App. Ct. 394, 840 N.E.2d 983 (2006)—40.1, 40.4, 40.6
- Chervin v. Travelers Ins. Co., 448 Mass. 95, 858 N.E.2d 746 (2006)—40.4
- Chiancola v. Board of Appeals of Rockport, 65 Mass. App. Ct. 636, 843 N.E.2d 108 (2006)—65.2
- Chiara v. Fry's Food Stores of Arizona, Inc., 152 Ariz. 398, 733 P.2d 283 (1987)—23.18
- Chief of Police of City of Worcester v. Holden, 470 Mass. 845, 26 N.E.3d 715 (2015)—53.36
- Children's Hospital Corporation v. Cakir, 183 F. Supp. 3d 242 (D. Mass. 2016)—49.3
- Chin v. Merriot, 470 Mass. 527, 23 N.E.3d 929 (2015)—55.15.50
- Choate v. Zoning Bd. of Appeals of Mashpee, 67 Mass. App. Ct. 376, 853 N.E.2d 1089 (2006)—65.7
- Chokel v. Genzyme Corp., 449 Mass. 272, 867 N.E.2d 325 (2007)—2.29
- Choquette v. Isacoff, 65 Mass. App. Ct. 1, 836 N.E.2d 329 (2005)—2.54
- Choy v. Com., 456 Mass. 146, 927 N.E.2d 970 (2010)—53.8

TABLE OF CASES

- Christian v. Com., 446 Mass. 1003, 843 N.E.2d 635 (2006)—52.5
- Christian v. Edelin, 65 Mass. App. Ct. 776, 843 N.E.2d 1112 (2006)—10.14
- Christopher v. Porter, 450 Mass. 1007, 876 N.E.2d 1173 (2007)—52.5
- Church of the Holy Spirit of Wayland v. Heinrich, 491 Mass. 464, 204 N.E.3d 363 (2023)—2.2
- Ciccarelli v. School Dept. of Lowell, 70 Mass. App. Ct. 787, 877 N.E.2d 609, 227 Ed. Law Rep. 916 (2007)—28.1
- Citizens Bank of Massachusetts v. Coleman, 83 Mass. App. Ct. 609, 987 N.E.2d 1282 (2013)—2.74
- Citizens Bank of Massachusetts v. Travers, 69 Mass. App. Ct. 174, 866 N.E.2d 974 (2007)—61.8
- City Council of Springfield v. Mayor of Springfield, 489 Mass. 184, 181 N.E.3d 496 (2022)—47.11
- City Fuel Corp. v. National Fire Ins. Co. of Hartford, 446 Mass. 638, 846 N.E.2d 775 (2006)—2.4
- City Of Boston v. Boston Police Patrolmen’s Ass’n, 443 Mass. 813, 824 N.E.2d 855 (2005)—2.45
- Clark v. Mead Realty Group, Inc., 67 Mass. App. Ct. 491, 854 N.E.2d 972 (2006)—15.23
- Classic Restaurant Concepts, LLC v. President and Fellows of Harvard College, 104 Mass. App. Ct. 323, 238 N.E.3d 777, 432 Ed. Law Rep. 1179 (2024)—2.1, 2.2, 2.52, 29.4, 60.57
- Clean Harbors, Inc. v. John Hancock Life Ins. Co., 64 Mass. App. Ct. 347, 833 N.E.2d 611 (2005)—10.16, 53.15
- Clifton v. Massachusetts Bay Transp. Authority, 445 Mass. 611, 839 N.E.2d 314 (2005)—28.7, 28.8
- Clifton v. Massachusetts Bay Transp. Authority, 62 Mass. App. Ct. 164, 815 N.E.2d 614 (2004)—28.7, 28.8
- Clooney, Matter of, 403 Mass. 654, 531 N.E.2d 1271 (1988)—66.3, 66.9
- Cloud v. Trustees of Boston University, 720 F.2d 721, 14 Ed. Law Rep. 450 (1st Cir. 1983)—2.50, 60.31
- C.M. v. Commissioner of Department of Children and Families, 487 Mass. 639, 169 N.E.3d 466 (2021)—17.11, 62.3
- C.O. v. M.M., 442 Mass. 648, 815 N.E.2d 582 (2004)—53.22
- Coady v. Wellfleet Marine Corp., 62 Mass. App. Ct. 237, 816 N.E.2d 124 (2004)—26.7, 28.8
- Coastal Orthopaedic Institute, P.C. v. Bongiorno, 61 Mass. App. Ct. 55, 807 N.E.2d 187 (2004)—39.4
- Cobb, In re, 445 Mass. 452, 838 N.E.2d 1197 (2005)—66.1, 66.9, 66.12
- Cobble Hill Center LLC v. Somerville Redevelopment Authority, 487 Mass. 249, 166 N.E.3d 984 (2021)—50.7
- Cocuzzo v. Trader Joe’s East Inc., 121 F.4th 924 (1st Cir. 2024)—28.2, 60.57
- Coe v. Sex Offender Registry Bd., 442 Mass. 250, 812 N.E.2d 913 (2004)—53.63
- Coffin v. Superintendent, Massachusetts Treatment Center, 458 Mass. 186, 936 N.E.2d 418 (2010)—53.63
- Cohan v. Feuer, 442 Mass. 151, 810 N.E.2d 1222 (2004)—59.150
- Cohen v. Cohen, 470 Mass. 708, 25 N.E.3d 840 (2015)—57.1, 59.156, 60.51, 63.3
- Cohen v. Com., 448 Mass. 1005, 859 N.E.2d 834 (2007)—52.5
- Cohen v. Liberty Mut. Ins. Co., 41 Mass. App. Ct. 748, 673 N.E.2d 84 (1996)—15.3
- Cohen v. State Street Bank and Trust

PRIMA FACIE CASE—PROOF AND DEFENSE

- Co., 72 Mass. App. Ct. 627, 893 N.E.2d 425 (2008)—2.74
- Cold Spring Harbor Laboratory v. Ropes & Gray LLP, 840 F. Supp. 2d 473 (D. Mass. 2012)—39.6.50
- Coldwell Banker/Hunneman v. Shostack, 62 Mass. App. Ct. 635, 818 N.E.2d 1079 (2004)—9.9
- Collins v. Godfrey, 324 Mass. 574, 87 N.E.2d 838 (1949)—66.1
- Collins v. Virginia, 584 U.S. 586, 138 S. Ct. 1663, 201 L. Ed. 2d 9 (2018)—53.113
- Colomba v. DWC Associates, LLC, 447 Mass. 1005, 849 N.E.2d 807 (2006)—52.5
- Colony of Wellfleet, Inc. v. Harris, 71 Mass. App. Ct. 522, 883 N.E.2d 1235 (2008)—48.2
- Colorio v. Marx, 72 Mass. App. Ct. 382, 892 N.E.2d 356 (2008)—55.15
- Columbia Plaza Associates v. Northeastern University, 493 Mass. 570, 227 N.E.3d 999 (2024)—60.39
- Com. v. A.B., 72 Mass. App. Ct. 10, 887 N.E.2d 1107 (2008)—53.130
- Com. v. Acevedo, 446 Mass. 435, 845 N.E.2d 274 (2006)—53.43, 53.130
- Com. v. Adjutant, 443 Mass. 649, 824 N.E.2d 1 (2005)—53.87
- Com. v. Adkinson, 442 Mass. 410, 813 N.E.2d 506 (2004)—53.127, 53.133
- Com. v. AdonSoto, 475 Mass. 497, 58 N.E.3d 305 (2016)—53.126
- Com. v. Agbanyo, 69 Mass. App. Ct. 841, 872 N.E.2d 758 (2007)—53.128
- Com. v. Ahart, 63 Mass. App. Ct. 413, 826 N.E.2d 255 (2005)—53.31
- Com. v. Aitahmedlamara, 63 Mass. App. Ct. 76, 823 N.E.2d 408 (2005)—53.84
- Com. v. A Juvenile, 396 Mass. 108, 483 N.E.2d 822 (1985)—52.2
- Com. v. Alebord, 467 Mass. 106, 4 N.E.3d 248 (2014)—53.125, 53.129
- Com. v. Alebord, 80 Mass. App. Ct. 432, 953 N.E.2d 744 (2011)—53.125, 53.156
- Com. v. Alebord, 68 Mass. App. Ct. 1, 859 N.E.2d 440 (2006)—53.4, 53.44, 53.85
- Com. v. Alfonso, 449 Mass. 738, 871 N.E.2d 1066 (2007)—52.5
- Com. v. Allen, 430 Mass. 252, 717 N.E.2d 657 (1999)—53.86
- Com. v. Allen, 378 Mass. 489, 392 N.E.2d 1027 (1979)—60.96
- Com. v. Alleyne, 474 Mass. 771, 54 N.E.3d 471 (2016)—53.142
- Com. v. Almeida, 467 Mass. 1015, 5 N.E.3d 1226 (2014)—53.63
- Com. v. Almeida, 83 Mass. App. Ct. 451, 985 N.E.2d 402 (2013)—53.63
- Com. v. Almele, 474 Mass. 1017, 53 N.E.3d 1245 (2016)—60.85
- Com. v. Almonte, 444 Mass. 511, 829 N.E.2d 1094 (2005)—53.93, 53.132, 53.136, 53.137, 53.142
- Com. v. Alvarado, 452 Mass. 194, 892 N.E.2d 282 (2008)—53.63
- Com. v. Alvarado, 420 Mass. 542, 651 N.E.2d 824 (1995)—53.109
- Com. v. Alvarez, 90 Mass. App. Ct. 158, 57 N.E.3d 1036 (2016)—53.35
- Com. v. Alvarez, 69 Mass. App. Ct. 438, 868 N.E.2d 929 (2007)—53.129
- Com. v. Alvarez, 62 Mass. App. Ct. 866, 822 N.E.2d 307 (2005)—53.130
- Com. v. Alves, 86 Mass. App. Ct. 210, 15 N.E.3d 247 (2014)—60.79
- Com. v. Alves, 70 Mass. App. Ct. 908, 876 N.E.2d 1181 (2007)—53.103
- Com. v. Amado, 474 Mass. 147, 48 N.E.3d 414 (2016)—53.116, 60.97

TABLE OF CASES

- Com. v. Amaral, 78 Mass. App. Ct. 671, 941 N.E.2d 1143 (2011)—53.62
- Com. v. Amaral, 78 Mass. App. Ct. 557, 940 N.E.2d 1242 (2011)—53.155
- Com. v. Amarin, 14 Mass. App. Ct. 553, 440 N.E.2d 1305 (1982)—53.36
- Com. v. Ancrum, 65 Mass. App. Ct. 647, 843 N.E.2d 110 (2006)—53.113, 53.114
- Com. v. Anderson, 461 Mass. 616, 963 N.E.2d 704 (2012)—53.152.50
- Com. v. Anderson, 448 Mass. 548, 862 N.E.2d 749 (2007)—53.95, 53.119
- Com. v. Anderson, 445 Mass. 195, 834 N.E.2d 1159 (2005)—53.8, 53.41, 53.136, 64.5
- Com. v. Anderson, 58 Mass. App. Ct. 117, 787 N.E.2d 1136 (2003)—53.129
- Com. v. Angelo Todesca Corp., 446 Mass. 128, 842 N.E.2d 930 (2006)—53.5, 53.45
- Com. v. Angelo Todesca Corp., 62 Mass. App. Ct. 599, 818 N.E.2d 608 (2004)—53.5, 53.15
- Com. v. Anslono, 9 Mass. App. Ct. 867, 401 N.E.2d 156 (1980)—53.49
- Com. v. Anthony, 451 Mass. 59, 883 N.E.2d 918 (2008)—53.107
- Com. v. Antone, 90 Mass. App. Ct. 810, 67 N.E.3d 718 (2017)—60.87
- Com. v. Aponte, 71 Mass. App. Ct. 758, 887 N.E.2d 266 (2008)—53.66
- Com. v. Aquino, 445 Mass. 446, 838 N.E.2d 572 (2005)—53.154
- Com. v. Argueta, 73 Mass. App. Ct. 564, 899 N.E.2d 896 (2009)—53.122
- Com. v. Armstrong, 73 Mass. App. Ct. 245, 897 N.E.2d 105 (2008)—52.4
- Com. v. Arrington, 455 Mass. 437, 917 N.E.2d 734 (2009)—53.101
- Com. v. Arroyo, 451 Mass. 1010, 886 N.E.2d 677 (2008)—53.154
- Com. v. Arroyo, 70 Mass. App. Ct. 228, 873 N.E.2d 797 (2007)—53.154
- Com. v. Arroyo, 442 Mass. 135, 810 N.E.2d 1201 (2004)—53.13, 60.79
- Com. v. Arruda, 73 Mass. App. Ct. 901, 895 N.E.2d 783 (2008)—53.56
- Com. v. Arzola, 470 Mass. 809, 26 N.E.3d 185 (2015)—53.117
- Com. v. Asmeron, 70 Mass. App. Ct. 667, 875 N.E.2d 870 (2007)—53.138
- Com. v. Aspen, 85 Mass. App. Ct. 278, 8 N.E.3d 782 (2014)—53.129
- Com. v. Auclair, 444 Mass. 348, 828 N.E.2d 471 (2005)—53.134, 53.136, 60.86
- Com. v. Augello, 71 Mass. App. Ct. 105, 879 N.E.2d 709 (2008)—53.117
- Com. v. Augustine, 472 Mass. 448, 35 N.E.3d 688 (2015)—53.105
- Com. v. Augustine, 467 Mass. 230, 4 N.E.3d 846 (2014)—53.105
- Com. v. Austin A., 450 Mass. 665, 881 N.E.2d 117 (2008)—53.138
- Com. v. Avellar, 70 Mass. App. Ct. 608, 875 N.E.2d 539 (2007)—53.114
- Com. v. Avila, 454 Mass. 744, 912 N.E.2d 1014 (2009)—53.13
- Com. v. Aviles, 461 Mass. 60, 958 N.E.2d 37 (2011)—53.64
- Com. v. Azar, 444 Mass. 72, 825 N.E.2d 999 (2005)—53.42, 53.133, 53.143
- Com. v. Babcock, 25 Mass. App. Ct. 688, 521 N.E.2d 1065 (1988)—53.126
- Com. v. Baker, 67 Mass. App. Ct. 760, 856 N.E.2d 908 (2006)—53.43
- Com. v. Baldasaro, 62 Mass. App. Ct. 925, 818 N.E.2d 189 (2004)—53.107
- Com. v. Balliro, 349 Mass. 505, 209 N.E.2d 308, 14 A.L.R.3d 640 (1965)—53.41
- Com. v. Banville, 457 Mass. 530, 931

PRIMA FACIE CASE—PROOF AND DEFENSE

- N.E.2d 457 (2010)—53.101, 53.103
- Com. v. Baptista, 86 Mass. App. Ct. 28, 12 N.E.3d 1029 (2014)—53.152
- Com. v. Baptiste, 65 Mass. App. Ct. 511, 841 N.E.2d 734 (2006)—53.113
- Com. v. Baran, 74 Mass. App. Ct. 256, 905 N.E.2d 1122 (2009)—53.125, 53.129
- Com. v. Baran, 21 Mass. App. Ct. 989, 490 N.E.2d 479 (1986)—64.5
- Com. v. Barbosa, 461 Mass. 431, 961 N.E.2d 560 (2012)—53.36
- Com. v. Barbosa, 457 Mass. 773, 933 N.E.2d 93 (2010)—53.41, 53.101
- Com. v. Barboza, 68 Mass. App. Ct. 180, 861 N.E.2d 37 (2007)—59.231
- Com. v. Baro, 73 Mass. App. Ct. 218, 897 N.E.2d 99 (2008)—53.126
- Com. v. Barreiro, 67 Mass. App. Ct. 25, 851 N.E.2d 474 (2006)—53.122
- Com. v. Bart B., 424 Mass. 911, 679 N.E.2d 531 (1997)—53.130
- Com. v. Bartlett, 465 Mass. 112, 987 N.E.2d 1213 (2013)—53.103
- Com. v. Bastaldo, 472 Mass. 16, 32 N.E.3d 873 (2015)—53.132
- Com. v. Bauer, 455 Mass. 497, 918 N.E.2d 60 (2009)—53.55
- Com. v. Beal, 474 Mass. 341, 52 N.E.3d 998 (2016)—53.152.50
- Com. v. Beatrice, 460 Mass. 255, 951 N.E.2d 26 (2011)—53.101
- Com. v. Beatrice, 75 Mass. App. Ct. 153, 912 N.E.2d 504 (2009)—53.140
- Com. v. Beaudry, 445 Mass. 577, 839 N.E.2d 298 (2005)—53.65, 53.134
- Com. v. Beaudry, 63 Mass. App. Ct. 488, 826 N.E.2d 782 (2005)—53.65, 53.134
- Com. v. Beaz, 69 Mass. App. Ct. 500, 868 N.E.2d 1251 (2007)—53.101
- Com. v. Becker, 71 Mass. App. Ct. 81, 879 N.E.2d 691 (2008)—53.63
- Com. v. Belcher, 446 Mass. 693, 846 N.E.2d 1141 (2006)—53.50, 53.60
- Com. v. Beliard, 443 Mass. 79, 819 N.E.2d 556 (2004)—53.105, 53.130, 53.134
- Com. v. Bell, 473 Mass. 131, 39 N.E.3d 1190 (2015)—53.41
- Com. v. Bell, 83 Mass. App. Ct. 82, 981 N.E.2d 220 (2013)—53.63
- Com. v. Bell, 83 Mass. App. Ct. 61, 981 N.E.2d 200 (2013)—60.79
- Com. v. Bell, 455 Mass. 408, 917 N.E.2d 740 (2009)—53.2
- Com. v. Bell, 67 Mass. App. Ct. 266, 853 N.E.2d 563 (2006)—53.2
- Com. v. Bell, 442 Mass. 118, 810 N.E.2d 796 (2004)—52.5
- Com. v. Belmer, 78 Mass. App. Ct. 62, 935 N.E.2d 327 (2010)—53.22, 53.148
- Com. v. Benoit, 452 Mass. 212, 892 N.E.2d 314 (2008)—53.87, 53.142
- Com. v. Benson, 453 Mass. 90, 899 N.E.2d 820 (2009)—53.43
- Com. v. Berardi, 88 Mass. App. Ct. 466, 38 N.E.3d 765 (2015)—53.142, 59.114
- Com. v. Bermudez, 83 Mass. App. Ct. 46, 980 N.E.2d 462 (2012)—53.136
- Com. v. Bernard, 84 Mass. App. Ct. 771, 3 N.E.3d 1113 (2014)—19.21
- Com. v. Bernardo B., 453 Mass. 158, 900 N.E.2d 834 (2009)—60.79
- Com. v. Berrios, 84 Mass. App. Ct. 521, 998 N.E.2d 782 (2013)—53.63
- Com. v. Berrios, 71 Mass. App. Ct. 750, 886 N.E.2d 748 (2008)—53.63
- Com. v. Berrios, 447 Mass. 701, 856 N.E.2d 857 (2006)—53.122
- Com. v. Berrios, 64 Mass. App. Ct. 541, 834 N.E.2d 309 (2005)—53.122
- Com. v. Berry, 466 Mass. 763, 2 N.E.3d 177 (2014)—53.41
- Com. v. Berry, 457 Mass. 602, 931

TABLE OF CASES

- N.E.2d 972 (2010)—53.85
- Com. v. Berry, 68 Mass. App. Ct. 78, 860 N.E.2d 28 (2007)—53.130
- Com. v. Berry, 63 Mass. App. Ct. 910, 827 N.E.2d 1278 (2005)—53.143
- Com. v. Berry, 431 Mass. 326, 727 N.E.2d 517 (2000)—53.87
- Com. v. Bertini, 466 Mass. 131, 993 N.E.2d 654 (2013)—52.5
- Com. v. Betances, 451 Mass. 457, 886 N.E.2d 679 (2008)—52.5, 53.114, 53.146
- Com. v. Bettencourt, 447 Mass. 631, 856 N.E.2d 174 (2006)—53.114
- Com. v. Biagiotti, 451 Mass. 599, 888 N.E.2d 364 (2008)—53.15
- Com. v. Bienvenu, 63 Mass. App. Ct. 632, 828 N.E.2d 543 (2005)—25.11, 53.31, 53.113, 60.94
- Com. v. Bigelow, 475 Mass. 554, 59 N.E.3d 1105 (2016)—53.38
- Com. v. Billings, 461 Mass. 362, 960 N.E.2d 900 (2012)—59.162
- Com. v. Bior, 88 Mass. App. Ct. 150, 37 N.E.3d 31 (2015)—53.149
- Com. v. Bishop, 78 Mass. App. Ct. 70, 935 N.E.2d 361 (2010)—53.54
- Com. v. Blache, 450 Mass. 583, 880 N.E.2d 736 (2008)—53.63
- Com. v. Blackmer, 77 Mass. App. Ct. 474, 932 N.E.2d 301 (2010)—53.30, 53.132
- Com. v. Blake, 454 Mass. 267, 909 N.E.2d 532 (2009)—53.63
- Com. v. Blondin, 324 Mass. 564, 87 N.E.2d 455 (1949)—53.129
- Com. v. Bly, 448 Mass. 473, 862 N.E.2d 341 (2007)—53.13, 53.117, 53.136
- Com. v. Bly, 444 Mass. 640, 830 N.E.2d 1048 (2005)—53.129, 53.132
- Com. v. Boateng, 438 Mass. 498, 781 N.E.2d 1207 (2003)—53.42
- Com. v. Bockman, 442 Mass. 757, 817 N.E.2d 717 (2004)—53.43, 53.142, 59.114
- Com. v. Boe, 456 Mass. 337, 924 N.E.2d 239 (2010)—60.79
- Com. v. Bolden, 470 Mass. 274, 21 N.E.3d 150 (2014)—53.27
- Com. v. Bolling, 462 Mass. 440, 969 N.E.2d 640 (2012)—53.20
- Com. v. Bolling, 72 Mass. App. Ct. 618, 893 N.E.2d 371 (2008)—53.63
- Com. v. Bonds, 445 Mass. 821, 840 N.E.2d 939 (2006)—53.95, 53.132
- Com. v. Bonds, 63 Mass. App. Ct. 163, 823 N.E.2d 816 (2005)—53.95
- Com. v. Bonnett, 472 Mass. 827, 37 N.E.3d 1064 (2015)—60.78
- Com. v. Boothby, 64 Mass. App. Ct. 582, 834 N.E.2d 1202 (2005)—53.130
- Com. v. Borders, 73 Mass. App. Ct. 911, 900 N.E.2d 117 (2009)—60.79
- Com. v. Boria, 460 Mass. 249, 951 N.E.2d 10 (2011)—53.129
- Com. v. Bostock, 450 Mass. 616, 880 N.E.2d 759 (2008)—53.114
- Com. v. Botelho, 369 Mass. 860, 343 N.E.2d 876 (1976)—53.132
- Com. v. Botev, 79 Mass. App. Ct. 281, 945 N.E.2d 956 (2011)—53.50
- Com. v. Bourdon, 71 Mass. App. Ct. 420, 883 N.E.2d 958 (2008)—53.124
- Com. v. Bourdon, 68 Mass. App. Ct. 526, 863 N.E.2d 88 (2007)—53.95, 53.124
- Com. v. Bourgeois, 68 Mass. App. Ct. 433, 862 N.E.2d 464 (2007)—53.100
- Com. v. Bowden, 447 Mass. 593, 855 N.E.2d 758 (2006)—53.58
- Com. v. Bowen, 63 Mass. App. Ct. 579, 827 N.E.2d 751 (2005)—53.122
- Com. v. Boyajian, 68 Mass. App. Ct. 866, 865 N.E.2d 1153 (2007)—53.134
- Com. v. Boyarsky, 452 Mass. 700, 897 N.E.2d 574 (2008)—53.32, 53.118
- Com. v. Boyd, 73 Mass. App. Ct. 190,

PRIMA FACIE CASE—PROOF AND DEFENSE

- 897 N.E.2d 71 (2008)—53.48
- Com. v. Boyer, 61 Mass. App. Ct. 582, 812 N.E.2d 1235 (2004)—53.84
- Com. v. Bradley, 466 Mass. 551, 998 N.E.2d 774 (2013)—53.31, 53.156
- Com. v. Bradway, 62 Mass. App. Ct. 280, 816 N.E.2d 152 (2004)—53.13, 53.63, 53.84
- Com. v. Braica, 68 Mass. App. Ct. 244, 861 N.E.2d 487 (2007)—53.38
- Com. v. Braley, 449 Mass. 316, 867 N.E.2d 743 (2007)—53.8, 53.134, 53.136
- Com. v. Brangan, 475 Mass. 143, 56 N.E.3d 153 (2016)—60.86
- Com. v. Brannon B., 66 Mass. App. Ct. 97, 845 N.E.2d 430 (2006)—53.122
- Com. v. Braun, 74 Mass. App. Ct. 904, 905 N.E.2d 124 (2009)—53.142
- Com. v. Brazeau, 64 Mass. App. Ct. 65, 831 N.E.2d 372 (2005)—53.114
- Com. v. Brazelton, 404 Mass. 783, 537 N.E.2d 142 (1989)—53.120
- Com. v. Brazie, 66 Mass. App. Ct. 315, 847 N.E.2d 1100 (2006)—53.126
- Com. v. Brescia, 61 Mass. App. Ct. 908, 810 N.E.2d 842 (2004)—53.65
- Com. v. Bresnahan, 462 Mass. 761, 971 N.E.2d 218 (2012)—53.145
- Com. v. Bresnahan, 79 Mass. App. Ct. 353, 946 N.E.2d 695 (2011)—53.145
- Com. v. Brien, 67 Mass. App. Ct. 309, 853 N.E.2d 590 (2006)—53.15
- Com. v. Bright, 463 Mass. 421, 974 N.E.2d 1092 (2012)—53.3, 53.8
- Com. v. Broom, 474 Mass. 486, 52 N.E.3d 81 (2016)—53.142
- Com. v. Broomhead, 67 Mass. App. Ct. 547, 855 N.E.2d 413 (2006)—53.11, 53.130
- Com. v. Brown, 466 Mass. 676, 1 N.E.3d 259 (2013)—52.5, 53.101
- Com. v. Brown, 83 Mass. App. Ct. 772, 989 N.E.2d 915 (2013)—53.57
- Com. v. Brown, 456 Mass. 708, 925 N.E.2d 845 (2010)—53.31, 53.118
- Com. v. Brown, 71 Mass. App. Ct. 743, 886 N.E.2d 743 (2008)—60.87
- Com. v. Brown, 451 Mass. 200, 884 N.E.2d 488 (2008)—53.40, 53.95, 53.140
- Com. v. Brown, 449 Mass. 747, 872 N.E.2d 711 (2007)—53.84, 53.142, 64.5
- Com. v. Brown, 68 Mass. App. Ct. 261, 861 N.E.2d 504 (2007)—53.107
- Com. v. Brown, 66 Mass. App. Ct. 237, 846 N.E.2d 782 (2006)—53.48
- Com. v. Bruce, 61 Mass. App. Ct. 474, 811 N.E.2d 1003 (2004)—53.87, 53.149
- Com. v. Bruneau, 472 Mass. 510, 36 N.E.3d 3 (2015)—53.84
- Com. v. Brunnell, 65 Mass. App. Ct. 423, 840 N.E.2d 1005 (2006)—63.2
- Com. v. Bruno, 432 Mass. 489, 735 N.E.2d 1222 (2000)—53.101.50
- Com. v. Brusgulis, 406 Mass. 501, 548 N.E.2d 1234 (1990)—53.95
- Com. v. Bryant, 447 Mass. 494, 852 N.E.2d 1072 (2006)—53.117, 60.86
- Com. v. Buck, 64 Mass. App. Ct. 760, 835 N.E.2d 623 (2005)—60.87
- Com. v. Buckley, 76 Mass. App. Ct. 123, 920 N.E.2d 73 (2010)—60.72
- Com. v. Bundy, 465 Mass. 538, 989 N.E.2d 496 (2013)—53.15, 53.101
- Com. v. Burdick, 45 Mass. App. Ct. 904, 694 N.E.2d 1307 (1998)—53.152
- Com. v. Burgess, 450 Mass. 422, 879 N.E.2d 63 (2008)—53.101
- Com. v. Burgess, 450 Mass. 366, 878 N.E.2d 921 (2008)—53.63, 53.84
- Com. v. Burgos, 470 Mass. 133, 19 N.E.3d 843 (2014)—53.118
- Com. v. Burke, 105 Mass. 376, 1870 WL 6986 (1870)—53.63

TABLE OF CASES

- Com. v. Burnham, 451 Mass. 517, 887 N.E.2d 222 (2008)—53.105, 53.136
- Com. v. Burton, 450 Mass. 55, 876 N.E.2d 411 (2007)—53.41
- Com. v. Burts, 68 Mass. App. Ct. 684, 864 N.E.2d 562 (2007)—53.134
- Com. v. Bush, 71 Mass. App. Ct. 130, 879 N.E.2d 1247 (2008)—53.116
- Com. v. Bushway, 442 Mass. 1035, 816 N.E.2d 113 (2004)—53.100
- Com. v. Buswell, 468 Mass. 92, 9 N.E.3d 276 (2014)—53.2
- Com. v. Butler, 464 Mass. 706, 985 N.E.2d 377 (2013)—53.124, 60.94
- Com. v. Butler, 79 Mass. App. Ct. 751, 949 N.E.2d 936 (2011)—53.129
- Com. v. Butler, 68 Mass. App. Ct. 658, 864 N.E.2d 33 (2007)—53.124
- Com. v. Butler, 445 Mass. 568, 839 N.E.2d 307 (2005)—53.95
- Com. v. Butler, 62 Mass. App. Ct. 836, 821 N.E.2d 501 (2005)—53.95, 53.134
- Com. v. Byers, 62 Mass. App. Ct. 148, 815 N.E.2d 276 (2004)—53.14
- Com. v. Cabral, 69 Mass. App. Ct. 68, 866 N.E.2d 429 (2007)—53.117
- Com. v. Cabral, 443 Mass. 171, 819 N.E.2d 951 (2005)—53.103
- Com. v. Cabrera, 449 Mass. 825, 874 N.E.2d 654 (2007)—53.94, 53.152
- Com. v. Caceres, 63 Mass. App. Ct. 747, 829 N.E.2d 1144 (2005)—53.65
- Com. v. Caetano, 470 Mass. 774, 26 N.E.3d 688 (2015)—53.36
- Com. v. Cahill, 446 Mass. 778, 847 N.E.2d 344 (2006)—53.30
- Com. v. Cahill, 64 Mass. App. Ct. 911, 834 N.E.2d 1238 (2005)—53.30
- Com. v. Cahill, 442 Mass. 127, 810 N.E.2d 1196 (2004)—53.54
- Com. v. Caillot, 449 Mass. 712, 871 N.E.2d 1056 (2007)—53.134, 60.87
- Com. v. Calderon, 65 Mass. App. Ct. 590, 842 N.E.2d 986 (2006)—53.64
- Com. v. Cameron, 473 Mass. 100, 39 N.E.3d 723 (2015)—53.13
- Com. v. Cameron, 69 Mass. App. Ct. 741, 871 N.E.2d 1096 (2007)—53.65
- Com. v. Campbell, 475 Mass. 611, 59 N.E.3d 394 (2016)—53.53
- Com. v. Campbell, 83 Mass. App. Ct. 368, 983 N.E.2d 1227 (2013)—53.120
- Com. v. Campbell, 69 Mass. App. Ct. 212, 867 N.E.2d 759 (2007)—53.114
- Com. v. Candelario, 446 Mass. 847, 848 N.E.2d 769 (2006)—53.131
- Com. v. Canning, 471 Mass. 341, 28 N.E.3d 1156 (2015)—53.107
- Com. v. Cannon, 449 Mass. 462, 869 N.E.2d 594 (2007)—53.8, 53.41
- Com. v. Caparella, 70 Mass. App. Ct. 506, 874 N.E.2d 682 (2007)—53.49, 53.101, 53.155
- Com. v. Carey, 463 Mass. 378, 974 N.E.2d 624 (2012)—53.4
- Com. v. Carey, 79 Mass. App. Ct. 587, 947 N.E.2d 1124 (2011)—53.4
- Com. v. Cargill, 445 Mass. 329, 837 N.E.2d 263 (2005)—53.154
- Com. v. Carlino, 449 Mass. 71, 865 N.E.2d 767 (2007)—53.93
- Com. v. Carlson, 448 Mass. 501, 862 N.E.2d 363 (2007)—53.41, 53.95
- Com. v. Carlson, 447 Mass. 79, 849 N.E.2d 790 (2006)—53.45
- Com. v. Carnes, 457 Mass. 812, 933 N.E.2d 598 (2010)—53.142
- Com. v. Carney, 458 Mass. 418, 938 N.E.2d 866 (2010)—60.78
- Com. v. Carr, 373 Mass. 617, 369 N.E.2d 970 (1977)—53.105, 53.136
- Com. v. Carson, 72 Mass. App. Ct. 368, 892 N.E.2d 347 (2008)—53.55,

PRIMA FACIE CASE—PROOF AND DEFENSE

- 53.56
 Com. v. Cartagena, 466 Mass. 1021, 998 N.E.2d 334 (2013)—59.119
 Com. v. Carter, 474 Mass. 624, 52 N.E.3d 1054 (2016)—53.44, 53.83
 Com. v. Carter, 442 Mass. 822, 817 N.E.2d 768 (2004)—53.15
 Com. v. Carter, 61 Mass. App. Ct. 205, 808 N.E.2d 829 (2004)—53.15
 Com. v. Cartwright, 447 Mass. 1015, 856 N.E.2d 177 (2006)—53.15
 Com. v. Carvalho, 88 Mass. App. Ct. 840, 43 N.E.3d 340 (2016)—53.15, 53.47
 Com. v. Casanova, 65 Mass. App. Ct. 750, 843 N.E.2d 699 (2006)—53.155
 Com. v. Casey, 442 Mass. 1001, 809 N.E.2d 987 (2004)—53.129
 Com. v. Casey, 442 Mass. 1, 809 N.E.2d 980 (2004)—53.129, 53.145
 Com. v. Cash, 64 Mass. App. Ct. 812, 836 N.E.2d 318 (2005)—53.148, 59.5
 Com. v. Casiano, 70 Mass. App. Ct. 705, 876 N.E.2d 475 (2007)—53.47
 Com. v. Casimir, 68 Mass. App. Ct. 257, 861 N.E.2d 497 (2007)—52.5, 53.122
 Com. v. Casimir, 442 Mass. 1031, 814 N.E.2d 1097 (2004)—52.5
 Com. v. Castillo, 66 Mass. App. Ct. 34, 845 N.E.2d 403 (2006)—53.126
 Com. v. Castro, 72 Mass. App. Ct. 901, 890 N.E.2d 168 (2008)—53.144
 Com. v. Caswell, 85 Mass. App. Ct. 463, 11 N.E.3d 136 (2014)—53.134
 Com. v. Cataldo, 69 Mass. App. Ct. 465, 868 N.E.2d 936 (2007)—53.109
 Com. v. Cathy C., 64 Mass. App. Ct. 471, 833 N.E.2d 1189 (2005)—53.47
 Com. v. Cavanaugh, 63 Mass. App. Ct. 111, 823 N.E.2d 429 (2005)—53.31
 Com. v. Celester, 473 Mass. 553, 45 N.E.3d 539 (2016)—53.119, 53.120, 53.129, 60.87
 Com. v. Cextary, 68 Mass. App. Ct. 752, 864 N.E.2d 1222 (2007)—53.27
 Com. v. Chamberlin, 86 Mass. App. Ct. 705, 20 N.E.3d 954 (2014)—53.105, 53.116
 Com. v. Chambers, 465 Mass. 520, 989 N.E.2d 483 (2013)—53.87
 Com. v. Chappell, 473 Mass. 191, 40 N.E.3d 1031 (2015)—52.2
 Com. v. Charles, 463 Mass. 1008, 977 N.E.2d 551 (2012)—53.36
 Com. v. Charros, 443 Mass. 752, 824 N.E.2d 809 (2005)—53.105
 Com. v. Chase, 70 Mass. App. Ct. 826, 877 N.E.2d 945 (2007)—53.137
 Com. v. Chatman, 473 Mass. 840, 46 N.E.3d 1010 (2016)—53.84
 Com. v. Chatman, 466 Mass. 327, 995 N.E.2d 32 (2013)—60.87
 Com. v. Cheromcka, 66 Mass. App. Ct. 771, 850 N.E.2d 1088 (2006)—53.49
 Com. v. Chhim, 447 Mass. 370, 851 N.E.2d 422 (2006)—53.42
 Com. v. Chiappini, 72 Mass. App. Ct. 188, 889 N.E.2d 966 (2008)—60.87
 Com. v. Childs, 445 Mass. 529, 839 N.E.2d 294 (2005)—53.130, 53.147
 Com. v. Chleikh, 82 Mass. App. Ct. 718, 978 N.E.2d 96 (2012)—53.130
 Com. v. Choeurn, 446 Mass. 510, 845 N.E.2d 310 (2006)—53.130, 53.132, 53.134
 Com. v. Chongarlides, 62 Mass. App. Ct. 709, 819 N.E.2d 971 (2004)—53.142
 Com. v. Chown, 459 Mass. 756, 948

TABLE OF CASES

- N.E.2d 394 (2011)—53.113
- Com. v. Cinelli, 389 Mass. 197, 449 N.E.2d 1207 (1983)—53.106
- Com. v. Clark, 472 Mass. 120, 34 N.E.3d 1 (2015)—60.88.50
- Com. v. Clark, 446 Mass. 620, 846 N.E.2d 765 (2006)—53.15, 53.31, 53.142
- Com. v. Clark, 65 Mass. App. Ct. 39, 836 N.E.2d 512 (2005)—53.114
- Com. v. Clark, 432 Mass. 1, 730 N.E.2d 872 (2000)—53.136
- Com. v. Clarke, 461 Mass. 336, 960 N.E.2d 306 (2012)—53.137
- Com. v. Clarke, 460 Mass. 30, 949 N.E.2d 892 (2011)—53.130, 59.162
- Com. v. Clay, 65 Mass. App. Ct. 215, 837 N.E.2d 725 (2005)—53.15
- Com. v. Clayton (No. 1), 63 Mass. App. Ct. 608, 827 N.E.2d 1273 (2005)—53.63
- Com. v. Clemens, 77 Mass. App. Ct. 232, 929 N.E.2d 344 (2010)—53.119
- Com. v. Clemens, 61 Mass. App. Ct. 915, 814 N.E.2d 384 (2004)—53.38
- Com. v. Clemente, 452 Mass. 295, 893 N.E.2d 19 (2008)—53.87
- Com. v. Coburn, 62 Mass. App. Ct. 314, 816 N.E.2d 177 (2004)—53.103
- Com. v. Coggeshall, 473 Mass. 665, 46 N.E.3d 19 (2016)—53.67
- Com. v. Cohen, 456 Mass. 128, 921 N.E.2d 901 (2010)—60.96
- Com. v. Cohen, 456 Mass. 94, 921 N.E.2d 906 (2010)—53.125
- Com. v. Cohen, 412 Mass. 375, 589 N.E.2d 289 (1992)—53.134
- Com. v. Cole, 468 Mass. 294, 10 N.E.3d 1081 (2014)—53.63, 53.84
- Com. v. Coleman, 64 Mass. App. Ct. 558, 834 N.E.2d 750 (2005)—53.15
- Com. v. Collieran, 452 Mass. 417, 895 N.E.2d 425 (2008)—53.95, 53.131
- Com. v. Collins, 470 Mass. 255, 21 N.E.3d 528 (2014)—53.105, 53.132
- Com. v. Colon, 88 Mass. App. Ct. 579, 39 N.E.3d 463 (2015)—53.109
- Com. v. Colon, 81 Mass. App. Ct. 8, 958 N.E.2d 56 (2011)—53.152.50
- Com. v. Colon, 449 Mass. 207, 866 N.E.2d 412 (2007)—53.36, 53.43, 53.109, 53.117, 53.130, 53.134
- Com. v. Colon, 64 Mass. App. Ct. 303, 832 N.E.2d 1154 (2005)—53.63
- Com. v. Colturi, 448 Mass. 809, 864 N.E.2d 498 (2007)—53.55, 53.56
- Com. v. Companonio, 445 Mass. 39, 833 N.E.2d 136 (2005)—53.84
- Com. v. Congdon, 68 Mass. App. Ct. 782, 864 N.E.2d 1227 (2007)—53.54, 53.129
- Com. v. Conkey, 443 Mass. 60, 819 N.E.2d 176 (2004)—53.132
- Com. v. Conkey, 430 Mass. 139, 714 N.E.2d 343 (1999)—53.137
- Com. v. Connolly, 454 Mass. 808, 913 N.E.2d 356 (2009)—53.101, 53.118
- Com. v. Considine, 448 Mass. 295, 860 N.E.2d 673, 215 Ed. Law Rep. 1058 (2007)—53.116
- Com. v. Constantino, 443 Mass. 521, 822 N.E.2d 1185 (2005)—53.45, 53.58, 53.59
- Com. v. Cook, 447 Mass. 1023, 857 N.E.2d 31 (2006)—53.98
- Com. v. Cook, 419 Mass. 192, 644 N.E.2d 203 (1994)—53.15
- Com. v. Coral, 72 Mass. App. Ct. 222, 890 N.E.2d 146 (2008)—53.122
- Com. v. Corcoran, 69 Mass. App. Ct. 123, 866 N.E.2d 948 (2007)—53.66
- Com. v. Coronel, 70 Mass. App. Ct. 906, 875 N.E.2d 877 (2007)—53.103
- Com. v. Correia, 65 Mass. App. Ct.

PRIMA FACIE CASE—PROOF AND DEFENSE

- 597, 843 N.E.2d 84 (2006)—53.1, 53.119, 53.123
- Com. v. Correia, 65 Mass. App. Ct. 27, 836 N.E.2d 517 (2005)—53.134
- Com. v. Cory, 454 Mass. 559, 911 N.E.2d 187 (2009)—53.101
- Com. v. Costa, 69 Mass. App. Ct. 823, 872 N.E.2d 750 (2007)—53.1, 53.115, 53.134
- Com. v. Costa, 448 Mass. 510, 862 N.E.2d 371 (2007)—53.114
- Com. v. Costa, 65 Mass. App. Ct. 640, 843 N.E.2d 103 (2006)—53.114
- Com. v. Costa, 65 Mass. App. Ct. 227, 838 N.E.2d 592 (2005)—53.36, 53.115
- Com. v. Cotto, 471 Mass. 97, 27 N.E.3d 1213 (2015)—60.87
- Com. v. Cousin, 449 Mass. 809, 873 N.E.2d 742 (2007)—53.93
- Com. v. Couture, 407 Mass. 178, 552 N.E.2d 538 (1990)—53.36
- Com. v. Craan, 469 Mass. 24, 13 N.E.3d 569 (2014)—53.113
- Com. v. Crawford, 429 Mass. 60, 706 N.E.2d 289 (1999)—53.93, 53.137
- Com. v. Crayton, 470 Mass. 228, 21 N.E.3d 157 (2014)—53.132, 53.136, 53.154
- Com. v. Crouse, 447 Mass. 558, 855 N.E.2d 391 (2006)—53.13, 53.95, 64.5
- Com. v. Cruz, 90 Mass. App. Ct. 60, 57 N.E.3d 12 (2016)—53.31
- Com. v. Cruz, 88 Mass. App. Ct. 206, 37 N.E.3d 626 (2015)—53.3
- Com. v. Cruz, 459 Mass. 459, 945 N.E.2d 899 (2011)—53.113
- Com. v. Cruz, 445 Mass. 589, 839 N.E.2d 324 (2005)—53.132, 64.5
- Com. v. Cruz, 62 Mass. App. Ct. 610, 818 N.E.2d 616 (2004)—53.84, 53.123
- Com. v. Cruz, 442 Mass. 299, 812 N.E.2d 1178 (2004)—53.116
- Com. v. Cullen, 62 Mass. App. Ct. 390, 816 N.E.2d 1228 (2004)—53.112
- Com. v. Cumming, 466 Mass. 467, 995 N.E.2d 1094 (2013)—60.99
- Com. v. Cunneen, 389 Mass. 216, 449 N.E.2d 658 (1983)—53.41
- Com. v. Cutts, 444 Mass. 821, 831 N.E.2d 1279 (2005)—53.130
- Com. v. Dagley, 442 Mass. 713, 816 N.E.2d 527 (2004)—53.121, 53.136
- Com. v. Dagraca, 447 Mass. 546, 854 N.E.2d 1249 (2006)—53.102, 53.136
- Com. v. Daley, 463 Mass. 620, 977 N.E.2d 536 (2012)—53.58
- Com. v. Daley, 66 Mass. App. Ct. 254, 846 N.E.2d 787 (2006)—53.59, 53.134
- Com. v. Daly, 90 Mass. App. Ct. 48, 56 N.E.3d 841 (2016)—53.18.50
- Com. v. Dame, 473 Mass. 524, 45 N.E.3d 69 (2016)—53.81
- Com. v. Damiano, 444 Mass. 444, 828 N.E.2d 510 (2005)—53.118
- Com. v. Damon, 82 Mass. App. Ct. 164, 971 N.E.2d 809 (2012)—53.113
- Com. v. D'Amour, 428 Mass. 725, 704 N.E.2d 1166 (1999)—53.143
- Com. v. Dancy, 75 Mass. App. Ct. 175, 912 N.E.2d 525 (2009)—53.142
- Com. v. Daniel, 464 Mass. 746, 985 N.E.2d 843 (2013)—53.113
- Com. v. Daniels, 445 Mass. 392, 837 N.E.2d 683 (2005)—53.133, 60.88
- Com. v. Darnell D., 445 Mass. 670, 840 N.E.2d 33 (2005)—53.66
- Com. v. Dascalakis, 246 Mass. 12, 140 N.E. 470 (1923)—53.129
- Com. v. Dasilva, 66 Mass. App. Ct. 556, 849 N.E.2d 249 (2006)—53.114
- Com. v. Davidson, 68 Mass. App. Ct. 72, 860 N.E.2d 24 (2007)—53.20, 53.63
- Com. v. Davis, 83 Mass. App. Ct. 484, 985 N.E.2d 1216 (2013)—53.93,

TABLE OF CASES

53.118	N.E.3d 161 (2014)—53.49, 53.155
Com. v. Davis, 70 Mass. App. Ct. 314, 873 N.E.2d 1200 (2007)—53.68	Com. v. Denis, 442 Mass. 617, 814 N.E.2d 1080 (2004)—53.14, 53.42
Com. v. Davis, 63 Mass. App. Ct. 88, 823 N.E.2d 411 (2005)—53.114	Com. v. DeOliveira, 447 Mass. 56, 849 N.E.2d 218 (2006)—53.101
Com. v. Dean-Ganek, 461 Mass. 305, 960 N.E.2d 262 (2012)—60.92	Com. v. DePace, 442 Mass. 739, 816 N.E.2d 1215 (2004)—53.41
Com. v. DeBella, 442 Mass. 683, 816 N.E.2d 102 (2004)—53.84	Com. v. DePace, 433 Mass. 379, 742 N.E.2d 1054 (2001)—53.93, 53.137
Com. v. DeGennaro, 84 Mass. App. Ct. 420, 997 N.E.2d 428 (2013)—53.49	Com. v. DePeiza, 66 Mass. App. Ct. 398, 848 N.E.2d 419 (2006)—53.111
Com. v. Dejarnette, 75 Mass. App. Ct. 88, 911 N.E.2d 1280 (2009)—53.115	Com. v. Depina, 456 Mass. 238, 922 N.E.2d 778 (2010)—53.114
Com. v. DeJesus, 468 Mass. 174, 9 N.E.3d 789 (2014)—53.130	Com. v. Deschaine, 77 Mass. App. Ct. 506, 932 N.E.2d 854 (2010)—53.15
Com. v. DeJesus, 72 Mass. App. Ct. 117, 888 N.E.2d 1014 (2008)—53.114	Com. v. Despres, 70 Mass. App. Ct. 645, 875 N.E.2d 864 (2007)—60.87
Com. v. DeJesus, 71 Mass. App. Ct. 799, 887 N.E.2d 283 (2008)—53.130, 53.132, 60.94	Com. v. Dew, 443 Mass. 620, 823 N.E.2d 771 (2005)—53.105, 53.132, 53.134
Com. v. DeJesus, 70 Mass. App. Ct. 114, 872 N.E.2d 1178 (2007)—53.109	Com. v. Diamond, 46 Mass. App. Ct. 103, 703 N.E.2d 1195 (1999)—66.5
Com. v. Delacruz, 463 Mass. 504, 976 N.E.2d 788 (2012)—53.136	Com. v. Dias, 451 Mass. 463, 886 N.E.2d 713 (2008)—53.105
Com. v. Delacruz, 443 Mass. 692, 824 N.E.2d 34 (2005)—53.134	Com. v. Diaz, 448 Mass. 286, 860 N.E.2d 665 (2007)—53.130, 53.131
Com. v. Delacruz, 61 Mass. App. Ct. 445, 811 N.E.2d 512 (2004)—53.134	Com. v. Didas, 471 Mass. 1, 26 N.E.3d 732 (2015)—53.31, 53.156
Com. v. De La Cruz, 405 Mass. 269, 540 N.E.2d 168 (1989)—53.142	Com. v. Difalco, 73 Mass. App. Ct. 401, 897 N.E.2d 1287 (2008)—53.109
Com. v. Delaney, 442 Mass. 604, 814 N.E.2d 346 (2004)—53.21, 53.137	Com. v. Diggs, 475 Mass. 79, 54 N.E.3d 1115 (2016)—53.154
Com. v. Delgado, 367 Mass. 432, 326 N.E.2d 716 (1975)—53.152	Com. v. DiGiambattista, 442 Mass. 423, 813 N.E.2d 516 (2004)—53.3, 53.136
Com. v. Delong, 72 Mass. App. Ct. 42, 888 N.E.2d 956 (2008)—53.132	Com. v. DiJohnson, 63 Mass. App. Ct. 855, 830 N.E.2d 1103 (2005)—53.49
Com. v. DelValle, 443 Mass. 782, 824 N.E.2d 830 (2005)—53.134	Com. v. Dillon D., 448 Mass. 793, 863 N.E.2d 1287 (2007)—53.136
Com. v. DeMarco, 444 Mass. 678, 830 N.E.2d 1068 (2005)—53.44, 53.95	
Com. v. Denehy, 466 Mass. 723, 2	

PRIMA FACIE CASE—PROOF AND DEFENSE

- Com. v. Dineen, 70 Mass. App. Ct. 1, 872 N.E.2d 785 (2007)—53.63
- Com. v. Dingle, 73 Mass. App. Ct. 274, 898 N.E.2d 1 (2008)—53.60, 53.101
- Com. v. DiPadova, 460 Mass. 424, 951 N.E.2d 891 (2011)—53.85
- Com. v. Disler, 451 Mass. 216, 884 N.E.2d 500 (2008)—53.28.50
- Com. v. Dixon, 458 Mass. 446, 938 N.E.2d 878 (2010)—53.157
- Com. v. Doe, 473 Mass. 76, 39 N.E.3d 427 (2015)—53.116
- Com. v. Doe, 420 Mass. 142, 648 N.E.2d 1255 (1995)—60.100
- Com. v. Donohue, 452 Mass. 256, 892 N.E.2d 718 (2008)—53.153
- Com. v. Dorazio, 472 Mass. 535, 37 N.E.3d 566 (2015)—53.94
- Com. v. Dorelas, 473 Mass. 496, 43 N.E.3d 306 (2016)—53.116
- Com. v. Dorvil, 472 Mass. 1, 32 N.E.3d 861 (2015)—53.20
- Com. v. Dossantos, 472 Mass. 74, 33 N.E.3d 405 (2015)—53.22.75
- Com. v. Dotson, 462 Mass. 96, 966 N.E.2d 811 (2012)—53.156
- Com. v. Douglas, 472 Mass. 439, 35 N.E.3d 349 (2015)—53.111
- Com. v. Downey, 78 Mass. App. Ct. 224, 936 N.E.2d 442 (2010)—53.125
- Com. v. Downey, 65 Mass. App. Ct. 547, 842 N.E.2d 955 (2006)—53.119, 53.128
- Com. v. Doyle, 67 Mass. App. Ct. 846, 858 N.E.2d 1098 (2006)—53.141
- Com. v. Draheim, 447 Mass. 113, 849 N.E.2d 823 (2006)—53.13
- Com. v. Drapaniotis, 89 Mass. App. Ct. 267, 48 N.E.3d 45 (2016)—53.36
- Com. v. Dresser, 71 Mass. App. Ct. 454, 883 N.E.2d 306 (2008)—53.84, 53.144
- Com. v. Drew, 447 Mass. 635, 856 N.E.2d 808 (2006)—53.130
- Com. v. Drew, 67 Mass. App. Ct. 261, 853 N.E.2d 215 (2006)—53.52
- Com. v. Dubois, 451 Mass. 20, 883 N.E.2d 276 (2008)—60.87
- Com. v. Duffy, 62 Mass. App. Ct. 921, 818 N.E.2d 176 (2004)—53.59
- Com. v. Duncan, 467 Mass. 746, 7 N.E.3d 469 (2014)—53.18.50, 53.109
- Com. v. Duncan, 71 Mass. App. Ct. 150, 879 N.E.2d 1253 (2008)—53.117
- Com. v. Durand, 475 Mass. 657, 59 N.E.3d 1152 (2016)—53.93
- Com. v. Durand, 457 Mass. 574, 931 N.E.2d 950 (2010)—53.101, 53.136
- Com. v. Durham, 446 Mass. 212, 843 N.E.2d 1035 (2006)—52.1, 60.78
- Com. v. Dussault, 71 Mass. App. Ct. 542, 883 N.E.2d 1243 (2008)—53.152
- Com. v. Dustin, 476 Mass. 1003, 63 N.E.3d 375 (2016)—53.20
- Com. v. Dustin, 373 Mass. 612, 368 N.E.2d 1388 (1977)—53.137
- Com. v. Dwyer, 448 Mass. 122, 859 N.E.2d 400 (2006)—53.65, 53.100
- Com. v. Dyer, 460 Mass. 728, 955 N.E.2d 271 (2011)—53.142
- Com. v. Dyette, 87 Mass. App. Ct. 548, 32 N.E.3d 906 (2015)—53.116
- Com. v. Dykens, 473 Mass. 635, 45 N.E.3d 580 (2016)—53.2, 53.15
- Com. v. Eberhart, 461 Mass. 809, 965 N.E.2d 791 (2012)—53.152.50
- Com. v. Eddington, 459 Mass. 102, 944 N.E.2d 153 (2011)—53.98, 53.113
- Com. v. Eddington, 76 Mass. App. Ct. 173, 920 N.E.2d 883 (2010)—53.114
- Com. v. Eddington, 71 Mass. App. Ct. 138, 879 N.E.2d 1261 (2008)—53.127
- Com. v. Edward, 75 Mass. App. Ct. 162, 912 N.E.2d 515 (2009)—

TABLE OF CASES

53.125	53.117, 53.134, 53.137
Com. v. Edwards, 71 Mass. App. Ct. 716, 886 N.E.2d 722 (2008)—53.103	Com. v. Fappiano, 69 Mass. App. Ct. 727, 871 N.E.2d 1090 (2007)—60.87
Com. v. Edwards, 444 Mass. 526, 830 N.E.2d 158 (2005)—53.11	Com. v. Farley, 64 Mass. App. Ct. 854, 835 N.E.2d 1159 (2005)—53.36
Com. v. Eggleston, 453 Mass. 554, 903 N.E.2d 1087 (2009)—53.113	Com. v. Farley, 443 Mass. 740, 824 N.E.2d 797 (2005)—53.41, 53.129, 53.132, 53.137
Com. v. Eggleston, 71 Mass. App. Ct. 363, 881 N.E.2d 1174 (2008)—53.113	Com. v. Fay, 467 Mass. 574, 5 N.E.3d 1216 (2014)—53.63, 53.101.50
Com. v. Eller, 66 Mass. App. Ct. 564, 849 N.E.2d 859 (2006)—53.107	Com. v. Federici, 427 Mass. 740, 696 N.E.2d 111 (1998)—53.131
Com. v. Ellison, 376 Mass. 1, 379 N.E.2d 560 (1978)—53.133	Com. v. Federico, 70 Mass. App. Ct. 711, 876 N.E.2d 479 (2007)—53.15, 53.28.50, 53.145
Com. v. Entwistle, 463 Mass. 205, 973 N.E.2d 115 (2012)—53.109	Com. v. Feliciano, 442 Mass. 728, 816 N.E.2d 1205 (2004)—52.5, 53.65, 53.100
Com. v. Epifania, 80 Mass. App. Ct. 71, 951 N.E.2d 723 (2011)—53.18.50	Com. v. Fenton F., 442 Mass. 31, 809 N.E.2d 1005 (2004)—53.129
Com. v. Epps, 474 Mass. 743, 53 N.E.3d 1247 (2016)—53.130	Com. v. Ferguson, 63 Mass. App. Ct. 909, 826 N.E.2d 218 (2005)—53.154
Com. v. Erazo, 63 Mass. App. Ct. 624, 827 N.E.2d 1288 (2005)—60.79	Com. v. Fernandes, 430 Mass. 517, 722 N.E.2d 406 (1999)—53.15
Com. v. Erickson, 74 Mass. App. Ct. 172, 905 N.E.2d 127 (2009)—53.18.50	Com. v. Fernandez, 458 Mass. 137, 934 N.E.2d 810 (2010)—53.105
Com. v. Escalera, 462 Mass. 636, 970 N.E.2d 319 (2012)—53.107	Com. v. Ferola, 72 Mass. App. Ct. 170, 889 N.E.2d 436 (2008)—53.54
Com. v. Escalera, 79 Mass. App. Ct. 262, 945 N.E.2d 415 (2011)—53.107	Com. v. Ferreira, 90 Mass. App. Ct. 491, 62 N.E.3d 63 (2016)—53.94
Com. v. Escalera, 70 Mass. App. Ct. 729, 876 N.E.2d 493 (2007)—53.139	Com. v. Ferreira, 460 Mass. 781, 955 N.E.2d 898 (2011)—53.132
Com. v. Espada, 450 Mass. 687, 880 N.E.2d 795 (2008)—53.87	Com. v. Ferreira, 70 Mass. App. Ct. 32, 872 N.E.2d 808 (2007)—53.59
Com. v. Estabrook, 472 Mass. 852, 38 N.E.3d 231 (2015)—53.105	Com. v. Ferrer, 68 Mass. App. Ct. 544, 863 N.E.2d 563 (2007)—53.136, 59.181.50
Com. v. Estrada, 69 Mass. App. Ct. 514, 868 N.E.2d 1259 (2007)—53.122, 53.130	Com. v. Fettes, 64 Mass. App. Ct. 917, 835 N.E.2d 639 (2005)—53.21
Com. v. Evelyn, 470 Mass. 765, 26 N.E.3d 158 (2015)—53.122, 53.144	Com. v. Feyenord, 445 Mass. 72, 833 N.E.2d 590 (2005)—53.114, 53.117
Com. v. Ewing, 67 Mass. App. Ct. 531, 854 N.E.2d 993 (2006)—53.63,	Com. v. Feyenord, 62 Mass. App. Ct. 200, 815 N.E.2d 628 (2004)—

PRIMA FACIE CASE—PROOF AND DEFENSE

- 53.114, 53.117
- Com. v. Figueroa, 464 Mass. 365, 982 N.E.2d 1173 (2013)—53.47.50
- Com. v. Figueroa, 451 Mass. 566, 887 N.E.2d 1040 (2008)—53.10, 53.101, 59.121
- Com. v. Filopoulos, 451 Mass. 234, 884 N.E.2d 514 (2008)—53.28.50
- Com. v. Finase, 435 Mass. 310, 757 N.E.2d 721 (2001)—53.22
- Com. v. Firmin, 89 Mass. App. Ct. 62, 46 N.E.3d 558 (2016)—53.145
- Com. v. Fleury, 64 Mass. App. Ct. 282, 832 N.E.2d 1145 (2005)—53.41
- Com. v. Fling, 67 Mass. App. Ct. 232, 852 N.E.2d 1137 (2006)—53.124
- Com. v. Floyd P., 415 Mass. 826, 615 N.E.2d 938 (1993)—53.142
- Com. v. Fluellen, 456 Mass. 517, 924 N.E.2d 713 (2010)—53.8, 59.162
- Com. v. Foley, 445 Mass. 1001, 833 N.E.2d 130 (2005)—53.101, 53.136
- Com. v. Fondakowski, 62 Mass. App. Ct. 939, 821 N.E.2d 481 (2005)—53.63
- Com. v. Foreman, 63 Mass. App. Ct. 801, 830 N.E.2d 219 (2005)—53.152, 53.152.50
- Com. v. Forish, 61 Mass. App. Ct. 554, 812 N.E.2d 281 (2004)—53.105
- Com. v. Fortini, 68 Mass. App. Ct. 701, 864 N.E.2d 1204 (2007)—53.43
- Com. v. Fortuna, 80 Mass. App. Ct. 45, 951 N.E.2d 687 (2011)—53.47.25
- Com. v. Fortunato, 466 Mass. 500, 996 N.E.2d 457 (2013)—53.136
- Com. v. Franchino, 61 Mass. App. Ct. 367, 810 N.E.2d 1251 (2004)—53.87
- Com. v. Francis, 474 Mass. 816, 54 N.E.3d 485 (2016)—60.87
- Com. v. Francis, 450 Mass. 132, 876 N.E.2d 862 (2007)—53.134, 53.144
- Com. v. Frank, 433 Mass. 185, 740 N.E.2d 629 (2001)—53.130
- Com. v. Fredette, 396 Mass. 455, 486 N.E.2d 1112 (1985)—53.118
- Com. v. Freeman, 472 Mass. 503, 36 N.E.3d 12 (2015)—53.83, 53.156
- Com. v. Freeman, 442 Mass. 779, 817 N.E.2d 727 (2004)—53.41, 53.134, 53.137, 53.142
- Com. v. Freeman, 352 Mass. 556, 227 N.E.2d 3 (1967)—60.85
- Com. v. Fremont Investment & Loan, 452 Mass. 733, 897 N.E.2d 548 (2008)—2.54, 15.22
- Com. v. French, 462 Mass. 41, 965 N.E.2d 845 (2012)—53.8
- Com. v. Frith, 458 Mass. 434, 939 N.E.2d 709 (2010)—60.78
- Com. v. Frongillo, 66 Mass. App. Ct. 677, 850 N.E.2d 1060 (2006)—53.36
- Com. v. Fujita, 470 Mass. 484, 23 N.E.3d 882 (2015)—53.125.50
- Com. v. Fuller, 66 Mass. App. Ct. 84, 845 N.E.2d 434 (2006)—53.63
- Com. v. F.W., 465 Mass. 1, 986 N.E.2d 868 (2013)—53.118
- Com. v. Galicia, 447 Mass. 737, 857 N.E.2d 463 (2006)—53.101
- Com. v. Gallagher, 68 Mass. App. Ct. 56, 859 N.E.2d 893 (2007)—53.107
- Com. v. Gallant, 453 Mass. 535, 903 N.E.2d 1081 (2009)—53.47
- Com. v. Gallant, 65 Mass. App. Ct. 409, 840 N.E.2d 998 (2006)—53.93
- Com. v. Gambora, 457 Mass. 715, 933 N.E.2d 50 (2010)—53.132
- Com. v. Gaouette, 66 Mass. App. Ct. 633, 850 N.E.2d 1 (2006)—53.3, 53.43
- Com. v. Garcia, 89 Mass. App. Ct. 67, 45 N.E.3d 602 (2016)—53.65.50
- Com. v. Garcia, 84 Mass. App. Ct. 760, 3 N.E.3d 1105 (2014)—64.3
- Com. v. Garcia, 443 Mass. 824, 824

TABLE OF CASES

- N.E.2d 864 (2005)—53.41, 53.136
- Com. v. Garcia, 409 Mass. 675, 569 N.E.2d 385 (1991)—53.121
- Com. v. Garden, 451 Mass. 43, 883 N.E.2d 905 (2008)—53.113
- Com. v. Gardner, 67 Mass. App. Ct. 744, 856 N.E.2d 896 (2006)—53.66
- Com. v. Garrett, 473 Mass. 257, 41 N.E.3d 28 (2015)—53.68
- Com. v. Gaudette, 441 Mass. 762, 808 N.E.2d 798 (2004)—53.134
- Com. v. Gautreaux, 458 Mass. 741, 941 N.E.2d 616 (2011)—60.87
- Com. v. Gavin G., 437 Mass. 470, 772 N.E.2d 1067 (2002)—60.79
- Com. v. Gaylardo, 68 Mass. App. Ct. 906, 861 N.E.2d 30 (2007)—53.114
- Com. v. Gaynor, 443 Mass. 245, 820 N.E.2d 233 (2005)—53.13, 53.115, 53.134, 60.94
- Com. v. Gelfgatt, 468 Mass. 512, 11 N.E.3d 605 (2014)—53.137
- Com. v. Gentile, 466 Mass. 817, 2 N.E.3d 873 (2014)—53.110
- Com. v. Gentle, 80 Mass. App. Ct. 243, 952 N.E.2d 426 (2011)—53.109
- Com. v. Gilbert, 447 Mass. 161, 849 N.E.2d 1246 (2006)—60.87
- Com. v. Gillis, 448 Mass. 354, 861 N.E.2d 422 (2007)—53.63, 53.84
- Com. v. Given, 441 Mass. 741, 808 N.E.2d 788 (2004)—53.84
- Com. v. Glacken, 451 Mass. 163, 883 N.E.2d 1228 (2008)—53.87, 53.137
- Com. v. Glover, 459 Mass. 836, 948 N.E.2d 415 (2011)—53.131
- Com. v. Goewey, 452 Mass. 399, 894 N.E.2d 1128 (2008)—53.111
- Com. v. Goewey, 69 Mass. App. Ct. 429, 868 N.E.2d 651 (2007)—53.114
- Com. v. Goldenberg, 338 Mass. 377, 155 N.E.2d 187, 70 A.L.R.2d 814 (1959)—53.63
- Com. v. Gomes, 470 Mass. 352, 22 N.E.3d 897 (2015)—53.132
- Com. v. Gomes, 459 Mass. 194, 944 N.E.2d 1007 (2011)—53.126
- Com. v. Gomes, 75 Mass. App. Ct. 791, 917 N.E.2d 231 (2009)—53.114
- Com. v. Gomes, 453 Mass. 506, 903 N.E.2d 567 (2009)—53.111
- Com. v. Gomes, 73 Mass. App. Ct. 857, 903 N.E.2d 234 (2009)—53.153
- Com. v. Gomes, 443 Mass. 502, 822 N.E.2d 720 (2005)—53.130, 53.134
- Com. v. Gomes, 419 Mass. 630, 646 N.E.2d 1041 (1995)—52.5, 53.122, 53.152
- Com. v. Gomez, 450 Mass. 704, 881 N.E.2d 745 (2008)—53.41, 53.130
- Com. v. Goncalves, 62 Mass. App. Ct. 153, 815 N.E.2d 592 (2004)—53.109, 53.113
- Com. v. Gonsalves, 445 Mass. 1, 833 N.E.2d 549 (2005)—53.101, 53.140
- Com. v. Gonzalez, 469 Mass. 410, 14 N.E.3d 282 (2014)—53.41
- Com. v. Gonzalez, 452 Mass. 142, 892 N.E.2d 255 (2008)—52.6, 53.8, 53.31
- Com. v. Gonzalez, 68 Mass. App. Ct. 620, 863 N.E.2d 958 (2007)—53.101, 53.102
- Com. v. Gonzalez, 68 Mass. App. Ct. 91, 860 N.E.2d 37 (2007)—53.36
- Com. v. Gonzalez, 67 Mass. App. Ct. 877, 858 N.E.2d 1122 (2006)—53.3
- Com. v. Gonzalez, 443 Mass. 799, 824 N.E.2d 843 (2005)—53.1, 53.8, 53.42, 53.43, 53.44
- Com. v. Goodreau, 442 Mass. 341, 813 N.E.2d 465 (2004)—60.88
- Com. v. Goodwin, 458 Mass. 11, 933 N.E.2d 925 (2010)—53.101
- Com. v. Gopaul, 86 Mass. App. Ct. 685,

PRIMA FACIE CASE—PROOF AND DEFENSE

- 20 N.E.3d 621 (2014)—53.31, 53.101
- Com. v. Gordon, 42 Mass. App. Ct. 601, 678 N.E.2d 1341 (1997)—53.27
- Com. v. Goren, 72 Mass. App. Ct. 678, 893 N.E.2d 786 (2008)—53.49
- Com. v. Grady, 474 Mass. 715, 54 N.E.3d 22 (2016)—60.85
- Com. v. Graham, 62 Mass. App. Ct. 642, 818 N.E.2d 1069 (2004)—53.87
- Com. v. Grannum, 457 Mass. 128, 928 N.E.2d 339 (2010)—53.122, 59.119
- Com. v. Grant, 73 Mass. App. Ct. 471, 898 N.E.2d 883 (2009)—53.84
- Com. v. Grassie, 476 Mass. 202, 65 N.E.3d 1199 (2017)—53.83, 53.143
- Com. v. Gray, 463 Mass. 731, 978 N.E.2d 543 (2012)—53.132
- Com. v. Greco, 76 Mass. App. Ct. 296, 921 N.E.2d 1001 (2010)—59.162
- Com. v. Green, 72 Mass. App. Ct. 903, 890 N.E.2d 171 (2008)—53.133
- Com. v. Green, 66 Mass. App. Ct. 901, 845 N.E.2d 392 (2006)—53.15
- Com. v. Greene, 461 Mass. 1011, 964 N.E.2d 982 (2012)—53.15
- Com. v. Greineder, 464 Mass. 580, 984 N.E.2d 804 (2013)—53.95, 53.101
- Com. v. Greineder, 458 Mass. 207, 936 N.E.2d 372 (2010)—53.105
- Com. v. Griffen, 444 Mass. 1004, 828 N.E.2d 14 (2005)—53.22
- Com. v. Griffin, 475 Mass. 848, 62 N.E.3d 490 (2016)—53.84
- Com. v. Griffith, 404 Mass. 256, 534 N.E.2d 1153 (1989)—53.41
- Com. v. Grissett, 66 Mass. App. Ct. 454, 848 N.E.2d 441 (2006)—25.11, 53.63, 53.129, 53.137
- Com. v. Groome, 435 Mass. 201, 755 N.E.2d 1224 (2001)—53.136
- Com. v. Gross, 447 Mass. 691, 856 N.E.2d 850 (2006)—53.63, 53.84
- Com. v. Gross, 64 Mass. App. Ct. 829, 835 N.E.2d 1147 (2005)—53.84
- Com. v. Guisti, 449 Mass. 1018, 867 N.E.2d 740 (2007)—53.145
- Com. v. Guthrie G., 449 Mass. 1028, 869 N.E.2d 585 (2007)—53.139
- Com. v. Guthrie G., 66 Mass. App. Ct. 414, 848 N.E.2d 787 (2006)—53.139
- Com. v. Guzman, 469 Mass. 492, 14 N.E.3d 946 (2014)—53.101, 53.116
- Com. v. Guzman, 446 Mass. 344, 845 N.E.2d 270 (2006)—53.97
- Com. v. Hailey, 62 Mass. App. Ct. 250, 815 N.E.2d 1098 (2004)—53.44
- Com. v. Haith, 452 Mass. 409, 894 N.E.2d 1122 (2008)—53.121, 64.5
- Com. v. Hall, 80 Mass. App. Ct. 317, 952 N.E.2d 951 (2011)—53.15
- Com. v. Hall, 66 Mass. App. Ct. 390, 848 N.E.2d 781 (2006)—53.95
- Com. v. Hallet, 427 Mass. 552, 694 N.E.2d 845 (1998)—53.129
- Com. v. Halstrom, 84 Mass. App. Ct. 372, 996 N.E.2d 892 (2013)—53.62
- Com. v. Hamilton, 459 Mass. 422, 945 N.E.2d 877 (2011)—53.74
- Com. v. Hampton, 457 Mass. 152, 928 N.E.2d 917 (2010)—53.8, 53.102, 53.116, 53.121, 53.142
- Com. v. Hampton, 64 Mass. App. Ct. 27, 831 N.E.2d 341 (2005)—53.83, 53.156
- Com. v. Hampton, 26 Mass. App. Ct. 938, 525 N.E.2d 1341 (1988)—53.36
- Com. v. Hanright, 465 Mass. 639, 989 N.E.2d 883 (2013)—52.1, 60.78
- Com. v. Hanson H., 464 Mass. 807, 985 N.E.2d 1179 (2013)—53.116
- Com. v. Hardy, 464 Mass. 660, 984 N.E.2d 727 (2013)—53.125
- Com. v. Hardy, 63 Mass. App. Ct. 210, 824 N.E.2d 883 (2005)—53.107

TABLE OF CASES

Com. v. Harmon, 63 Mass. App. Ct. 456, 826 N.E.2d 761 (2005)—53.105, 53.106	53.131
Com. v. Harris, 443 Mass. 714, 825 N.E.2d 58 (2005)—53.65, 53.134	Com. v. Herring, 66 Mass. App. Ct. 360, 847 N.E.2d 1119 (2006)—53.116, 53.117
Com. v. Hart, 467 Mass. 322, 4 N.E.3d 1231 (2014)—53.122	Com. v. Hill, 64 Mass. App. Ct. 131, 831 N.E.2d 923 (2005)—53.114
Com. v. Hartfield, 474 Mass. 474, 51 N.E.3d 465 (2016)—53.154	Com. v. Hilton, 450 Mass. 173, 877 N.E.2d 545 (2007)—53.136
Com. v. Hartnett, 72 Mass. App. Ct. 467, 892 N.E.2d 805 (2008)—53.20, 53.64, 53.140, 64.5	Com. v. Hilton, 443 Mass. 597, 823 N.E.2d 383 (2005)—53.136
Com. v. Harvey, 66 Mass. App. Ct. 297, 847 N.E.2d 355 (2006)—53.152	Com. v. Hinds, 450 Mass. 1, 875 N.E.2d 488 (2007)—53.19, 53.41
Com. v. Healy, 452 Mass. 510, 895 N.E.2d 752 (2008)—60.97	Com. v. Hines, 449 Mass. 183, 866 N.E.2d 406 (2007)—53.36
Com. v. Hebert, 379 Mass. 752, 400 N.E.2d 851 (1980)—53.145	Com. v. Hiskin, 68 Mass. App. Ct. 633, 863 N.E.2d 978 (2007)—53.122
Com. v. Hector H., 69 Mass. App. Ct. 43, 865 N.E.2d 1178 (2007)—53.154	Com. v. Hokanson, 74 Mass. App. Ct. 403, 907 N.E.2d 674 (2009)—53.74
Com. v. Helberg, 73 Mass. App. Ct. 175, 896 N.E.2d 651 (2008)—53.134	Com. v. Holmes, 469 Mass. 1010, 15 N.E.3d 741 (2014)—53.152
Com. v. Hendricks, 452 Mass. 97, 891 N.E.2d 209 (2008)—53.67	Com. v. Holmes, 83 Mass. App. Ct. 737, 989 N.E.2d 545 (2013)—53.152
Com. v. Henley, 63 Mass. App. Ct. 1, 822 N.E.2d 313 (2005)—53.114, 53.131	Com. v. Hopkins, 79 Mass. App. Ct. 412, 946 N.E.2d 153 (2011)—59.162
Com. v. Henriquez, 65 Mass. App. Ct. 912, 844 N.E.2d 698 (2006)—53.152	Com. v. Horton, 63 Mass. App. Ct. 571, 827 N.E.2d 1257 (2005)—53.36, 53.113, 53.114
Com. v. Henry, 475 Mass. 117, 55 N.E.3d 943 (2016)—53.155	Com. v. Hoshi H., 72 Mass. App. Ct. 18, 887 N.E.2d 1104 (2008)—53.83
Com. v. Herbert, 445 Mass. 1018, 838 N.E.2d 1236 (2005)—53.98	Com. v. Hour, 446 Mass. 35, 841 N.E.2d 709 (2006)—53.20, 53.43
Com. v. Hernandez, 475 Mass. 267, 56 N.E.3d 767 (2016)—53.105, 53.106	Com. v. Housen, 83 Mass. App. Ct. 174, 982 N.E.2d 66 (2013)—53.93
Com. v. Hernandez, 456 Mass. 528, 924 N.E.2d 709, 255 Ed. Law Rep. 366 (2010)—53.114	Com. v. Housewright, 470 Mass. 665, 25 N.E.3d 273 (2015)—53.147
Com. v. Hernandez, 448 Mass. 711, 863 N.E.2d 930 (2007)—53.114	Com. v. Howard, 81 Mass. App. Ct. 757, 967 N.E.2d 1150 (2012)—53.152, 53.153
Com. v. Hernandez, 63 Mass. App. Ct. 426, 826 N.E.2d 753 (2005)—	Com. v. Howard, 446 Mass. 563, 845 N.E.2d 368 (2006)—53.119
	Com. v. Howard, 62 Mass. App. Ct. 422, 816 N.E.2d 1241 (2004)—

PRIMA FACIE CASE—PROOF AND DEFENSE

- 53.15
- Com. v. Hoyle, 67 Mass. App. Ct. 10, 851 N.E.2d 469 (2006)—53.119
- Com. v. Hoyt, 461 Mass. 143, 958 N.E.2d 834 (2011)—53.136, 60.3
- Com. v. Hrycenko, 61 Mass. App. Ct. 378, 810 N.E.2d 851 (2004)—53.96
- Com. v. Hubbard, 69 Mass. App. Ct. 232, 867 N.E.2d 341 (2007)—53.36, 53.92, 53.136
- Com. v. Hubert, 453 Mass. 1009, 902 N.E.2d 368 (2009)—53.56
- Com. v. Hubert, 71 Mass. App. Ct. 661, 885 N.E.2d 164 (2008)—53.56
- Com. v. Huggins, 84 Mass. App. Ct. 107, 993 N.E.2d 734 (2013)—60.79
- Com. v. Humberto H., 466 Mass. 562, 998 N.E.2d 1003, 299 Ed. Law Rep. 694 (2013)—53.31, 60.79
- Com. v. Humphries, 465 Mass. 762, 991 N.E.2d 652 (2013)—53.36
- Com. v. Hunt, 462 Mass. 807, 971 N.E.2d 768 (2012)—53.63
- Com. v. Hunt, 79 Mass. App. Ct. 344, 945 N.E.2d 995 (2011)—53.63
- Com. v. Hunter, 427 Mass. 651, 695 N.E.2d 653 (1998)—53.142
- Com. v. Hurd, 65 Mass. App. Ct. 788, 844 N.E.2d 259 (2006)—53.14
- Com. v. Hurley, 455 Mass. 53, 913 N.E.2d 850 (2009)—53.101, 60.91
- Com. v. Hyde, 88 Mass. App. Ct. 761, 42 N.E.3d 1171 (2015)—53.49
- Com. v. Hyde, 434 Mass. 594, 750 N.E.2d 963 (2001)—53.118
- Com. v. Iacoviello, 90 Mass. App. Ct. 231, 58 N.E.3d 1032 (2016)—53.7
- Com. v. Iguabita, 69 Mass. App. Ct. 295, 867 N.E.2d 783 (2007)—53.133
- Com. v. Ilges, 64 Mass. App. Ct. 503, 834 N.E.2d 276 (2005)—53.105, 53.107
- Com. v. Ilya I., 470 Mass. 625, 24 N.E.3d 1048 (2015)—53.31
- Com. v. Irene, 462 Mass. 600, 970 N.E.2d 291 (2012)—53.101
- Com. v. Irwin, 72 Mass. App. Ct. 643, 893 N.E.2d 414 (2008)—53.137
- Com. v. Isabelle, 444 Mass. 416, 828 N.E.2d 53 (2005)—53.137
- Com. v. Isaiah I., 450 Mass. 818, 882 N.E.2d 328 (2008)—60.97
- Com. v. Isaiah I., 448 Mass. 334, 861 N.E.2d 404 (2007)—60.97
- Com. v. Jackmon, 63 Mass. App. Ct. 47, 822 N.E.2d 754 (2005)—53.41
- Com. v. Jackson, 471 Mass. 262, 28 N.E.3d 437 (2015)—53.86, 53.142
- Com. v. Jackson, 447 Mass. 603, 855 N.E.2d 1097 (2006)—53.103, 53.136
- Com. v. James, 73 Mass. App. Ct. 383, 897 N.E.2d 1268 (2008)—53.15, 53.74
- Com. v. Jarvis, 68 Mass. App. Ct. 538, 863 N.E.2d 567 (2007)—53.152
- Com. v. Jaundoo, 64 Mass. App. Ct. 56, 831 N.E.2d 365 (2005)—53.63
- Com. v. Jean-Pierre, 65 Mass. App. Ct. 162, 837 N.E.2d 707 (2005)—53.20
- Com. v. Jefferson, 377 Mass. 716, 387 N.E.2d 579 (1979)—53.36
- Com. v. Jewett, 471 Mass. 624, 31 N.E.3d 1079 (2015)—53.109
- Com. v. Jewett, 442 Mass. 356, 813 N.E.2d 452 (2004)—53.63, 53.95
- Com. v. John, 442 Mass. 329, 812 N.E.2d 1218 (2004)—53.95, 53.136
- Com. v. Johnson, 88 Mass. App. Ct. 705, 42 N.E.3d 639 (2015)—53.114
- Com. v. Johnson, 470 Mass. 300, 21 N.E.3d 937 (2014)—53.38
- Com. v. Johnson, 461 Mass. 44, 958 N.E.2d 25 (2011)—53.36
- Com. v. Johnson, 461 Mass. 1, 957 N.E.2d 1073 (2011)—53.98

TABLE OF CASES

- Com. v. Johnson, 80 Mass. App. Ct. 505, 954 N.E.2d 56 (2011)—53.120
- Com. v. Johnson, 454 Mass. 159, 908 N.E.2d 729 (2009)—53.111
- Com. v. Johnson, 447 Mass. 1018, 856 N.E.2d 822 (2006)—52.5
- Com. v. Johnston, 446 Mass. 555, 845 N.E.2d 350 (2006)—53.20
- Com. v. Johnston, 63 Mass. App. Ct. 680, 828 N.E.2d 568 (2005)—53.42
- Com. v. Jones, 472 Mass. 707, 37 N.E.3d 589 (2015)—53.65
- Com. v. Jones, 71 Mass. App. Ct. 568, 884 N.E.2d 532 (2008)—53.152
- Com. v. Jones, 372 Mass. 403, 361 N.E.2d 1308 (1977)—53.36
- Com. v. Jordan, 469 Mass. 134, 12 N.E.3d 371 (2014)—60.97
- Com. v. Joyce, 84 Mass. App. Ct. 574, 998 N.E.2d 1038 (2013)—53.15
- Com. v. Junta, 62 Mass. App. Ct. 120, 815 N.E.2d 254 (2004)—53.95, 53.133, 60.78
- Com. v. Ka, 70 Mass. App. Ct. 137, 873 N.E.2d 249 (2007)—53.134, 53.136
- Com. v. Kachoul, 69 Mass. App. Ct. 352, 868 N.E.2d 153 (2007)—53.132
- Com. v. Kastner, 76 Mass. App. Ct. 131, 920 N.E.2d 79 (2010)—53.48
- Com. v. Kaupp, 453 Mass. 102, 899 N.E.2d 809, 240 Ed. Law Rep. 896 (2009)—53.105
- Com. v. Kee, 449 Mass. 550, 870 N.E.2d 57 (2007)—53.11, 53.134
- Com. v. Keefner, 461 Mass. 507, 961 N.E.2d 1083 (2012)—53.31
- Com. v. Kegler, 65 Mass. App. Ct. 907, 841 N.E.2d 730 (2006)—53.3, 53.110, 60.94
- Com. v. Kelly, 470 Mass. 682, 25 N.E.3d 288 (2015)—53.15
- Com. v. Kelly, 69 Mass. App. Ct. 751, 871 N.E.2d 1103 (2007)—53.15
- Com. v. Kendall, 451 Mass. 10, 883 N.E.2d 269 (2008)—53.92
- Com. v. Kendrick, 446 Mass. 72, 841 N.E.2d 1235 (2006)—53.154
- Com. v. Kendrick, 63 Mass. App. Ct. 142, 823 N.E.2d 801 (2005)—53.22, 53.154
- Com. v. Kennedy, 435 Mass. 527, 762 N.E.2d 794 (2001)—53.84
- Com. v. Kenney, 449 Mass. 840, 874 N.E.2d 1089 (2007)—53.15, 53.101
- Com. v. Keo, 467 Mass. 25, 3 N.E.3d 55 (2014)—53.129, 53.130, 53.134
- Com. v. Keohane, 444 Mass. 563, 829 N.E.2d 1125 (2005)—53.43, 53.152, 64.5
- Com. v. Keon K., 70 Mass. App. Ct. 568, 875 N.E.2d 498 (2007)—53.127, 53.152
- Com. v. Kereakoglow, 456 Mass. 225, 922 N.E.2d 790 (2010)—53.60
- Com. v. Kerns, 449 Mass. 641, 871 N.E.2d 433 (2007)—52.5, 53.74
- Com. v. Kessler, 442 Mass. 770, 817 N.E.2d 711 (2004)—53.50
- Com. v. Kincaid, 444 Mass. 381, 828 N.E.2d 45 (2005)—53.145
- Com. v. Kincaid, 61 Mass. App. Ct. 657, 813 N.E.2d 875 (2004)—53.145
- Com. v. King, 461 Mass. 354, 960 N.E.2d 894 (2012)—59.162
- Com. v. King, 71 Mass. App. Ct. 737, 886 N.E.2d 727 (2008)—53.154
- Com. v. King, 69 Mass. App. Ct. 113, 866 N.E.2d 938 (2007)—53.21, 53.68
- Com. v. King, 67 Mass. App. Ct. 823, 858 N.E.2d 308 (2006)—53.109, 53.112
- Com. v. King, 445 Mass. 217, 834 N.E.2d 1175, 40 A.L.R.6th 609 (2005)—53.64
- Com. v. Kirschner, 67 Mass. App. Ct.

PRIMA FACIE CASE—PROOF AND DEFENSE

- 836, 859 N.E.2d 433 (2006)—
53.109, 53.117
- Com. v. Kirwan, 448 Mass. 304, 860
N.E.2d 931 (2007)—53.41, 53.136
- Com. v. Kneram, 63 Mass. App. Ct.
371, 826 N.E.2d 733 (2005)—
19.18, 19.19
- Com. v. Knowles, 451 Mass. 91, 883
N.E.2d 941 (2008)—53.114
- Com. v. Kobrin, 72 Mass. App. Ct. 589,
893 N.E.2d 384 (2008)—39.2
- Com. v. Kolodziej, 69 Mass. App. Ct.
199, 868 N.E.2d 134 (2007)—
53.116
- Com. v. Kostka, 471 Mass. 656, 31
N.E.3d 1116 (2015)—53.13
- Com. v. Kostka, 86 Mass. App. Ct. 69,
12 N.E.3d 1045 (2014)—53.13
- Com. v. Labadie, 467 Mass. 81, 3
N.E.3d 1093 (2014)—53.49
- Com. v. LaBrie, 473 Mass. 754, 46
N.E.3d 519 (2016)—53.2, 53.130
- Com. v. LaChance, 469 Mass. 854, 17
N.E.3d 1101 (2014)—53.102
- Com. v. Laguer, 448 Mass. 585, 863
N.E.2d 46 (2007)—53.132, 53.133,
60.78
- Com. v. Laguer, 65 Mass. App. Ct. 612,
843 N.E.2d 91 (2006)—53.133,
60.78
- Com. v. Lahey, 80 Mass. App. Ct. 606,
954 N.E.2d 1131 (2011)—53.88
- Com. v. Lally, 473 Mass. 693, 46
N.E.3d 41 (2016)—53.13, 53.98,
53.131
- Com. v. Laltaprasad, 475 Mass. 692,
60 N.E.3d 326 (2016)—53.152
- Com. v. Lampron, 65 Mass. App. Ct.
340, 839 N.E.2d 870 (2005)—
53.101
- Com. v. Lampron, 441 Mass. 265, 806
N.E.2d 72 (2004)—53.100
- Com. v. Lane, 462 Mass. 591, 970
N.E.2d 284 (2012)—53.130
- Com. v. Lanigan, 419 Mass. 15, 641
N.E.2d 1342 (1994)—53.55,
- 59.115, 60.85, 64.4
- Com. v. Lao, 450 Mass. 215, 877
N.E.2d 557 (2007)—53.42, 53.101,
53.142
- Com. v. Lao, 443 Mass. 770, 824
N.E.2d 821 (2005)—53.42, 53.142
- Com. v. LaPlante, 73 Mass. App. Ct.
199, 897 N.E.2d 78 (2008)—53.48
- Com. v. Lavoie, 464 Mass. 83, 981
N.E.2d 192 (2013)—53.125
- Com. v. Lavoie, 80 Mass. App. Ct. 546,
954 N.E.2d 547 (2011)—53.125
- Com. v. Lavrinenko, 473 Mass. 42, 38
N.E.3d 278 (2015)—53.122
- Com. v. Lawrence, 69 Mass. App. Ct.
596, 870 N.E.2d 636 (2007)—
53.31, 53.141
- Com. v. Lawrence, 68 Mass. App. Ct.
103, 860 N.E.2d 45 (2007)—53.20,
53.101
- Com. v. Lawson, 475 Mass. 806, 62
N.E.3d 22 (2016)—53.84
- Com. v. Lay, 63 Mass. App. Ct. 27, 822
N.E.2d 734 (2005)—53.52, 60.79,
60.94
- Com. v. Le, 444 Mass. 431, 828 N.E.2d
501 (2005)—53.132, 53.140,
53.148, 53.150
- Com. v. Leahy, 445 Mass. 481, 838
N.E.2d 1220 (2005)—53.136,
53.142
- Com. v. LeBlanc, 456 Mass. 135, 921
N.E.2d 933 (2010)—53.63
- Com. v. LeBlanc, 73 Mass. App. Ct.
624, 900 N.E.2d 127 (2009)—
53.63
- Com. v. LeBlanc, 407 Mass. 70, 551
N.E.2d 906 (1990)—53.88
- Com. v. Leboeuf, 78 Mass. App. Ct. 45,
934 N.E.2d 1285 (2010)—53.108
- Com. v. Lebron, 66 Mass. App. Ct. 907,
845 N.E.2d 1206 (2006)—53.14
- Com. v. Leclair, 469 Mass. 777, 17
N.E.3d 415 (2014)—53.137
- Com. v. LeClair, 68 Mass. App. Ct. 482,
862 N.E.2d 774 (2007)—53.95

TABLE OF CASES

- Com. v. LeClair, 445 Mass. 734, 840 N.E.2d 510 (2006)—53.43, 53.136
- Com. v. Lednum, 75 Mass. App. Ct. 722, 916 N.E.2d 416 (2009)—53.21
- Com. v. Lender, 66 Mass. App. Ct. 303, 847 N.E.2d 350 (2006)—53.15
- Com. v. Lenesi, 66 Mass. App. Ct. 291, 846 N.E.2d 1195 (2006)—53.54
- Com. v. Leonard, 90 Mass. App. Ct. 187, 58 N.E.3d 343 (2016)—53.21, 53.67
- Com. v. Lester, 70 Mass. App. Ct. 55, 872 N.E.2d 818 (2007)—53.1
- Com. v. Lester L., 445 Mass. 250, 835 N.E.2d 244 (2005)—53.154
- Com. v. Letkowski, 469 Mass. 603, 15 N.E.3d 207 (2014)—53.102
- Com. v. Lewis, 465 Mass. 119, 987 N.E.2d 1218 (2013)—53.134
- Com. v. Libby, 472 Mass. 93, 32 N.E.3d 1247 (2015)—53.63
- Com. v. Libby, 472 Mass. 37, 32 N.E.3d 890 (2015)—53.136
- Com. v. Liebenow, 470 Mass. 151, 20 N.E.3d 242 (2014)—53.49
- Com. v. Life Care Centers of America, Inc., 456 Mass. 826, 926 N.E.2d 206 (2010)—53.5
- Com. v. Limone, 460 Mass. 834, 957 N.E.2d 225 (2011)—53.88, 53.103
- Com. v. Limone, 77 Mass. App. Ct. 903, 928 N.E.2d 669 (2010)—53.88
- Com. v. Lindsey, 72 Mass. App. Ct. 485, 893 N.E.2d 52 (2008)—53.36, 53.109, 53.152
- Com. v. Linhares, 80 Mass. App. Ct. 819, 957 N.E.2d 243 (2011)—53.18.50, 60.25, 60.91
- Com. v. Linton, 456 Mass. 534, 924 N.E.2d 722 (2010)—53.13, 53.41
- Com. v. Lites, 67 Mass. App. Ct. 815, 858 N.E.2d 302 (2006)—53.109
- Com. v. Little, 453 Mass. 766, 906 N.E.2d 286 (2009)—60.85
- Com. v. Livingston, 70 Mass. App. Ct. 745, 877 N.E.2d 255 (2007)—53.92, 53.130
- Com. v. Loadholt, 460 Mass. 723, 954 N.E.2d 1128 (2011)—53.36
- Com. v. Lonardo, 74 Mass. App. Ct. 566, 908 N.E.2d 831 (2009)—53.29
- Com. v. Long, 454 Mass. 542, 911 N.E.2d 174 (2009)—53.118
- Com. v. Lopes, 89 Mass. App. Ct. 560, 51 N.E.3d 496 (2016)—53.125
- Com. v. Lopes, 459 Mass. 165, 944 N.E.2d 999 (2011)—53.56
- Com. v. Lopez, 458 Mass. 383, 937 N.E.2d 949 (2010)—53.115
- Com. v. Lopez, 451 Mass. 608, 887 N.E.2d 1065 (2008)—53.111, 53.114
- Com. v. Lopez, 447 Mass. 625, 856 N.E.2d 163 (2006)—53.122
- Com. v. Lora, 451 Mass. 425, 886 N.E.2d 688 (2008)—53.114, 53.146
- Com. v. Louis, 70 Mass. App. Ct. 740, 876 N.E.2d 1178 (2007)—53.142
- Com. v. Love, 452 Mass. 498, 895 N.E.2d 744 (2008)—60.97
- Com. v. Lucero, 450 Mass. 1032, 880 N.E.2d 791 (2008)—52.5
- Com. v. Lugo, 64 Mass. App. Ct. 12, 831 N.E.2d 360 (2005)—53.113, 53.145
- Com. v. Lugo, 63 Mass. App. Ct. 204, 824 N.E.2d 481 (2005)—53.19
- Com. v. Luthy, 69 Mass. App. Ct. 102, 866 N.E.2d 930 (2007)—53.107
- Com. v. Ly, 454 Mass. 223, 908 N.E.2d 1285 (2009)—53.129, 53.130
- Com. v. Ly, 450 Mass. 16, 875 N.E.2d 840 (2007)—52.5
- Com. v. Lyles, 453 Mass. 811, 905 N.E.2d 1106 (2009)—53.104
- Com. v. Lynch, 70 Mass. App. Ct. 22, 872 N.E.2d 800 (2007)—53.84

PRIMA FACIE CASE—PROOF AND DEFENSE

- Com. v. Lyons, 444 Mass. 289, 828 N.E.2d 1 (2005)—64.7
- Com. v. Machorro, 72 Mass. App. Ct. 377, 892 N.E.2d 349 (2008)—53.132
- Com. v. Mac Hudson, 446 Mass. 709, 846 N.E.2d 1149 (2006)—53.130
- Com. v. Madigan, 449 Mass. 702, 871 N.E.2d 478 (2007)—52.5, 53.141
- Com. v. Magadini, 474 Mass. 593, 52 N.E.3d 1041 (2016)—53.15, 53.92
- Com. v. Magnus M., 461 Mass. 459, 961 N.E.2d 581 (2012)—53.83
- Com. v. Magri, 462 Mass. 360, 968 N.E.2d 876 (2012)—60.94
- Com. v. Maguire, 476 Mass. 156, 65 N.E.3d 1160 (2017)—53.50
- Com. v. Maguire, 87 Mass. App. Ct. 855, 35 N.E.3d 424 (2015)—53.50
- Com. v. Mahar, 442 Mass. 11, 809 N.E.2d 989 (2004)—53.120, 53.129
- Com. v. Mahdi, 388 Mass. 679, 448 N.E.2d 704 (1983)—53.137
- Com. v. Mahoney, 68 Mass. App. Ct. 561, 863 N.E.2d 951 (2007)—53.3, 53.93
- Com. v. Maingrette, 86 Mass. App. Ct. 691, 20 N.E.3d 626 (2014)—53.114
- Com. v. Maldonado, 466 Mass. 742, 2 N.E.3d 145 (2014)—53.125
- Com. v. Maldonado, 64 Mass. App. Ct. 250, 832 N.E.2d 690 (2005)—53.152
- Com. v. Maldonado, 439 Mass. 460, 788 N.E.2d 968 (2003)—53.142
- Com. v. Malone, 65 Mass. App. Ct. 285, 838 N.E.2d 1265 (2005)—53.124
- Com. v. Maloney, 447 Mass. 577, 855 N.E.2d 765 (2006)—53.58, 59.181.50
- Com. v. Marcavage, 76 Mass. App. Ct. 34, 918 N.E.2d 855 (2009)—53.30
- Com. v. Mark M., 65 Mass. App. Ct. 703, 843 N.E.2d 680 (2006)—53.139
- Com. v. Marshall, 65 Mass. App. Ct. 710, 843 N.E.2d 685 (2006)—53.40
- Com. v. Martin, 457 Mass. 14, 927 N.E.2d 432 (2010)—53.111
- Com. v. Martin, 447 Mass. 274, 850 N.E.2d 555 (2006)—53.124, 53.132
- Com. v. Martin, 63 Mass. App. Ct. 587, 827 N.E.2d 1263 (2005)—53.132
- Com. v. Martin, 444 Mass. 213, 827 N.E.2d 198 (2005)—53.116
- Com. v. Martin, 442 Mass. 1002, 809 N.E.2d 536 (2004)—53.95
- Com. v. Martin, 427 Mass. 816, 696 N.E.2d 904 (1998)—53.129
- Com. v. Martin, 423 Mass. 496, 668 N.E.2d 825 (1996)—53.137
- Com. v. Martinez, 74 Mass. App. Ct. 240, 905 N.E.2d 592 (2009)—53.111
- Com. v. Martinez, 67 Mass. App. Ct. 788, 857 N.E.2d 1096 (2006)—53.132
- Com. v. Martinez, 437 Mass. 84, 769 N.E.2d 273 (2002)—53.12
- Com. v. Marzilli, 457 Mass. 64, 927 N.E.2d 993 (2010)—53.2
- Com. v. Mason, 453 Mass. 873, 906 N.E.2d 329 (2009)—53.103
- Com. v. Masonoff, 70 Mass. App. Ct. 162, 873 N.E.2d 252 (2007)—53.130
- Com. v. Massenburg, 442 Mass. 1003, 809 N.E.2d 1004 (2004)—52.4
- Com. v. Mateo-German, 453 Mass. 838, 906 N.E.2d 970 (2009)—53.114, 53.117
- Com. v. Mathews, 450 Mass. 858, 882 N.E.2d 833 (2008)—53.13
- Com. v. Mattei, 455 Mass. 840, 920 N.E.2d 845 (2010)—53.13, 53.21
- Com. v. Mattei, 72 Mass. App. Ct. 510, 892 N.E.2d 826 (2008)—53.101
- Com. v. Mattier (No. 2), 474 Mass. 261,

TABLE OF CASES

- 50 N.E.3d 157 (2016)—29.1
- Com. v. Maxwell, 441 Mass. 773, 808 N.E.2d 806 (2004)—53.13, 53.65, 53.100
- Com. v. Maylott, 65 Mass. App. Ct. 466, 841 N.E.2d 717 (2006)—53.15, 53.103
- Com. v. Mayotte, 475 Mass. 254, 56 N.E.3d 756 (2016)—53.64
- Com. v. McAfee, 63 Mass. App. Ct. 467, 827 N.E.2d 224 (2005)—53.109
- Com. v. McCaffery, 49 Mass. App. Ct. 713, 732 N.E.2d 911 (2000)—53.114
- Com. v. McCarthy, 71 Mass. App. Ct. 591, 884 N.E.2d 991 (2008)—53.109
- Com. v. McCarthy, 385 Mass. 160, 430 N.E.2d 1195 (1982)—60.79
- Com. v. McCauley, 391 Mass. 697, 464 N.E.2d 50 (1984)—53.41
- Com. v. McClary, 33 Mass. App. Ct. 678, 604 N.E.2d 706 (1992)—53.137
- Com. v. McCoy, 443 Mass. 1015, 823 N.E.2d 1246 (2005)—52.5
- Com. v. McCulloch, 450 Mass. 483, 879 N.E.2d 685 (2008)—52.5, 53.122, 53.152
- Com. v. McDermott, 448 Mass. 750, 864 N.E.2d 471 (2007)—53.105, 53.109
- Com. v. McDonald, 462 Mass. 236, 967 N.E.2d 1101 (2012)—53.22.50, 53.38
- Com. v. McDowell, 62 Mass. App. Ct. 15, 814 N.E.2d 1139 (2004)—53.15
- Com. v. McGhee, 472 Mass. 405, 35 N.E.3d 329 (2015)—53.45.50, 53.150
- Com. v. McGhee, 470 Mass. 638, 25 N.E.3d 251 (2015)—53.15, 53.142
- Com. v. McGillivary, 78 Mass. App. Ct. 644, 940 N.E.2d 506 (2011)—53.54
- Com. v. McGowan, 464 Mass. 232, 982 N.E.2d 495 (2013)—53.36
- Com. v. McKay, 67 Mass. App. Ct. 396, 853 N.E.2d 1098 (2006)—53.22
- Com. v. McKinnon, 446 Mass. 263, 843 N.E.2d 1020 (2006)—53.14, 53.87
- Com. v. McKnight, 289 Mass. 530, 195 N.E. 499 (1935)—53.129
- Com. v. McLeod, 367 Mass. 500, 326 N.E.2d 905 (1975)—53.91
- Com. v. McMahan, 443 Mass. 409, 822 N.E.2d 699 (2005)—53.42, 53.84, 53.131
- Com. v. McMullin, 76 Mass. App. Ct. 904, 923 N.E.2d 1062 (2010)—53.101
- Com. v. McNickles, 22 Mass. App. Ct. 114, 491 N.E.2d 662 (1986)—53.63
- Com. v. McNulty, 458 Mass. 305, 937 N.E.2d 16 (2010)—53.119
- Com. v. McPherson, 74 Mass. App. Ct. 125, 904 N.E.2d 488 (2009)—53.52
- Com. v. McWilliams, 473 Mass. 606, 45 N.E.3d 94 (2016)—53.136
- Com. v. Means, 71 Mass. App. Ct. 788, 886 N.E.2d 754 (2008)—53.119
- Com. v. Medeiros, 456 Mass. 52, 921 N.E.2d 98 (2010)—53.8
- Com. v. Medina, 64 Mass. App. Ct. 708, 835 N.E.2d 300 (2005)—53.93, 53.137, 53.145
- Com. v. Meehan, 377 Mass. 552, 387 N.E.2d 527 (1979)—53.136
- Com. v. Mejia, 64 Mass. App. Ct. 238, 832 N.E.2d 693 (2005)—53.118
- Com. v. Melendez-Diaz, 460 Mass. 238, 950 N.E.2d 867 (2011)—59.162
- Com. v. Melendez-Diaz, 76 Mass. App. Ct. 229, 921 N.E.2d 108 (2010)—59.162
- Com. v. Melendez-Diaz, 69 Mass. App. Ct. 1114, 870 N.E.2d 676 (2007)—59.162
- Com. v. Mello, 420 Mass. 375, 649

PRIMA FACIE CASE—PROOF AND DEFENSE

- N.E.2d 1106 (1995)—59.114
- Com. v. Melo, 67 Mass. App. Ct. 71, 851 N.E.2d 1124 (2006)—53.129
- Com. v. Melton, 77 Mass. App. Ct. 552, 933 N.E.2d 125 (2010)—53.22
- Com. v. Mendes, 463 Mass. 353, 974 N.E.2d 606 (2012)—53.107, 59.162
- Com. v. Mendes, 457 Mass. 805, 933 N.E.2d 119 (2010)—53.106
- Com. v. Mercado, 466 Mass. 141, 993 N.E.2d 661 (2013)—53.125
- Com. v. Middlemiss, 465 Mass. 627, 989 N.E.2d 871 (2013)—53.41, 53.101
- Com. v. Militello, 66 Mass. App. Ct. 325, 848 N.E.2d 406 (2006)—53.60, 53.84
- Com. v. Miller, 78 Mass. App. Ct. 860, 944 N.E.2d 179 (2011)—53.114
- Com. v. Miller, 68 Mass. App. Ct. 835, 865 N.E.2d 825 (2007)—53.136
- Com. v. Milley, 67 Mass. App. Ct. 685, 856 N.E.2d 183 (2006)—53.128
- Com. v. Millican, 449 Mass. 298, 867 N.E.2d 725 (2007)—52.5, 53.45
- Com. v. Millien, 474 Mass. 417, 50 N.E.3d 808 (2016)—53.130
- Com. v. Miozza, 67 Mass. App. Ct. 567, 854 N.E.2d 1258 (2006)—53.20
- Com. v. Miranda, 458 Mass. 100, 934 N.E.2d 222 (2010)—53.133
- Com. v. Miranda, 441 Mass. 783, 809 N.E.2d 487 (2004)—53.8, 53.31
- Com. v. Miranda, 22 Mass. App. Ct. 10, 490 N.E.2d 1195 (1986)—53.129
- Com. v. Mitchell, 67 Mass. App. Ct. 556, 855 N.E.2d 406 (2006)—53.27
- Com. v. Mitchell, 444 Mass. 786, 831 N.E.2d 890 (2005)—53.65
- Com. v. Mogelinski, 466 Mass. 627, 1 N.E.3d 237 (2013)—53.83
- Com. v. Molina, 459 Mass. 819, 948 N.E.2d 402 (2011)—53.115, 53.117
- Com. v. Molligi, 70 Mass. App. Ct. 108, 872 N.E.2d 1166 (2007)—53.15, 53.30
- Com. v. Monteiro, 71 Mass. App. Ct. 477, 883 N.E.2d 334 (2008)—53.114
- Com. v. Montez, 450 Mass. 736, 881 N.E.2d 753 (2008)—53.95
- Com. v. Montoya, 464 Mass. 566, 984 N.E.2d 793 (2013)—59.162
- Com. v. Montoya, 457 Mass. 102, 928 N.E.2d 317 (2010)—53.15
- Com. v. Montoya, 73 Mass. App. Ct. 125, 896 N.E.2d 638 (2008)—53.15
- Com. v. Moody, 466 Mass. 196, 993 N.E.2d 715 (2013)—53.118
- Com. v. Moore, 473 Mass. 481, 43 N.E.3d 294 (2016)—53.109
- Com. v. Morales, 462 Mass. 334, 968 N.E.2d 403 (2012)—53.116
- Com. v. Morales, 76 Mass. App. Ct. 663, 925 N.E.2d 551 (2010)—53.101, 53.102
- Com. v. Morales, 70 Mass. App. Ct. 839, 877 N.E.2d 938 (2007)—53.153
- Com. v. Morales, 70 Mass. App. Ct. 526, 874 N.E.2d 698 (2007)—53.41, 53.43
- Com. v. Moran, 453 Mass. 880, 906 N.E.2d 343 (2009)—60.79
- Com. v. Morasse, 446 Mass. 113, 842 N.E.2d 909 (2006)—53.152
- Com. v. Morgan, 449 Mass. 343, 868 N.E.2d 99 (2007)—53.105, 53.150, 60.87
- Com. v. Morganti, 467 Mass. 96, 4 N.E.3d 241 (2014)—53.125
- Com. v. Morganti, 455 Mass. 388, 917 N.E.2d 191 (2009)—53.41, 53.136
- Com. v. Morrill, 68 Mass. App. Ct. 812, 864 N.E.2d 1235 (2007)—53.50, 53.70
- Com. v. Morris, 64 Mass. App. Ct. 51, 831 N.E.2d 338 (2005)—53.40
- Com. v. Morris, 422 Mass. 254, 662

TABLE OF CASES

- N.E.2d 683 (1996)—53.132
- Com. v. Morris M., 70 Mass. App. Ct. 688, 876 N.E.2d 462 (2007)—53.15, 53.53
- Com. v. Morse, 468 Mass. 360, 10 N.E.3d 1109 (2014)—53.47.50
- Com. v. Mott, 2 Mass. App. Ct. 47, 308 N.E.2d 557 (1974)—53.131
- Com. v. Motta, 424 Mass. 117, 676 N.E.2d 795 (1997)—53.113
- Com. v. Mubdi, 456 Mass. 385, 923 N.E.2d 1004 (2010)—53.114
- Com. v. Muckle, 90 Mass. App. Ct. 384, 59 N.E.3d 439 (2016)—53.47
- Com. v. Muckle, 61 Mass. App. Ct. 678, 814 N.E.2d 7 (2004)—53.109, 53.113
- Com. v. Muckle, 59 Mass. App. Ct. 631, 797 N.E.2d 456 (2003)—53.126
- Com. v. Muir, 84 Mass. App. Ct. 635, 999 N.E.2d 1098 (2013)—53.58
- Com. v. Mulgrave, 472 Mass. 170, 33 N.E.3d 440 (2015)—53.140
- Com. v. Mullane, 445 Mass. 702, 840 N.E.2d 484 (2006)—53.15
- Com. v. Mullane, 63 Mass. App. Ct. 317, 826 N.E.2d 207 (2005)—53.15
- Com. v. Mullen, 72 Mass. App. Ct. 136, 889 N.E.2d 52 (2008)—53.119
- Com. v. Murphy, 454 Mass. 318, 910 N.E.2d 281 (2009)—53.114
- Com. v. Murphy, 73 Mass. App. Ct. 57, 895 N.E.2d 764 (2008)—53.153
- Com. v. Murphy, 70 Mass. App. Ct. 774, 877 N.E.2d 604 (2007)—53.15
- Com. v. Murphy, 448 Mass. 452, 862 N.E.2d 30 (2007)—53.119, 53.136
- Com. v. Murphy, 68 Mass. App. Ct. 152, 860 N.E.2d 961 (2007)—59.244
- Com. v. Murphy, 63 Mass. App. Ct. 753, 829 N.E.2d 1149 (2005)—53.13, 53.37, 53.142
- Com. v. Murphy, 63 Mass. App. Ct. 11, 822 N.E.2d 320 (2005)—53.113
- Com. v. Murphy, 442 Mass. 485, 813 N.E.2d 820 (2004)—53.84, 53.91, 53.134, 53.136
- Com. v. Murungu, 450 Mass. 441, 879 N.E.2d 99, 39 A.L.R.6th 709 (2008)—53.64
- Com. v. Namey, 67 Mass. App. Ct. 94, 852 N.E.2d 116 (2006)—53.66
- Com. v. Nanny, 462 Mass. 798, 971 N.E.2d 762 (2012)—53.83
- Com. v. Narcisse, 457 Mass. 1, 927 N.E.2d 439 (2010)—53.111
- Com. v. Nardi, 452 Mass. 379, 893 N.E.2d 1221 (2008)—53.101
- Com. v. Nattoo, 452 Mass. 826, 898 N.E.2d 827 (2009)—53.117
- Com. v. Naylor, 73 Mass. App. Ct. 518, 899 N.E.2d 862 (2009)—53.130
- Com. v. Neary-French, 475 Mass. 167, 56 N.E.3d 159 (2016)—53.120
- Com. v. Nee, 83 Mass. App. Ct. 441, 985 N.E.2d 118 (2013)—53.73
- Com. v. Nee, 458 Mass. 174, 935 N.E.2d 1276 (2010)—53.29
- Com. v. Negron, 462 Mass. 102, 967 N.E.2d 99 (2012)—53.152
- Com. v. Nelson, 460 Mass. 564, 953 N.E.2d 164 (2011)—53.105, 59.162
- Com. v. Nesbitt, 452 Mass. 236, 892 N.E.2d 299 (2008)—53.17, 53.101, 53.140
- Com. v. Nestor N., 67 Mass. App. Ct. 225, 852 N.E.2d 1132 (2006)—53.111
- Com. v. Newman, 69 Mass. App. Ct. 495, 868 N.E.2d 946 (2007)—53.147
- Com. v. The Ngoc Tran, 471 Mass. 179, 27 N.E.3d 1261 (2015)—53.142
- Com. v. Nhut Huynh, 452 Mass. 481, 895 N.E.2d 471 (2008)—60.91
- Com. v. Nicholas, 74 Mass. App. Ct. 164, 905 N.E.2d 118 (2009)—63.2
- Com. v. Nicoll, 452 Mass. 816, 897

PRIMA FACIE CASE—PROOF AND DEFENSE

- N.E.2d 1226 (2008)—60.86
- Com. v. Nieves, 446 Mass. 583, 846 N.E.2d 379 (2006)—53.63, 66.1
- Com. v. Nolin, 448 Mass. 207, 859 N.E.2d 843 (2007)—53.41, 53.42
- Com. v. Novo, 449 Mass. 84, 865 N.E.2d 777 (2007)—53.42, 53.130, 53.149
- Com. v. Novo, 442 Mass. 262, 812 N.E.2d 1169 (2004)—53.136
- Com. v. Nunez, 70 Mass. App. Ct. 752, 877 N.E.2d 601 (2007)—53.111, 53.113
- Com. v. Nunez, 446 Mass. 54, 841 N.E.2d 1250 (2006)—53.101, 53.154
- Com. v. Nwachukwu, 65 Mass. App. Ct. 112, 837 N.E.2d 301 (2005)—53.130
- Com. v. Obi, 475 Mass. 541, 58 N.E.3d 1014 (2016)—53.153
- Com. v. O'Brian, 445 Mass. 720, 840 N.E.2d 500 (2006)—53.14, 53.136
- Com. v. O'Brien, 65 Mass. App. Ct. 291, 839 N.E.2d 845 (2005)—53.145
- Com. v. Ocasio, 71 Mass. App. Ct. 304, 882 N.E.2d 341 (2008)—53.115
- Com. v. Occhiuto, 88 Mass. App. Ct. 489, 38 N.E.3d 783 (2015)—53.47.50
- Com. v. Odgren, 455 Mass. 171, 915 N.E.2d 215 (2009)—53.65
- Com. v. Ogden O., 448 Mass. 798, 864 N.E.2d 13 (2007)—53.82, 59.120
- Com. v. Okoro, 471 Mass. 51, 26 N.E.3d 1092 (2015)—53.83, 53.101
- Com. v. O'Laughlin, 446 Mass. 188, 843 N.E.2d 617 (2006)—53.13, 53.14
- Com. v. O'Laughlin, 63 Mass. App. Ct. 805, 830 N.E.2d 222 (2005)—53.14
- Com. v. Olavarria, 71 Mass. App. Ct. 612, 885 N.E.2d 139 (2008)—53.84, 53.132, 53.142
- Com. v. Oliveira, 474 Mass. 10, 47 N.E.3d 395 (2016)—53.113
- Com. v. Oliveira, 445 Mass. 837, 840 N.E.2d 954 (2006)—53.41
- Com. v. Olmande, 84 Mass. App. Ct. 231, 995 N.E.2d 797 (2013)—53.134
- Com. v. Olsen, 452 Mass. 284, 892 N.E.2d 739 (2008)—53.41, 53.95
- Com. v. O'Neil, 67 Mass. App. Ct. 284, 853 N.E.2d 576 (2006)—53.38
- Com. v. One 1987 Mercury Cougar Auto., 413 Mass. 534, 600 N.E.2d 571 (1992)—60.57
- Com. v. One 1994 BMW 318 Is Auto., 67 Mass. App. Ct. 673, 855 N.E.2d 1152 (2006)—53.31
- Com. v. One 2004 Audi Sedan Auto., 73 Mass. App. Ct. 311, 897 N.E.2d 1030 (2008)—53.31
- Com. v. Ora, 451 Mass. 125, 883 N.E.2d 1217 (2008)—53.50
- Com. v. Ortiz, 88 Mass. App. Ct. 573, 39 N.E.3d 458 (2015)—53.109
- Com. v. Ortiz, 466 Mass. 475, 995 N.E.2d 1100 (2013)—53.122
- Com. v. Ortiz, 67 Mass. App. Ct. 349, 853 N.E.2d 1079 (2006)—53.11, 53.130, 60.87
- Com. v. Ortiz, 61 Mass. App. Ct. 468, 811 N.E.2d 518 (2004)—53.11
- Com. v. Ortiz, 47 Mass. App. Ct. 777, 716 N.E.2d 659 (1999)—53.3
- Com. v. Ortiz, 424 Mass. 853, 679 N.E.2d 1007 (1997)—53.8
- Com. v. Ortiz, 408 Mass. 463, 560 N.E.2d 698 (1990)—53.2
- Com. v. Osborne, 445 Mass. 776, 840 N.E.2d 544 (2006)—53.112, 53.144
- Com. v. Osborne, 62 Mass. App. Ct. 445, 816 N.E.2d 1249 (2004)—53.112, 53.144
- Com. v. Ouellette, 58 Mass. App. Ct. 711, 792 N.E.2d 995 (2003)—

TABLE OF CASES

- 53.142
- Com. v. Owen, 61 Mass. App. Ct. 711, 813 N.E.2d 1284 (2004)—53.152
- Com. v. Oyewole, 470 Mass. 1015, 21 N.E.3d 179 (2014)—53.14, 53.15
- Com. v. Pacheco, 464 Mass. 768, 985 N.E.2d 839 (2013)—53.113
- Com. v. Packer, 88 Mass. App. Ct. 585, 39 N.E.3d 753 (2015)—53.20
- Com. v. Pagan, 445 Mass. 315, 837 N.E.2d 252 (2005)—53.154
- Com. v. Pagan, 445 Mass. 161, 834 N.E.2d 240 (2005)—18.16, 53.63, 53.84
- Com. v. Pagan, 63 Mass. App. Ct. 780, 829 N.E.2d 1168 (2005)—53.15, 53.111
- Com. v. Pagels, 69 Mass. App. Ct. 607, 870 N.E.2d 645 (2007)—53.47
- Com. v. Paiva, 71 Mass. App. Ct. 411, 882 N.E.2d 863 (2008)—53.36
- Com. v. Palacios, 66 Mass. App. Ct. 13, 845 N.E.2d 382 (2006)—53.54, 53.146
- Com. v. Palmer, 464 Mass. 773, 985 N.E.2d 832 (2013)—53.31
- Com. v. Palmer P., 61 Mass. App. Ct. 230, 808 N.E.2d 848 (2004)—53.155
- Com. v. Paquette, 475 Mass. 793, 62 N.E.3d 12 (2016)—53.47.50
- Com. v. Pariseau, 466 Mass. 805, 2 N.E.3d 859 (2014)—53.63
- Com. v. Pariseau, 81 Mass. App. Ct. 705, 967 N.E.2d 154 (2012)—53.63
- Com. v. Parker, 402 Mass. 333, 522 N.E.2d 924 (1988)—53.136
- Com. v. Parra, 445 Mass. 262, 836 N.E.2d 508 (2005)—53.84
- Com. v. Parreira, 72 Mass. App. Ct. 308, 891 N.E.2d 257 (2008)—53.8, 53.63, 53.145
- Com. v. Parrillo, 468 Mass. 318, 14 N.E.3d 919 (2014)—53.152
- Com. v. Parzick, 64 Mass. App. Ct. 846, 835 N.E.2d 1171 (2005)—53.36
- Com. v. Pasteur, 66 Mass. App. Ct. 812, 850 N.E.2d 1118 (2006)—53.9, 53.41
- Com. v. Paton, 63 Mass. App. Ct. 215, 824 N.E.2d 887 (2005)—53.38
- Com. v. Patterson, 445 Mass. 626, 840 N.E.2d 12 (2005)—53.8, 53.129, 53.132
- Com. v. Patton, 458 Mass. 119, 934 N.E.2d 236 (2010)—53.154
- Com. v. Pearson, 77 Mass. App. Ct. 95, 928 N.E.2d 961 (2010)—53.15, 60.72
- Com. v. Pelletier, 71 Mass. App. Ct. 67, 879 N.E.2d 125 (2008)—53.101
- Com. v. Pelletier, 449 Mass. 392, 868 N.E.2d 613 (2007)—53.152
- Com. v. Pelletier, 62 Mass. App. Ct. 145, 815 N.E.2d 274 (2004)—53.152
- Com. v. Peloquin, 437 Mass. 204, 770 N.E.2d 440 (2002)—53.129
- Com. v. Pena, 455 Mass. 1, 913 N.E.2d 815 (2009)—53.11
- Com. v. Pena, 69 Mass. App. Ct. 713, 871 N.E.2d 531 (2007)—53.114
- Com. v. Peppicelli, 70 Mass. App. Ct. 87, 872 N.E.2d 1142 (2007)—53.142
- Com. v. Perachio, 61 Mass. App. Ct. 591, 812 N.E.2d 1241 (2004)—53.57
- Com. v. Perez, 68 Mass. App. Ct. 282, 861 N.E.2d 500 (2007)—53.107
- Com. v. Perez, 65 Mass. App. Ct. 259, 838 N.E.2d 604 (2005)—53.147
- Com. v. Perez, 444 Mass. 143, 825 N.E.2d 1040 (2005)—53.10, 53.41, 53.134
- Com. v. Perez, 62 Mass. App. Ct. 912, 816 N.E.2d 554 (2004)—60.94
- Com. v. Perkins, 464 Mass. 92, 981 N.E.2d 630 (2013)—52.5, 53.120
- Com. v. Perkins, 450 Mass. 834, 883

PRIMA FACIE CASE—PROOF AND DEFENSE

- N.E.2d 230 (2008)—53.117, 53.128
- Com. v. Perry, 65 Mass. App. Ct. 624, 843 N.E.2d 640 (2006)—53.3, 53.15
- Com. v. Perry, 62 Mass. App. Ct. 500, 818 N.E.2d 185 (2004)—53.114
- Com. v. Person, 400 Mass. 136, 508 N.E.2d 88 (1987)—53.134
- Com. v. Petersen, 67 Mass. App. Ct. 49, 851 N.E.2d 1102 (2006)—53.132, 53.140, 53.148
- Com. v. Peterson, 476 Mass. 163, 65 N.E.3d 1166 (2017)—53.31
- Com. v. Peterson, 82 Mass. App. Ct. 1118, 977 N.E.2d 105 (2012)—17.12
- Com. v. Peterson, 445 Mass. 782, 840 N.E.2d 913 (2006)—53.136, 53.143
- Com. v. Peterson, 61 Mass. App. Ct. 632, 813 N.E.2d 870 (2004)—53.107
- Com. v. Philip Morris Inc., 448 Mass. 836, 864 N.E.2d 505 (2007)—25.17
- Com. v. Phim, 462 Mass. 470, 969 N.E.2d 663 (2012)—53.8
- Com. v. Phinney, 448 Mass. 621, 863 N.E.2d 496 (2007)—61.1
- Com. v. Phinney, 446 Mass. 155, 843 N.E.2d 1024 (2006)—53.41, 53.130, 53.136
- Com. v. Pierce, 66 Mass. App. Ct. 283, 846 N.E.2d 1189 (2006)—53.118
- Com. v. Pierre, 453 Mass. 1010, 902 N.E.2d 367 (2009)—53.110
- Com. v. Pierre, 72 Mass. App. Ct. 580, 893 N.E.2d 378 (2008)—53.110
- Com. v. Pierre, 72 Mass. App. Ct. 230, 890 N.E.2d 152 (2008)—53.55
- Com. v. Pierre, 71 Mass. App. Ct. 58, 879 N.E.2d 131 (2008)—53.105
- Com. v. Piersall, 67 Mass. App. Ct. 246, 853 N.E.2d 210 (2006)—53.15
- Com. v. Pike, 428 Mass. 393, 701 N.E.2d 951 (1998)—53.87
- Com. v. Pileeki, 62 Mass. App. Ct. 505, 818 N.E.2d 596 (2004)—53.121, 53.136, 53.152
- Com. v. Pillai, 445 Mass. 175, 833 N.E.2d 1160 (2005)—53.84, 53.131, 60.94
- Com. v. Pillai, 61 Mass. App. Ct. 603, 813 N.E.2d 564 (2004)—60.94
- Com. v. Pimental, 454 Mass. 475, 910 N.E.2d 366 (2009)—53.136
- Com. v. Pina, 71 Mass. App. Ct. 653, 885 N.E.2d 157 (2008)—53.107
- Com. v. Pina, 430 Mass. 66, 713 N.E.2d 944 (1999)—53.142
- Com. v. Pires, 453 Mass. 66, 899 N.E.2d 787 (2009)—53.132
- Com. v. Podgurski, 81 Mass. App. Ct. 175, 961 N.E.2d 113 (2012)—53.141
- Com. v. Podkowka, 445 Mass. 692, 840 N.E.2d 476 (2006)—53.41, 53.89
- Com. v. Poissant, 443 Mass. 558, 823 N.E.2d 350 (2005)—53.84
- Com. v. Pon, 469 Mass. 296, 14 N.E.3d 182 (2014)—60.100
- Com. v. Porges, 460 Mass. 525, 952 N.E.2d 917 (2011)—53.83
- Com. v. Porro, 458 Mass. 526, 939 N.E.2d 1157 (2010)—53.3, 53.20
- Com. v. Porter, 87 Mass. App. Ct. 676, 34 N.E.3d 763 (2015)—53.15
- Com. v. Porter, 70 Mass. App. Ct. 901, 872 N.E.2d 831 (2007)—53.27
- Com. v. Porter P., 456 Mass. 254, 923 N.E.2d 36 (2010)—53.115, 53.117
- Com. v. Portonova, 69 Mass. App. Ct. 905, 868 N.E.2d 1269 (2007)—53.63
- Com. v. Powell, 468 Mass. 272, 10 N.E.3d 628 (2014)—53.136
- Com. v. Powell, 459 Mass. 572, 946 N.E.2d 114 (2011)—53.15, 53.36
- Com. v. Powell, 453 Mass. 320, 901 N.E.2d 686 (2009)—60.79

TABLE OF CASES

- Com. v. Powell, 72 Mass. App. Ct. 22, 888 N.E.2d 370 (2008)—53.132
- Com. v. Powell, 450 Mass. 229, 877 N.E.2d 589 (2007)—53.143
- Com. v. Power-Koch, 69 Mass. App. Ct. 735, 871 N.E.2d 1085 (2007)—53.43, 53.44, 53.92
- Com. v. Powers, 73 Mass. App. Ct. 186, 896 N.E.2d 644 (2008)—53.74
- Com. v. Pressley, 390 Mass. 617, 457 N.E.2d 1119 (1983)—53.132
- Com. v. Price, 72 Mass. App. Ct. 280, 891 N.E.2d 242 (2008)—53.49, 53.107
- Com. v. Pring-Wilson, 448 Mass. 718, 863 N.E.2d 936 (2007)—53.87
- Com. v. Prophete, 443 Mass. 548, 823 N.E.2d 343 (2005)—53.105
- Com. v. Proulx, 61 Mass. App. Ct. 454, 811 N.E.2d 993 (2004)—52.2, 53.93
- Com. v. Pugh, 462 Mass. 482, 969 N.E.2d 672 (2012)—18.2, 53.44
- Com. v. Purdy, 459 Mass. 442, 945 N.E.2d 372 (2011)—53.132
- Com. v. Putnam, 75 Mass. App. Ct. 472, 914 N.E.2d 969 (2009)—53.40
- Com. v. Pytou Heang, 458 Mass. 827, 942 N.E.2d 927 (2011)—53.13
- Com. v. Quezada, 450 Mass. 1030, 879 N.E.2d 1242 (2008)—53.114
- Com. v. Quezada, 67 Mass. App. Ct. 693, 856 N.E.2d 189 (2006)—53.114
- Com. v. Quincy Q., 434 Mass. 859, 753 N.E.2d 781 (2001)—53.64
- Com. v. Quinn, 469 Mass. 641, 15 N.E.3d 726 (2014)—53.63
- Com. v. Quinn, 68 Mass. App. Ct. 476, 862 N.E.2d 769 (2007)—53.114
- Com. v. Quinn, 61 Mass. App. Ct. 332, 810 N.E.2d 819 (2004)—53.134
- Com. v. Rabb, 70 Mass. App. Ct. 194, 873 N.E.2d 778 (2007)—53.107, 53.120, 60.97
- Com. v. Raedy, 68 Mass. App. Ct. 440, 862 N.E.2d 456 (2007)—53.132, 53.140, 53.148, 53.150
- Com. v. Ragland, 72 Mass. App. Ct. 815, 894 N.E.2d 1147 (2008)—53.148
- Com. v. Ramirez, 69 Mass. App. Ct. 9, 865 N.E.2d 1158 (2007)—53.30, 53.74, 53.84
- Com. v. Ramos, 88 Mass. App. Ct. 68, 35 N.E.3d 431 (2015)—53.114
- Com. v. Ramos, 72 Mass. App. Ct. 773, 894 N.E.2d 611 (2008)—53.105
- Com. v. Ramos, 66 Mass. App. Ct. 548, 849 N.E.2d 243 (2006)—53.129
- Com. v. Ramos, 63 Mass. App. Ct. 379, 826 N.E.2d 245 (2005)—53.95
- Com. v. Ramsey, 79 Mass. App. Ct. 724, 949 N.E.2d 927 (2011)—59.162
- Com. v. Ranieri, 65 Mass. App. Ct. 366, 840 N.E.2d 963 (2006)—53.57
- Com. v. Raposo, 453 Mass. 739, 905 N.E.2d 545, 57 A.L.R.6th 675 (2009)—53.116
- Com. v. Rasmusen, 444 Mass. 657, 830 N.E.2d 1040 (2005)—53.84
- Com. v. Raymond, 450 Mass. 729, 881 N.E.2d 144 (2008)—53.134, 53.136, 53.152
- Com. v. Rebello, 450 Mass. 118, 876 N.E.2d 851 (2007)—53.95, 53.98, 53.133
- Com. v. Reddy, 74 Mass. App. Ct. 304, 906 N.E.2d 359 (2009)—59.106
- Com. v. Reed, 444 Mass. 803, 831 N.E.2d 901 (2005)—53.65, 53.137
- Com. v. Reid, 73 Mass. App. Ct. 423, 898 N.E.2d 520 (2008)—34.6
- Com. v. Resende, 474 Mass. 455, 52 N.E.3d 1016 (2016)—53.152.50
- Com. v. Rex, 469 Mass. 36, 11 N.E.3d 1060 (2014)—53.15, 53.101, 53.143, 59.5, 60.79
- Com. v. Reyes, 464 Mass. 245, 982 N.E.2d 504 (2013)—53.36

PRIMA FACIE CASE—PROOF AND DEFENSE

- Com. v. Reynolds, 67 Mass. App. Ct. 215, 852 N.E.2d 1124 (2006)—53.54
- Com. v. Richardson, 469 Mass. 248, 13 N.E.3d 989 (2014)—53.31
- Com. v. Righini, 64 Mass. App. Ct. 19, 831 N.E.2d 332 (2005)—60.78
- Com. v. Riley, 73 Mass. App. Ct. 721, 901 N.E.2d 151 (2009)—53.42
- Com. v. Ringgard, 71 Mass. App. Ct. 197, 880 N.E.2d 814 (2008)—53.109
- Com. v. Ringuette, 443 Mass. 1003, 819 N.E.2d 941 (2004)—53.94
- Com. v. Rivera, 473 Mass. 1003, 39 N.E.3d 732 (2015)—53.98
- Com. v. Rivera, 464 Mass. 56, 981 N.E.2d 171 (2013)—53.119
- Com. v. Rivera, 82 Mass. App. Ct. 839, 979 N.E.2d 1112 (2012)—53.85, 53.156
- Com. v. Rivera, 460 Mass. 139, 949 N.E.2d 916 (2011)—53.48
- Com. v. Rivera, 76 Mass. App. Ct. 530, 923 N.E.2d 1086 (2010)—53.47
- Com. v. Rivera, 67 Mass. App. Ct. 362, 853 N.E.2d 1075 (2006)—53.111
- Com. v. Rivera, 445 Mass. 119, 833 N.E.2d 1113 (2005)—53.118, 53.152
- Com. v. Rivera, 62 Mass. App. Ct. 859, 821 N.E.2d 928 (2005)—53.102
- Com. v. Rivera, 441 Mass. 358, 805 N.E.2d 942 (2004)—53.121
- Com. v. Riz, 90 Mass. App. Ct. 10, 55 N.E.3d 1003 (2016)—53.153
- Com. v. Roberts, 472 Mass. 355, 34 N.E.3d 716 (2015)—53.122
- Com. v. Roberts, 442 Mass. 1034, 816 N.E.2d 112 (2004)—53.15
- Com. v. Robertson, 467 Mass. 371, 5 N.E.3d 522 (2014)—53.74.75
- Com. v. Robidoux, 450 Mass. 144, 877 N.E.2d 232 (2007)—53.41, 53.84, 53.131
- Com. v. Robinson, 74 Mass. App. Ct. 752, 910 N.E.2d 911 (2009)—53.15
- Com. v. Robinson, 451 Mass. 672, 888 N.E.2d 926 (2008)—53.147
- Com. v. Robinson, 69 Mass. App. Ct. 576, 870 N.E.2d 102 (2007)—53.11
- Com. v. Robinson, 449 Mass. 1, 864 N.E.2d 1186 (2007)—53.136, 53.142
- Com. v. Robinson, 444 Mass. 102, 825 N.E.2d 1021 (2005)—53.38, 53.47
- Com. v. Robinson, 382 Mass. 189, 415 N.E.2d 805 (1981)—53.86
- Com. v. Robles, 445 Mass. 1022, 838 N.E.2d 1256 (2005)—53.98
- Com. v. Rocheteau, 74 Mass. App. Ct. 17, 903 N.E.2d 598 (2009)—53.34.50
- Com. v. Roderiques, 462 Mass. 415, 968 N.E.2d 908 (2012)—53.3, 53.67
- Com. v. Rodgers, 448 Mass. 538, 862 N.E.2d 727 (2007)—53.124
- Com. v. Rodriguez, 472 Mass. 767, 37 N.E.3d 611 (2015)—53.113
- Com. v. Rodriguez, 461 Mass. 256, 962 N.E.2d 711 (2012)—60.92
- Com. v. Rodriguez, 457 Mass. 461, 931 N.E.2d 20 (2010)—53.6
- Com. v. Rodriguez, 456 Mass. 578, 925 N.E.2d 21 (2010)—59.162
- Com. v. Rodriguez, 450 Mass. 302, 877 N.E.2d 1274 (2007)—53.115, 53.118, 53.137, 53.145
- Com. v. Rodriguez, 70 Mass. App. Ct. 721, 876 N.E.2d 487 (2007)—53.122
- Com. v. Rodriguez, 67 Mass. App. Ct. 636, 855 N.E.2d 1113 (2006)—53.115, 53.118, 53.137, 53.145
- Com. v. Rodriguez, 445 Mass. 1003, 833 N.E.2d 134 (2005)—53.101
- Com. v. Rodriguez, 70 Mass. App. Ct. 904, 873 N.E.2d 1221 (2007)—53.103, 53.105

TABLE OF CASES

- Com. v. Rogers, 459 Mass. 249, 945 N.E.2d 295 (2011)—53.41, 53.68, 53.69
- Com. v. Rogers, 444 Mass. 234, 827 N.E.2d 669 (2005)—53.115
- Com. v. Roland R., 448 Mass. 278, 860 N.E.2d 659 (2007)—53.108
- Com. v. Rollins, 470 Mass. 66, 18 N.E.3d 670 (2014)—53.60
- Com. v. Rollins, 65 Mass. App. Ct. 694, 843 N.E.2d 118 (2006)—53.55
- Com. v. Romero, 464 Mass. 648, 984 N.E.2d 853 (2013)—53.31
- Com. v. Ronald R., 450 Mass. 262, 877 N.E.2d 918 (2007)—53.63
- Com. v. Rosa, 468 Mass. 231, 9 N.E.3d 832 (2014)—53.8
- Com. v. Rosa, 62 Mass. App. Ct. 622, 818 N.E.2d 621 (2004)—53.20, 53.63, 53.101
- Com. v. Rosado, 450 Mass. 657, 881 N.E.2d 112 (2008)—53.63
- Com. v. Rosario, 83 Mass. App. Ct. 640, 988 N.E.2d 456 (2013)—53.47
- Com. v. Rosario, 444 Mass. 550, 829 N.E.2d 1135 (2005)—53.31
- Com. v. Rosario, 422 Mass. 48, 661 N.E.2d 71 (1996)—53.103
- Com. v. Rousseau, 465 Mass. 372, 990 N.E.2d 543 (2013)—53.105, 53.118, 53.153
- Com. v. Rubeck, 64 Mass. App. Ct. 396, 833 N.E.2d 650 (2005)—62.3
- Com. v. Ruidiaz, 65 Mass. App. Ct. 462, 841 N.E.2d 720 (2006)—53.93
- Com. v. Ruiz, 453 Mass. 474, 903 N.E.2d 201 (2009)—53.154
- Com. v. Ruiz, 71 Mass. App. Ct. 578, 884 N.E.2d 539 (2008)—53.154
- Com. v. Ruiz, 442 Mass. 826, 817 N.E.2d 771 (2004)—53.134, 53.140
- Com. v. Russell, 470 Mass. 464, 23 N.E.3d 867 (2015)—53.14
- Com. v. Rutkowski, 459 Mass. 794, 947 N.E.2d 1055 (2011)—53.41
- Com. v. Ryan, 79 Mass. App. Ct. 179, 944 N.E.2d 617 (2011)—53.15
- Com. v. Saferian, 366 Mass. 89, 315 N.E.2d 878 (1974)—53.63
- Com. v. Saletino, 449 Mass. 657, 871 N.E.2d 455 (2007)—53.11, 53.141
- Com. v. Salyer, 84 Mass. App. Ct. 346, 996 N.E.2d 488 (2013)—53.130
- Com. v. San, 63 Mass. App. Ct. 189, 824 N.E.2d 469 (2005)—53.114
- Com. v. Sanchez, 89 Mass. App. Ct. 249, 47 N.E.3d 443 (2016)—53.105
- Com. v. Sanchez, 70 Mass. App. Ct. 699, 876 N.E.2d 470 (2007)—52.2
- Com. v. Sanders, 451 Mass. 290, 885 N.E.2d 105 (2008)—53.134, 53.142
- Com. v. Santana, 81 Mass. App. Ct. 829, 969 N.E.2d 179 (2012)—53.27
- Com. v. Santiago, 452 Mass. 573, 896 N.E.2d 622, 50 A.L.R.6th 695 (2008)—45.4, 53.116
- Com. v. Santiago, 70 Mass. App. Ct. 519, 874 N.E.2d 693 (2007)—53.116
- Com. v. Santiago, 66 Mass. App. Ct. 515, 848 N.E.2d 1253 (2006)—53.107
- Com. v. Santos, 65 Mass. App. Ct. 122, 837 N.E.2d 296 (2005)—53.114
- Com. v. Sarantos, 76 Mass. App. Ct. 728, 926 N.E.2d 224 (2010)—53.35
- Com. v. Sargent, 449 Mass. 576, 870 N.E.2d 602 (2007)—53.63, 53.84
- Com. v. Scanlon, 412 Mass. 664, 592 N.E.2d 1279 (1992)—53.10
- Com. v. Scipione, 69 Mass. App. Ct. 906, 870 N.E.2d 108 (2007)—53.63
- Com. v. Scott, 86 Mass. App. Ct. 812, 22 N.E.3d 171 (2015)—53.152,

PRIMA FACIE CASE—PROOF AND DEFENSE

- 60.99
- Com. v. Scott, 467 Mass. 336, 5 N.E.3d 530 (2014)—60.87
- Com. v. Scott, 71 Mass. App. Ct. 596, 885 N.E.2d 133 (2008)—53.15
- Com. v. Selavka, 469 Mass. 502, 14 N.E.3d 933 (2014)—60.92
- Com. v. Semegen, 72 Mass. App. Ct. 478, 892 N.E.2d 815 (2008)—53.36, 53.152
- Com. v. Sena, 441 Mass. 822, 809 N.E.2d 505 (2004)—53.129, 53.142, 53.147, 60.87
- Com. v. Senior, 454 Mass. 12, 906 N.E.2d 981 (2009)—53.61
- Com. v. Sepheus, 468 Mass. 160, 9 N.E.3d 800 (2014)—53.129
- Com. v. Serino, 436 Mass. 408, 765 N.E.2d 237 (2002)—53.41, 53.42, 53.84
- Com. v. Serrano, 74 Mass. App. Ct. 1, 903 N.E.2d 247 (2009)—53.9
- Com. v. Sespedes, 442 Mass. 95, 810 N.E.2d 790 (2004)—53.31
- Com. v. Shangkuan, 78 Mass. App. Ct. 827, 943 N.E.2d 466 (2011)—53.101
- Com. v. Shanley, 455 Mass. 752, 919 N.E.2d 1254 (2010)—38.7
- Com. v. Shea, 467 Mass. 788, 7 N.E.3d 1028 (2014)—53.22
- Com. v. Shea, 460 Mass. 163, 950 N.E.2d 393 (2011)—53.136
- Com. v. Shellenberger, 64 Mass. App. Ct. 70, 831 N.E.2d 375 (2005)—53.54
- Com. v. Shelley, 381 Mass. 340, 409 N.E.2d 732 (1980)—53.41, 53.85
- Com. v. Sheridan, 470 Mass. 752, 25 N.E.3d 875 (2015)—53.116
- Com. v. Sherman, 451 Mass. 332, 885 N.E.2d 122 (2008)—53.122
- Com. v. Sherman, 68 Mass. App. Ct. 797, 864 N.E.2d 1241 (2007)—53.122, 60.87
- Com. v. Shin, 86 Mass. App. Ct. 381, 16 N.E.3d 1122 (2014)—53.84
- Com. v. Shindell, 63 Mass. App. Ct. 503, 827 N.E.2d 236 (2005)—53.122
- Com. v. Shippee, 83 Mass. App. Ct. 659, 988 N.E.2d 859 (2013)—60.72
- Com. v. Shore, 65 Mass. App. Ct. 430, 840 N.E.2d 1010 (2006)—53.20
- Com. v. Shuman, 445 Mass. 268, 836 N.E.2d 1085 (2005)—53.129, 60.87
- Com. v. Silva-Santiago, 453 Mass. 782, 906 N.E.2d 299 (2009)—53.132
- Com. v. Simmons, 69 Mass. App. Ct. 348, 868 N.E.2d 158 (2007)—53.74
- Com. v. Simmons, 448 Mass. 687, 863 N.E.2d 549 (2007)—53.152
- Com. v. Simmons, 65 Mass. App. Ct. 274, 838 N.E.2d 1257 (2005)—53.152
- Com. v. Siny Van Tran, 460 Mass. 535, 953 N.E.2d 139 (2011)—53.10
- Com. v. Smeaton, 465 Mass. 752, 992 N.E.2d 243, 295 Ed. Law Rep. 776 (2013)—53.103
- Com. v. Smith, 473 Mass. 798, 46 N.E.3d 984 (2016)—53.136
- Com. v. Smith, 471 Mass. 161, 28 N.E.3d 385 (2015)—53.139
- Com. v. Smith, 460 Mass. 385, 951 N.E.2d 674 (2011)—53.101
- Com. v. Smith, 459 Mass. 538, 946 N.E.2d 95 (2011)—53.41
- Com. v. Smith, 72 Mass. App. Ct. 175, 889 N.E.2d 439, 233 Ed. Law Rep. 902 (2008)—53.116
- Com. v. Smith, 450 Mass. 395, 879 N.E.2d 87 (2008)—53.95
- Com. v. Smith, 449 Mass. 12, 864 N.E.2d 1194 (2007)—53.42, 53.130
- Com. v. Smith, 444 Mass. 497, 829 N.E.2d 1090 (2005)—53.13
- Com. v. Smith, 357 Mass. 168, 258

TABLE OF CASES

- N.E.2d 13 (1970)—53.84
- Com. v. Spearin, 446 Mass. 599, 846 N.E.2d 390 (2006)—53.15
- Com. v. Spray, 467 Mass. 456, 5 N.E.3d 891 (2014)—53.129
- Com. v. Springfield Terminal Ry. Co., 77 Mass. App. Ct. 225, 929 N.E.2d 335 (2010)—60.96
- Com. v. Starkus, 69 Mass. App. Ct. 326, 867 N.E.2d 811 (2007)—53.63, 53.84
- Com. v. Steele, 455 Mass. 209, 914 N.E.2d 886 (2009)—59.245
- Com. v. Stegemann, 68 Mass. App. Ct. 292, 862 N.E.2d 381 (2007)—53.107, 53.134
- Com. v. Stephens, 67 Mass. App. Ct. 906, 857 N.E.2d 504 (2006)—53.36
- Com. v. Stevenson, 474 Mass. 372, 50 N.E.3d 184 (2016)—53.143
- Com. v. Stewart, 469 Mass. 257, 13 N.E.3d 981 (2014)—53.115
- Com. v. Stewart, 454 Mass. 527, 911 N.E.2d 161 (2009)—53.137
- Com. v. Stewart, 450 Mass. 25, 875 N.E.2d 846 (2007)—53.95, 53.134, 53.136, 60.94
- Com. v. Stewart, 398 Mass. 535, 499 N.E.2d 822 (1986)—53.41
- Com. v. St. Hilaire, 470 Mass. 338, 21 N.E.3d 968 (2015)—53.49, 53.90
- Com. v. St. Louis, 473 Mass. 350, 42 N.E.3d 601 (2015)—53.20
- Com. v. Stone, 70 Mass. App. Ct. 800, 877 N.E.2d 620 (2007)—53.129, 53.136
- Com. v. Stote, 456 Mass. 213, 922 N.E.2d 768 (2010)—53.130.50
- Com. v. Stuckich, 450 Mass. 449, 879 N.E.2d 105 (2008)—53.64
- Com. v. Suave, 460 Mass. 582, 953 N.E.2d 178 (2011)—53.63
- Com. v. Sueiras, 72 Mass. App. Ct. 439, 892 N.E.2d 768 (2008)—53.15, 53.109, 53.136
- Com. v. Suero, 465 Mass. 215, 987 N.E.2d 1199 (2013)—53.3
- Com. v. Sullivan, 82 Mass. App. Ct. 293, 972 N.E.2d 476 (2012)—53.15, 53.101
- Com. v. Sullivan, 78 Mass. App. Ct. 631, 941 N.E.2d 680 (2011)—53.83
- Com. v. Sunahara, 455 Mass. 832, 920 N.E.2d 831 (2010)—53.129
- Com. v. Swan, 73 Mass. App. Ct. 258, 897 N.E.2d 1015 (2008)—53.30, 53.50
- Com. v. Swartz, 454 Mass. 330, 910 N.E.2d 277 (2009)—53.114
- Com. v. Sykes, 449 Mass. 308, 867 N.E.2d 733 (2007)—53.104
- Com. v. Sylvain, 466 Mass. 422, 995 N.E.2d 760 (2013)—53.130, 59.162
- Com. v. Szerlong, 457 Mass. 858, 933 N.E.2d 633 (2010)—53.11
- Com. v. Szlachta, 463 Mass. 37, 971 N.E.2d 1281 (2012)—53.41
- Com. v. Talbot, 444 Mass. 586, 830 N.E.2d 177 (2005)—53.65, 53.152
- Com. v. Tang, 66 Mass. App. Ct. 53, 845 N.E.2d 407 (2006)—53.101
- Com. v. Tanner, 66 Mass. App. Ct. 432, 848 N.E.2d 430 (2006)—53.1
- Com. v. Tapia, 463 Mass. 721, 978 N.E.2d 534 (2012)—53.107
- Com. v. Tassone, 468 Mass. 391, 11 N.E.3d 67 (2014)—53.101
- Com. v. Tatum, 466 Mass. 45, 992 N.E.2d 987 (2013)—53.110
- Com. v. Tavares, 87 Mass. App. Ct. 71, 31 N.E.3d 1167 (2015)—53.15
- Com. v. Tavares, 459 Mass. 289, 945 N.E.2d 329 (2011)—53.118
- Com. v. Tavares, 61 Mass. App. Ct. 385, 810 N.E.2d 1242 (2004)—53.52
- Com. v. Taylor, 469 Mass. 516, 14 N.E.3d 955 (2014)—53.124, 60.95
- Com. v. Taylor, 69 Mass. App. Ct. 526,

PRIMA FACIE CASE—PROOF AND DEFENSE

- 868 N.E.2d 1273 (2007)—53.144
 Com. v. Tejada, 89 Mass. App. Ct. 625,
 52 N.E.3d 1109 (2016)—53.47.50
 Com. v. Tejada, 473 Mass. 269, 41
 N.E.3d 721 (2015)—53.41
 Com. v. Terzian, 61 Mass. App. Ct.
 739, 814 N.E.2d 370 (2004)—
 53.118
 Com. v. Than, 442 Mass. 748, 817
 N.E.2d 705 (2004)—53.36
 Com. v. Thissell, 74 Mass. App. Ct.
 773, 910 N.E.2d 943 (2009)—
 53.118
 Com. v. Thomas, 469 Mass. 531, 21
 N.E.3d 901 (2014)—53.136
 Com. v. Thomas, 451 Mass. 451, 886
 N.E.2d 684 (2008)—52.5, 53.114
 Com. v. Thomas, 448 Mass. 1034, 864
 N.E.2d 1166 (2007)—53.55
 Com. v. Thomas, 448 Mass. 180, 859
 N.E.2d 813 (2007)—53.95, 53.126
 Com. v. Thomas, 67 Mass. App. Ct.
 738, 856 N.E.2d 892 (2006)—
 53.115
 Com. v. Thomas, 401 Mass. 109, 514
 N.E.2d 1309 (1987)—53.20,
 53.134
 Com. v. Thompson, 89 Mass. App. Ct.
 456, 50 N.E.3d 845 (2016)—53.15
 Com. v. Tirado, 65 Mass. App. Ct. 571,
 842 N.E.2d 980 (2006)—53.87
 Com. v. Tolan, 453 Mass. 634, 904
 N.E.2d 397 (2009)—53.44, 53.136
 Com. v. Toledo, 66 Mass. App. Ct. 688,
 849 N.E.2d 1281 (2006)—53.105,
 53.107
 Com. v. Toolan, 460 Mass. 452, 951
 N.E.2d 903 (2011)—53.142, 60.98
 Com. v. Torres, 468 Mass. 286, 10
 N.E.3d 1065 (2014)—53.3, 53.15,
 53.22
 Com. v. Torres, 71 Mass. App. Ct. 723,
 886 N.E.2d 732 (2008)—53.142
 Com. v. Torres, 442 Mass. 554, 813
 N.E.2d 1261 (2004)—53.8, 53.119,
 53.136, 59.136, 60.94
 Com. v. Traylor, 472 Mass. 260, 34
 N.E.3d 276 (2015)—53.20, 53.67
 Com. v. Traylor, 86 Mass. App. Ct. 84,
 13 N.E.3d 997 (2014)—53.20
 Com. v. Trefry, 89 Mass. App. Ct. 568,
 51 N.E.3d 502 (2016)—53.18.50
 Com. v. Tremblay, 460 Mass. 199, 950
 N.E.2d 421 (2011)—53.136
 Com. v. Truong, 78 Mass. App. Ct. 28,
 934 N.E.2d 1274 (2010)—53.36
 Com. v. Trussell, 68 Mass. App. Ct.
 452, 862 N.E.2d 444 (2007)—
 60.41, 60.81
 Com. v. Tuitt, 393 Mass. 801, 473
 N.E.2d 1103 (1985)—53.36
 Com. v. Turner, 71 Mass. App. Ct. 665,
 885 N.E.2d 167 (2008)—53.107
 Com. v. Twombly, 435 Mass. 440, 758
 N.E.2d 1051 (2001)—53.103
 Com. v. Tynes, 400 Mass. 369, 510
 N.E.2d 244 (1987)—53.88
 Com. v. Tyree, 455 Mass. 676, 919
 N.E.2d 660 (2010)—53.107
 Com. v. Ubilez, 88 Mass. App. Ct. 814,
 43 N.E.3d 327 (2016)—53.103
 Com. v. Urban, 450 Mass. 608, 880
 N.E.2d 753 (2008)—53.63
 Com. v. Urban, 67 Mass. App. Ct. 301,
 853 N.E.2d 594 (2006)—53.63
 Com. v. Urkiel, 63 Mass. App. Ct. 445,
 826 N.E.2d 769 (2005)—53.15,
 53.87
 Com. v. Urrea, 443 Mass. 530, 822
 N.E.2d 1192 (2005)—53.41, 53.85,
 53.98
 Com. v. Vacher, 469 Mass. 425, 14
 N.E.3d 264 (2014)—53.1
 Com. v. Valdez, 475 Mass. 178, 56
 N.E.3d 183 (2016)—53.122
 Com. v. Valentin V., 83 Mass. App. Ct.
 202, 982 N.E.2d 544 (2013)—
 53.47
 Com. v. Valerio, 449 Mass. 562, 870
 N.E.2d 46 (2007)—53.105
 Com. v. Van Winkle, 443 Mass. 230,
 820 N.E.2d 220 (2005)—53.42,

TABLE OF CASES

53.142	53.142
Com. v. Vasquez, 462 Mass. 827, 971 N.E.2d 783 (2012)—53.86	Com. v. Walker, 68 Mass. App. Ct. 194, 861 N.E.2d 457 (2007)—53.3, 53.14
Com. v. Vasquez, 456 Mass. 350, 923 N.E.2d 524 (2010)—59.162	Com. v. Walker, 443 Mass. 867, 825 N.E.2d 491 (2005)—53.129
Com. v. Vasquez, 75 Mass. App. Ct. 446, 914 N.E.2d 944 (2009)—59.162	Com. v. Walker, 443 Mass. 213, 820 N.E.2d 195 (2005)—53.87, 53.130
Com. v. Vazquez, 69 Mass. App. Ct. 622, 870 N.E.2d 656 (2007)—53.26, 53.29	Com. v. Walker, 442 Mass. 185, 812 N.E.2d 262 (2004)—53.15, 53.44, 53.95, 60.94
Com. v. Vazquez, 65 Mass. App. Ct. 305, 839 N.E.2d 343 (2005)—53.20, 53.134	Com. v. Wall, 469 Mass. 652, 15 N.E.3d 708 (2014)—53.102
Com. v. Vega, 449 Mass. 227, 866 N.E.2d 892 (2007)—52.5	Com. v. Wallace, 85 Mass. App. Ct. 123, 6 N.E.3d 549 (2014)—53.124
Com. v. Velazquez, 61 Mass. App. Ct. 667, 814 N.E.2d 356 (2004)—53.42, 53.137	Com. v. Wallace, 70 Mass. App. Ct. 757, 877 N.E.2d 260 (2007)—53.114
Com. v. Verde, 444 Mass. 279, 827 N.E.2d 701 (2005)—59.162	Com. v. Wallace, 67 Mass. App. Ct. 901, 852 N.E.2d 1117 (2006)—53.105
Com. v. Vick, 90 Mass. App. Ct. 622, 62 N.E.3d 105 (2016)—53.116	Com. v. Wallace, 14 Mass. App. Ct. 358, 439 N.E.2d 848 (1982)—53.54
Com. v. Vick, 454 Mass. 418, 910 N.E.2d 339 (2009)—53.93	Com. v. Waller, 90 Mass. App. Ct. 295, 58 N.E.3d 1070 (2016)—53.18.50
Com. v. Villafuerte, 72 Mass. App. Ct. 908, 893 N.E.2d 73 (2008)—53.10, 53.145	Com. v. Walters, 472 Mass. 680, 37 N.E.3d 980 (2015)—53.71, 53.74
Com. v. Virgilio, 79 Mass. App. Ct. 570, 947 N.E.2d 1112 (2011)—53.54	Com. v. Warren, 475 Mass. 530, 58 N.E.3d 333 (2016)—53.111
Com. v. Vives, 447 Mass. 537, 854 N.E.2d 1241 (2006)—53.68	Com. v. Warren, 87 Mass. App. Ct. 476, 31 N.E.3d 1171 (2015)—53.111
Com. v. Wade, 475 Mass. 54, 55 N.E.3d 409 (2016)—60.88.50	Com. v. Washington, 449 Mass. 476, 869 N.E.2d 605 (2007)—53.8, 53.109
Com. v. Wade, 467 Mass. 496, 5 N.E.3d 816 (2014)—60.88.50	Com. v. Washington W., 462 Mass. 204, 967 N.E.2d 615 (2012)—53.83, 53.146, 60.79
Com. v. Wade, 64 Mass. App. Ct. 648, 835 N.E.2d 264 (2005)—53.107	Com. v. Washington W., 457 Mass. 140, 928 N.E.2d 908 (2010)—53.146
Com. v. Walczak, 463 Mass. 808, 979 N.E.2d 732 (2012)—53.83, 53.143	Com. v. Watkins, 63 Mass. App. Ct. 69, 823 N.E.2d 404 (2005)—52.2
Com. v. Walker, 467 Mass. 1017, 5 N.E.3d 1228 (2014)—53.63	Com. v. Weaver, 474 Mass. 787, 54 N.E.3d 495 (2016)—53.125
Com. v. Walker, 460 Mass. 590, 953 N.E.2d 195 (2011)—53.132	Com. v. Webb, 450 Mass. 1014, 877 N.E.2d 552 (2007)—53.15
Com. v. Walker, 69 Mass. App. Ct. 137, 866 N.E.2d 958 (2007)—53.134,	

PRIMA FACIE CASE—PROOF AND DEFENSE

- Com. v. Webb, 68 Mass. App. Ct. 167, 860 N.E.2d 967 (2007)—53.15
- Com. v. Webster, 59 Mass. 295, 5 Cush. 295, 1850 WL 2988 (1850)—53.14
- Com. v. Weeks, 77 Mass. App. Ct. 1, 927 N.E.2d 1023 (2010)—53.95, 53.101
- Com. v. Weichell, 446 Mass. 785, 847 N.E.2d 1080 (2006)—53.105, 53.132, 60.87
- Com. v. Welch, 444 Mass. 80, 825 N.E.2d 1005 (2005)—53.38
- Com. v. Werner, 81 Mass. App. Ct. 689, 967 N.E.2d 159 (2012)—53.145
- Com. v. Westbrook, 79 Mass. App. Ct. 417, 947 N.E.2d 51 (2011)—59.162
- Com. v. White, 475 Mass. 724, 61 N.E.3d 423 (2016)—53.157
- Com. v. White, 475 Mass. 583, 59 N.E.3d 369 (2016)—53.106
- Com. v. White, 85 Mass. App. Ct. 491, 11 N.E.3d 628 (2014)—53.125
- Com. v. White, 452 Mass. 133, 891 N.E.2d 675 (2008)—53.132
- Com. v. White, 70 Mass. App. Ct. 71, 872 N.E.2d 833 (2007)—53.61
- Com. v. Whitney, 63 Mass. App. Ct. 351, 826 N.E.2d 219 (2005)—53.131, 53.140
- Com. v. Wilcox, 72 Mass. App. Ct. 344, 891 N.E.2d 708 (2008)—53.63, 53.129
- Com. v. Wilcox, 446 Mass. 61, 841 N.E.2d 1240 (2006)—53.101, 53.154
- Com. v. Wilcox, 63 Mass. App. Ct. 131, 823 N.E.2d 808 (2005)—53.154
- Com. v. Williams, 453 Mass. 203, 900 N.E.2d 871 (2009)—53.117
- Com. v. Williams, 450 Mass. 894, 882 N.E.2d 850 (2008)—53.134
- Com. v. Williams, 450 Mass. 879, 883 N.E.2d 249 (2008)—53.87
- Com. v. Williams, 71 Mass. App. Ct. 348, 881 N.E.2d 1148 (2008)—53.122
- Com. v. Williams, 450 Mass. 645, 880 N.E.2d 768 (2008)—53.8, 60.94
- Com. v. Williams, 68 Mass. App. Ct. 287, 861 N.E.2d 784 (2007)—53.119
- Com. v. Williams, 65 Mass. App. Ct. 9, 836 N.E.2d 335 (2005)—53.101
- Com. v. Williams, 63 Mass. App. Ct. 615, 827 N.E.2d 1281 (2005)—53.35
- Com. v. Williamson, 462 Mass. 676, 971 N.E.2d 250 (2012)—53.63
- Com. v. Wilson, 81 Mass. App. Ct. 464, 964 N.E.2d 342 (2012)—63.2
- Com. v. Wilson, 72 Mass. App. Ct. 416, 892 N.E.2d 751 (2008)—53.21
- Com. v. Wilson, 443 Mass. 122, 819 N.E.2d 919 (2004)—53.42, 53.126, 53.130, 53.134, 53.145
- Com. v. Wilson, 441 Mass. 390, 805 N.E.2d 968 (2004)—53.112
- Com. v. Winfield, 464 Mass. 672, 985 N.E.2d 86 (2013)—53.125
- Com. v. Winquist, 474 Mass. 517, 52 N.E.3d 105 (2016)—53.8
- Com. v. Wojcik, 65 Mass. App. Ct. 758, 843 N.E.2d 716 (2006)—53.41, 53.42, 53.132, 53.145, 64.5
- Com. v. Wolcott, 77 Mass. App. Ct. 457, 931 N.E.2d 1025 (2010)—53.2, 53.125
- Com. v. Wooden, 70 Mass. App. Ct. 185, 873 N.E.2d 764 (2007)—53.137, 53.152
- Com. v. Woods, 466 Mass. 707, 1 N.E.3d 762 (2014)—52.5, 53.143
- Com. v. Wright, 444 Mass. 576, 829 N.E.2d 1117 (2005)—53.8
- Com. v. Wright, 61 Mass. App. Ct. 790, 814 N.E.2d 741 (2004)—53.118
- Com. v. Wynton W., 459 Mass. 745, 947 N.E.2d 561, 267 Ed. Law Rep. 332 (2011)—53.21
- Com. v. Yates, 62 Mass. App. Ct. 494, 818 N.E.2d 181 (2004)—53.122

TABLE OF CASES

- Com. v. Young, 78 Mass. App. Ct. 548, 940 N.E.2d 885 (2011)—53.114
- Com. v. Young, 453 Mass. 707, 905 N.E.2d 90 (2009)—53.154
- Com. v. Young, 73 Mass. App. Ct. 479, 899 N.E.2d 838 (2009)—53.136
- Com. v. Zagrodny, 443 Mass. 93, 819 N.E.2d 565 (2004)—53.136
- Com. v. Zalesky, 74 Mass. App. Ct. 908, 906 N.E.2d 349 (2009)—53.18.50
- Com. v. Zanetti, 454 Mass. 449, 910 N.E.2d 869 (2009)—53.6, 53.8
- Com. v. Zapata, 455 Mass. 530, 918 N.E.2d 791 (2009)—53.40
- Com. v. Zeininger, 459 Mass. 775, 947 N.E.2d 1060 (2011)—59.245
- Com. v. Zekirias, 443 Mass. 27, 819 N.E.2d 166 (2004)—53.145
- Com. v. Zemtsov, 443 Mass. 36, 818 N.E.2d 1057 (2004)—60.94
- Com. v. Zimmermann, 70 Mass. App. Ct. 357, 873 N.E.2d 1215, 40 A.L.R.6th 833 (2007)—53.107
- Com. v. Zinser, 446 Mass. 807, 847 N.E.2d 1095 (2006)—53.129
- Com. v. Zorn, 66 Mass. App. Ct. 228, 846 N.E.2d 423 (2006)—53.107
- Comm. v. Correia, 83 Mass. App. Ct. 780, 989 N.E.2d 921 (2013)—53.96
- Commerce Ins. Co., Inc. v. Theodore, 65 Mass. App. Ct. 471, 841 N.E.2d 281 (2006)—2.4
- Comesso v. Hingham Housing Authority, 399 Mass. 805, 507 N.E.2d 247 (1987)—17.10
- Commissioner Of Probation v. Adams, 65 Mass. App. Ct. 725, 843 N.E.2d 1101 (2006)—53.22
- Committee to Protect Access to Quality Dental Care v. Secretary of Commonwealth, 490 Mass. 1008, 190 N.E.3d 1049 (2022)—43.26, 60.25
- Commodore v. Genesis Health Ventures, Inc., 63 Mass. App. Ct. 57, 824 N.E.2d 453 (2005)—28.1
- Commonwealth v. Accime, 476 Mass. 469, 68 N.E.3d 1153 (2017)—53.30
- Commonwealth v. Adams, 482 Mass. 514, 125 N.E.3d 39 (2019)—53.47.75
- Commonwealth v. Aldana, 477 Mass. 790, 81 N.E.3d 763 (2017)—53.15, 59.11
- Commonwealth v. Alexis, 481 Mass. 91, 112 N.E.3d 796 (2018)—53.109
- Commonwealth v. Almonor, 482 Mass. 35, 120 N.E.3d 1183 (2019)—53.105, 53.109
- Commonwealth v. Alves, 96 Mass. App. Ct. 540, 137 N.E.3d 413 (2019)—53.142
- Commonwealth v. Anitus, 93 Mass. App. Ct. 104, 97 N.E.3d 700 (2018)—53.132
- Commonwealth v. Arias, 481 Mass. 604, 119 N.E.3d 257 (2019)—53.109
- Commonwealth v. Arias, 92 Mass. App. Ct. 439, 87 N.E.3d 1173 (2017)—53.109
- Commonwealth v. Armstrong, 492 Mass. 341, 211 N.E.3d 622 (2023)—53.98, 53.136
- Commonwealth v. Arrington, 493 Mass. 478, 226 N.E.3d 851 (2024)—60.85
- Commonwealth v. Ashe A., 483 Mass. 1005, 133 N.E.3d 818, 371 Ed. Law Rep. 539 (2019)—53.156
- Commonwealth v. Ashford, 486 Mass. 450, 159 N.E.3d 125 (2020)—53.152.50
- Commonwealth v. A.Z., 493 Mass. 427, 225 N.E.3d 278 (2024)—53.84
- Commonwealth v. Baez, 494 Mass. 396, 237 N.E.3d 744 (2024)—53.8
- Commonwealth v. Baez, 480 Mass. 328, 104 N.E.3d 646 (2018)—

PRIMA FACIE CASE—PROOF AND DEFENSE

- 53.152.50
- Commonwealth v. Barlow-Tucker, 493 Mass. 197, 223 N.E.3d 1193 (2024)—52.4, 53.44, 53.67, 60.79
- Commonwealth v. Barrett, 97 Mass. App. Ct. 437, 148 N.E.3d 1217 (2020)—53.109
- Commonwealth v. Barros, 494 Mass. 100, 233 N.E.3d 1083 (2024)—53.119
- Commonwealth v. Bateman, 492 Mass. 404, 212 N.E.3d 725 (2023)—53.101, 53.136, 53.142, 60.83, 60.98, 64.3, 64.5
- Commonwealth v. Beatty, 492 Mass. 118, 209 N.E.3d 524 (2023)—53.84
- Commonwealth v. Bellard, 494 Mass. 446, 238 N.E.3d 762 (2024)—53.47
- Commonwealth v. Belnavis, 104 Mass. App. Ct. 798, 244 N.E.3d 1052 (2024)—60.85
- Commonwealth v. Beltran, 105 Mass. App. Ct. 341, 254 N.E.3d 1204 (2025)—53.119, 53.129, 60.87
- Commonwealth v. Beverly, 485 Mass. 1, 147 N.E.3d 426 (2020)—60.92
- Commonwealth v. Billingslea, 484 Mass. 606, 143 N.E.3d 425 (2020)—53.15, 53.98
- Commonwealth v. Birks, 490 Mass. 1018, 195 N.E.3d 910 (2022)—53.98
- Commonwealth v. Blanchard, 476 Mass. 1026, 70 N.E.3d 471 (2017)—53.145
- Commonwealth v. Boe, 73 Mass. App. Ct. 647, 900 N.E.2d 884 (2009)—60.79
- Commonwealth v. Bohigian, 486 Mass. 209, 157 N.E.3d 59 (2020)—59.245
- Commonwealth v. Bonnett, 482 Mass. 838, 129 N.E.3d 847 (2019)—60.78
- Commonwealth v. Braune, 481 Mass. 304, 114 N.E.3d 964 (2019)—53.52.50
- Commonwealth v. Brazie, 77 Mass.App.Ct. 315, 847 N.E.2d 1100 (2006)—53.130
- Commonwealth v. Brown, 494 Mass. 326, 236 N.E.3d 780 (2024)—53.119, 53.120, 53.129, 60.87
- Commonwealth v. Brown, 490 Mass. 171, 189 N.E.3d 654 (2022)—53.132
- Commonwealth v. Brown, 481 Mass. 77, 112 N.E.3d 264 (2018)—53.15
- Commonwealth v. Brown, 479 Mass. 163, 92 N.E.3d 1189 (2018)—53.87, 53.132, 53.155
- Commonwealth v. Brown, 477 Mass. 805, 81 N.E.3d 1173 (2017)—53.41, 53.156, 60.88
- Commonwealth v. Brown, 91 Mass. App. Ct. 286, 74 N.E.3d 293 (2017)—53.36
- Commonwealth v. Brum, 492 Mass. 581, 213 N.E.3d 1144 (2023)—53.140
- Commonwealth v. Buckley, 478 Mass. 861, 90 N.E.3d 767 (2018)—53.114, 53.117
- Commonwealth v. Buono, 484 Mass. 351, 142 N.E.3d 14, 375 Ed. Law Rep. 964 (2020)—53.157
- Commonwealth v. Calvaire, 476 Mass. 242, 66 N.E.3d 1028 (2017)—53.84
- Commonwealth v. Camuti, 493 Mass. 500, 226 N.E.3d 868 (2024)—53.131, 60.88.50
- Commonwealth v. Cappellucci, 493 Mass. 1035, 229 N.E.3d 1107 (2024)—59.245
- Commonwealth v. Carrasquillo, 489 Mass. 107, 179 N.E.3d 1104 (2022)—53.118
- Commonwealth v. Carrillo, 483 Mass. 269, 131 N.E.3d 812 (2019)—

TABLE OF CASES

- 53.44
- Commonwealth v. Carter, 488 Mass. 191, 172 N.E.3d 367 (2021)—53.142
- Commonwealth v. Carter, 481 Mass. 352, 115 N.E.3d 559 (2019)—53.44, 53.83
- Commonwealth v. Cartright, 478 Mass. 273, 84 N.E.3d 851 (2017)—53.49, 53.136
- Commonwealth v. Cassidy, 479 Mass. 527, 96 N.E.3d 691 (2018)—53.36
- Commonwealth v. Castillo, 485 Mass. 852, 153 N.E.3d 1210 (2020)—53.41
- Commonwealth v. Cawthron, 479 Mass. 612, 97 N.E.3d 671 (2018)—53.136
- Commonwealth v. Chambers, 93 Mass. App. Ct. 806, 109 N.E.3d 1069 (2018)—53.142
- Commonwealth v. Chesko, 486 Mass. 314, 158 N.E.3d 441 (2020)—53.41
- Commonwealth v. Clinton, 491 Mass. 756, 207 N.E.3d 487 (2023)—60.79
- Commonwealth v. Colon, 482 Mass. 162, 121 N.E.3d 1157 (2019)—53.142
- Commonwealth v. Colon, 93 Mass. App. Ct. 560, 106 N.E.3d 1125 (2018)—53.20
- Commonwealth v. Comenzo, 489 Mass. 155, 180 N.E.3d 453 (2022)—53.118
- Commonwealth v. Concepcion, 487 Mass. 77, 164 N.E.3d 842 (2021)—53.83, 53.101
- Commonwealth v. Conley, 103 Mass. App. Ct. 496, 222 N.E.3d 474 (2023)—64.5
- Commonwealth v. Connolly, 454 Mass. 809, 913 N.E. 2d 356 (2009)—53.118
- Commonwealth v. Cooper, 91 Mass. App. Ct. 595, 77 N.E.3d 324, 344 Ed. Law Rep. 1209 (2017)—53.31
- Commonwealth v. Corey, 493 Mass. 674, 228 N.E.3d 1183 (2024)—53.41, 53.131
- Commonwealth v. Costa, 490 Mass. 118, 189 N.E.3d 284 (2022)—53.154
- Commonwealth v. Crump, 105 Mass. App. Ct. 307, 254 N.E.3d 585 (2025)—53.55
- Commonwealth v. Cruz, 495 Mass. 110, 247 N.E.3d 25 (2024)—53.74
- Commonwealth v. Cruz, 103 Mass. App. Ct. 1121, 225 N.E.3d 847 (2024)—53.74
- Commonwealth v. Cruz, 93 Mass. App. Ct. 136, 99 N.E.3d 827 (2018)—53.20
- Commonwealth v. Cuffee, 492 Mass. 25, 209 N.E.3d 45 (2023)—60.78
- Commonwealth v. Darosa, 94 Mass. App. Ct. 635, 118 N.E.3d 131 (2019)—53.110
- Commonwealth v. Davis, 487 Mass. 448, 168 N.E.3d 294 (2021)—53.118
- Commonwealth v. Davis, 481 Mass. 210, 114 N.E.3d 556 (2019)—53.109
- Commonwealth v. Dawson, 490 Mass. 521, 192 N.E.3d 1052 (2022)—53.41
- Commonwealth v. Degnan, 91 Mass. App. Ct. 266, 73 N.E.3d 823 (2017)—53.26
- Commonwealth v. DeJesus, 489 Mass. 292, 182 N.E.3d 280 (2022)—53.117
- Commonwealth v. Delgado-Rivera, 487 Mass. 551, 168 N.E.3d 1083 (2021)—53.117
- Commonwealth v. Delnegro, 91 Mass. App. Ct. 337, 75 N.E.3d 73 (2017)—53.98
- Commonwealth v. Delossantos, 492

PRIMA FACIE CASE—PROOF AND DEFENSE

- Mass. 242, 210 N.E.3d 427 (2023)—53.136, 60.97
- Commonwealth v. Dennis, 96 Mass. App. Ct. 528, 135 N.E.3d 1070 (2019)—59.245
- Commonwealth v. Denson, 489 Mass. 138, 180 N.E.3d 437 (2022)—53.101
- Commonwealth v. DePeiza, 449 Mass. 367, 868 N.E.2d 90 (2007)—53.111
- Commonwealth v. Desiderio, 491 Mass. 809, 208 N.E.3d 1 (2023)—52.2, 53.8, 53.98, 60.87
- Commonwealth v. Dew, 492 Mass. 254, 210 N.E.3d 904 (2023)—53.129
- Commonwealth v. Dew, 478 Mass. 304, 85 N.E.3d 22 (2017)—53.132
- Commonwealth v. Diaz Perez, 484 Mass. 69, 138 N.E.3d 1028 (2020)—53.129, 53.130, 60.87
- Commonwealth v. DiBenedetto, 491 Mass. 390, 203 N.E.3d 579 (2023)—53.123
- Commonwealth v. Dirico, 480 Mass. 491, 111 N.E.3d 1062 (2018)—53.124
- Commonwealth v. Dones, 492 Mass. 291, 211 N.E.3d 47 (2023)—53.83, 59.284
- Commonwealth v. Du, 495 Mass. 103, 245 N.E.3d 1046 (2024)—53.118
- Commonwealth v. Duart, 477 Mass. 630, 82 N.E.3d 1002 (2017)—53.127, 53.130
- Commonwealth v. Dufresne, 489 Mass. 195, 181 N.E.3d 1050 (2022)—53.22, 53.120, 59.92
- Commonwealth v. Duguay, 492 Mass. 520, 213 N.E.3d 581 (2023)—60.87
- Commonwealth v. Dunn, 494 Mass. 42, 232 N.E.3d 688 (2024)—53.107
- Commonwealth v. Edwards, 491 Mass. 1, 198 N.E.3d 740 (2022)—53.93, 60.86, 64.5
- Commonwealth v. Ehiabhi, 478 Mass. 154, 84 N.E.3d 13 (2017)—53.101
- Commonwealth v. Eldred, 480 Mass. 90, 101 N.E.3d 911 (2018)—53.154
- Commonwealth v. Escobar, 493 Mass. 694, 229 N.E.3d 579 (2024)—53.43
- Commonwealth v. Escobar, 490 Mass. 488, 191 N.E.3d 1052 (2022)—53.154
- Commonwealth v. Espinal, 482 Mass. 190, 121 N.E.3d 1189 (2019)—53.126, 53.142
- Commonwealth v. Evelyn, 485 Mass. 691, 152 N.E.3d 108 (2020)—53.104
- Commonwealth v. Ewan, 105 Mass. App. Ct. 42, 246 N.E.3d 371 (2024)—53.36
- Commonwealth v. Exxon Mobil Corporation, 489 Mass. 724, 187 N.E.3d 393 (2022)—15.1, 60.39
- Commonwealth v. Fan, 490 Mass. 433, 191 N.E.3d 1027 (2022)—53.62
- Commonwealth v. Fantauzzi, 91 Mass. App. Ct. 194, 73 N.E.3d 323 (2017)—53.41
- Commonwealth v. Fayad F., 495 Mass. 266, 249 N.E.3d 701 (2025)—53.83
- Commonwealth v. Feliz, 481 Mass. 689, 119 N.E.3d 700 (2019)—53.101
- Commonwealth v. Fernandes, 492 Mass. 469, 212 N.E.3d 785 (2023)—53.118, 60.85, 64.5
- Commonwealth v. Fernandes, 483 Mass. 1, 130 N.E.3d 696 (2019)—53.143, 60.79
- Commonwealth v. Fisher, 492 Mass. 823, 216 N.E.3d 1218 (2023)—53.41
- Commonwealth v. Fragata, 480 Mass. 121, 101 N.E.3d 297 (2018)—53.47

TABLE OF CASES

Commonwealth v. Francis, 485 Mass. 86, 147 N.E.3d 491 (2020)—53.119	App. Ct. 325, 85 N.E.3d 983 (2017)—53.152
Commonwealth v. Fredericq, 482 Mass. 70, 121 N.E.3d 166 (2019)—53.105, 53.114	Commonwealth v. Grier, 490 Mass. 455, 191 N.E.3d 1003 (2022)—59.128
Commonwealth v. Fulgiam, 477 Mass. 20, 73 N.E.3d 798 (2017)—53.116	Commonwealth v. Guardado, 493 Mass. 1, 220 N.E.3d 102 (2023)—53.93
Commonwealth v. Gaines, 494 Mass. 525, 240 N.E.3d 193 (2024)—53.132, 60.87	Commonwealth v. Guardado, 491 Mass. 666, 206 N.E.3d 512 (2023)—53.36, 53.93
Commonwealth v. Gamboa, 490 Mass. 294, 190 N.E.3d 469 (2022)—53.12	Commonwealth v. Hallinan, 491 Mass. 730, 207 N.E.3d 465 (2023)—53.55, 59.115
Commonwealth v. Gandia, 492 Mass. 1004, 209 N.E.3d 54 (2023)—60.78	Commonwealth v. Hand, 104 Mass. App. Ct. 815, 245 N.E.3d 1080 (2024)—53.136
Commonwealth v. Garcia, 482 Mass. 408, 123 N.E.3d 766 (2019)—53.101	Commonwealth v. Harris, 481 Mass. 767, 119 N.E.3d 1158 (2019)—53.36
Commonwealth v. Gerhardt, 477 Mass. 775, 81 N.E.3d 751 (2017)—53.57	Commonwealth v. Hart, 493 Mass. 130, 222 N.E.3d 455 (2023)—53.101, 53.142, 60.98, 64.3
Commonwealth v. German, 483 Mass. 553, 134 N.E.3d 542 (2019)—53.132	Commonwealth v. Hayes, 102 Mass. App. Ct. 455, 205 N.E.3d 1136 (2023)—53.52.50
Commonwealth v. Gernrich, 476 Mass. 249, 67 N.E.3d 1196 (2017)—53.47.25	Commonwealth v. Hebb, 477 Mass. 409, 77 N.E.3d 308 (2017)—53.54
Commonwealth v. Gibson, 492 Mass. 559, 214 N.E.3d 369 (2023)—53.36, 53.93	Commonwealth v. Henley, 488 Mass. 95, 171 N.E.3d 1085 (2021)—53.105, 53.118
Commonwealth v. Gomes, 483 Mass. 123, 130 N.E.3d 1234 (2019)—53.20	Commonwealth v. Heywood, 484 Mass. 43, 138 N.E.3d 1020 (2020)—53.142, 59.213
Commonwealth v. Gomez, 480 Mass. 240, 104 N.E.3d 636 (2018)—53.122	Commonwealth v. Hilaire, 92 Mass. App. Ct. 784, 95 N.E.3d 278 (2018)—59.29
Commonwealth v. Goncalves-Mendez, 484 Mass. 80, 138 N.E.3d 1038 (2020)—53.113	Commonwealth v. Hinds, 494 Mass. 681, 241 N.E.3d 721 (2024)—64.5
Commonwealth v. Gosselin, 486 Mass. 256, 158 N.E.3d 8 (2020)—53.117	Commonwealth v. Holley, 478 Mass. 508, 87 N.E.3d 77 (2017)—53.116
Commonwealth v. Graziano, 96 Mass. App. Ct. 601, 136 N.E.3d 1262 (2019)—53.15	Commonwealth v. Honsch, 493 Mass. 436, 226 N.E.3d 287 (2024)—53.98
Commonwealth v. Green, 92 Mass.	Commonwealth v. Horne, 476 Mass. 222, 66 N.E.3d 633 (2017)—53.31

PRIMA FACIE CASE—PROOF AND DEFENSE

- Commonwealth v. Howe, 103 Mass. App. Ct. 354, 219 N.E.3d 320 (2023)—19.6
- Commonwealth v. Huacon, 494 Mass. 1009, 232 N.E.3d 669 (2024)—53.83
- Commonwealth v. Huacon, 2023 WL 3046976 (Mass. 2023)—53.84
- Commonwealth v. J.A., 478 Mass. 385, 85 N.E.3d 684 (2017)—53.18.50, 53.83
- Commonwealth v. Jacquard, 104 Mass. App. Ct. 351, 237 N.E.3d 1218 (2024)—53.132
- Commonwealth v. Jacques, 494 Mass. 739, 242 N.E.3d 571 (2024)—53.65
- Commonwealth v. James, 477 Mass. 549, 79 N.E.3d 417 (2017)—53.98
- Commonwealth v. Jarrett, 491 Mass. 437, 203 N.E.3d 1164 (2023)—53.132, 53.154
- Commonwealth v. Jeannis, 482 Mass. 355, 122 N.E.3d 496 (2019)—53.116
- Commonwealth v. Jenkins, 104 Mass. App. Ct. 383, 238 N.E.3d 797 (2024)—53.62
- Commonwealth v. Jenks, 487 Mass. 1032, 170 N.E.3d 313 (2021)—60.88.50
- Commonwealth v. Johnson, 482 Mass. 830, 129 N.E.3d 841 (2019)—60.88.50
- Commonwealth v. Johnson, 481 Mass. 710, 119 N.E.3d 669 (2019)—53.116, 53.118
- Commonwealth v. Johnson, 91 Mass. App. Ct. 296, 75 N.E.3d 51 (2017)—53.15, 53.27, 53.118
- Commonwealth v. Jones, 481 Mass. 540, 117 N.E.3d 702 (2019)—53.137
- Commonwealth v. Kalila, 102 Mass. App. Ct. 108, 201 N.E.3d 748 (2023)—60.96
- Commonwealth v. Kapaia, 490 Mass. 787, 197 N.E.3d 867 (2022)—53.101
- Commonwealth v. Karen K., 491 Mass. 165, 199 N.E.3d 860 (2023)—53.111
- Commonwealth v. Kelly, 484 Mass. 53, 138 N.E.3d 364 (2020)—53.1, 53.36
- Commonwealth v. Kennedy, 478 Mass. 804, 90 N.E.3d 722 (2018)—53.20, 53.50
- Commonwealth v. Keown, 478 Mass. 232, 84 N.E.3d 820 (2017)—53.41, 53.116
- Commonwealth v. Kirkland, 491 Mass. 339, 202 N.E.3d 1198 (2023)—53.129
- Commonwealth v. Kozubal, 488 Mass. 575, 174 N.E.3d 1169, 395 Ed. Law Rep. 1084 (2021)—27.2
- Commonwealth v. K.W., 490 Mass. 619, 193 N.E.3d 1069 (2022)—53.155.50
- Commonwealth v. Lacrosse, 494 Mass. 475, 239 N.E.3d 876 (2024)—53.136
- Commonwealth v. LaPlante, 482 Mass. 399, 123 N.E.3d 759 (2019)—53.101
- Commonwealth v. Larose, 483 Mass. 323, 137 N.E.3d 360 (2019)—53.109
- Commonwealth v. Lee, 104 Mass. App. Ct. 725, 244 N.E.3d 494 (2024)—53.52.50
- Commonwealth v. Leiva, 484 Mass. 766, 146 N.E.3d 1093 (2020)—53.61
- Commonwealth v. Leopold L., 96 Mass. App. Ct. 796, 141 N.E.3d 99 (2020)—53.154
- Commonwealth v. Lepage, 494 Mass. 67, 232 N.E.3d 1196 (2024)—53.104
- Commonwealth v. Lessieur, 488 Mass.

TABLE OF CASES

620, 175 N.E.3d 372 (2021)— 53.129, 60.87	Commonwealth v. McBrown, 72 Mass. App. Ct. 60, 888 N.E.2d 976 (2008)—53.1
Commonwealth v. Liebenow, 84 Mass. App. Ct. 387, 997 N.E.2d 109 (2013)—53.49	Commonwealth v. McCarthy, 484 Mass. 493, 142 N.E.3d 1090 (2020)—53.105, 53.118
Commonwealth v. Littles, 477 Mass. 382, 80 N.E.3d 300 (2017)—53.49, 59.82	Commonwealth v. McCoy, 436 Mass 838, 926 N.E. 2d 1143 (2010)— 53.64
Commonwealth v. Long, 485 Mass. 711, 152 N.E.3d 725 (2020)— 53.114, 53.146, 60.79	Commonwealth v. Mcfarlane, 493 Mass. 385, 225 N.E.3d 812 (2024)—53.133
Commonwealth v. Lugo, 482 Mass. 94, 120 N.E.3d 1212 (2019)—53.105	Commonwealth v. McGonagle, 478 Mass. 675, 88 N.E.3d 1128 (2018)—53.152
Commonwealth v. Lutskov, 480 Mass. 575, 106 N.E.3d 632 (2018)—52.2, 53.98, 60.87	Commonwealth v. Mcneil, 492 Mass. 336, 211 N.E.3d 615 (2023)— 53.69, 59.284
Commonwealth v. Magoon, 172 Mass. 214, 51 N.E. 1082 (1898)— 53.18.50	Commonwealth v. Mendez, 104 Mass. App. Ct. 341, 237 N.E.3d 762 (2024)—53.61
Commonwealth v. Manolo M., 486 Mass. 678, 160 N.E.3d 1238 (2021)—53.83	Commonwealth v. Meneus, 476 Mass. 231, 66 N.E.3d 1019 (2017)— 53.111
Commonwealth v. Mansur, 484 Mass. 172, 140 N.E.3d 384 (2020)— 53.54	Commonwealth v. Miranda, 492 Mass. 301, 211 N.E.3d 54 (2023)—52.2, 59.115, 60.87
Commonwealth v. Marrero, 493 Mass. 338, 224 N.E.3d 478 (2024)— 60.87	Commonwealth v. Miranda, 484 Mass. 799, 146 N.E.3d 435 (2020)— 53.61, 53.129
Commonwealth v. Marrero, 484 Mass. 341, 141 N.E.3d 420 (2020)— 53.36	Commonwealth v. Mitchell, 105 Mass. App. Ct. 29, 246 N.E.3d 857 (2024)—53.83
Commonwealth v. Martinez, 104 Mass. App. Ct. 13, 232 N.E.3d 716 (2024)—53.2, 53.63	Commonwealth v. Molina, 476 Mass. 388, 71 N.E.3d 117 (Ct. App. 2017)—53.101, 53.116, 53.155
Commonwealth v. Martinez, 480 Mass. 777, 109 N.E.3d 459 (2018)— 53.153, 53.155	Commonwealth v. Monteiro, 492 Mass. 1013, 209 N.E.3d 539 (2023)— 52.5
Commonwealth v. Martinez, 476 Mass. 410, 71 N.E.3d 105 (2017)— 53.105	Commonwealth v. Moore, 480 Mass. 799, 109 N.E.3d 484 (2018)— 53.151
Commonwealth v. Matta, 483 Mass. 357, 133 N.E.3d 258 (2019)— 53.31	Commonwealth v. Mora, 485 Mass. 360, 150 N.E.3d 297 (2020)— 53.105
Commonwealth v. Mattis, 493 Mass. 216, 224 N.E.3d 410 (2024)— 53.101	Commonwealth v. Moreau, 490 Mass.

PRIMA FACIE CASE—PROOF AND DEFENSE

- 387, 190 N.E.3d 1060 (2022)—
53.56
- Commonwealth v. Morgan*, 476 Mass.
768, 73 N.E.3d 762 (2017)—52.4
- Commonwealth v. Morin*, 478 Mass.
415, 85 N.E.3d 949 (2017)—53.41
- Commonwealth v. Morris*, 492 Mass.
498, 212 N.E.3d 812 (2023)—
53.118
- Commonwealth v. Morrison*, 494 Mass.
763, 242 N.E.3d 592 (2024)—
53.48
- Commonwealth v. Muckle*, 478 Mass.
1001, 82 N.E.3d 1021 (2017)—
53.47
- Commonwealth v. Narvaez*, 490 Mass.
807, 198 N.E.3d 37 (2022)—53.15
- Commonwealth v. Nascimento*, 91
Mass. App. Ct. 665, 79 N.E.3d
1075 (2017)—53.74.75
- Commonwealth v. Newberry*, 483
Mass. 186, 131 N.E.3d 230
(2019)—52.4
- Commonwealth v. Newton N.*, 478
Mass. 747, 89 N.E.3d 1159
(2018)—60.79
- Commonwealth v. Ng*, 491 Mass. 247,
201 N.E.3d 1216 (2023)—53.126
- Commonwealth v. Nick N.*, 486 Mass.
696, 160 N.E.3d 1223 (2021)—
53.83
- Commonwealth v. Norman*, 484 Mass.
330, 142 N.E.3d 1 (2020)—53.116,
53.118
- Commonwealth v. Oberle*, 476 Mass.
539, 69 N.E.3d 993 (2017)—
53.142
- Commonwealth v. O'Brien*, 494 Mass.
288, 236 N.E.3d 115 (2024)—
53.131
- Commonwealth v. Odgren*, 483 Mass.
41, 130 N.E.3d 677 (2019)—53.32,
53.121
- Commonwealth v. O'Leary*, 480 Mass.
67, 101 N.E.3d 271 (2018)—53.96
- Commonwealth v. O'Leary*, 92 Mass.
App. Ct. 282, 83 N.E.3d 186
(2017)—53.96
- Commonwealth v. Oliver*, 494 Mass.
697, 241 N.E.3d 737 (2024)—
53.15
- Commonwealth v. Ortiz*, 93 Mass. App.
Ct. 381, 100 N.E.3d 790 (2018)—
53.13
- Commonwealth v. Ortiz*, 478 Mass.
820, 90 N.E.3d 735 (2018)—
53.113
- Commonwealth v. Padilla*, 105 Mass.
App. Ct. 138, 249 N.E.3d 1160
(2024)—53.107
- Commonwealth v. Padilla*, 493 Mass.
1023, 224 N.E.3d 1017 (2024)—
53.83
- Commonwealth v. Pearson*, 486 Mass.
809, 162 N.E.3d 645 (2021)—
53.109
- Commonwealth v. Pearson*, 96 Mass.
App. Ct. 299, 135 N.E.3d 240
(2019)—53.109
- Commonwealth v. Pena-Lara*, 104
Mass. App. Ct. 680, 242 N.E.3d
1132 (2024)—60.78, 60.79
- Commonwealth v. Perez*, 480 Mass.
562, 106 N.E.3d 620 (2018)—
53.152
- Commonwealth v. Perez*, 477 Mass.
677, 80 N.E.3d 967 (2017)—
53.101, 53.152
- Commonwealth v. Perry*, 489 Mass.
436, 184 N.E.3d 745 (2022)—
53.118
- Commonwealth v. Petit-Homme*, 482
Mass. 775, 128 N.E.3d 62
(2019)—53.122
- Commonwealth v. Pfeiffer*, 492 Mass.
440, 212 N.E.3d 758 (2023)—
53.41, 60.88
- Commonwealth v. Pfeiffer*, 482 Mass.
110, 121 N.E.3d 1130 (2019)—
53.19, 53.41
- Commonwealth v. Pina*, 481 Mass.
413, 116 N.E.3d 575 (2019)—53.4

TABLE OF CASES

Commonwealth v. Plaisted, 148 Mass. 375, 19 N.E. 224 (1889)—66.18, 66.21	145, 121 N.E.3d 1121 (2019)—53.7
Commonwealth v. Plasse, 481 Mass. 199, 114 N.E.3d 64 (2019)—53.154	Commonwealth v. Robinson, 493 Mass. 775, 230 N.E.3d 1016 (2024)—53.131
Commonwealth v. Prado, 94 Mass. App. Ct. 253, 113 N.E.3d 365 (2018)—53.63	Commonwealth v. Robinson, 493 Mass. 303, 224 N.E.3d 391 (2024)—53.101
Commonwealth v. Preston P., 483 Mass. 759, 136 N.E.3d 1179 (2020)—53.83	Commonwealth v. Robinson, 103 Mass. App. Ct. 361, 219 N.E.3d 326 (2023)—53.20
Commonwealth v. Pridgett, 481 Mass. 437, 116 N.E.3d 549 (2019)—53.66	Commonwealth v. Robinson-Van Rader, 492 Mass. 1, 208 N.E.3d 693 (2023)—53.114, 60.79
Commonwealth v. Qasim Q., 491 Mass. 650, 205 N.E.3d 1077, 413 Ed. Law Rep. 964 (2023)—53.19	Commonwealth v. Roderick, 490 Mass. 669, 194 N.E.3d 197 (2022)—53.153
Commonwealth v. Rainey, 491 Mass. 632, 205 N.E.3d 1090 (2023)—53.118, 53.154	Commonwealth v. Rodrigues, 104 Mass. App. Ct. 410, 238 N.E.3d 815 (2024)—53.102, 53.136, 60.97
Commonwealth v. Ralph R., 490 Mass. 770, 197 N.E.3d 403 (2022)—53.142, 64.5	Commonwealth v. Rodriguez, 494 Mass. 723, 241 N.E.3d 1195 (2024)—53.153
Commonwealth v. Ramos, 490 Mass. 818, 198 N.E.3d 437 (2022)—53.130, 60.88.50	Commonwealth v. Rodriguez, 476 Mass. 367, 68 N.E.3d 635 (2017)—53.66
Commonwealth v. Raspberry, 93 Mass. App. Ct. 633, 107 N.E.3d 1195 (2018)—53.105	Commonwealth v. Rodriguez, 63 Mass. App. Ct. 660, 828 N.E.2d 556 (2005)—53.142
Commonwealth v. Regan, 104 Mass. App. Ct. 623, 242 N.E.3d 631 (2024)—53.109	Commonwealth v. Rodriguez, 378 Mass. 296391—53.132
Commonwealth v. Rezac, 494 Mass. 368, 236 N.E.3d 1193 (2024)—53.84	Commonwealth v. Rogers, 494 Mass. 629, 241 N.E.3d 647 (2024)—60.88
Commonwealth v. Ridley, 491 Mass. 321, 202 N.E.3d 1181 (2023)—53.101, 60.82	Commonwealth v. Ronchi, 491 Mass. 284, 202 N.E.3d 499 (2023)—53.41, 53.43
Commonwealth v. Rintala, 488 Mass. 421, 174 N.E.3d 249 (2021)—53.13	Commonwealth v. Rosa, 491 Mass. 369, 202 N.E.3d 1230 (2023)—52.4, 60.79
Commonwealth v. Rivera, 104 Mass. App. Ct. 517, 241 N.E.3d 84 (2024)—53.116, 60.97	Commonwealth v. Rossetti, 489 Mass. 589, 186 N.E.3d 729 (2022)—53.63
Commonwealth v. Rivera, 482 Mass. 145, 121 N.E.3d 1121 (2019)—53.7	Commonwealth v. Rossetti, 485 Mass. 24, 146 N.E.3d 1128 (2020)—60.92

PRIMA FACIE CASE—PROOF AND DEFENSE

- Commonwealth v. Ruiz, 480 Mass. 683, 108 N.E.3d 447 (2018)—53.152
- Commonwealth v. Russo, 494 Mass. 356, 236 N.E.3d 1171 (2024)—53.4, 60.79
- Commonwealth v. Sabin, 104 Mass. App. Ct. 303, 236 N.E.3d 1226 (2024)—53.48
- Commonwealth v. Sajid S., 494 Mass. 305, 236 N.E.3d 798 (2024)—53.101
- Commonwealth v. Salmons, 96 Mass. App. Ct. 61, 132 N.E.3d 1031 (2019)—53.116
- Commonwealth v. Samia, 492 Mass. 135, 209 N.E.3d 1212 (2023)—53.41
- Commonwealth v. Samuel S., 476 Mass. 497, 69 N.E.3d 573 (2017)—53.63
- Commonwealth v. Sanchez, 485 Mass. 491, 151 N.E.3d 404 (2020)—59.128, 64.7
- Commonwealth v. Santana, 477 Mass. 610, 82 N.E.3d 986 (2017)—60.85
- Commonwealth v. Santos, 100 Mass. App. Ct. 1, 173 N.E.3d 776 (2021)—53.63
- Commonwealth v. Santos, 94 Mass. App. Ct. 558, 116 N.E.3d 41 (2018)—53.67
- Commonwealth v. Schoener, 491 Mass. 706, 206 N.E.3d 552 (2023)—53.6, 53.136
- Commonwealth v. Scordino, 494 Mass. 1031, 241 N.E.3d 735 (2024)—53.49, 60.91
- Commonwealth v. Sharma, 488 Mass. 85, 171 N.E.3d 1076 (2021)—53.152
- Commonwealth v. Shehadi, 105 Mass. App. Ct. 60, 247 N.E.3d 73 (2024)—53.36
- Commonwealth v. Shelley, 477 Mass. 642, 80 N.E.3d 335 (2017)—53.3
- Commonwealth v. Shepherd, 493 Mass. 512, 227 N.E.3d 248 (2024)—53.41, 53.156
- Commonwealth v. Silvelo, 486 Mass. 13, 154 N.E.3d 904 (2020)—52.2, 53.98, 60.87
- Commonwealth v. Silvelo, 96 Mass. App. Ct. 85, 132 N.E.3d 1050 (2019)—53.36
- Commonwealth v. Smith, 493 Mass. 1037, 230 N.E.3d 421 (2024)—53.98
- Commonwealth v. Smith, 492 Mass. 604, 213 N.E.3d 1133 (2023)—53.101, 53.142
- Commonwealth v. Smith, 491 Mass. 377, 203 N.E.3d 568 (2023)—52.5, 60.88
- Commonwealth v. Snow, 104 Mass. App. Ct. 403, 239 N.E.3d 119 (2024)—53.50, 60.79
- Commonwealth v. Snow, 486 Mass. 582, 160 N.E.3d 277 (2021)—53.105
- Commonwealth v. Sorenson, 98 Mass. App. Ct. 789, 159 N.E.3d 750 (2020)—53.105
- Commonwealth v. Sosa, 493 Mass. 104, 222 N.E.3d 5 (2023)—60.94
- Commonwealth v. Soto, 476 Mass. 436, 68 N.E.3d 1133 (2017)—53.83
- Commonwealth v. Souza, 492 Mass. 615, 214 N.E.3d 411 (2023)—53.87
- Commonwealth v. Squires, 476 Mass. 703, 71 N.E.3d 520 (2017)—53.15
- Commonwealth v. Steeves, 490 Mass. 270, 189 N.E.3d 1235 (2022)—53.43
- Commonwealth v. St. Martin, 105 Mass. App. Ct. 71, 247 N.E.3d 82 (2024)—53.50
- Commonwealth v. Sullivan, 492 Mass. 36, 208 N.E.3d 711 (2023)—53.47.50, 60.79
- Commonwealth v. Summers, 93 Mass.

TABLE OF CASES

- App. Ct. 260, 102 N.E.3d 977 (2018)—53.36
- Commonwealth v. Sun, 490 Mass. 196, 189 N.E.3d 1168 (2022)—53.41, 53.134
- Commonwealth v. Sweeting-Bailey, 488 Mass. 741, 178 N.E.3d 356 (2021)—53.111
- Commonwealth v. Taranovsky, 93 Mass. App. Ct. 399, 105 N.E.3d 266 (2018)—53.50
- Commonwealth v. Taron T., 104 Mass. App. Ct. 219, 236 N.E.3d 1206 (2024)—53.122
- Commonwealth v. Tate, 490 Mass. 501, 192 N.E.3d 1034 (2022)—53.129, 60.87
- Commonwealth v. Tavares, 491 Mass. 362, 202 N.E.3d 1238 (2023)—53.129, 60.87
- Commonwealth v. Teixeira, 490 Mass. 733, 196 N.E.3d 301 (2022)—53.41
- Commonwealth v. Tejeda, 481 Mass. 794, 119 N.E.3d 743 (2019)—60.92
- Commonwealth v. Tejeda, 476 Mass. 817, 73 N.E.3d 290 (2017)—53.47.50
- Commonwealth v. Terrell, 486 Mass. 596, 160 N.E.3d 289 (2021)—53.83
- Commonwealth v. Thomas, 476 Mass. 451, 68 N.E.3d 1161 (2017)—53.132
- Commonwealth v. Thompson, 470 Mass. 1008, 19 N.E.3d 419 (2014)—53.31
- Commonwealth v. Tillson, 104 Mass. App. Ct. 180, 235 N.E.3d 287 (2024)—53.63
- Commonwealth v. Tiscione, 482 Mass. 485, 124 N.E.3d 690 (2019)—53.142
- Commonwealth v. Toolan, 490 Mass. 698, 194 N.E.3d 674 (2022)—53.84
- Commonwealth v. Torres, 495 Mass. 1008, 246 N.E.3d 360 (2024)—53.122, 60.88
- Commonwealth v. Torres, 479 Mass. 641, 98 N.E.3d 155 (2018)—53.65
- Commonwealth v. Torres-Pagan, 484 Mass. 34, 138 N.E.3d 1012 (2020)—53.111
- Commonwealth v. Troche, 493 Mass. 34, 221 N.E.3d 752 (2023)—53.101
- Commonwealth v. Tse, 495 Mass. 74, 245 N.E.3d 710 (2024)—53.8
- Commonwealth v. Tyson, 104 Mass. App. Ct. 739, 244 N.E.3d 508 (2024)—53.20
- Commonwealth v. Ulani U., 487 Mass. 203, 166 N.E.3d 430 (2021)—63.1
- Commonwealth v. Veiovis, 477 Mass. 472, 78 N.E.3d 757 (2017)—53.95
- Commonwealth v. Vieira, 483 Mass. 417, 133 N.E.3d 296 (2019)—53.154
- Commonwealth v. Villagran, 477 Mass. 711, 81 N.E.3d 310 (2017)—53.111
- Commonwealth v. Villalobos, 478 Mass. 1007, 84 N.E.3d 841 (2017)—53.142
- Commonwealth v. Vince V., 495 Mass. 96, 245 N.E.3d 726 (2024)—53.83
- Commonwealth v. Walczak, 463 Mass. 808n (2012)—60.79
- Commonwealth v. Walker, 490 Mass. 1011, 190 N.E.3d 1068 (2022)—53.98
- Commonwealth v. Washington, 97 Mass. App. Ct. 595, 149 N.E.3d 1272 (2020)—53.101
- Commonwealth v. Watt, 493 Mass. 322, 224 N.E.3d 377 (2024)—53.120, 60.87
- Commonwealth v. Waweru, 480 Mass. 173, 102 N.E.3d 391 (2018)—53.100, 53.144
- Commonwealth v. Whitfield, 492 Mass.

PRIMA FACIE CASE—PROOF AND DEFENSE

- 61, 208 N.E.3d 1278 (2023)—
60.78
- Commonwealth v. Wilbur W., 479
Mass. 397, 95 N.E.3d 259
(2018)—53.63
- Commonwealth v. Williams, 104 Mass.
App. Ct. 498, 241 N.E.3d 68
(2024)—53.110
- Commonwealth v. Williams, 486 Mass.
646, 160 N.E.3d 624 (2021)—
53.142
- Commonwealth v. Williams, 481 Mass.
799, 119 N.E.3d 1171 (2019)—
60.88.50
- Commonwealth v. Williams, 481 Mass.
443, 116 N.E.3d 609 (2019)—
53.142
- Commonwealth v. Wilson, 94 Mass.
App. Ct. 416, 113 N.E.3d 902
(2018)—53.140
- Commonwealth v. Wimer, 480 Mass. 1,
99 N.E.3d 778 (2018)—53.63
- Commonwealth v. Wittey, 492 Mass.
161, 210 N.E.3d 355 (2023)—
53.105
- Commonwealth v. Wolfe, 478 Mass.
142, 83 N.E.3d 811 (2017)—53.55,
59.245
- Commonwealth v. Wright, 479 Mass.
124, 92 N.E.3d 1175 (2018)—
53.136
- Commonwealth v. Yasin, 483 Mass.
343, 132 N.E.3d 531 (2019)—
60.91
- Commonwealth v. Yasir Y., 494 Mass.
432, 238 N.E.3d 750 (2024)—
53.83
- Commonwealth v. Yusuf, 488 Mass.
379, 173 N.E.3d 378 (2021)—
53.112, 53.118
- Commonwealth v. Zachairah Z., 494
Mass. 417, 238 N.E.3d 735
(2024)—53.154
- Commonwealth v. Zucchini, 493 Mass.
747, 229 N.E.3d 1109 (2024)—
59.245
- Commonwealth Elec. Co. v. MacCa-
rdell, 450 Mass. 48, 876 N.E.2d
405 (2007)—48.2
- Concemi, Matter of, 422 Mass. 326,
662 N.E.2d 1030 (1996)—66.3,
66.4, 66.9
- Conformis, Inc. v. Aetna, Inc., 58 F.4th
517 (1st Cir. 2023)—43.4
- Connick v. Thompson, 563 U.S. 51, 131
S. Ct. 1350, 179 L. Ed. 2d 417
(2011)—53.133
- Connolly v. Suffolk County Sheriff's
Dept., 62 Mass. App. Ct. 187, 815
N.E.2d 596 (2004)—28.1
- Connolly v. Sullivan, 76 Mass. App. Ct.
316, 921 N.E.2d 1017 (2010)—
60.39
- Connor v. Marriott International, Inc.,
103 Mass. App. Ct. 828, 231
N.E.3d 375 (2024)—15.4
- Constantino v. Frechette, 73 Mass.
App. Ct. 352, 897 N.E.2d 1262
(2008)—2.45
- Conte v. Marine Lumber Co., Inc., 66
Mass. App. Ct. 505, 848 N.E.2d
1246 (2006)—48.14
- Cook v. Patient Edu, LLC, 465 Mass.
548, 989 N.E.2d 847 (2013)—
53.15
- Coombes v. Florio, 450 Mass. 182, 877
N.E.2d 567 (2007)—39.2, 39.6
- Cooney v. Compass Group Foodservice,
69 Mass. App. Ct. 632, 870 N.E.2d
668, 221 Ed. Law Rep. 860
(2007)—53.74.50
- Cooper v. Cooper, 62 Mass. App. Ct.
130, 815 N.E.2d 262 (2004)—
55.16
- Cooper v. Cooper, 43 Mass. App. Ct. 51,
680 N.E.2d 1173 (1997)—55.15.50
- Cooper v. CVS Pharmacy, 450 Mass.
1024, 879 N.E.2d 684 (2008)—
52.5
- Cooper v. Regional Administrative
Judge of Dist. Court For Region
V, 447 Mass. 513, 854 N.E.2d 966

TABLE OF CASES

- (2006)—52.5
- Cormier v. City of Lynn*, 479 Mass. 35, 91 N.E.3d 662, 352 Ed. Law Rep. 296 (2018)—17.10
- Cormier v. Murray*, 103 Mass. App. Ct. 240, 219 N.E.3d 280 (2023)—39.4
- Cornell v. Board of Appeals of Dracut*, 453 Mass. 888, 906 N.E.2d 334 (2009)—65.1
- Cornell v. Board of Appeals of Dracut*, 72 Mass. App. Ct. 390, 892 N.E.2d 746 (2008)—65.1
- Corrado v. Hedrick*, 65 Mass. App. Ct. 477, 841 N.E.2d 723 (2006)—53.22
- Correa v. Schoeck*, 479 Mass. 686, 98 N.E.3d 191 (2018)—18.2
- Correia v. Correia*, 70 Mass. App. Ct. 811, 877 N.E.2d 629 (2007)—63.2
- Correia v. Fagan*, 452 Mass. 120, 891 N.E.2d 227 (2008)—39.4
- Correia v. Firestone Tire & Rubber Co.*, 388 Mass. 342, 446 N.E.2d 1033 (1983)—25.17
- Cosgrove v. Hughes*, 78 Mass. App. Ct. 739, 941 N.E.2d 706 (2011)—53.23
- Costa v. Boston Red Sox Baseball Club*, 61 Mass. App. Ct. 299, 809 N.E.2d 1090 (2004)—17.23, 23.12, 59.13
- Costa v. Fall River Housing Authority*, 71 Mass. App. Ct. 269, 881 N.E.2d 800 (2008)—53.123
- Costello v. Board of Appeals of Lexington*, 450 Mass. 1004, 876 N.E.2d 403 (2007)—52.5
- Cote-Whitacre v. Department of Public Health*, 446 Mass. 350, 844 N.E.2d 623 (2006)—55.2
- Cottam v. CVS Pharmacy*, 436 Mass. 316, 764 N.E.2d 814 (2002)—39.6
- Cottrell v. Laidley*, 103 Mass. App. Ct. 483, 220 N.E.3d 610 (2023)—19.1
- Counterman v. Colorado*, 600 U.S. 66, 143 S. Ct. 2106, 216 L. Ed. 2d 775 (2023)—53.74
- Cousin v. Com.*, 442 Mass. 1046, 817 N.E.2d 767 (2004)—52.5
- Cousino v. Com.*, 450 Mass. 1010, 877 N.E.2d 543 (2007)—52.5
- Covell v. Olsen*, 65 Mass. App. Ct. 359, 840 N.E.2d 555 (2006)—17.26, 19.33, 59.4, 59.242
- Coveney v. President & Trustees of College of Holy Cross*, 388 Mass. 16, 445 N.E.2d 136, 9 Ed. Law Rep. 362 (1983)—2.1, 2.50, 60.31
- Coviello v. Richardson*, 76 Mass. App. Ct. 603, 924 N.E.2d 761 (2010)—10.3
- Covino v. Spirit Airlines, Inc.*, 406 F. Supp. 3d 147 (D. Mass. 2019)—20.2
- Crabtree, In re Will of*, 449 Mass. 128, 865 N.E.2d 1119 (2007)—60.38
- Craft v. Kane*, 65 Mass. App. Ct. 322, 839 N.E.2d 854 (2005)—61.8
- Craig v. Planning Bd. Of Haverhill*, 64 Mass. App. Ct. 677, 835 N.E.2d 270 (2005)—65.1
- Crawford v. Washington*, 541 U.S. 36, 124 S. Ct. 1354, 158 L. Ed. 2d 177, 63 Fed. R. Evid. Serv. 1077 (2004)—53.101, 53.140, 53.154, 59.245
- Creative Playthings Franchising, Corp. v. Reiser*, 463 Mass. 758, 978 N.E.2d 765 (2012)—2.74
- Crivello v. All-Pak Machinery Systems, Inc.*, 446 Mass. 729, 847 N.E.2d 307 (2006)—53.126
- Croak v. Bergeron*, 67 Mass. App. Ct. 750, 856 N.E.2d 900 (2006)—55.16
- Crossen, In re*, 450 Mass. 533, 880 N.E.2d 352 (2008)—66.4, 66.12
- Crown v. Kobrick Offshore Fund, Ltd.*, 85 Mass. App. Ct. 214, 8 N.E.3d 281 (2014)—2.54
- Cruthird v. Com.*, 444 Mass. 1002, 826 N.E.2d 199 (2005)—52.5

PRIMA FACIE CASE—PROOF AND DEFENSE

- Cruthird v. Superior Court Dept. Of Trial Court For County Of Suffolk, 443 Mass. 1017, 823 N.E.2d 1246 (2005)—52.5
- Cruz v. Commonwealth, 494 Mass. 800, 243 N.E.3d 430 (2024)—17.12
- Cubberley v. Commerce Insurance Company, 495 Mass. 289, 249 N.E.3d 1129 (2025)—2.4
- Cullinane v. Uber Technologies, Inc., 893 F.3d 53 (1st Cir. 2018)—2.2, 2.62
- Cumberland Farms, Inc. v. City Council of Marlborough, 88 Mass. App. Ct. 528, 39 N.E.3d 455 (2015)—59.5
- Cumberland Farms, Inc. v. Framingham Div. of Dist. Court Dept., 81 Mass. App. Ct. 732, 967 N.E.2d 642 (2012)—59.108
- Cumis Ins. Society, Inc. v. BJ's Wholesale Club, Inc., 455 Mass. 458, 918 N.E.2d 36 (2009)—18.14
- Cummings v. National Shawmut Bank of Boston, 284 Mass. 563, 188 N.E. 489 (1934)—15.7
- Cummings Properties, LLC v. Cepoint Networks, LLC, 78 Mass. App. Ct. 287, 937 N.E.2d 974 (2010)—51.1
- Cummings Properties, LLC v. Hines, 492 Mass. 867, 217 N.E.3d 604 (2023)—2.2, 59.94
- Cummings Properties, LLC v. National Communications Corp., 449 Mass. 490, 869 N.E.2d 617 (2007)—10.16
- Cummins Realty Trust v. O'Neill, 493 Mass. 1004, 218 N.E.3d 644 (2023)—51.4
- Cunningham v. Thomas, 102 Mass. App. Ct. 135, 203 N.E.3d 599 (2023)—55.14, 60.16, 64.2
- Curcuru v. Rose's Oil Service, Inc., 66 Mass. App. Ct. 200, 846 N.E.2d 401 (2006)—21.1
- Curly Customs, Inc. v. Pioneer Financial, 62 Mass. App. Ct. 92, 814 N.E.2d 1176 (2004)—61.24
- Curreri v. Isihara, 80 Mass. App. Ct. 193, 952 N.E.2d 393 (2011)—39.6.50
- Currier v. National Bd. of Medical Examiners, 462 Mass. 1, 965 N.E.2d 829, 279 Ed. Law Rep. 442 (2012)—28.10
- Curry, In re, 450 Mass. 503, 880 N.E.2d 388 (2008)—66.4
- Curtatone v. Barstool Sports, Inc., 487 Mass. 655, 169 N.E.3d 480 (2021)—53.118
- Curtis v. Herb Chambers I-95, Inc., 75 Mass. App. Ct. 662, 915 N.E.2d 1121 (2009)—15.6
- Cutting Edge Homes, Inc. v. Mayer, 103 Mass. App. Ct. 749, 229 N.E.3d 613 (2024)—26.4
- Cyran v. Town of Ware, 413 Mass. 452, 597 N.E.2d 1352 (1992)—17.10

D

- Dacey v. Burgess, 491 Mass. 311, 202 N.E.3d 1172 (2023)—2.2, 8.1, 51.4
- Daddario v. Cape Cod Com'n, 56 Mass. App. Ct. 764, 780 N.E.2d 124 (2002)—50.2
- Dagastino v. Commissioner of Correction, 52 Mass. App. Ct. 456, 754 N.E.2d 150 (2001)—2.12
- Daisy, In re Adoption of, 460 Mass. 72, 948 N.E.2d 1239 (2011)—53.65, 62.4
- Damon v. Hukowicz, 964 F. Supp. 2d 120 (D. Mass. 2013)—31.1, 40.4, 41.1, 53.118
- D'Amore v. Stephenson, 442 Mass. 1027, 814 N.E.2d 1079 (2004)—47.8
- Danforth v. Minnesota, 552 U.S. 264, 128 S. Ct. 1029, 169 L. Ed. 2d 859 (2008)—53.130
- Danger Records, Inc. v. Berger, 444

TABLE OF CASES

- Mass. 1, 825 N.E.2d 498 (2005)—61.12
- Daniels v. Com., 441 Mass. 1017, 808 N.E.2d 816 (2004)—52.5
- Daniels, In re, 442 Mass. 1037, 817 N.E.2d 333 (2004)—66.1, 66.13
- Darviris v. Petros, 442 Mass. 274, 812 N.E.2d 1188 (2004)—39.7, 39.24
- Dasent, In re, 446 Mass. 1010, 845 N.E.2d 1133 (2006)—66.9
- Daubert v. Merrell Dow Pharmaceuticals, Inc., 509 U.S. 579, 113 S. Ct. 2786, 125 L. Ed. 2d 469, 37 Fed. R. Evid. Serv. 1 (1993)—53.55, 59.115, 60.85, 64.4
- Davalos v. Bay Watch, Inc., 494 Mass. 548, 240 N.E.3d 753 (2024)—43.28
- Daveiga v. Boston Public Health Com'n, 449 Mass. 434, 869 N.E.2d 586 (2007)—17.10
- David C., In re, 152 Cal. App. 3d 1189, 200 Cal. Rptr. 115 (5th Dist. 1984)—59.5
- Davis v. Comerford, 483 Mass. 164, 137 N.E.3d 341 (2019)—51.1
- Davis v. Commonwealth, 491 Mass. 1011, 200 N.E.3d 518 (2023)—53.93
- Davis v. Sikes, 254 Mass. 540, 151 N.E. 291 (1926)—59.165
- Davis v. U.S., 564 U.S. 229, 131 S. Ct. 2419, 180 L. Ed. 2d 285, 68 A.L.R. Fed. 2d 665 (2011)—53.104
- Davis v. Washington, 547 U.S. 813, 126 S. Ct. 2266, 165 L. Ed. 2d 224, 70 Fed. R. Evid. Serv. 472, 30 A.L.R.6th 599 (2006)—53.101
- Dawkins, In re, 432 Mass. 1009, 731 N.E.2d 534 (2000)—66.13
- Dawkins, Matter of, 412 Mass. 90, 587 N.E.2d 761 (1992)—66.6, 66.9
- Day v. Kerkorian, 72 Mass. App. Ct. 1, 887 N.E.2d 1098 (2008)—26.15
- Day v. Kerkorian, 61 Mass. App. Ct. 804, 814 N.E.2d 745 (2004)—2.72
- De Cicco v. Barker, 339 Mass. 457, 159 N.E.2d 534 (1959)—47.2
- DeCicco v. 180 Grant Street, LLC, 484 Mass. 1037, 144 N.E.3d 281 (2020)—60.39
- Deckelbaum v. Zoning Board of Appeals of Provincetown, 105 Mass. App. Ct. 22, 246 N.E.3d 365 (2024)—65.7
- DeFeudis v. DeFeudis, 449 Mass. 1030, 871 N.E.2d 487 (2007)—52.5
- Delaney v. Reynolds, 63 Mass. App. Ct. 239, 825 N.E.2d 554 (2005)—18.1, 18.10
- Delva v. Brigham and Women's Hosp., Inc., 72 Mass. App. Ct. 766, 894 N.E.2d 606 (2008)—28.1
- DeMarco v. DeMarco, 89 Mass. App. Ct. 618, 53 N.E.3d 669 (2016)—55.15.50
- Demayo v. Quinn, 87 Mass. App. Ct. 115, 25 N.E.3d 903 (2015)—53.22.50
- Demoulas v. Demoulas Super Markets, Inc., 424 Mass. 501, 677 N.E.2d 159 (1997)—2.74
- Demoulas Super Markets, Inc. v. Ryan, 70 Mass. App. Ct. 259, 873 N.E.2d 1168 (2007)—60.39
- Denardo v. Stanton, 74 Mass. App. Ct. 358, 906 N.E.2d 1024 (2009)—59.167.50
- Dennis v. Planning Bd. of Winchester, 71 Mass. App. Ct. 179, 880 N.E.2d 810 (2008)—65.1
- Department of Revenue v. Ryan R., 62 Mass. App. Ct. 380, 816 N.E.2d 1020 (2004)—2.72
- Department of Revenue Child Support Enforcement v. Grullon, 485 Mass. 129, 147 N.E.3d 1066 (2020)—63.3
- DePiero v. Burke, 70 Mass. App. Ct. 154, 873 N.E.2d 260 (2007)—60.39
- De Prins v. Michaelles, 236 F. Supp. 3d

PRIMA FACIE CASE—PROOF AND DEFENSE

- 482 (D. Mass. 2017)—47.11
- DeRoche v. Massachusetts Com'n Against Discrimination, 447 Mass. 1, 848 N.E.2d 1197 (2006)—28.1, 28.8
- DeRosa v. Lenox Farms Limited Partnership, 104 Mass. App. Ct. 510, 241 N.E.3d 79 (2024)—24.2, 60.57
- Desy v. Board of Bar Examiners, 452 Mass. 1012, 894 N.E.2d 1135 (2008)—66.2
- Deutsche Bank National Trust for IXIS 2006-HE3 v. Moynihan, 270 F. Supp. 3d 497, 93 U.C.C. Rep. Serv. 2d 928 (D. Mass. 2017)—14.5
- Dever v. Ward, 92 Mass. App. Ct. 175, 83 N.E.3d 820 (2017)—60.39
- Devine v. Board of Health of Westport, 66 Mass. App. Ct. 128, 845 N.E.2d 444 (2006)—65.1
- Devine v. Town of Nantucket, 449 Mass. 499, 870 N.E.2d 591 (2007)—50.11
- DeWeese-Boyd v. Gordon College, 487 Mass. 31, 163 N.E.3d 1000, 387 Ed. Law Rep. 902 (2021)—28.6
- DeWolfe v. Hingham Centre, Ltd., 464 Mass. 795, 985 N.E.2d 1187 (2013)—10.1, 29.1
- D.H. v. R.R., 461 Mass. 756, 964 N.E.2d 950 (2012)—53.23
- Diamond Group, Inc. v. Selective Distribution Intern., Inc., 84 Mass. App. Ct. 545, 998 N.E.2d 1018 (2013)—60.26
- Diatchenko v. District Attorney for Suffolk Dist., 471 Mass. 12, 27 N.E.3d 349 (2015)—53.101
- Diatchenko v. District Attorney for Suffolk Dist., 466 Mass. 655, 1 N.E.3d 270 (2013)—52.5, 53.101
- Diaz v. City of Somerville, 59 F.4th 24 (1st Cir. 2023)—28.10
- DiBella v. Fiumara, 63 Mass. App. Ct. 640, 828 N.E.2d 534 (2005)—51.4
- Dickenson v. Cogswell, 66 Mass. App. Ct. 442, 848 N.E.2d 800 (2006)—55.16
- DiFiore v. American Airlines, Inc., 454 Mass. 486, 910 N.E.2d 889 (2009)—53.74.50
- DiFiore v. American Airlines, Inc., 561 F. Supp. 2d 131 (D. Mass. 2008)—53.74.50
- DiGiacomo v. Metropolitan Property & Cas. Ins. Co., 66 Mass. App. Ct. 343, 847 N.E.2d 1107 (2006)—18.17, 19.2
- Dilbert v. Hanover Ins. Co., 63 Mass. App. Ct. 327, 825 N.E.2d 1071 (2005)—2.4
- DiLiddo v. Oxford Street Realty, Inc., 450 Mass. 66, 876 N.E.2d 421 (2007)—28.1, 40.13
- Din-Dayal v. Moore Real Estate Trust, 451 Mass. 1002, 884 N.E.2d 954 (2008)—52.5
- DiNitto v. Town of Pepperell, 77 Mass. App. Ct. 247, 929 N.E.2d 979 (2010)—22.1
- Dinsky v. Town of Framingham, 386 Mass. 801, 438 N.E.2d 51 (1982)—17.10
- DiPietro v. Sipex Corp., 69 Mass. App. Ct. 29, 865 N.E.2d 1190 (2007)—2.29
- Discipline of an Attorney, Matter of, 489 Mass. 1018, 186 N.E.3d 200 (2022)—66.6
- Discipline of an Attorney, Matter of, 392 Mass. 827, 468 N.E.2d 256 (1984)—66.9
- District Attorney for Norfolk Dist. v. Quincy Div. Dist. Court Dept., 444 Mass. 176, 827 N.E.2d 172 (2005)—52.5, 53.103
- D.L. v. G.L., 61 Mass. App. Ct. 488, 811 N.E.2d 1013 (2004)—55.15
- Doe v. Amherst College, 238 F. Supp. 3d 195, 345 Ed. Law Rep. 832 (D. Mass. 2017)—2.1

TABLE OF CASES

- Doe v. Trustees of Boston College, 942 F.3d 527, 371 Ed. Law Rep. 723 (1st Cir. 2019)—2.1
- Doe v. Trustees of Boston College, 892 F.3d 67, 355 Ed. Law Rep. 46 (1st Cir. 2018)—2.1, 27.3
- Doe v. Brandeis University, 177 F. Supp. 3d 561, 336 Ed. Law Rep. 292 (D. Mass. 2016)—2.1, 18.9
- Doe v. Cambridge Public Schools, 101 Mass. App. Ct. 482, 194 N.E.3d 217, 407 Ed. Law Rep. 905 (2022)—17.10
- Doe v. Creighton, 439 Mass. 281, 786 N.E.2d 1211 (2003)—38.7
- Doe v. Harbor Schools, Inc., 446 Mass. 245, 843 N.E.2d 1058 (2006)—2.74
- Doe v. Harbor Schools, Inc., 63 Mass. App. Ct. 337, 826 N.E.2d 228 (2005)—2.74
- Doe v. City of Lynn, 472 Mass. 521, 36 N.E.3d 18 (2015)—53.63
- Doe v. Massachusetts Parole Bd., 82 Mass. App. Ct. 851, 979 N.E.2d 226 (2012)—53.153
- Doe v. Massachusetts Trial Court, 494 Mass. 408, 237 N.E.3d 754 (2024)—17.10
- Doe v. Moe, 63 Mass. App. Ct. 516, 827 N.E.2d 240 (2005)—18.2
- Doe v. New Bedford Housing Authority, 417 Mass. 273, 630 N.E.2d 248 (1994)—34.1, 51.2
- Doe v. Roman Catholic Bishop of Springfield, 490 Mass. 373, 190 N.E.3d 1035 (2022)—17.8, 17.29
- Doe v. Senechal, 66 Mass. App. Ct. 68, 845 N.E.2d 418 (2006)—18.1, 28.10, 61.4
- Doe v. Sex Offender Registry Bd., 90 Mass. App. Ct. 786, 66 N.E.3d 1033 (2016)—53.63
- Doe v. Sex Offender Registry Bd., 473 Mass. 297, 41 N.E.3d 1058 (2015)—53.63
- Doe v. Sex Offender Registry Bd., 466 Mass. 594, 999 N.E.2d 478 (2013)—53.63
- Doe v. Sex Offender Registry Bd., 84 Mass. App. Ct. 537, 998 N.E.2d 793 (2013)—53.63
- Doe v. Sex Offender Registry Bd., 459 Mass. 603, 947 N.E.2d 9 (2011)—53.63, 53.125, 53.153
- Doe v. Sex Offender Registry Bd., 456 Mass. 612, 925 N.E.2d 533 (2010)—53.63
- Doe v. Sex Offender Registry Bd., 450 Mass. 780, 882 N.E.2d 298 (2008)—53.63, 53.122
- Doe v. Sex Offender Registry Bd., 70 Mass. App. Ct. 309, 873 N.E.2d 1194 (2007)—53.84
- Doe v. Sex Offender Registry Bd., 447 Mass. 779, 857 N.E.2d 492 (2006)—53.84
- Doe v. Sex Offender Registry Bd., 447 Mass. 768, 857 N.E.2d 485 (2006)—53.84
- Doe v. Sex Offender Registry Bd., 447 Mass. 750, 857 N.E.2d 473 (2006)—53.84
- Doe v. Sex Offender Registry Bd., 428 Mass. 90, 697 N.E.2d 512 (1998)—53.63
- Doe v. Sex Offender Registry Board, 490 Mass. 759, 197 N.E.3d 392 (2022)—53.63
- Doe v. Sex Offender Registry Board, 483 Mass. 131, 130 N.E.3d 778 (2019)—53.63
- Doe v. Sex Offender Registry Board, 482 Mass. 643, 126 N.E.3d 939 (2019)—53.63
- Doe v. Sex Offender Registry Board., 95 Mass. App. Ct. 85, 120 N.E.3d 1263 (2019)—53.63
- Doe v. Sex Offender Registry Board, 480 Mass. 212, 102 N.E.3d 950 (2018)—52.5
- Doe v. Stonehill College, Inc., 55 F.4th

PRIMA FACIE CASE—PROOF AND DEFENSE

- 302, 410 Ed. Law Rep. 80 (1st Cir. 2022)—2.50, 60.31
- Doe by and through Pike v. Pike, 424 F. Supp. 3d 170 (D. Mass. 2019)—27.3
- Doering Equipment Co. v. John Deere Co.—A Div. of Deere & Co., 61 Mass. App. Ct. 850, 815 N.E.2d 234 (2004)—2.22
- Doherty v. Admiral’s Flagship Condominium Trust, 80 Mass. App. Ct. 104, 951 N.E.2d 936 (2011)—34.1, 34.12
- Doherty v. Diving Unlimited International, Inc., 484 Mass. 193, 140 N.E.3d 394 (2020)—2.45, 2.70
- Donovan v. Philip Morris USA, Inc., 65 F. Supp. 3d 251 (D. Mass. 2014)—25.17
- Donovan v. Philip Morris USA, Inc., 268 F.R.D. 1 (D. Mass. 2010)—25.17
- Donovan v. Philip Morris USA, Inc., 455 Mass. 215, 914 N.E.2d 891 (2009)—25.17
- Dorchester Mutual Insurance Company v. Krusell, 485 Mass. 431, 150 N.E.3d 731 (2020)—2.4
- Dorchester Mutual Insurance Company v. Miville, 491 Mass. 489, 204 N.E.3d 382 (2023)—2.4
- Dorman v. Norton Co., 64 Mass. App. Ct. 1, 830 N.E.2d 1108 (2005)—26.2, 28.2
- Dossantos v. Beth Israel Deaconess Hospital-Milton, Inc., 105 Mass. App. Ct. 83, 246 N.E.3d 374 (2024)—39.12
- Dos Santos v. Coleta, 465 Mass. 148, 987 N.E.2d 1187 (2013)—18.34
- Doucet v. FCA US LLC, 492 Mass. 204, 210 N.E.3d 393 (2023)—19.10, 25.10, 60.26
- Doucette v. Jacobs, 106 F.4th 156, 431 Ed. Law Rep. 445, 125 Fed. R. Evid. Serv. 117 (1st Cir. 2024)—17.10, 60.57
- Doull v. Foster, 487 Mass. 1, 163 N.E.3d 976 (2021)—18.10
- Dovner v. Edelman, 72 Mass. App. Ct. 904, 891 N.E.2d 689 (2008)—19.1
- Downey v. Johnson, 104 Mass. App. Ct. 361, 239 N.E.3d 908 (2024)—28.1
- Doyle v. Com., 444 Mass. 686, 830 N.E.2d 1074 (2005)—48.2
- Doyle v. Goodridge, 444 Mass. 1006, 827 N.E.2d 1255 (2005)—55.1
- Doyle v. City of Quincy, 104 Mass. App. Ct. 761, 245 N.E.3d 1053 (2024)—17.10
- Doyle v. Secretary of Commonwealth, 448 Mass. 114, 858 N.E.2d 1090 (2006)—55.2
- Doyle, In re, 429 Mass. 1013, 710 N.E.2d 955 (1999)—66.1, 66.3, 66.4, 66.12
- Dragon, In re, 440 Mass. 1023, 798 N.E.2d 1011 (2003)—66.3, 66.12
- Dragonas v. School Committee of Melrose, 64 Mass. App. Ct. 429, 833 N.E.2d 679, 201 Ed. Law Rep. 296 (2005)—28.1, 43.25, 60.57
- Drakopoulos v. U.S. Bank Nat. Ass’n, 465 Mass. 775, 991 N.E.2d 1086 (2013)—2.2, 2.98.50, 15.5
- Draper v. Burke, 450 Mass. 676, 881 N.E.2d 122 (2008)—55.16, 57.1, 59.156
- Drayton v. Com., 450 Mass. 1028, 879 N.E.2d 1240 (2008)—52.5
- Driscoll v. Board of Trustees of Milton Academy, 70 Mass. App. Ct. 285, 873 N.E.2d 1177, 224 Ed. Law Rep. 385 (2007)—2.1, 17.29, 18.1, 18.10, 18.11
- Driscoll v. Providence Mut. Fire Ins. Co., 69 Mass. App. Ct. 341, 867 N.E.2d 806 (2007)—2.4
- Driscoll, In re, 447 Mass. 678, 856 N.E.2d 840 (2006)—66.1, 66.4
- Dube v. Lanphear, 69 Mass. App. Ct.

TABLE OF CASES

- 386, 868 N.E.2d 619 (2007)—
19.19
- Duddy v. Mankewich, 66 Mass. App.
Ct. 789, 851 N.E.2d 445 (2006)—
65.1, 65.2
- Dudley v. Massachusetts State Police,
91 Mass. App. Ct. 616, 78 N.E.3d
136 (2017)—45.4
- Duggan v. Gonsalves, 65 Mass. App.
Ct. 250, 838 N.E.2d 614 (2005)—
47.3
- Dulgarian v. Stone, 420 Mass. 843, 652
N.E.2d 603 (1995)—43.10
- Dumont v. Reily Foods Company, 934
F.3d 35 (1st Cir. 2019)—59.285
- Duncan v. Nissan North America, Inc.,
305 F. Supp. 3d 311, 95 U.C.C.
Rep. Serv. 2d 657 (D. Mass.
2018)—2.2, 12.7
- Dunn v. Genzyme Corporation, 486
Mass. 713, 161 N.E.3d 390
(2021)—60.31
- DuPont v. Commissioner of Correction,
448 Mass. 389, 861 N.E.2d 744
(2007)—28.1
- Duracraft Corp. v. Holmes Products
Corp., 427 Mass. 156, 691 N.E.2d
935 (1998)—60.39
- Durakowski v. Com., 450 Mass. 1005,
876 N.E.2d 419 (2007)—52.5
- Durbeck v. Suffolk University, 547 F.
Supp. 3d 133, 399 Ed. Law Rep.
187 (D. Mass. 2021)—2.19
- Durbin v. Board of Selectmen of Kings-
ton, 62 Mass. App. Ct. 1, 814
N.E.2d 1121 (2004)—45.4, 60.51
- Duxbury, Town of v. Rossi, 69 Mass.
App. Ct. 59, 865 N.E.2d 1200
(2007)—2.45
- Dwyer v. Gallo, 73 Mass. App. Ct. 292,
897 N.E.2d 612 (2008)—65.7
- Dynamic Mach. Works, Inc. v. Machine
& Elec. Consultants, Inc., 444
Mass. 768, 831 N.E.2d 875
(2005)—12.6
- Dzung Duy Nguyen v. Massachusetts
Institute of Technology, 479 Mass.
436, 96 N.E.3d 128, 354 Ed. Law
Rep. 449 (2018)—18.2
- E**
- Eagle-Tribune Pub. Co. v. Clerk-
Magistrate of Lawrence Div. of
Dist. Court Dept., 448 Mass. 647,
863 N.E.2d 517 (2007)—52.5,
53.22, 53.96
- Eck v. Godbout, 444 Mass. 724, 831
N.E.2d 296 (2005)—2.70
- E.C.O. v. Compton, 464 Mass. 558, 984
N.E.2d 787 (2013)—53.22, 53.63
- Edgar, In re Adoption of, 67 Mass.
App. Ct. 368, 853 N.E.2d 1068
(2006)—62.4
- Edge v. Com., 451 Mass. 74, 883
N.E.2d 928 (2008)—53.93
- Edlow v. RBW, LLC, 688 F.3d 26 (1st
Cir. 2012)—10.16
- Edwards v. Commonwealth, 488 Mass.
555, 174 N.E.3d 1153 (2021)—
28.1
- Eigerman v. Putnam Investments,
Inc., 450 Mass. 281, 877 N.E.2d
1258 (2007)—2.3, 60.31
- Eigerman v. Putnam Investments,
Inc., 66 Mass. App. Ct. 222, 846
N.E.2d 418 (2006)—60.31
- Eisenhauer, Matter of, 426 Mass. 448,
689 N.E.2d 783 (1998)—66.1,
66.3, 66.8, 66.9
- Eisenstein v. David G. Conlin, P.C.,
444 Mass. 258, 827 N.E.2d 686
(2005)—2.29
- El Chaar v. Chehab, 78 Mass. App. Ct.
501, 941 N.E.2d 75 (2010)—55.16
- Elena, In re Adoption of, 446 Mass. 24,
841 N.E.2d 252 (2006)—62.4
- Elias, Matter of, 418 Mass. 723, 640
N.E.2d 776 (1994)—66.12
- Elia-Warnken v. Elia, 463 Mass. 29,
972 N.E.2d 17 (2012)—55.2
- Elles v. Zoning Bd. of Appeals of
Quincy, 450 Mass. 671, 881

PRIMA FACIE CASE—PROOF AND DEFENSE

- N.E.2d 129 (2008)—60.24
- Ellis v. Department of Indus. Accidents, 463 Mass. 541, 977 N.E.2d 49 (2012)—66.1
- Ellis, Matter of, 425 Mass. 332, 680 N.E.2d 1154 (1997)—66.1, 66.6
- Elroy E. v. Com., 459 Mass. 1, 942 N.E.2d 953 (2011)—53.63
- E.N. v. E.S., 67 Mass. App. Ct. 182, 852 N.E.2d 1104 (2006)—55.9, 62.1
- ENI 131 Commerce Way LLC v. T.L. Edwards, Inc., 103 Mass. App. Ct. 838, 232 N.E.3d 150 (2024)—10.14
- Eno v. McGinn, 103 Mass. App. Ct. 662, 226 N.E.3d 333 (2024)—17.10
- Enterprise Rent-A-Car Company Of Boston, Inc. v. Arbella Mut. Ins. Co., 451 Mass. 264, 884 N.E.2d 973 (2008)—19.2
- Eresian v. Hall, 442 Mass. 1022, 814 N.E.2d 327 (2004)—52.5
- Erickson v. Somers, 446 Mass. 1015, 846 N.E.2d 1125 (2006)—52.5
- Erin, In re, 443 Mass. 567, 823 N.E.2d 356 (2005)—62.3
- Esler v. Sylvia-Reardon, 473 Mass. 775, 46 N.E.3d 534 (2016)—28.21
- Esturban v. Massachusetts Bay Transp. Authority, 68 Mass. App. Ct. 911, 865 N.E.2d 834 (2007)—25.10
- Evans v. Lorillard Tobacco Co., 465 Mass. 411, 990 N.E.2d 997, 80 U.C.C. Rep. Serv. 2d 1091 (2013)—13.6, 17.35, 25.17
- EventMonitor, Inc. v. Leness, 473 Mass. 540, 44 N.E.3d 848 (2016)—4.2
- Everett v. 357 Corp., 453 Mass. 585, 904 N.E.2d 733 (2009)—28.1, 28.8
- Ewing v. Com., 451 Mass. 1005, 885 N.E.2d 131 (2008)—52.5
- Ewing v. Com., 448 Mass. 1012, 861 N.E.2d 408 (2007)—52.5
- Expungement, Matter of, 489 Mass. 67, 179 N.E.3d 1081 (2022)—53.155.50
- Eyster v. Pechenik, 71 Mass. App. Ct. 773, 887 N.E.2d 272 (2008)—55.15

F

- Fabiano v. Philip Morris USA Inc., 492 Mass. 361, 211 N.E.3d 1048 (2023)—17.33, 21.23
- Fabre v. Walton, 441 Mass. 9, 802 N.E.2d 1030 (2004)—15.7, 61.1, 61.4
- Fabre v. Walton, 436 Mass. 517, 781 N.E.2d 780 (2002)—60.39
- Faircloth v. DiLillo, 466 Mass. 120, 993 N.E.2d 338 (2013)—39.12
- Fairhaven Housing Authority v. Commonwealth, 493 Mass. 27, 220 N.E.3d 111 (2023)—47.11, 59.284
- Falcon v. Leger, 62 Mass. App. Ct. 352, 816 N.E.2d 1010 (2004)—2.29
- Fannie Mae v. Branch, 494 Mass. 343, 236 N.E.3d 1181 (2024)—51.1, 60.43
- F.A.P. v. J.E.S., 87 Mass. App. Ct. 595, 33 N.E.3d 1245 (2015)—53.22.50
- Farahani v. Hingham Mut. Fire Ins. Co., 445 Mass. 1024, 840 N.E.2d 932 (2006)—52.5
- Farnum v. Mesiti Development, 68 Mass. App. Ct. 419, 862 N.E.2d 425 (2007)—61.12
- Farrell v. McDonnell, 81 Mass. App. Ct. 725, 967 N.E.2d 637 (2012)—58.4
- Fascione v. CNA Ins. Companies, 435 Mass. 88, 754 N.E.2d 662 (2001)—15.4
- FBT Everett Realty, LLC v. Massachusetts Gaming Commission, 489 Mass. 702, 187 N.E.3d 373 (2022)—17.10, 26.4, 50.5, 60.57
- Fearon v. Com., 394 Mass. 50, 474

TABLE OF CASES

- N.E.2d 162 (1985)—17.10
- Fecteau Benefits Group, Inc. v. Knox, 72 Mass. App. Ct. 204, 890 N.E.2d 138 (2008)—2.5, 2.22, 4.9
- Federal National Mortgage Association v. Gordon, 91 Mass. App. Ct. 527, 77 N.E.3d 315 (2017)—32.1, 32.2
- Federal Nat. Mortg. Ass'n v. Bradbury, 2011 ME 120, 32 A.3d 1014 (Me. 2011)—60.57, 63.2
- Federal Nat. Mortg. Ass'n v. Hendricks, 463 Mass. 635, 977 N.E.2d 552 (2012)—51.1
- Federico v. Brockton Credit Union, 39 Mass. App. Ct. 57, 653 N.E.2d 607 (1995)—2.52
- Federico v. Ford Motor Co., 67 Mass. App. Ct. 454, 854 N.E.2d 448 (2006)—39.6
- Feeney v. Dell Inc., 466 Mass. 1001, 993 N.E.2d 329 (2013)—2.45
- Feeney v. Dell Inc., 454 Mass. 192, 908 N.E.2d 753 (2009)—2.45, 15.5
- Feldstein v. Board of Registration in Medicine, 387 Mass. 339, 439 N.E.2d 824 (1982)—66.18, 66.21
- Fernandes v. Costa Bros. Masonry, Inc., 199 F.3d 572 (1st Cir. 1999)—28.1
- Fernandez v. California, 571 U.S. 292, 134 S. Ct. 1126, 188 L. Ed. 2d 25 (2014)—53.115
- Fernandez v. Com., 445 Mass. 1015, 837 N.E.2d 251 (2005)—52.5
- Ferrari v. Com., 448 Mass. 163, 859 N.E.2d 808 (2007)—53.93
- Ferreira v. Charland, 103 Mass. App. Ct. 194, 218 N.E.3d 61 (2023)—51.12
- Ferro v. School Dept. of New Bedford, 447 Mass. 1021, 856 N.E.2d 827, 213 Ed. Law Rep. 1139 (2006)—47.8
- Ferzoco v. Board of Appeals of Falmouth, 29 Mass. App. Ct. 986, 562 N.E.2d 105 (1990)—65.11
- Fiduciary Trust Co. v. Gow, 443 Mass. 1017, 824 N.E.2d 807 (2005)—52.5
- Fiduciary Trust Co. v. Gow, 440 Mass. 1037, 801 N.E.2d 245 (2004)—52.5
- Fienberg v. Hassan, 77 Mass. App. Ct. 901, 928 N.E.2d 356 (2010)—10.14
- Fifield v. Board of Zoning Appeal of Cambridge, 450 Mass. 1001, 875 N.E.2d 838 (2007)—65.7
- Finn v. Commonwealth, 482 Mass. 817, 128 N.E.3d 604 (2019)—53.154
- Finn v. National Union Fire Ins. Co. of Pittsburgh, Pennsylvania, 452 Mass. 690, 896 N.E.2d 1272 (2008)—2.4
- Finn, In re, 433 Mass. 418, 742 N.E.2d 1075 (2001)—66.1, 66.3, 66.4, 66.9, 66.12
- Finneran, In re, 455 Mass. 722, 919 N.E.2d 698 (2010)—66.2, 66.3, 66.12
- Finnerty, Matter of, 418 Mass. 821, 641 N.E.2d 1323 (1994)—66.1, 66.2
- First Act Inc. v. Brook Mays Music Co., Inc., 429 F. Supp. 2d 429, 65 Fed. R. Serv. 3d 74 (D. Mass. 2006)—43.10
- Firstenberger, In re, 450 Mass. 1018, 878 N.E.2d 912 (2007)—66.4
- Fisch v. Board of Registration in Medicine, 437 Mass. 128, 769 N.E.2d 1221 (2002)—66.17
- Fisher v. Lint, 69 Mass. App. Ct. 360, 868 N.E.2d 161 (2007)—60.39
- Fisher v. U.S., 779 A.2d 348 (D.C. 2001)—53.136
- Fistel v. Favaloro, 63 Mass. App. Ct. 651, 828 N.E.2d 549 (2005)—39.4
- Fitzgerald v. Board of Registration in Veterinary Medicine, 399 Mass.

PRIMA FACIE CASE—PROOF AND DEFENSE

- 901, 507 N.E.2d 712 (1987)—
66.20
- Fitzpatrick v. Wendy’s Old Fashioned
Hamburgers of New York, Inc.,
487 Mass. 507, 168 N.E.3d 361
(2021)—64.4
- Flagg v. AliMed, Inc., 466 Mass. 23,
992 N.E.2d 354 (2013)—28.3
- Flanagan v. U.S., 465 U.S. 259, 104 S.
Ct. 1051, 79 L. Ed. 2d 288
(1984)—53.98
- Flattery v. Gregory, 397 Mass. 143, 489
N.E.2d 1257, 72 A.L.R.4th 1085
(1986)—17.6
- Flavia, Adoption of, 104 Mass. App.
Ct. 40, 233 N.E.3d 526 (2024)—
62.4
- Fleming v. Fleming, 62 Mass. App. Ct.
103, 814 N.E.2d 1183 (2004)—
55.16
- Fleming v. National Union Fire Ins.
Co., 445 Mass. 381, 837 N.E.2d
1113 (2005)—15.8, 15.22
- Fleming v. Shaheen Bros., Inc., 71
Mass. App. Ct. 223, 881 N.E.2d
1143 (2008)—59.314
- Fletcher v. Littleton, 68 Mass. App. Ct.
22, 859 N.E.2d 882 (2007)—51.3
- Florida v. Harris, 568 U.S. 237, 133 S.
Ct. 1050, 185 L. Ed. 2d 61
(2013)—53.117
- Florida v. Powell, 559 U.S. 50, 130 S.
Ct. 1195, 175 L. Ed. 2d 1009
(2010)—53.119
- Flynn v. Associated Press, 401 Mass.
776, 519 N.E.2d 1304, 45 Ed. Law
Rep. 784 (1988)—43.28
- FMR Corp. v. Boston Edison Co., 415
Mass. 393, 613 N.E.2d 902
(1993)—15.1
- Foley, In re, 439 Mass. 324, 787 N.E.2d
561 (2003)—66.1, 66.4
- Foman v. Davis, 371 U.S. 178, 83 S.
Ct. 227, 9 L. Ed. 2d 222, 6 Fed. R.
Serv. 2d 1234 (1962)—60.7
- Fordham v. Butera, 450 Mass. 42, 876
N.E.2d 397 (2007)—48.12
- Fordham v. Butera, 68 Mass. App. Ct.
907, 862 N.E.2d 398 (2007)—
48.12, 65.1
- Fordham, Matter of, 423 Mass. 481,
668 N.E.2d 816 (1996)—66.3, 66.7
- Fordyce v. Town of Hanover, 457 Mass.
248, 929 N.E.2d 929 (2010)—2.52,
2.55
- Foreign Car Center, Inc. v. Essex Pro-
cess Service, Inc., 62 Mass. App.
Ct. 806, 821 N.E.2d 483 (2005)—
31.6
- Forsyth School For Dental Hygienists
v. Board of Registration in Den-
tistry, 404 Mass. 211, 534 N.E.2d
773, 51 Ed. Law Rep. 1337
(1989)—66.14
- Fortenbacher v. Com., 72 Mass. App.
Ct. 82, 888 N.E.2d 377 (2008)—
17.10
- Fort Point Investments, LLC v.
Kirunge-Smith, 103 Mass. App.
Ct. 758, 231 N.E.3d 339 (2024)—
51.11
- Forziati v. Board of Registration in
Medicine, 333 Mass. 125, 128
N.E.2d 789 (1955)—66.16
- Foster v. Hurley, 444 Mass. 157, 826
N.E.2d 719 (2005)—55.15
- Foster v. Hurley, 61 Mass. App. Ct.
414, 810 N.E.2d 1266 (2004)—
55.15
- Foster, Matter of, 492 Mass. 724, 215
N.E.3d 394 (2023)—59.129, 66.1
- Fraelick v. PerkettPR, Inc., 83 Mass.
App. Ct. 698, 989 N.E.2d 517
(2013)—26.4
- Framingham Heavy Equipment Co.,
Inc. v. John T. Callahan & Sons,
Inc., 61 Mass. App. Ct. 171, 807
N.E.2d 851 (2004)—2.16
- Franchi Management Company, Inc. v.
Flaherty, 93 Mass. App. Ct. 418,
105 N.E.3d 289 (2018)—60.2
- Franchini v. Board of Registration in

TABLE OF CASES

- Podiatry, 490 Mass. 1015, 195 N.E.3d 420 (2022)—66.16
- Franchitto, In re, 448 Mass. 1007, 860 N.E.2d 656 (2007)—66.1
- Franklin v. Spadafora, 388 Mass. 764, 447 N.E.2d 1244, 39 A.L.R.4th 77 (1983)—10.14, 47.4, 55.14
- Franklin, Town of v. Wyllie, 443 Mass. 187, 819 N.E.2d 943 (2005)—10.14
- Franks v. Delaware, 438 U.S. 154, 98 S. Ct. 2674, 57 L. Ed. 2d 667 (1978)—53.118
- Frappier v. Countrywide Home Loans, Inc., 645 F.3d 51 (1st Cir. 2011)—2.98.50
- Frawley v. Police Com’r of Cambridge, 473 Mass. 716, 46 N.E.3d 504 (2016)—59.5
- Frechette v. D’Andrea, 494 Mass. 167, 234 N.E.3d 935 (2024)—51.6
- Freedman v. Freedman, 445 Mass. 1009, 834 N.E.2d 251 (2005)—47.8
- Friedman v. Board of Registration In Medicine, 408 Mass. 474, 561 N.E.2d 859 (1990)—66.16
- Fronk v. Fowler, 81 Mass. App. Ct. 326, 962 N.E.2d 231 (2012)—2.25
- Frostar Corp. v. Malloy, 63 Mass. App. Ct. 96, 823 N.E.2d 417 (2005)—10.2, 10.14
- Fruchtman v. Com., 449 Mass. 1031, 871 N.E.2d 489 (2007)—52.5
- Frullo v. Landenberger, 61 Mass. App. Ct. 814, 814 N.E.2d 1105 (2004)—15.1, 15.4, 39.6
- FTI, LLC v. Duffy, 104 Mass. App. Ct. 484, 241 N.E.3d 56 (2024)—15.4
- Fuentes v. Com., 448 Mass. 1017, 863 N.E.2d 43 (2007)—53.93
- Fuller v. First Financial Ins. Co., 448 Mass. 1, 858 N.E.2d 288 (2006)—2.4
- Full Spectrum Software, Inc. v. Forte Automation Systems, Inc., 858 F.3d 666 (1st Cir. 2017)—15.1
- Furnas v. Cirone, 493 Mass. 57, 221 N.E.3d 772 (2023)—2.3, 59.210
- Furr v. Brady, 440 F.3d 34 (1st Cir. 2006)—53.152.50
- Furtado v. Town of Plymouth, 451 Mass. 529, 888 N.E.2d 357 (2008)—53.12
- Furtado v. Town of Plymouth, 69 Mass. App. Ct. 319, 867 N.E.2d 801 (2007)—53.12
- Fustolo v. Hollander, 455 Mass. 861, 920 N.E.2d 837 (2010)—60.39
- F.W.T. v. F.T., 93 Mass. App. Ct. 376, 101 N.E.3d 336 (2018)—53.22.50
- Fyffe v. Massachusetts Bay Transp. Authority, 86 Mass. App. Ct. 457, 17 N.E.3d 453 (2014)—60.50

G

- G4S Technology LLC v. Massachusetts Technology Park Corporation, 479 Mass. 721, 99 N.E.3d 728 (2018)—4.2, 4.4
- G4S Technology LLC, 479 Mass. at 725–738, 99 N.E. 3d—4.2
- Gabe, In re Adoption of, 84 Mass. App. Ct. 286, 995 N.E.2d 1118 (2013)—62.4
- Gabriel v. Premier Ins. Co. Of Massachusetts, 445 Mass. 1026, 840 N.E.2d 548 (2006)—19.23
- Galarza v. Barroso, 489 Mass. 1004, 179 N.E.3d 1102 (2022)—51.6, 52.5
- Galatis, In re Estate of, 88 Mass. App. Ct. 273, 36 N.E.3d 1247 (2015)—58.6
- Gallagher v. Goldstein, 402 Mass. 457, 524 N.E.2d 53 (1988)—55.1
- Gammell, In re, 86 Mass. App. Ct. 8, 12 N.E.3d 409 (2014)—53.13
- Gangi v. Com., 462 Mass. 158, 967 N.E.2d 135 (2012)—53.63
- Gannett v. Board of Bar Overseers, 495 Mass. 1025, 250 N.E.3d 548

PRIMA FACIE CASE—PROOF AND DEFENSE

- (2025)—47.9
- Gannett, Matter of, 489 Mass. 1007, 182 N.E.3d 956 (2022)—66.9
- Gannon v. City of Boston, 476 Mass. 786, 73 N.E.3d 748 (2017)—28.3
- Garabedian, Matter of, 416 Mass. 20, 616 N.E.2d 464 (1993)—66.6
- Garcia v. Commonwealth, 486 Mass. 341, 158 N.E.3d 452 (2020)—53.118
- Garcia v. Essex County Sheriff's Dept., 65 Mass. App. Ct. 104, 837 N.E.2d 284 (2005)—17.10
- Garnet Const. Co., Inc. v. Acadia Ins. Co., 61 Mass. App. Ct. 705, 814 N.E.2d 23 (2004)—2.4
- Gasior v. Massachusetts General Hosp., 446 Mass. 645, 846 N.E.2d 1133 (2006)—28.1
- Gates v. Reilly, 453 Mass. 460, 902 N.E.2d 934 (2009)—2.74
- Gattineri v. Wynn MA, LLC, 493 Mass. 13, 221 N.E.3d 742 (2023)—2.54
- Gaumond v. Com., 442 Mass. 1015, 812 N.E.2d 261 (2004)—52.5
- Gavin, Estate of v. Tewksbury State Hosp., 468 Mass. 123, 9 N.E.3d 299 (2014)—17.10
- Gaw v. Sappett, 62 Mass. App. Ct. 405, 816 N.E.2d 1027 (2004)—55.15, 60.50
- Geezil v. White Cliffs Condominium Four Association, 105 Mass. App. Ct. 103, 247 N.E.3d 870 (2024)—28.1, 60.57
- General Convention of New Jerusalem in the U.S. of America, Inc. v. MacKenzie, 449 Mass. 832, 874 N.E.2d 1084 (2007)—28.6, 53.101
- General Convention Of New Jerusalem In United States Of America, Inc. v. MacKenzie, 66 Mass. App. Ct. 836, 851 N.E.2d 455 (2006)—28.6
- Gennari v. Reading Public Schools, 77 Mass. App. Ct. 762, 933 N.E.2d 1027, 259 Ed. Law Rep. 831 (2010)—17.10
- George v. Town of Saugus, 394 Mass. 40, 474 N.E.2d 169, 22 Ed. Law Rep. 1253, 58 A.L.R.4th 395 (1985)—17.10
- George, In re Adoption of, 27 Mass. App. Ct. 265, 537 N.E.2d 1251 (1989)—62.4
- Germain v. Girard, 72 Mass. App. Ct. 409, 892 N.E.2d 754 (2008)—58.12
- Gertz v. Robert Welch, Inc., 418 U.S. 323, 94 S. Ct. 2997, 41 L. Ed. 2d 789 (1974)—43.26
- GGNSC Administrative Services, LLC v. Schrader, 484 Mass. 181, 140 N.E.3d 397 (2020)—2.45, 17.33, 21.23
- Gianocostas v. Interface Group-Massachusetts, Inc., 450 Mass. 715, 881 N.E.2d 134 (2008)—60.37
- Gianopoulos v. Clerk-Magistrate of Attleboro Division of Dist. Court Dept., 446 Mass. 1002, 841 N.E.2d 1262 (2006)—52.5
- Gibney v. Hossack, 493 Mass. 767, 230 N.E.3d 1009 (2024)—58.5
- Gibson Foundation, Inc. v. Norris, 88 F.4th 1 (1st Cir. 2023)—16.12
- Gifford v. Otis, 70 Mass. App. Ct. 211, 873 N.E.2d 792 (2007)—48.2
- Giles v. California, 554 U.S. 353, 128 S. Ct. 2678, 171 L. Ed. 2d 488 (2008)—53.11
- Gill v. Armstrong, 102 Mass. App. Ct. 733, 213 N.E.3d 77 (2023)—17.10, 22.1
- Gill v. Richmond Co-op. Ass'n, 309 Mass. 73, 34 N.E.2d 509 (1941)—39.4
- Gill v. United States, 516 F. Supp. 3d 64 (D. Mass. 2021)—27.2
- Gillespie v. City of Northampton, 460 Mass. 148, 950 N.E.2d 377

TABLE OF CASES

- (2011)—53.96
- Gillian, In re Adoption of, 63 Mass. App. Ct. 398, 826 N.E.2d 742 (2005)—62.4
- Gillis v. Town of Uxbridge, 103 Mass. App. Ct. 100, 216 N.E.3d 536 (2023)—35.3
- Gilpatric v. Cabour, 450 Mass. 1025, 879 N.E.2d 1236 (2008)—47.8
- Ginsberg v. Blacker, 67 Mass. App. Ct. 139, 852 N.E.2d 679 (2006)—53.22
- Giovanella v. Conservation Com'n of Ashland, 447 Mass. 720, 857 N.E.2d 451 (2006)—50.2
- Giroux v. Board of Dental Examiners, 322 Mass. 251, 76 N.E.2d 758 (1948)—66.15
- Giuffrida v. High Country Investor, Inc., 73 Mass. App. Ct. 225, 897 N.E.2d 82 (2008)—15.4
- Giuffrida v. Zoning Bd. Of Appeals Of Falmouth, 68 Mass. App. Ct. 396, 862 N.E.2d 417 (2007)—50.2
- Glavin v. Eckman, 71 Mass. App. Ct. 313, 881 N.E.2d 820 (2008)—32.4
- Glawson v. Com., 450 Mass. 1009, 877 N.E.2d 544 (2007)—52.5
- Glawson v. Com., 445 Mass. 1021, 840 N.E.2d 11 (2005)—52.5
- Glawson v. Com., 445 Mass. 1019, 839 N.E.2d 822 (2005)—52.5
- Glik v. Cunniffe, 655 F.3d 78, 84 A.L.R.6th 647 (1st Cir. 2011)—53.118
- Global Investors Agent Corp. v. National Fire Ins. Co. of Hartford, 76 Mass. App. Ct. 812, 927 N.E.2d 480 (2010)—60.78
- Global NAPS, Inc. v. Verizon New England, Inc., 63 Mass. App. Ct. 600, 828 N.E.2d 529 (2005)—60.39
- Globe Newspaper Co. v. Pokaski, 868 F.2d 497 (1st Cir. 1989)—60.100
- Globe Newspaper Co., Inc., In re, 461 Mass. 113, 958 N.E.2d 822 (2011)—59.216
- Glovsky v. Roche Bros. Supermarkets, Inc., 469 Mass. 752, 17 N.E.3d 1026 (2014)—28.10
- GMAC Mortg., LLC v. First American Title Ins. Co., 464 Mass. 733, 985 N.E.2d 823 (2013)—2.4
- Go-Best Assets Ltd. v. Citizens Bank of Massachusetts, 79 Mass. App. Ct. 473, 947 N.E.2d 581 (2011)—29.1, 60.24
- Goddard v. Goucher, 89 Mass. App. Ct. 41, 44 N.E.3d 878 (2016)—2.1, 2.2
- Godfrey v. Globe Newspaper Co., Inc., 457 Mass. 113, 928 N.E.2d 327 (2010)—28.3
- Golchin v. Liberty Mut. Ins. Co., 460 Mass. 222, 950 N.E.2d 853 (2011)—18.16
- Goldberg, In re, 434 Mass. 1022, 750 N.E.2d 1015 (2001)—66.2, 66.3, 66.9
- Golden v. General Builders Supply LLC, 441 Mass. 652, 807 N.E.2d 822 (2004)—4.1
- Goldstone, In re, 445 Mass. 551, 839 N.E.2d 825 (2005)—66.7, 66.9, 66.10
- Gonsalves v. Com., 442 Mass. 1016, 812 N.E.2d 262 (2004)—52.5
- Gonyou v. Tri-Wire Engineering Solutions, Inc., 717 F. Supp. 2d 152 (D. Mass. 2010)—61.15
- Good v. Uber Technologies, Inc., 494 Mass. 116, 234 N.E.3d 262 (2024)—2.2
- Goodman v. American Cas. Co., 419 Mass. 138, 643 N.E.2d 432 (1994)—19.2
- Gorbatova v. First Assistant Clerk of Supreme Judicial Court for County of Suffolk, 463 Mass. 1019, 979 N.E.2d 208 (2012)—66.1
- Gordon, Matter of, 385 Mass. 48, 429

PRIMA FACIE CASE—PROOF AND DEFENSE

- N.E.2d 1150 (1982)—66.13
- Goreham v. Martins, 485 Mass. 54, 147 N.E.3d 478 (2020)—51.2, 51.3
- Gorelick v. Star Markets Company, Inc., 102 Mass. App. Ct. 219, 203 N.E.3d 610 (2023)—2.4
- Gotay v. Creen, 495 Mass. 537, 253 N.E.3d 1189 (2025)—60.57
- Gottsegen v. Gottsegen, 397 Mass. 617, 492 N.E.2d 1133 (1986)—55.15
- Gould v. Morgan, 907 F.3d 659 (1st Cir. 2018)—53.36
- Gove v. Zoning Bd. of Appeals of Chatham, 444 Mass. 754, 831 N.E.2d 865 (2005)—50.1
- Grabowski, In re Estate of, 444 Mass. 715, 831 N.E.2d 291 (2005)—2.74, 47.11
- Grady v. North Carolina, 575 U.S. 306, 135 S. Ct. 1368, 191 L. Ed. 2d 459 (2015)—53.118
- Graham v. Com., 451 Mass. 1004, 884 N.E.2d 972 (2008)—52.5
- Graham v. District Attorney for Hampden District, 493 Mass. 348, 225 N.E.3d 245 (2024)—53.133
- Grand Jury Investigation, In re, 470 Mass. 399, 22 N.E.3d 927 (2015)—53.106
- Grand Jury Investigation, Matter of, 485 Mass. 641, 152 N.E.3d 65 (2020)—60.78
- Grand Jury Investigation, Matter of, 92 Mass. App. Ct. 531, 88 N.E.3d 1178 (2017)—53.137
- Grand Jury Subpoena, In re, 454 Mass. 685, 912 N.E.2d 970 (2009)—53.117
- Grand Jury Subpoena, In re, 447 Mass. 88, 849 N.E.2d 797 (2006)—53.143
- Grand Jury Subpoena, In re, 442 Mass. 1029, 814 N.E.2d 1096 (2004)—52.5
- Grassian v. Grassian, 445 Mass. 1012, 835 N.E.2d 607 (2005)—47.8
- Grassi Design Group, Inc. v. Bank of America, N.A., 74 Mass. App. Ct. 456, 908 N.E.2d 393, 69 U.C.C. Rep. Serv. 2d 364 (2009)—14.5
- Graves v. Graves, 72 Mass. 391, 6 Gray 391, 1856 WL 5688 (1856)—59.54
- Graycor Construction Company Inc. v. Pacific Theatres Exhibition Corp., 490 Mass. 636, 193 N.E.3d 1083 (2022)—52.5
- Graziano v. Riley, 83 Mass. App. Ct. 280, 983 N.E.2d 249 (2013)—35.3
- Greenberg v. Com., 442 Mass. 1024, 814 N.E.2d 729 (2004)—52.5
- Greenberg v. Greenberg, 68 Mass. App. Ct. 344, 861 N.E.2d 801 (2007)—55.15
- Greene v. Philip Morris USA Inc., 491 Mass. 866, 208 N.E.3d 676 (2023)—8.4, 15.1, 25.17, 30.1
- Greenwood v. Town Of Easton, 444 Mass. 467, 828 N.E.2d 945 (2005)—17.10
- Grella, In re, 438 Mass. 47, 777 N.E.2d 167 (2002)—66.1, 66.2, 66.3, 66.12
- Grenier v. Zoning Bd. of Appeals of Chatham, 62 Mass. App. Ct. 62, 814 N.E.2d 1154 (2004)—50.1
- Grice v. VIM Holdings Group, LLC, 280 F. Supp. 3d 258 (D. Mass. 2017)—2.62
- Griffith, In re, 440 Mass. 500, 800 N.E.2d 259 (2003)—66.1
- Gross, In re, 435 Mass. 445, 759 N.E.2d 288 (2001)—66.4, 66.12
- Grossman, In re, 448 Mass. 151, 859 N.E.2d 423 (2007)—66.1, 66.12
- Guerrier v. Commerce Ins. Co., 66 Mass. App. Ct. 351, 847 N.E.2d 1113 (2006)—2.4
- Guest-Tek Interactive Entertainment Inc. v. Pullen, 731 F. Supp. 2d 80 (D. Mass. 2010)—26.4
- Gund v. Planning Board of Cambridge, 91 Mass. App. Ct. 813, 78 N.E.3d

TABLE OF CASES

- 1165 (2017)—65.1
- Gutierrez v. Massachusetts Bay Transp. Authority, 442 Mass. 1041, 817 N.E.2d 738 (2004)—27.3, 28.1, 40.1, 40.6, 41.1, 41.11
- Guzman v. Com., 74 Mass. App. Ct. 466, 907 N.E.2d 1140 (2009)—17.12
- Guzzi v. Secretary of Public Safety, 450 Mass. 1016, 877 N.E.2d 934 (2007)—52.5
- Gyulakian v. Lexus of Watertown, Inc., 475 Mass. 290, 56 N.E.3d 785 (2016)—28.8
- H**
- H1 Lincoln, Inc. v. South Washington Street, LLC, 495 Mass. 484, 252 N.E.3d 1022 (2025)—2.24
- H1 Lincoln, Inc. v. South Washington Street, LLC, 489 Mass. 1, 179 N.E.3d 545 (2022)—2.24, 15.1
- Haddad v. Wal-Mart Stores, Inc., 455 Mass. 91, 914 N.E.2d 59 (2009)—28.7, 28.8
- Haglund v. Philip Morris, Inc., 446 Mass. 741, 847 N.E.2d 315, 59 U.C.C. Rep. Serv. 2d 584 (2006)—25.17
- Hale v. Elco Administrative Services, 69 Mass. App. Ct. 878, 872 N.E.2d 780 (2007)—2.4, 19.23
- Hammell v. Shooshanian Engineering Associates, Inc., 73 Mass. App. Ct. 634, 900 N.E.2d 891, 241 Ed. Law Rep. 328 (2009)—60.17
- Hamouda v. Harris, 66 Mass. App. Ct. 22, 845 N.E.2d 374 (2006)—59.164
- Hanover, Town of v. Cervelli, 66 Mass. App. Ct. 672, 849 N.E.2d 1271 (2006)—47.6
- Hanover, Town of v. New England Regional Council of Carpenters, 467 Mass. 587, 6 N.E.3d 522 (2014)—60.39
- Hanover Ins. Co. v. Cape Cod Custom Home Theater, Inc., 72 Mass. App. Ct. 331, 891 N.E.2d 703 (2008)—2.4
- Hanover Ins. Co. v. Rapo & Jepsen Ins. Services, Inc., 449 Mass. 609, 870 N.E.2d 1105 (2007)—18.40, 53.119
- Hanson v. Cadwell Crossing, LLC, 66 Mass. App. Ct. 497, 848 N.E.2d 1240 (2006)—59.77
- Haran v. Board of Registration In Medicine, 398 Mass. 571, 500 N.E.2d 268 (1986)—66.17
- Harborhouse of Gloucester, LLC, In re, 505 B.R. 365 (Bankr. D. Mass. 2014)—14.5
- Harrington v. Costello, 467 Mass. 720, 7 N.E.3d 449 (2014)—43.28
- Harrison v. Town of Mattapoisett, 78 Mass. App. Ct. 367, 937 N.E.2d 514 (2010)—17.10, 60.31
- Harrison v. Roncone, 447 Mass. 1001, 849 N.E.2d 181 (2006)—52.5
- Hartfield v. Com., 443 Mass. 1022, 824 N.E.2d 876 (2005)—52.5
- Haser v. Wright, 65 Mass. App. Ct. 903, 840 N.E.2d 63 (2005)—61.5
- Hatch v. Trail King Industries, Inc., 699 F.3d 38 (1st Cir. 2012)—60.5
- Hauffer v. Zotos, 446 Mass. 489, 845 N.E.2d 322 (2006)—2.2, 2.26, 28.10
- Haugh v. Simms, 64 Mass. App. Ct. 781, 835 N.E.2d 1131 (2005)—59.166
- Haven Center, Inc. v. Town of Bourne, 490 Mass. 364, 190 N.E.3d 1052 (2022)—48.12, 59.322, 65.1
- Hawes v. Humphrey, 26 Mass. 350, 9 Pick. 350, 1830 WL 2542 (1830)—58.7
- Hayes, Matter of, 493 Mass. 1010, 220 N.E.3d 573 (2023)—66.2
- Hazen Paper Co. v. U.S. Fidelity and Guar. Co., 407 Mass. 689, 555

PRIMA FACIE CASE—PROOF AND DEFENSE

- N.E.2d 576 (1990)—2.4
- Health and Hospitals of City of Boston, Inc., Trustees of v. Massachusetts Com'n Against Discrimination, 449 Mass. 675, 871 N.E.2d 444 (2007)—28.4
- Health and Hospitals of the City of Boston, Inc., Trustees of v. Massachusetts Com'n Against Discrimination, 65 Mass. App. Ct. 329, 839 N.E.2d 861 (2005)—28.1, 28.4, 28.8, 53.147
- Hebert v. Enos, 60 Mass. App. Ct. 817, 806 N.E.2d 452 (2004)—18.2
- Hebert v. Vantage Travel Service, Inc., 444 F. Supp. 3d 233 (D. Mass. 2020)—20.2
- Helfman v. Northeastern University, 485 Mass. 308, 149 N.E.3d 758, 379 Ed. Law Rep. 987 (2020)—18.2
- Hellenga v. Pratt, 450 Mass. 1035, 883 N.E.2d 262 (2008)—52.5
- Hennessey v. Stop & Shop Supermarket Co., 65 Mass. App. Ct. 88, 836 N.E.2d 1135 (2005)—23.18
- Henry v. Morris, 62 Mass. App. Ct. 714, 819 N.E.2d 619 (2004)—10.10
- Herman v. Admit One Ticket Agency LLC, 454 Mass. 611, 912 N.E.2d 450 (2009)—53.15
- Hermanson v. Szafarowicz, 457 Mass. 39, 927 N.E.2d 982 (2010)—1.1, 60.51, 60.52
- Hernon v. Hernon, 74 Mass. App. Ct. 492, 908 N.E.2d 777 (2009)—53.12, 58.12
- Herridge v. Board of Registration in Medicine, 420 Mass. 154, 648 N.E.2d 745 (1995)—66.16, 66.17
- Hershenow v. Enterprise Rent-A-Car Company Of Boston, Inc., 445 Mass. 790, 840 N.E.2d 526 (2006)—15.2, 15.6, 61.13
- Hershman-Tcherepnin v. Tcherepnin, 452 Mass. 77, 891 N.E.2d 194 (2008)—58.4
- Hershman-Tcherepnin v. Tcherepnin, 70 Mass. App. Ct. 218, 873 N.E.2d 771 (2007)—58.5
- Hidalgo v. Watch City Construction Corp., 105 Mass. App. Ct. 148, 250 N.E.3d 568 (2024)—60.39
- Higby/Fulton Vineyard, LLC v. Board of Health of Tisbury, 70 Mass. App. Ct. 848, 877 N.E.2d 955 (2007)—59.323
- Higgins v. John Hancock Life Insurance Company (U.S.A.), 405 F. Supp. 3d 305 (D. Mass. 2019)—28.2
- Higgins v. Town of Swansea, 72 Mass. App. Ct. 911, 893 N.E.2d 352 (2008)—53.53
- Hilary, In re, 450 Mass. 491, 880 N.E.2d 343 (2008)—52.5, 62.3
- Hill-Junious v. UTP Realty, LLC, 492 Mass. 667, 214 N.E.3d 437 (2023)—17.2, 21.1, 60.57
- Hilton v. Guyot, 159 U.S. 113, 16 S. Ct. 139, 40 L. Ed. 95 (1895)—55.2
- Hingham Mut. Fire Ins. Co. v. Mercurio, 71 Mass. App. Ct. 21, 878 N.E.2d 946 (2008)—2.4
- Hingham Mut. Fire Ins. Co. v. Smith, 69 Mass. App. Ct. 1, 865 N.E.2d 1168 (2007)—2.4
- HipSaver, Inc. v. Kiel, 464 Mass. 517, 984 N.E.2d 755 (2013)—43.10
- Hiss, In re, 368 Mass. 447, 333 N.E.2d 429 (1975)—66.13
- Hodas v. Morin, 442 Mass. 544, 814 N.E.2d 320 (2004)—2.31
- Hoffer v. Board of Registration in Medicine, 461 Mass. 451, 961 N.E.2d 575 (2012)—66.14
- Hoicka, In re, 442 Mass. 1004, 809 N.E.2d 1013 (2004)—66.8
- Holland v. Jachmann, 85 Mass. App. Ct. 292, 9 N.E.3d 340 (2014)—15.7

TABLE OF CASES

- Holsinger v. Holsinger, 357 Mass. 1, 255 N.E.2d 352 (1970)—53.111
- Homer v. Shaw, 177 Mass. 1, 58 N.E. 160 (1900)—4.2, 4.4
- Homesavers Council of Greenfield Gardens, Inc. v. Sanchez, 70 Mass. App. Ct. 453, 874 N.E.2d 497 (2007)—27.2, 51.2, 61.13
- Hosanna-Tabor Evangelical Lutheran Church and School v. E.E.O.C., 565 U.S. 171, 132 S. Ct. 694, 181 L. Ed. 2d 650, 274 Ed. Law Rep. 774 (2012)—28.6
- Houghton v. Johnson, 71 Mass. App. Ct. 825, 887 N.E.2d 1073 (2008)—35.2
- Houston v. Houston, 64 Mass. App. Ct. 529, 834 N.E.2d 297 (2005)—61.18
- Howard v. Wee, 61 Mass. App. Ct. 912, 811 N.E.2d 1050 (2004)—10.3
- Howcroft v. City of Peabody, 51 Mass. App. Ct. 573, 747 N.E.2d 729 (2001)—28.10
- Howe v. Palmer, 80 Mass. App. Ct. 736, 956 N.E.2d 249 (2011)—2.49, 27.2, 27.12
- Howe v. Tarvezian, 73 Mass. App. Ct. 10, 894 N.E.2d 1173 (2008)—61.25
- Howell v. Enterprise Pub. Co., LLC, 72 Mass. App. Ct. 739, 893 N.E.2d 1270 (2008)—43.9
- Howell v. Enterprise Publishing Co., LLC, 455 Mass. 641, 920 N.E.2d 1 (2010)—27.2, 43.6, 43.25
- Howes v. Fields, 565 U.S. 499, 132 S. Ct. 1181, 182 L. Ed. 2d 17 (2012)—53.136
- Hrones, In re, 457 Mass. 844, 933 N.E.2d 622 (2010)—39.4
- HSBC Bank USA, N.A. v. Morris, 490 Mass. 322, 190 N.E.3d 485 (2022)—2.90, 51.1
- Huang v. Ma, 491 Mass. 235, 201 N.E.3d 713 (2023)—9.11, 9.22
- Hug v. Gargano & Associates, P.C., 76 Mass. App. Ct. 520, 923 N.E.2d 1065 (2010)—15.5
- Hull, Town of v. Massachusetts Com'n Against Discrimination, 72 Mass. App. Ct. 525, 893 N.E.2d 66 (2008)—28.1
- Hume Lake Christian Camps, Inc. v. Planning Board of Monterey, 492 Mass. 188, 210 N.E.3d 379 (2023)—48.10, 59.324, 65.1
- Humphrey v. Byron, 447 Mass. 322, 850 N.E.2d 1044 (2006)—24.2
- Hunt v. Appeals Court, 444 Mass. 460, 828 N.E.2d 522 (2005)—52.5
- Hunter v. Rose, 463 Mass. 488, 975 N.E.2d 857 (2012)—55.2
- Hurtubise v. McPherson, 80 Mass. App. Ct. 186, 951 N.E.2d 994 (2011)—10.1
- Hyannis Anglers Club, Inc. v. Harris Warren Commercial Kitchens, LLC, 91 Mass. App. Ct. 555, 78 N.E.3d 784 (2017)—15.7

I

- Iagatta v. Iagatta, 448 Mass. 1016, 862 N.E.2d 371 (2007)—52.5
- Iamele v. Asselin, 444 Mass. 734, 831 N.E.2d 324 (2005)—53.22
- I & R Mechanical, Inc. v. Hazelton Mfg. Co., 62 Mass. App. Ct. 452, 817 N.E.2d 799 (2004)—2.5
- Iannacchino v. Ford Motor Co., 451 Mass. 623, 888 N.E.2d 879 (2008)—15.3, 15.4, 15.5, 60.31
- Ilona, In re Adoption of, 459 Mass. 53, 944 N.E.2d 115 (2011)—62.4
- Imelda, In re Adoption of, 72 Mass. App. Ct. 354, 892 N.E.2d 336 (2008)—62.4
- Impounded Case, Matter of, 493 Mass. 470, 226 N.E.3d 845 (2024)—53.83
- Imprimis Investors, LLC v. KPMG Peat Marwick LLP, 69 Mass. App.

PRIMA FACIE CASE—PROOF AND DEFENSE

- Ct. 218, 868 N.E.2d 143 (2007)—
65.7, 65.11
- Indeck v. Clients' Security Bd., 450
Mass. 379, 879 N.E.2d 57
(2008)—66.1, 66.10
- Inderieden v. Downs, 445 Mass. 1011,
834 N.E.2d 254 (2005)—47.8
- Ing v. Tufts University, 81 F.4th 77,
420 Ed. Law Rep. 812 (1st Cir.
2023)—28.1, 60.57
- Inland Commercial Real Estate Ser-
vices, LLC v. ASA EWC, LLC, 102
Mass. App. Ct. 796, 213 N.E.3d
604 (2023)—2.93, 51.1
- Innis v. Robertson, 67 Mass. App. Ct.
388, 854 N.E.2d 105 (2006)—
17.25
- Institution for Savings in Newburyport
and its Vicinity v. Langis, 92
Mass. App. Ct. 815, 96 N.E.3d
174 (2018)—60.52
- Intech, Inc. v. Triple "C" Marine Sal-
vage, Inc., 444 Mass. 122, 826
N.E.2d 194 (2005)—60.26
- Intech, Inc. v. Triple "C" Marine Sal-
vage, Inc., 61 Mass. App. Ct. 537,
812 N.E.2d 278 (2004)—60.26
- International Broth. of Teamsters v.
U.S., 431 U.S. 324, 97 S. Ct. 1843,
52 L. Ed. 2d 396 (1977)—28.1
- International Longshoremen Associa-
tion, Local 1413-1465 v. Mas-
sachusetts Commission Against
Discrimination, 104 Mass. App.
Ct. 28, 232 N.E.3d 725 (2024)—
27.3, 28.6
- Interstate Electrical Services Corp. v.
Cummings Properties, LLC, 63
Mass. App. Ct. 295, 825 N.E.2d
1059 (2005)—4.1
- Irwin v. Com., 465 Mass. 834, 992
N.E.2d 275 (2013)—17.12
- Irwin v. Degtiarov, 85 Mass. App. Ct.
234, 8 N.E.3d 296 (2014)—45.4
- J**
- Jablonski v. Casey, 64 Mass. App. Ct.
744, 835 N.E.2d 615 (2005)—51.3
- Jablonski, Matter of Estate of, 492
Mass. 687, 214 N.E.3d 1051
(2023)—58.5
- Jackman, In re, 444 Mass. 1013, 830
N.E.2d 1083 (2005)—66.10, 66.12
- Jackson v. Knott, 418 Mass. 704, 640
N.E.2d 109 (1994)—48.14
- Jacques, Adoption of, 82 Mass. App.
Ct. 601, 976 N.E.2d 814 (2012)—
62.4
- Jacqui, In re Adoption of, 80 Mass.
App. Ct. 713, 956 N.E.2d 238
(2011)—62.4
- Jane Doe No. 1 v. Backpage.com, LLC,
817 F.3d 12 (1st Cir. 2016)—15.2,
43.9, 53.45.50
- Jane J. v. Commonwealth, 91 Mass.
App. Ct. 325, 75 N.E.3d 613
(2017)—17.10
- Jansen, In re, 444 Mass. 112, 826
N.E.2d 186 (2005)—53.116
- Jasty v. Wright Medical Technology,
Inc., 528 F.3d 28 (1st Cir. 2008)—
15.1
- Jay v. Siemens AG, 323 F. Supp. 3d
220 (D. Mass. 2018)—2.29, 28.1
- Jaylen, Care and Protection of, 493
Mass. 798, 231 N.E.3d 302
(2024)—53.23, 62.3
- J.D.B. v. North Carolina, 564 U.S. 261,
131 S. Ct. 2394, 180 L. Ed. 2d 310
(2011)—53.136
- J.D.H. v. P.A.H., 71 Mass. App. Ct.
285, 882 N.E.2d 348 (2008)—
55.15
- Jean W. v. Com., 414 Mass. 496, 610
N.E.2d 305 (1993)—17.10
- Jenzabar, Inc. v. Long Bow Group,
Inc., 82 Mass. App. Ct. 648, 977
N.E.2d 75 (2012)—37.4
- Jepson v. Zoning Bd. of Appeals of
Ipswich, 450 Mass. 81, 876 N.E.2d
820 (2007)—65.1, 65.7
- J.F. v. J.F., 72 Mass. App. Ct. 782, 894
N.E.2d 617 (2008)—55.16
- J.H. v. Commonwealth, 479 Mass. 285,

TABLE OF CASES

- 94 N.E.3d 779 (2018)—53.83
- Jia v. Board of Bar Examiners*, 427 Mass. 777, 696 N.E.2d 131 (1998)—66.1, 66.14
- J.M. v. C.G.*, 492 Mass. 459, 212 N.E.3d 776 (2023)—53.23, 60.43
- John Hancock Mut. Life Ins. Co. v. Banerji*, 447 Mass. 875, 858 N.E.2d 277 (2006)—2.4
- John Hancock Property and Cas. Ins. Co. v. Scannell*, 64 Mass. App. Ct. 906, 834 N.E.2d 305 (2005)—19.2
- John Marini Management Co. v. Butler*, 70 Mass. App. Ct. 142, 873 N.E.2d 1150 (2007)—4.1
- Johnny’s Oil Co., Inc. v. Eldayha*, 82 Mass. App. Ct. 705, 978 N.E.2d 86 (2012)—60.52
- Johnson v. Trustees of Health and Hospitals of City of Boston*, 23 Mass. App. Ct. 933, 500 N.E.2d 1362 (1986)—17.10
- Johnson v. Kindred Healthcare, Inc.*, 466 Mass. 779, 2 N.E.3d 849 (2014)—2.45
- Johnson v. Settino*, 495 Mass. 42, 245 N.E.3d 196 (2024)—2.12, 2.24, 47.2
- Johnson, In re*, 450 Mass. 165, 877 N.E.2d 249 (2007)—66.5
- Johnson, In re*, 444 Mass. 1002, 827 N.E.2d 206 (2005)—66.1, 66.9, 66.12
- Johnson’s Case, In re*, 69 Mass. App. Ct. 834, 872 N.E.2d 1131 (2007)—59.56, 61.22, 66.19
- Johnston v. Com.*, 449 Mass. 1026, 868 N.E.2d 608 (2007)—52.5
- Johnstone, In re*, 453 Mass. 544, 903 N.E.2d 1074 (2009)—53.63
- John T. Callahan & Sons, Inc. v. Worcester Ins. Co.*, 453 Mass. 447, 902 N.E.2d 923 (2009)—61.1
- Jones v. Boykan*, 464 Mass. 285, 982 N.E.2d 1093 (2013)—60.51
- Jones v. Jones*, 103 Mass. App. Ct. 223, 218 N.E.3d 85 (2023)—55.15
- Jones v. Maloney*, 74 Mass. App. Ct. 745, 910 N.E.2d 412, 246 Ed. Law Rep. 964 (2009)—27.2
- Jones, Matter of*, 425 Mass. 1005, 681 N.E.2d 265 (1997)—66.1, 66.11
- Joslyn v. Chang*, 445 Mass. 344, 837 N.E.2d 1107 (2005)—39.24
- Joule, Inc. v. Simmons*, 459 Mass. 88, 944 N.E.2d 143 (2011)—2.45
- J.S.H. v. J.S.*, 91 Mass. App. Ct. 107, 71 N.E.3d 910 (2017)—53.22.50, 53.22.75
- Judge v. Carrai*, 77 Mass. App. Ct. 803, 934 N.E.2d 276 (2010)—18.11
- Juliano v. Simpson*, 461 Mass. 527, 962 N.E.2d 175 (2012)—19.19
- Jupin v. Kask*, 447 Mass. 141, 849 N.E.2d 829 (2006)—18.11
- Juvenile, Matter of*, 485 Mass. 831, 152 N.E.3d 1128 (2020)—53.83

K

- Kafkas, In re*, 451 Mass. 1001, 883 N.E.2d 898 (2008)—66.5
- Kahalas v. Schiller*, 164 F. Supp. 3d 241 (D. Mass. 2016)—26.4
- Kahyaoglu v. Sillari Enterprises LLC*, 493 Mass. 1005, 219 N.E.3d 247 (2023)—51.13
- Kalter v. Wood*, 67 Mass. App. Ct. 584, 855 N.E.2d 421 (2006)—60.39
- Kanamaru v. Holyoke Mut. Ins. Co.*, 72 Mass. App. Ct. 396, 892 N.E.2d 759 (2008)—2.4, 19.23
- K & K Development, Inc. v. Andrews*, 103 Mass. App. Ct. 338, 219 N.E.3d 306 (2023)—10.1
- Kansas v. Hendricks*, 521 U.S. 346, 117 S. Ct. 2072, 138 L. Ed. 2d 501 (1997)—53.101.50
- Karahalis, In re*, 429 Mass. 121, 706 N.E.2d 655 (1999)—66.1, 66.3, 66.12
- Karellas v. Karellas*, 61 Mass. App. Ct. 716, 814 N.E.2d 28 (2004)—55.15

PRIMA FACIE CASE—PROOF AND DEFENSE

- Karimpour v. Supreme Judicial Court, 448 Mass. 1002, 858 N.E.2d 745 (2006)—52.5
- Kater v. Com., 421 Mass. 17, 653 N.E.2d 576 (1995)—60.91
- Katz, Nannis & Solomon, P.C. v. Levine, 473 Mass. 784, 46 N.E.3d 541 (2016)—2.45
- Kauders v. Uber Technologies, Inc., 486 Mass. 557, 159 N.E.3d 1033 (2021)—2.1
- Kaufman v. Richmond, 442 Mass. 1010, 811 N.E.2d 987 (2004)—47.8
- Kaupp v. Texas, 538 U.S. 626, 123 S. Ct. 1843, 155 L. Ed. 2d 814 (2003)—53.118
- Kaur v. World Business Lenders, LLC, 440 F. Supp. 3d 111 (D. Mass. 2020)—53.15
- Keegan v. Pellerin, 76 Mass. App. Ct. 186, 920 N.E.2d 888 (2010)—60.39
- Keenan, In re, 314 Mass. 544, 50 N.E.2d 785 (1943)—66.1
- Keenan, In re, 313 Mass. 186, 47 N.E.2d 12 (1943)—66.1, 66.12, 66.13
- Keenan, In re, 287 Mass. 577, 192 N.E. 65, 96 A.L.R. 679 (1934)—66.1
- Keene v. Brigham and Women’s Hosp., Inc., 439 Mass. 223, 786 N.E.2d 824 (2003)—17.1
- Kelcourse v. Kelcourse, 87 Mass. App. Ct. 33, 23 N.E.3d 124 (2015)—55.15
- Kelley v. Iantosca, 78 Mass. App. Ct. 147, 935 N.E.2d 783 (2010)—10.11, 15.23
- Kelley v. Kelley, 64 Mass. App. Ct. 733, 835 N.E.2d 315 (2005)—55.15
- Kennedy v. Beth Israel Deaconess Medical Center, Inc., 73 Mass. App. Ct. 459, 898 N.E.2d 529 (2009)—60.51
- Kennedy v. Goffstein, 62 Mass. App. Ct. 230, 815 N.E.2d 646 (2004)—39.24
- Kennedy, Matter of, 428 Mass. 156, 697 N.E.2d 538 (1998)—66.3
- Kenner v. Zoning Bd. of Appeals of Chatham, 459 Mass. 115, 944 N.E.2d 163 (2011)—65.7
- Kenney, In re, 66 Mass. App. Ct. 709, 850 N.E.2d 590 (2006)—53.84
- Kenney, Matter of, 399 Mass. 431, 504 N.E.2d 652 (1987)—66.1, 66.6
- Kennie v. Natural Resource Dept. of Dennis, 451 Mass. 754, 889 N.E.2d 936 (2008)—28.10, 60.11, 65.1
- Kennie v. Natural Resource Dept. of Dennis, 69 Mass. App. Ct. 158, 866 N.E.2d 983 (2007)—65.1
- Kenniston v. Department of Youth Services, 453 Mass. 179, 900 N.E.2d 852 (2009)—53.101, 53.101.50
- Ken’s Foods, Inc. v. Steadfast Insurance Company, 491 Mass. 200, 199 N.E.3d 1286 (2023)—2.4, 59.205
- Kentucky v. King, 563 U.S. 452, 131 S. Ct. 1849, 179 L. Ed. 2d 865 (2011)—53.109
- Kerlinsky, In re, 428 Mass. 656, 704 N.E.2d 503 (1999)—66.1, 66.12
- Kerlinsky, Matter of, 406 Mass. 67, 546 N.E.2d 150 (1989)—66.3, 66.7, 66.12
- Kernan v. Morse, 69 Mass. App. Ct. 378, 868 N.E.2d 170 (2007)—55.15
- Kersey, In re, 444 Mass. 65, 825 N.E.2d 994 (2005)—66.11
- Kersey, In re, 432 Mass. 1020, 733 N.E.2d 545 (2000)—66.1, 66.3, 66.5
- Kessler v. Cambridge Health Alliance, 62 Mass. App. Ct. 589, 818 N.E.2d 582 (2004)—60.31
- Ketterle v. Ketterle, 61 Mass. App. Ct.

TABLE OF CASES

- 758, 814 N.E.2d 385 (2004)—55.15
- Kettle Black of MA, LLC v. Commonwealth Pain Management Connection, LLC., 101 Mass. App. Ct. 109, 189 N.E.3d 1257 (2022)—2.45
- Keystone Freight Corp. v. Bartlett Consol., Inc., 77 Mass. App. Ct. 304, 930 N.E.2d 744 (2010)—41.1, 60.39
- K.G.M. Custom Homes, Inc. v. Prosky, 468 Mass. 247, 10 N.E.3d 117 (2014)—2.20, 10.13
- Khan v. Saminni, 446 Mass. 88, 842 N.E.2d 453 (2006)—62.1
- Kiely v. Teradyne, Inc., 85 Mass. App. Ct. 431, 13 N.E.3d 615 (2014)—28.8
- Kiley, In re, 459 Mass. 645, 947 N.E.2d 1 (2011)—61.8
- Killeen v. Westban Hotel Venture, LP., 69 Mass. App. Ct. 784, 872 N.E.2d 731 (2007)—59.240
- Kinan v. Trial Court, 400 Mass. 582, 511 N.E.2d 341 (1987)—17.10
- Kines v. Clerk of Superior Court for Criminal Business In Suffolk County, 442 Mass. 1025, 814 N.E.2d 1079 (2004)—52.5
- King v. City of Boston, 71 Mass. App. Ct. 460, 883 N.E.2d 316 (2008)—28.6
- King v. Com., 442 Mass. 1043, 817 N.E.2d 757 (2004)—52.5
- King v. Globe Newspaper Co., 400 Mass. 705, 512 N.E.2d 241 (1987)—43.21
- Kipp, Matter of, 383 Mass. 869, 416 N.E.2d 970 (1981)—66.12
- Kiribati Seafood Company, LLC v. Dechert LLP, 478 Mass. 111, 83 N.E.3d 798 (2017)—39.4
- Kirk v. Com., 459 Mass. 67, 944 N.E.2d 135 (2011)—53.125
- Kitras v. Town of Aquinnah, 474 Mass. 132, 49 N.E.3d 198 (2016)—59.166
- Kitras v. Town of Aquinnah, 87 Mass. App. Ct. 10, 22 N.E.3d 981 (2015)—59.166
- Kitras v. Town of Aquinnah, 64 Mass. App. Ct. 285, 833 N.E.2d 157 (2005)—59.166
- Kitras v. Zoning Adm'r of Aquinnah, 70 Mass. App. Ct. 561, 875 N.E.2d 503 (2007)—65.1
- Klairmont v. Gainsboro Restaurant, Inc., 465 Mass. 165, 987 N.E.2d 1247 (2013)—2.100, 15.3, 15.5, 15.6, 17.35
- Kleiner v. Cengage Learning Holdings II, Inc., 66 F.4th 28 (1st Cir. 2023)—2.3
- Kline v. Shearwater Ass'n, Inc., 63 Mass. App. Ct. 825, 830 N.E.2d 235 (2005)—48.10
- Klingel v. Reill, 446 Mass. 80, 841 N.E.2d 1256 (2006)—55.16, 57.1, 59.156
- K.N., Guardianship of, 476 Mass. 762, 73 N.E.3d 271 (2017)—62.2
- Knapp v. Neptune Towers Associates, 72 Mass. App. Ct. 502, 892 N.E.2d 820 (2008)—29.4
- Knox, Matter of, 412 Mass. 569, 590 N.E.2d 1157 (1992)—66.2
- Kobrin v. Gastfriend, 443 Mass. 327, 821 N.E.2d 60 (2005)—60.39
- Koe v. Commissioner of Probation, 478 Mass. 12, 82 N.E.3d 428 (2017)—53.156
- Koe v. Mercer, 450 Mass. 97, 876 N.E.2d 831 (2007)—27.12, 38.7
- Koe v. Mercer, 67 Mass. App. Ct. 664, 855 N.E.2d 1145 (2006)—27.12, 38.7
- Kohl v. Silver Lake Motors, Inc., 369 Mass. 795, 343 N.E.2d 375, 90 A.L.R.3d 1342 (1976)—15.2
- Koltin v. Beth Israel Deaconess Medical Center, 62 Mass. App. Ct. 920,

PRIMA FACIE CASE—PROOF AND DEFENSE

- 817 N.E.2d 809 (2004)—39.12
- Korff v. Korff, 64 Mass. App. Ct. 94, 831 N.E.2d 385 (2005)—55.15
- Koufos v. U.S. Bank, N.A., 939 F. Supp. 2d 40 (D. Mass. 2013)—30.1
- Kourouvacilis v. American Federation of State, County and Municipal Employees, 65 Mass. App. Ct. 521, 841 N.E.2d 1273 (2006)—61.24
- Krafchuk v. Planning Bd. of Ipswich, 453 Mass. 517, 903 N.E.2d 576 (2009)—65.1
- Krafchuk v. Planning Bd. of Ipswich, 70 Mass. App. Ct. 484, 874 N.E.2d 675 (2007)—65.1
- Kraft Power Corp. v. Merrill, 464 Mass. 145, 981 N.E.2d 671 (2013)—2.100, 15.6
- Kramer v. Zoning Bd. of Appeals of Somerville, 65 Mass. App. Ct. 186, 837 N.E.2d 1147 (2005)—65.1
- Krapf v. Krapf, 439 Mass. 97, 786 N.E.2d 318 (2003)—55.15
- Krasnow v. Allen, 29 Mass. App. Ct. 562, 562 N.E.2d 1375 (1990)—17.10
- Kraytsberg v. Kraytsberg, 441 Mass. 1021, 808 N.E.2d 1242 (2004)—52.5
- Kraytsberg v. Kraytsberg, 441 Mass. 1020, 808 N.E.2d 1243 (2004)—52.5
- Krutiak v. Town of Cheshire, 71 Mass. App. Ct. 387, 882 N.E.2d 370 (2008)—50.3
- Ku v. Town Of Framingham, 62 Mass. App. Ct. 271, 816 N.E.2d 170 (2004)—2.72
- Kupperstein v. Planning Bd. of Cohasset, 66 Mass. App. Ct. 905, 845 N.E.2d 1141 (2006)—65.2
- Kurker v. Shoestring Properties Ltd. Partnership, 68 Mass. App. Ct. 644, 864 N.E.2d 24 (2007)—10.3
- Kvitka v. Board of Registration In Medicine, 407 Mass. 140, 551 N.E.2d 915 (1990)—66.16
- Kwaak v. Pfizer, Inc., 71 Mass. App. Ct. 293, 881 N.E.2d 812 (2008)—64.2
- Kyte v. Philip Morris Inc., 408 Mass. 162, 556 N.E.2d 1025 (1990)—30.1

L

- LaBarge v. Chief Administrative Justice of Trial Court, 402 Mass. 462, 524 N.E.2d 59 (1988)—2.50
- Labovitz, Matter of, 425 Mass. 1008, 681 N.E.2d 268 (1997)—66.3
- Labrecque v. Board of Appeal on Motor Vehicle Liability Policies and Bonds, 64 Mass. App. Ct. 100, 831 N.E.2d 921 (2005)—53.54
- LaBrecque v. Parsons, 74 Mass. App. Ct. 766, 910 N.E.2d 947 (2009)—55.16
- Laccetti v. Ellis, 102 Mass. App. Ct. 416, 206 N.E.3d 1208 (2023)—19.35
- LaChance v. Boston Herald, 78 Mass. App. Ct. 910, 942 N.E.2d 185 (2011)—43.26
- Lafayette Place Associates v. Boston Redevelopment Authority, 427 Mass. 509, 694 N.E.2d 820 (1998)—2.1
- Laffer v. Cooper, 566 U.S. 156, 132 S. Ct. 1376, 182 L. Ed. 2d 398 (2012)—53.129
- Lakew v. Massachusetts Bay Transp. Authority, 65 Mass. App. Ct. 794, 844 N.E.2d 263 (2006)—2.30, 18.33
- Lalchandani v. Roddy, 86 Mass. App. Ct. 819, 22 N.E.3d 166 (2015)—55.15.50, 60.31
- Lamarche v. Lussier, 65 Mass. App. Ct. 887, 844 N.E.2d 1115 (2006)—

TABLE OF CASES

- 60.26
- Lamb v. Zoning Bd. of Appeals of Taunton, 76 Mass. App. Ct. 513, 923 N.E.2d 1078 (2010)—65.7
- Lambert v. Fleet Nat. Bank, 449 Mass. 119, 865 N.E.2d 1091 (2007)—2.86, 2.87, 15.23
- Landry v. Transworld Systems Inc., 485 Mass. 334, 149 N.E.3d 781 (2020)—2.45
- Lane v. Winchester Hospital, 101 Mass. App. Ct. 74, 187 N.E.3d 1025 (2022)—17.3, 39.1
- Lane v. Zoning Bd. of Appeals of Falmouth, 65 Mass. App. Ct. 434, 841 N.E.2d 260 (2006)—59.166
- Langlitz v. Board of Registration of Chiropractors, 396 Mass. 374, 486 N.E.2d 48 (1985)—66.16
- Lanier v. President and Fellows of Harvard College, 490 Mass. 37, 191 N.E.3d 1063, 406 Ed. Law Rep. 384 (2022)—27.2, 60.11, 60.31
- Lanza v. EQR-Lincoln Lawrence, LLC, 69 Mass. App. Ct. 206, 868 N.E.2d 138 (2007)—18.2
- Laramie v. Philip Morris USA Inc., 488 Mass. 399, 173 N.E.3d 731 (2021)—2.72, 25.17
- Largo Realty, Inc. v. Purcell, 77 Mass. App. Ct. 162, 928 N.E.2d 999 (2010)—60.31
- Larkin v. Dedham Medical Associates, Inc., 93 Mass. App. Ct. 661, 107 N.E.3d 1212 (2018)—17.29, 39.11
- LAS Collection Management v. Pagan, 447 Mass. 847, 858 N.E.2d 273 (2006)—39.4
- Latoya L. v. Kai K., 104 Mass. App. Ct. 173, 235 N.E.3d 937 (2024)—53.22
- Latson v. Plaza Home Mortg., Inc., 708 F.3d 324 (1st Cir. 2013)—2.29
- Lattuca v. Robsham, 442 Mass. 205, 812 N.E.2d 877 (2004)—2.74, 15.4
- Lavallee v. Justices In Hampden Superior Court, 442 Mass. 228, 812 N.E.2d 895 (2004)—52.5
- Layes v. RHP Properties, Inc., 95 Mass. App. Ct. 804, 133 N.E.3d 353 (2019)—15.5
- Lazlo L. v. Commonwealth, 482 Mass. 325, 122 N.E.3d 532 (2019)—53.83, 53.156
- L.B. v. Chief Justice of Probate and Family Court Dept., 474 Mass. 231, 49 N.E.3d 230 (2016)—62.2
- Leach v. Commissioner of Massachusetts Rehabilitation Com'n, 63 Mass. App. Ct. 563, 827 N.E.2d 745 (2005)—28.3
- Leavitt v. Brockton Hosp., Inc., 454 Mass. 37, 907 N.E.2d 213 (2009)—18.10, 18.12, 39.6
- Lebbos, Matter of, 423 Mass. 753, 672 N.E.2d 517 (1996)—66.11
- LeBlanc v. Com., 457 Mass. 94, 927 N.E.2d 1017 (2010)—17.10
- Leduc v. Com., 421 Mass. 433, 657 N.E.2d 755 (1995)—66.18, 66.21
- Lee v. Mt. Ivy Press, L.P., 63 Mass. App. Ct. 538, 827 N.E.2d 727 (2005)—29.2
- Le Fort Enterprises, Inc. v. Lantern 18, LLC, 491 Mass. 144, 199 N.E.3d 1257 (2023)—2.90, 2.93
- Leland, In re Adoption of, 65 Mass. App. Ct. 580, 842 N.E.2d 962 (2006)—62.4
- LeMaitre v. Massachusetts Turnpike Authority, 70 Mass. App. Ct. 634, 876 N.E.2d 888 (2007)—2.29
- Lembo v. Waters, 1 Mass. App. Ct. 227, 294 N.E.2d 566 (1973)—2.3
- Lemelson v. Bloomberg LP, 253 F. Supp. 3d 333 (D. Mass. 2017)—43.10
- Lemelson v. U.S. Bank Nat. Ass'n, 721 F.3d 18 (1st Cir. 2013)—48.5
- Leo v. Com., 449 Mass. 1025, 868 N.E.2d 610 (2007)—52.5

PRIMA FACIE CASE—PROOF AND DEFENSE

- Leo v. Com., 442 Mass. 1025, 814 N.E.2d 1077 (2004)—52.5, 53.154
- Leonard v. Zoning Board of Appeals of Hanover, 96 Mass. App. Ct. 490, 135 N.E.3d 288 (2019)—65.11
- Lessard v. R.C. Havens & Sons, Inc., 104 Mass. App. Ct. 572, 241 N.E.3d 744 (2024)—2.4
- Letendre v. Com., 448 Mass. 1006, 859 N.E.2d 836 (2007)—52.5
- Lev v. Beverly Enterprises-Massachusetts, Inc., 74 Mass. App. Ct. 413, 907 N.E.2d 1114 (2009)—19.20
- Levy v. Board of Registration and Discipline in Medicine, 378 Mass. 519, 392 N.E.2d 1036 (1979)—66.15, 66.18, 66.21
- Lexington, Town of v. Pharmacia Corporation, 133 F. Supp. 3d 258 (D. Mass. 2015)—25.12
- Lexington Public Schools v. K.S., 489 Mass. 309, 183 N.E.3d 372, 401 Ed. Law Rep. 605 (2022)—62.3
- L.F. v. L.J., 71 Mass. App. Ct. 813, 887 N.E.2d 294 (2008)—53.22
- L.H., In re Guardianship of, 84 Mass. App. Ct. 711, 3 N.E.3d 92 (2014)—39.9
- LiBassi, In re, 449 Mass. 1014, 867 N.E.2d 332 (2007)—66.1, 66.9, 66.10
- Licata v. GGNCS Malden Dexter LLC, 466 Mass. 793, 2 N.E.3d 840 (2014)—2.45
- Lieberman v. Powers, 70 Mass. App. Ct. 238, 873 N.E.2d 803 (2007)—18.2, 18.10
- Lillian, In re, 445 Mass. 333, 837 N.E.2d 269 (2005)—62.3
- Lily Transp. Corp. v. Royal Institutional Services, Inc., 64 Mass. App. Ct. 179, 832 N.E.2d 666 (2005)—15.5
- Lima v. Marshall, 70 Mass. App. Ct. 424, 874 N.E.2d 477 (2007)—19.2
- Linardon v. WoodSpring Suites Boston MA Saugus, LLC, 490 Mass. 1006, 190 N.E.3d 509 (2022)—51.6
- Lindsey v. Com., 442 Mass. 1020, 813 N.E.2d 840 (2004)—52.5
- Linkage Corp. v. Trustees of Boston University, 425 Mass. 1, 679 N.E.2d 191, 118 Ed. Law Rep. 449 (1997)—17.29
- Liss v. Studeny, 450 Mass. 473, 879 N.E.2d 676 (2008)—61.8
- Litton Business Systems, Inc. v. Commissioner of Revenue, 383 Mass. 619, 420 N.E.2d 339 (1981)—57.1
- Liu v. Boehringer Ingelheim Pharmaceuticals, Inc., 230 F. Supp. 3d 3 (D. Mass. 2017)—25.9
- Liu v. Moynihan, 451 Mass. 1005, 884 N.E.2d 985 (2008)—52.5
- L.L. v. Com., 470 Mass. 169, 20 N.E.3d 930 (2014)—53.63
- Lluberes v. Uncommon Productions, LLC, 663 F.3d 6 (1st Cir. 2011)—43.26
- L.M. v. R.L.R., 451 Mass. 682, 888 N.E.2d 934 (2008)—55.16
- Locator Services Group, Ltd. v. Treasurer and Receiver General, 443 Mass. 837, 825 N.E.2d 78 (2005)—50.6
- Lodge v. District Atty. for Suffolk Dist., 21 Mass. App. Ct. 277, 486 N.E.2d 764 (1985)—17.10
- Lodigiani v. Pare, 103 Mass. App. Ct. 140, 217 N.E.3d 640 (2023)—47.4
- Lombardi v. Lombardi, 68 Mass. App. Ct. 407, 862 N.E.2d 436 (2007)—55.16, 57.1, 59.156, 60.26
- London, Matter of, 427 Mass. 477, 694 N.E.2d 337 (1998)—66.4, 66.12
- Long v. Wickett, 50 Mass. App. Ct. 380, 737 N.E.2d 885 (2000)—60.57
- Lopes v. Com., 442 Mass. 170, 811 N.E.2d 501 (2004)—25.17
- Lopez v. Com., 463 Mass. 696, 978

TABLE OF CASES

- N.E.2d 67 (2012)—28.1, 28.4, 28.8
 Lordi v. Lordi, 443 Mass. 1006, 820 N.E.2d 813 (2005)—52.5
 Lori, In re Custody of, 444 Mass. 316, 827 N.E.2d 716 (2005)—62.3
 Los Angeles, Calif., City of v. Patel, 576 U.S. 409, 135 S. Ct. 2443, 192 L. Ed. 2d 435 (2015)—53.117
 Lou v. Otis Elevator Co., 77 Mass. App. Ct. 571, 933 N.E.2d 140 (2010)—25.6, 25.32
 Love v. Pratt, 64 Mass. App. Ct. 454, 833 N.E.2d 674 (2005)—10.8
 Lowell, City of v. Massachusetts Com'n Against Discrimination, 65 Mass. App. Ct. 356, 840 N.E.2d 553, 205 Ed. Law Rep. 859 (2006)—61.5
 Lowell Housing Authority v. Melendez, 449 Mass. 34, 865 N.E.2d 741 (2007)—51.5
 Lowery v. Klemm, 446 Mass. 572, 845 N.E.2d 1124 (2006)—28.7
 Lowery v. Klemm, 63 Mass. App. Ct. 307, 825 N.E.2d 1065 (2005)—28.7
 Luc., Adoption of, 484 Mass. 139, 139 N.E.3d 337 (2020)—62.4
 Lunn v. Commonwealth, 477 Mass. 517, 78 N.E.3d 1143 (2017)—52.5, 53.103
 Lunt, In re Estate of, 448 Mass. 1004, 859 N.E.2d 833 (2007)—47.8
 Lupo, In re, 447 Mass. 345, 851 N.E.2d 404 (2006)—66.1, 66.8, 66.9, 66.10
 Luppold v. Hanlon, 495 Mass. 148, 248 N.E.3d 124 (2025)—64.1
 Lussier v. Zoning Bd. of Appeals of Peabody, 447 Mass. 531, 854 N.E.2d 1236 (2006)—65.1
 L.W.K. v. E.R.C., 432 Mass. 438, 735 N.E.2d 359 (2000)—55.16
 Lyman v. Lanser, 103 Mass. App. Ct. 787, 231 N.E.3d 358 (2024)—2.19, 47.6
 Lynch v. Crawford, 483 Mass. 631, 135 N.E.3d 1037 (2019)—17.29
 Lynch, Petition of, 379 Mass. 757, 400 N.E.2d 854 (1980)—53.152
 Lyon, In re, 301 Mass. 30, 16 N.E.2d 74 (1938)—66.1
 Lyons v. Gillette, 882 F. Supp. 2d 217 (D. Mass. 2012)—39.6.50
- M**
- MacCormack v. Boston Edison Co., 423 Mass. 652, 672 N.E.2d 1 (1996)—60.46
 MacDonald v. Caruso, 467 Mass. 382, 5 N.E.3d 831 (2014)—53.22
 MacDougall v. Com., 447 Mass. 505, 852 N.E.2d 1080 (2006)—52.5
 MacFadyen v. Maki, 70 Mass. App. Ct. 618, 876 N.E.2d 437 (2007)—25.36
 Mackie v. Rouse-Weir, 495 Mass. 252, 249 N.E.3d 689 (2025)—17.11
 MacLaurin v. City of Holyoke, 475 Mass. 231, 56 N.E.3d 1254 (2016)—59.5
 MacNeil, In re, 266 F.2d 167 (1st Cir. 1959)—66.1
 Macrelli v. Children's Hosp., 451 Mass. 690, 888 N.E.2d 940 (2008)—27.3
 Mac's Homeowners Association v. Gebo, 92 Mass. App. Ct. 453, 87 N.E.3d 1184 (2017)—15.2, 15.5
 Maddocks v. Ricker, 403 Mass. 592, 531 N.E.2d 583 (1988)—60.24
 Madigan v. Trace Const., Inc., 71 Mass. App. Ct. 1, 878 N.E.2d 568 (2007)—41.1
 Mad Maxine's Watersports, Inc. v. Harbormaster of Provincetown, 67 Mass. App. Ct. 804, 858 N.E.2d 760 (2006)—35.2
 Maffei v. Roman Catholic Archbishop of Boston, 449 Mass. 235, 867 N.E.2d 300 (2007)—28.6, 53.101
 Magazu v. Department of Children and Families, 473 Mass. 430, 42 N.E.3d 1107 (2016)—62.3
 Mahabir v. Crocker, 104 Mass. App.

PRIMA FACIE CASE—PROOF AND DEFENSE

- Ct. 242, 235 N.E.3d 322 (2024)—2.72
- Mahan v. Boston Retirement Board, 490 Mass. 604, 193 N.E.3d 1057 (2022)—59.5
- Mahoney v. Dematteo-Flatiron LLP, 66 Mass. App. Ct. 903, 844 N.E.2d 1122 (2006)—17.33
- Mahoney v. Mahoney, 65 Mass. App. Ct. 537, 842 N.E.2d 461 (2006)—63.3
- Maimaron v. Com., 449 Mass. 167, 865 N.E.2d 1098 (2007)—17.10
- Maimonides School v. Coles, 71 Mass. App. Ct. 240, 881 N.E.2d 778 (2008)—58.6
- Main v. R.J. Reynolds Tobacco Company, 100 Mass. App. Ct. 827, 187 N.E.3d 1013 (2022)—13.6, 25.17
- Makis M. v. Commonwealth, 494 Mass. 23, 232 N.E.3d 671 (2024)—53.83
- Makrigiannis v. Nintendo of America, Inc., 442 Mass. 675, 815 N.E.2d 1066 (2004)—2.4
- Malden Transportation, Inc. v. Uber Technologies, Inc., 386 F. Supp. 3d 96 (D. Mass. 2019)—15.22
- Malonis v. Harrington, 442 Mass. 692, 816 N.E.2d 115 (2004)—61.8
- Mammoet USA, Inc. v. Entergy Nuclear Generation Co., 64 Mass. App. Ct. 37, 831 N.E.2d 349 (2005)—4.1, 59.284
- Mammone v. President and Fellows of Harvard College, 446 Mass. 657, 847 N.E.2d 276, 209 Ed. Law Rep. 389 (2006)—28.3
- Mancini v. Board of Registration in Medicine, 390 Mass. 1002, 456 N.E.2d 1136 (1983)—66.16
- Mancuso v. Kinchla, 60 Mass. App. Ct. 558, 806 N.E.2d 427 (2004)—2.72
- Mancuso v. Massachusetts Interscholastic Athletic Ass'n, Inc., 453 Mass. 116, 900 N.E.2d 518, 241 Ed. Law Rep. 311 (2009)—28.1, 28.10
- Manning v. Superintendent, Massachusetts Correctional Inst., Norfolk, 372 Mass. 387, 361 N.E.2d 1299 (1977)—53.152
- Marengi v. 6 Forest Road LLC, 491 Mass. 19, 198 N.E.3d 1215 (2022)—48.13, 59.324, 65.7
- Mari v. Delong, 62 Mass. App. Ct. 87, 814 N.E.2d 1171 (2004)—19.14
- Mark Bombara Interior Design v. Bowler, 446 Mass. 413, 844 N.E.2d 616 (2006)—15.5
- Marlene, In re Adoption of, 443 Mass. 494, 822 N.E.2d 714 (2005)—62.4
- Marmer v. Board of Registration of Chiropractors, 358 Mass. 13, 260 N.E.2d 672 (1970)—66.14
- Marnerakis v. Phillips, Silver, Talman, Aframe & Sinrich, P.C., 445 Mass. 1027, 840 N.E.2d 951 (2006)—52.5
- Marram v. Kobrick Offshore Fund, Ltd., 442 Mass. 43, 809 N.E.2d 1017 (2004)—29.1
- Marrero v. Com., 447 Mass. 1013, 854 N.E.2d 1230 (2006)—52.5
- Marsh v. Massachusetts Coastal Railroad LLC, 492 Mass. 641, 214 N.E.3d 388 (2023)—59.285
- Marshall v. Bristol County Superior Court, 951 F. Supp. 2d 232 (D. Mass. 2013)—53.93
- Marshall v. Com., 463 Mass. 529, 977 N.E.2d 40 (2012)—53.93
- Martin v. Com., 451 Mass. 113, 884 N.E.2d 442 (2008)—52.5, 53.65, 53.100
- Martin v. Commonwealth, 492 Mass. 74, 209 N.E.3d 488 (2023)—53.93, 53.152
- Martin v. Irwin Indus. Tool Co., 862 F. Supp. 2d 37 (D. Mass. 2012)—28.1
- Martin v. Martin, 70 Mass. App. Ct. 547, 874 N.E.2d 1137 (2007)—

TABLE OF CASES

- 55.16
- Martin v. Norwood, 395 Mass. 159, 478 N.E.2d 955 (1985)—2.45
- Martinonis v. Utica Nat. Ins. Group, 65 Mass. App. Ct. 418, 840 N.E.2d 994 (2006)—18.2
- Maryland v. Shatzer, 559 U.S. 98, 130 S. Ct. 1213, 175 L. Ed. 2d 1045 (2010)—53.136
- Mason v. Coleman, 447 Mass. 177, 850 N.E.2d 513 (2006)—55.16
- Masonic Temple Association of Quincy, Inc. v. Patel, 489 Mass. 549, 185 N.E.3d 888 (2022)—2.4
- Massachusetts Bay Transp. Authority v. Massachusetts Com'n Against Discrimination, 450 Mass. 327, 879 N.E.2d 36 (2008)—28.5
- Massachusetts General Hospital v. C.R., 484 Mass. 472, 142 N.E.3d 545 (2020)—53.84
- Massachusetts Insurers Insolvency Fund v. Premier Ins. Co., 449 Mass. 422, 869 N.E.2d 576 (2007)—19.23
- Massachusetts Mun. Wholesale Elec. Co. v. Town of Danvers, 411 Mass. 39, 577 N.E.2d 283 (1991)—2.21
- Massachusetts Property Ins. Underwriting Ass'n v. LG Electronics U.S.A., Inc., 902 F. Supp. 2d 173 (D. Mass. 2012)—25.12
- Massachusetts Property Ins. Underwriting Ass'n v. Wynn, 60 Mass. App. Ct. 824, 806 N.E.2d 447 (2004)—2.4
- Massachusetts Redemption Coalition, Inc. v. Secretary of Executive Office of Environmental Affairs, 68 Mass. App. Ct. 67, 860 N.E.2d 680 (2007)—47.9
- Massand v. Medical Professional Mut. Ins. Co., 420 Mass. 690, 651 N.E.2d 403 (1995)—66.16, 66.17
- Massaro v. Walsh, 71 Mass. App. Ct. 562, 884 N.E.2d 986 (2008)—2.72
- Masters v. Khuri, 62 Mass. App. Ct. 467, 817 N.E.2d 811 (2004)—39.6
- Matamoros v. Starbucks Corp., 17 Wage & Hour Cas. 2d (BNA) 1461, 2011 WL 1044654 (D. Mass. 2011)—53.74.50
- Matley v. Minkoff, 68 Mass. App. Ct. 48, 859 N.E.2d 887 (2007)—60.46
- Matsuyama v. Birnbaum, 452 Mass. 1, 890 N.E.2d 819 (2008)—39.6.50
- Matthews v. Appeals Court, 444 Mass. 1007, 828 N.E.2d 527 (2005)—52.5
- Matthews v. Planning Bd. of Brewster, 72 Mass. App. Ct. 456, 892 N.E.2d 797 (2008)—65.1
- Maxwell v. AIG Domestic Claims, Inc., 460 Mass. 91, 950 N.E.2d 40 (2011)—27.2
- Maxwell v. AIG Domestic Claims, Inc., 72 Mass. App. Ct. 685, 893 N.E.2d 791 (2008)—60.39
- Mayberry, In re, 295 Mass. 155, 3 N.E.2d 248, 105 A.L.R. 976 (1936)—66.1
- Mazzone v. Boston University, 352 F. Supp. 3d 141, 362 Ed. Law Rep. 818 (D. Mass. 2019)—17.29
- M.C., Care and Protection of, 479 Mass. 246, 94 N.E.3d 379 (2018)—62.3
- McAleer v. Prudential Ins. Co. of America, 928 F. Supp. 2d 280 (D. Mass. 2013)—28.2
- McBride, In re, 449 Mass. 154, 865 N.E.2d 1110 (2007)—66.1, 66.9, 66.12
- McCance v. McCance, 449 Mass. 1027, 868 N.E.2d 611 (2007)—47.8
- McCarthy v. Tobin, 429 Mass. 84, 706 N.E.2d 629 (1999)—10.3
- McCarthy v. Young, 105 Mass. App. Ct. 203, 250 N.E.3d 1152 (2025)—10.3
- McCarthy, Matter of, 416 Mass. 423, 623 N.E.2d 473 (1993)—66.4,

PRIMA FACIE CASE—PROOF AND DEFENSE

- 66.12
- M.C.D. v. D.E.D.*, 90 Mass. App. Ct. 337, 59 N.E.3d 1173 (2016)—53.22.75
- McDermott v. Marcus, Errico, Emmer & Brooks, P.C.*, 775 F.3d 109 (1st Cir. 2014)—15.1
- McDermott v. Marcus, Errico, Emmer & Brooks, P.C.*, 969 F. Supp. 2d 74 (D. Mass. 2013)—15.5
- McDermott v. Marcus, Errico, Emmer & Brooks, P.C.*, 911 F. Supp. 2d 1 (D. Mass. 2012)—15.23
- McDonald v. City of Chicago, Ill.*, 561 U.S. 742, 130 S. Ct. 3020, 177 L. Ed. 2d 894 (2010)—53.36
- McDonald v. Com.*, 450 Mass. 1020, 879 N.E.2d 50 (2008)—52.5
- McDonough, In re*, 457 Mass. 512, 930 N.E.2d 1279 (2010)—53.84
- McElectric, Inc. v. Travelers Cas. & Sur. Co. of America, Inc.*, 61 Mass. App. Ct. 901, 807 N.E.2d 859 (2004)—2.70
- McElrath v. Georgia*, 601 U.S. 87, 144 S. Ct. 651, 217 L. Ed. 2d 419 (2024)—53.93
- McGee v. Board of Appeal of Boston*, 62 Mass. App. Ct. 930, 819 N.E.2d 975 (2004)—65.4
- McGilloway v. Safety Insurance Company*, 488 Mass. 610, 174 N.E.3d 1191 (2021)—2.4
- McGonagle v. Home Depot, U.S.A., Inc.*, 75 Mass. App. Ct. 593, 915 N.E.2d 1083 (2009)—15.5
- McGrath v. Stanley*, 397 Mass. 775, 493 N.E.2d 832 (1986)—17.10
- McGregor v. Allamerica Ins. Co.*, 449 Mass. 400, 868 N.E.2d 1225 (2007)—2.4
- McGunigle v. City of Quincy*, 132 F. Supp. 3d 155 (D. Mass. 2015)—43.26
- McHoul, In re*, 445 Mass. 143, 833 N.E.2d 1146 (2005)—53.1, 53.84
- McInerney, Matter of*, 389 Mass. 528, 451 N.E.2d 401 (1983)—66.1
- McIntyre, Matter of*, 426 Mass. 1012, 689 N.E.2d 1343 (1998)—66.1, 66.9
- McKinley Investments, Inc. v. Middleborough Land, LLC.*, 62 Mass. App. Ct. 616, 818 N.E.2d 627 (2004)—2.73
- McLarnon v. Jokisch*, 431 Mass. 343, 727 N.E.2d 813 (2000)—60.39
- McLaughlin v. Amirsaleh*, 65 Mass. App. Ct. 873, 844 N.E.2d 1105 (2006)—2.54
- McLaughlin v. CGU Ins. Co.*, 445 Mass. 815, 840 N.E.2d 935 (2006)—19.35
- McLaughlin v. Town of Marblehead*, 68 Mass. App. Ct. 490, 863 N.E.2d 61 (2007)—48.14
- McLoughlin, Matter of Estate of*, 104 Mass. App. Ct. 752, 245 N.E.3d 733 (2024)—58.1
- McMillan v. Massachusetts Soc. for Prevention of Cruelty To Animals*, 140 F.3d 288 (1st Cir. 1998)—17.29
- McNeff v. Cerretani*, 489 Mass. 1024, 186 N.E.3d 763 (2022)—51.6, 59.284, 60.41
- Mead, In re*, 372 Mass. 253, 361 N.E.2d 403 (1977)—66.14
- Meaghan, In re Adoption of*, 461 Mass. 1006, 961 N.E.2d 110 (2012)—62.4
- Medina v. Hochberg*, 465 Mass. 102, 987 N.E.2d 1206 (2013)—18.10, 18.12, 39.6
- Meehan v. Medical Information Technology, Inc.*, 488 Mass. 730, 177 N.E.3d 917 (2021)—2.29
- Meikle v. Nurse*, 474 Mass. 207, 49 N.E.3d 210 (2016)—51.11
- Melendez-Diaz v. Massachusetts*, 557 U.S. 305, 129 S. Ct. 2527, 174 L. Ed. 2d 314 (2009)—53.101,

TABLE OF CASES

- 59.162, 59.245
- Mellen v. Lowell Div. of Dist. Court Dept., 450 Mass. 1017, 877 N.E.2d 933 (2007)—52.5
- Mellen v. Pergantis, 450 Mass. 1017, 877 N.E.2d 932 (2007)—52.5
- Mellendick v. Zoning Bd. of Appeals of Edgartown, 69 Mass. App. Ct. 852, 872 N.E.2d 1125 (2007)—65.1
- Menard v. CSX Transp., Inc., 698 F.3d 40 (1st Cir. 2012)—23.4
- Mendonza v. Com., 423 Mass. 771, 673 N.E.2d 22 (1996)—53.154
- Mendoza v. Licensing Board of Fall River, 444 Mass. 188, 827 N.E.2d 180 (2005)—53.50
- Mercadante v. Worcester Ins. Co., 62 Mass. App. Ct. 293, 816 N.E.2d 145 (2004)—19.23
- Mercado v. Manny’s T.V. and Appliance, Inc., 77 Mass. App. Ct. 135, 928 N.E.2d 979 (2010)—2.29
- Meredith & Grew, Inc. v. Worcester Lincoln, LLC, 64 Mass. App. Ct. 142, 831 N.E.2d 940 (2005)—2.73, 9.1
- Merisier v. Ellender, 197 F. Supp. 3d 310 (D. Mass. 2016)—27.2
- Merrill v. Ewen, 103 Mass. App. Ct. 37, 216 N.E.3d 1263 (2023)—55.16
- Merrimack College v. KPMG LLP, 480 Mass. 614, 108 N.E.3d 430, 358 Ed. Law Rep. 1189 (2018)—2.54
- Meshna v. Scrivanos, 471 Mass. 169, 27 N.E.3d 1253 (2015)—53.74.50
- Metcalfe v. Bay Ferries Ltd., 937 F. Supp. 2d 147 (D. Mass. 2013)—2.62
- Metro Equipment Corp. v. Com., 74 Mass. App. Ct. 63, 904 N.E.2d 432 (2009)—53.137, 59.5
- Meyer v. Veolia Energy North America, 482 Mass. 208, 121 N.E.3d 1221 (2019)—22.11
- Michaels v. Zoning Bd. of Appeals of Wakefield, 71 Mass. App. Ct. 449, 883 N.E.2d 302 (2008)—65.7
- Michigan v. Bryant, 562 U.S. 344, 131 S. Ct. 1143, 179 L. Ed. 2d 93, 84 Fed. R. Evid. Serv. 1033 (2011)—53.101, 53.140
- Michigan v. Summers, 452 U.S. 692, 101 S. Ct. 2587, 69 L. Ed. 2d 340 (1981)—53.105
- Middleborough, Town of v. Housing Appeals Committee, 66 Mass. App. Ct. 39, 845 N.E.2d 1143 (2006)—65.1
- Millennium Equity Holdings, LLC v. Mahlowitz, 456 Mass. 627, 925 N.E.2d 513 (2010)—27.4, 41.1
- Miller v. Alabama, 567 U.S. 460, 132 S. Ct. 2455, 183 L. Ed. 2d 407, 78 A.L.R. Fed. 2d 547 (2012)—52.5, 53.101
- Miller v. Cotter, 448 Mass. 671, 863 N.E.2d 537 (2007)—2.2, 2.45
- Miller v. Miller, 478 Mass. 642, 88 N.E.3d 843 (2018)—55.16
- Miller v. Miller, 448 Mass. 320, 861 N.E.2d 393 (2007)—55.1
- Miller v. Volk, 63 Mass. App. Ct. 303, 825 N.E.2d 579 (2005)—39.11
- Milligan v. Board of Registration in Pharmacy, 348 Mass. 491, 204 N.E.2d 504 (1965)—66.14
- Milliken & Co. v. Duro Textiles, LLC, 451 Mass. 547, 887 N.E.2d 244 (2008)—47.11
- Milton v. Commissioner of Correction, 67 Mass. App. Ct. 253, 853 N.E.2d 557 (2006)—53.152
- Minnesota v. Dickerson, 508 U.S. 366, 113 S. Ct. 2130, 124 L. Ed. 2d 334 (1993)—53.112
- Minor, Matter of, 484 Mass. 295, 148 N.E.3d 1182 (2020)—53.22.50
- Miranda v. Arizona, 384 U.S. 436, 86 S. Ct. 1602, 16 L. Ed. 2d 694, 10 A.L.R.3d 974 (1966)—53.136

PRIMA FACIE CASE—PROOF AND DEFENSE

- Missouri v. Frye, 566 U.S. 134, 132 S. Ct. 1399, 182 L. Ed. 2d 379 (2012)—53.129
- Missouri v. McNeely, 569 U.S. 141, 133 S. Ct. 1552, 185 L. Ed. 2d 696 (2013)—53.109
- Mitchell v. Mitchell, 62 Mass. App. Ct. 769, 821 N.E.2d 79 (2005)—53.22, 59.5
- Mitchell v. Wisconsin, 588 U.S. 840, 139 S. Ct. 2525, 204 L. Ed. 2d 1040 (2019)—59.245
- Mittas Early Learning, LLC v. MDC Properties - Westford Rd, LLC, 104 Mass. App. Ct. 615, 243 N.E.3d 451 (2024)—2.22, 61.8
- M.J. Flaherty Co. v. United States Fidelity & Guar. Co., 61 Mass. App. Ct. 337, 810 N.E.2d 823 (2004)—15.8
- M. O'Connor Contracting, Inc. v. City Of Brockton, 61 Mass. App. Ct. 278, 809 N.E.2d 1062 (2004)—2.45
- Modern Continental/Obayashi v. Massachusetts Com'n Against Discrimination, 445 Mass. 96, 833 N.E.2d 1130 (2005)—28.7
- Moe v. Sex Offender Registry Bd., 467 Mass. 598, 6 N.E.3d 530 (2014)—53.63
- Moe, In re, 67 Mass. App. Ct. 651, 855 N.E.2d 1136 (2006)—2.31, 53.17
- Mohamad v. Kavlakian, 69 Mass. App. Ct. 261, 867 N.E.2d 778 (2007)—61.6
- Mole v. University of Massachusetts, 442 Mass. 582, 814 N.E.2d 329, 191 Ed. Law Rep. 423 (2004)—28.1
- Montefusco v. Com., 452 Mass. 1015, 895 N.E.2d 478 (2008)—47.9
- Montes v. Massachusetts Bay Transp. Authority, 446 Mass. 181, 843 N.E.2d 611 (2006)—20.15
- Monticello Ins. Co. v. Dion, 65 Mass. App. Ct. 46, 836 N.E.2d 1112 (2005)—2.4
- Moore, In re, 442 Mass. 285, 812 N.E.2d 1197 (2004)—66.1, 66.4, 66.12
- Moot v. Department of Environmental Protection, 448 Mass. 340, 861 N.E.2d 410 (2007)—35.2
- Moran v. Gala, 66 Mass. App. Ct. 135, 845 N.E.2d 1170 (2006)—2.12, 47.22
- Moran v. Town of Mashpee, 17 Mass. App. Ct. 679, 461 N.E.2d 1231 (1984)—17.10
- Moreis v. Oak Bluffs Bd. of Appeals, 62 Mass. App. Ct. 53, 814 N.E.2d 1132 (2004)—65.1
- Moretti, In re Estate of, 69 Mass. App. Ct. 642, 871 N.E.2d 493 (2007)—58.12
- Morey v. Com., 108 Mass. 433, 1871 WL 5339 (1871)—53.152
- Morgan v. Jozus, 67 Mass. App. Ct. 17, 851 N.E.2d 1080 (2006)—48.13, 65.1, 65.2
- Morgan v. Laboratory Corp. of America, 65 Mass. App. Ct. 816, 844 N.E.2d 689, 19 A.L.R.6th 923 (2006)—39.2
- Moriarty v. Mayor of Holyoke, 71 Mass. App. Ct. 442, 883 N.E.2d 311 (2008)—60.39
- Morin v. Lyver, 442 F. Supp. 3d 408 (D. Mass. 2020)—53.36
- Morris v. UNUM Life Ins. Co. of America, 66 Mass. App. Ct. 716, 850 N.E.2d 597 (2006)—60.26
- Morrissey v. Brewer, 408 U.S. 471, 92 S. Ct. 2593, 33 L. Ed. 2d 484 (1972)—53.155
- Morrissey v. New England Deaconess Ass'n--Abundant Life Communities, Inc., 458 Mass. 580, 940 N.E.2d 391 (2010)—34.1
- Morton Street LLC v. Sheriff of Suffolk County, 453 Mass. 485, 903

TABLE OF CASES

- N.E.2d 194 (2009)—2.2
- Mount Vernon Fire Insurance Company v. VisionAid, Inc., 875 F.3d 716 (1st Cir. 2017)—2.4
- Mount Vernon Fire Insurance Company v. Visionaid, Inc., 477 Mass. 343, 76 N.E.3d 204 (2017)—2.4
- M.P.M. Builders, LLC v. Dwyer, 442 Mass. 87, 809 N.E.2d 1053 (2004)—59.165
- Mscisz v. Kashner Davidson Securities Corp., 446 Mass. 1008, 844 N.E.2d 614 (2006)—2.45
- Mt. Ivy Press, LP v. Defonseca, 78 Mass. App. Ct. 340, 937 N.E.2d 501 (2010)—60.38, 60.51
- Muehler v. Mena, 544 U.S. 93, 125 S. Ct. 1465, 161 L. Ed. 2d 299 (2005)—53.105
- Mulder v. Kohl’s Department Stores, Inc., 865 F.3d 17 (1st Cir. 2017)—15.1
- Muldoon v. Planning Bd. of Marblehead, 72 Mass. App. Ct. 372, 892 N.E.2d 353 (2008)—65.1
- Mulhern v. Roach, 398 Mass. 18, 494 N.E.2d 1327 (1986)—15.7
- Mullin v. Planning Bd. of Brewster, 17 Mass. App. Ct. 139, 456 N.E.2d 780 (1983)—65.1
- Mullins v. Corcoran, 488 Mass. 275, 172 N.E.3d 759 (2021)—2.72
- Murphy v. Boston Herald, Inc., 449 Mass. 42, 865 N.E.2d 746 (2007)—43.26
- Murphy v. I.S.K. Con. of New England, Inc., 409 Mass. 842, 571 N.E.2d 340 (1991)—27.2
- Murphy v. Olsen, 63 Mass. App. Ct. 417, 826 N.E.2d 249 (2005)—59.166
- Murphy v. Planning Bd. of Hopkinton, 70 Mass. App. Ct. 385, 874 N.E.2d 455 (2007)—65.1, 65.2
- Murray v. Com., 447 Mass. 1010, 852 N.E.2d 66 (2006)—52.5
- Murray v. Com., 442 Mass. 1029, 814 N.E.2d 1099 (2004)—52.5
- Murray v. Town of Hudson, 472 Mass. 376, 34 N.E.3d 728, 319 Ed. Law Rep. 1061 (2015)—17.10
- Murray, In re, 455 Mass. 872, 920 N.E.2d 862 (2010)—66.9
- Muzzy v. Cahillane Motors, Inc., 434 Mass. 409, 749 N.E.2d 691 (2001)—28.7

N

- NAB Asset Venture III, L.P. v. Brockton Credit Union, 62 Mass. App. Ct. 181, 815 N.E.2d 606 (2004)—2.6
- Nader v. Citron, 372 Mass. 96, 360 N.E.2d 870 (1977)—15.3, 15.4, 60.31
- Nahant Preservation Trust, Inc. v. Northeastern University, 104 Mass. App. Ct. 698, 245 N.E.3d 227 (2024)—2.10, 2.12
- Nancy, In re Adoption of, 443 Mass. 512, 822 N.E.2d 1179 (2005)—62.4
- Nancy, In re Adoption of, 61 Mass. App. Ct. 252, 809 N.E.2d 554 (2004)—62.4
- Nantasket Beachfront Condominiums, LLC v. Hull Redevelopment Authority, 87 Mass. App. Ct. 455, 32 N.E.3d 318 (2015)—59.268
- Nantucket, Town of v. Beinecke, 379 Mass. 345, 398 N.E.2d 458 (1979)—53.109
- Naranjo v. Naranjo, 63 Mass. App. Ct. 256, 825 N.E.2d 551 (2005)—55.16
- Nardone v. LVI Services, Inc., 94 Mass. App. Ct. 326, 113 N.E.3d 854 (2018)—2.12, 2.50, 4.27
- Nate, In re Adoption of, 69 Mass. App. Ct. 371, 868 N.E.2d 176 (2007)—62.4
- National Lumber Co. v. Lombardi, 64

PRIMA FACIE CASE—PROOF AND DEFENSE

- Mass. App. Ct. 490, 834 N.E.2d 267 (2005)—4.1
- National Starch and Chemical Co. v. Greenberg, 61 Mass. App. Ct. 906, 810 N.E.2d 1239 (2004)—10.10
- Navarette v. California, 572 U.S. 393, 134 S. Ct. 1683, 188 L. Ed. 2d 680 (2014)—53.114
- Navy Yard Four Associates, LLC v. Department of Environmental Protection, 88 Mass. App. Ct. 213, 37 N.E.3d 46 (2015)—35.2
- N.B. Kenney Co., Inc. v. National Union Fire Ins. Co. of Pittsburgh, PA, 70 Mass. App. Ct. 736, 876 N.E.2d 1175 (2007)—2.74, 60.57
- Ndoro v. Torres, 105 Mass. App. Ct. 128, 249 N.E.3d 721 (2024)—15.5, 15.6, 24.12, 51.3, 61.5
- Needham v. Director of Office of Medicaid, 88 Mass. App. Ct. 558, 38 N.E.3d 1050 (2015)—47.8
- Neitlich, Matter of, 413 Mass. 416, 597 N.E.2d 425 (1992)—66.3, 66.4, 66.12
- Nelson v. Salem State College, 446 Mass. 525, 845 N.E.2d 338, 207 Ed. Law Rep. 750, 18 A.L.R.6th 811 (2006)—43.9, 61.4
- Newburyport, City of v. Woodman, 79 Mass. App. Ct. 84, 944 N.E.2d 1046 (2011)—10.14
- Newell v. Department of Mental Retardation, 446 Mass. 286, 843 N.E.2d 1084 (2006)—61.4
- New England Auto Max, Inc. v. Hanley, 494 Mass. 87, 232 N.E.3d 1212 (2024)—60.25
- New England Tractor-Trailer Training of Connecticut, Inc. v. Globe Newspaper Co., 395 Mass. 471, 480 N.E.2d 1005, 26 Ed. Law Rep. 787 (1985)—43.21
- Newhouse v. McCormick & Co., Inc., 130 F.3d 302 (8th Cir. 1997)—61.8
- Newton Centre Realty, Inc. v. Jaffe, 97 Mass. App. Ct. 726, 150 N.E.3d 811 (2020)—9.1
- Newton-Wellesley Hosp. v. Magrini, 451 Mass. 777, 889 N.E.2d 929 (2008)—53.84
- New York v. Quarles, 467 U.S. 649, 104 S. Ct. 2626, 81 L. Ed. 2d 550 (1984)—53.136
- New York State Rifle & Pistol Association, Inc. v. Bruen, 597 U.S. 1, 142 S. Ct. 2111, 213 L. Ed. 2d 387 (2022)—53.36
- Ngobeni, In re, 453 Mass. 233, 901 N.E.2d 113 (2009)—66.11
- Nguyen v. University Of Massachusetts, 66 Mass. App. Ct. 276, 846 N.E.2d 1184, 208 Ed. Law Rep. 887 (2006)—28.1
- Nguyen v. William Joiner Center for Study of War and Social Consequences, 450 Mass. 291, 877 N.E.2d 1266, 227 Ed. Law Rep. 938 (2007)—28.1
- Nicholas-Taylor v. Commonwealth, 490 Mass. 552, 192 N.E.3d 1106 (2022)—53.83
- Nickerson v. Flynn-Morris, 103 Mass. App. Ct. 703, 227 N.E.3d 294 (2024)—60.57
- Nickerson, Matter of, 422 Mass. 333, 662 N.E.2d 1027 (1996)—66.3, 66.4
- Niedner v. Ortho-McNeil Pharmaceutical, Inc., 90 Mass. App. Ct. 306, 58 N.E.3d 1080 (2016)—25.9
- Nightingale v. National Grid USA Service Company, Inc, 107 F.4th 1 (1st Cir. 2024)—15.1
- Nissan Automobiles Of Marlborough, Inc. v. Glick, 62 Mass. App. Ct. 302, 816 N.E.2d 161 (2004)—10.13, 47.8, 59.5
- N.L., Matter of, 476 Mass. 632, 71 N.E.3d 476 (2017)—60.16
- N.L.R.B. v. Browning-Ferris Industries of Pennsylvania, Inc., 691 F.2d

TABLE OF CASES

- 1117, 73 A.L.R. Fed. 597 (3d Cir. 1982)—28.1
- N.L.R.B. v. Transportation Management Corp., 462 U.S. 393, 103 S. Ct. 2469, 76 L. Ed. 2d 667, 13 Fed. R. Evid. Serv. 380 (1983)—28.1
- N.M. v. Commonwealth, 478 Mass. 89, 82 N.E.3d 1036 (2017)—53.83
- Noe v. Sex Offender Registry Board, 480 Mass. 195, 102 N.E.3d 409 (2018)—53.63
- Noonan v. Staples, Inc., 556 F.3d 20 (1st Cir. 2009)—43.6
- Norfolk & Dedham Mut. Fire Ins. Co. v. Morrison, 456 Mass. 463, 924 N.E.2d 260 (2010)—17.31, 18.34, 24.5
- Norfolk & Dedham Mut. Fire Ins. Co. v. Quane, 442 Mass. 704, 816 N.E.2d 521 (2004)—2.4, 19.23
- Norris v. Com., 447 Mass. 1007, 849 N.E.2d 819 (2006)—52.5
- Nortek, Inc. v. Liberty Mut. Ins. Co., 65 Mass. App. Ct. 764, 843 N.E.2d 706 (2006)—2.74, 15.23, 31.12
- North American Expositions Co. Limited Partnership v. Corcoran, 452 Mass. 852, 898 N.E.2d 831 (2009)—60.39
- North American Site Developers, Inc. v. MRP Site Development, Inc., 63 Mass. App. Ct. 529, 827 N.E.2d 251 (2005)—11.29
- Northeastern Avionics, Inc. v. City of Westfield, 63 Mass. App. Ct. 509, 827 N.E.2d 721 (2005)—61.24
- Northrup v. Brigham, 63 Mass. App. Ct. 362, 826 N.E.2d 239 (2005)—58.2
- NPS, LLC v. Minihane, 451 Mass. 417, 886 N.E.2d 670 (2008)—2.22
- Nunez v. A & M Rentals, Inc., 63 Mass. App. Ct. 20, 822 N.E.2d 743 (2005)—19.22, 60.57
- Nunez v. Carrabba's Italian Grill, Inc., 448 Mass. 170, 859 N.E.2d 801 (2007)—19.18, 19.19
- Nutt v. Florio, 75 Mass. App. Ct. 482, 914 N.E.2d 963 (2009)—45.4
- Nyberg v. Whelittle, 101 Mass. App. Ct. 639, 195 N.E.3d 473 (2022)—60.39

O

- O. Ahlborg & Sons, Inc. v. Massachusetts Heavy Industries, Inc., 65 Mass. App. Ct. 385, 840 N.E.2d 977 (2006)—60.57
- Oakham Sand & Gravel Corp. v. Town of Oakham, 54 Mass. App. Ct. 80, 763 N.E.2d 529 (2002)—61.6
- O'Brien v. Borowski, 461 Mass. 415, 961 N.E.2d 547 (2012)—53.22.50
- O'Brien v. New England Tel. & Tel. Co., 422 Mass. 686, 664 N.E.2d 843 (1996)—26.7
- O'Brien v. Pearson, 449 Mass. 377, 868 N.E.2d 118, 39 A.L.R.6th 663 (2007)—2.52
- O'Brien v. Pearson, 67 Mass. App. Ct. 29, 851 N.E.2d 1093 (2006)—2.52
- O'Connell v. Houser, 470 Mass. 1004, 18 N.E.3d 344 (2014)—47.8
- O'Connor v. Merrimack Mut. Fire Ins. Co., 73 Mass. App. Ct. 205, 897 N.E.2d 593 (2008)—15.1
- O'Connor v. Nantucket Bank, 992 F. Supp. 2d 24 (D. Mass. 2014)—15.5
- O'Connor v. Redstone, 452 Mass. 537, 896 N.E.2d 595 (2008)—2.74
- Odetta, In re, 68 Mass. App. Ct. 862, 865 N.E.2d 836 (2007)—62.3
- Odetta, In re Adoption of, 87 Mass. App. Ct. 576, 32 N.E.3d 1277 (2015)—62.4
- Ogan, Matter of, 424 Mass. 1015, 676 N.E.2d 459 (1997)—66.4
- O'Hara v. Diageo-Guinness, USA, Inc., 370 F. Supp. 3d 204 (D. Mass. 2019)—15.22

PRIMA FACIE CASE—PROOF AND DEFENSE

- Ohio v. Clark, 576 U.S. 237, 135 S. Ct. 2173, 192 L. Ed. 2d 306 (2015)—53.101
- Ohio v. Roberts, 448 U.S. 56, 100 S. Ct. 2531, 65 L. Ed. 2d 597, 7 Fed. R. Evid. Serv. 1 (1980)—53.101
- Okerman v. VA Software Corp., 69 Mass. App. Ct. 771, 871 N.E.2d 1117 (2007)—53.15
- Okoli v. Okoli, 81 Mass. App. Ct. 381, 963 N.E.2d 737 (2012)—2.49
- O’Leary v. Education Resources Institute, Inc., 441 Mass. 1018, 808 N.E.2d 813 (2004)—52.5
- Oliveira v. Commerce Insurance Company, 94 Mass. App. Ct. 276, 112 N.E.3d 1206 (2018)—2.4
- Ollie, Care and Protection of, 104 Mass. App. Ct. 269, 236 N.E.3d 1220 (2024)—62.3
- Olson, Matter of Estate of, 103 Mass. App. Ct. 842, 231 N.E.3d 970 (2024)—58.3
- O’Meara v. New England Life Flight, Inc., 65 Mass. App. Ct. 543, 842 N.E.2d 953 (2006)—18.2
- OneBeacon Ins. Group v. RSC Corp., 69 Mass. App. Ct. 409, 868 N.E.2d 644 (2007)—18.39, 20.24
- One-O-Six Realty, Inc. v. Quinn, 66 Mass. App. Ct. 149, 845 N.E.2d 1182 (2006)—48.2
- Onya, Adoption of, 105 Mass. App. Ct. 211, 249 N.E.3d 1170 (2025)—60.30
- Openshaw v. Openshaw, 493 Mass. 599, 228 N.E.3d 551 (2024)—55.15
- Opinion of the Justices, In re, 289 Mass. 607, 194 N.E. 313 (1935)—66.1
- Or v. Edwards, 62 Mass. App. Ct. 475, 818 N.E.2d 163 (2004)—18.9, 21.15
- Orange, Town of v. Shay, 68 Mass. App. Ct. 358, 862 N.E.2d 393 (2007)—65.7, 65.11
- Orazio, In re Care and Protection of, 68 Mass. App. Ct. 213, 861 N.E.2d 476 (2007)—62.3
- Orla O. v. Patience P., 100 Mass. App. Ct. 126, 175 N.E.3d 421 (2021)—53.22.50
- O’Rourke v. Hunter, 446 Mass. 814, 848 N.E.2d 382 (2006)—58.6, 58.11, 58.12
- Ortiz v. Examworks, Inc., 470 Mass. 784, 26 N.E.3d 165 (2015)—19.2
- Ortiz v. North Amherst Auto Rental, Inc., 64 Mass. App. Ct. 499, 834 N.E.2d 273 (2005)—19.22
- Otis v. Arbella Mut. Ins. Co., 443 Mass. 634, 824 N.E.2d 23 (2005)—2.72
- Otis, In re, 438 Mass. 1016, 782 N.E.2d 502 (2003)—66.3, 66.4, 66.12
- Overka v. American Airlines, Inc., 790 F.3d 36 (1st Cir. 2015)—53.74.50
- Owens v. Mukendi, 448 Mass. 66, 858 N.E.2d 734 (2006)—60.51
- Owens v. Mukendi, 64 Mass. App. Ct. 820, 835 N.E.2d 1139 (2005)—60.51

P

- Padilla v. Kentucky, 559 U.S. 356, 130 S. Ct. 1473, 176 L. Ed. 2d 284 (2010)—53.130
- Paine v. Sullivan, 79 Mass. App. Ct. 811, 950 N.E.2d 874 (2011)—59.306
- Palandjian v. Foster, 446 Mass. 100, 842 N.E.2d 916 (2006)—39.6
- Palmer v. Board of Registration in Medicine, 415 Mass. 121, 612 N.E.2d 635 (1993)—66.16
- Palmer, Matter of, 423 Mass. 647, 670 N.E.2d 389 (1996)—66.3, 66.9, 66.12
- Palmer, Matter of, 413 Mass. 33, 594 N.E.2d 861 (1992)—66.7, 66.10, 66.12

TABLE OF CASES

- Palochko v. Reis, 67 Mass. App. Ct. 103, 852 N.E.2d 127 (2006)—15.5
- Palriwala v. Palriwala Corp., 64 Mass. App. Ct. 663, 834 N.E.2d 1241 (2005)—58.2
- Pantazis v. Mack Trucks, Inc., 92 Mass. App. Ct. 477, 87 N.E.3d 1191 (2017)—25.9
- Papadopoulos v. Target Corp., 457 Mass. 368, 930 N.E.2d 142 (2010)—23.16
- Papp v. Westborough Gardens LLC/BVF-V Westborough LLC, 493 Mass. 1018, 222 N.E.3d 1080 (2023)—51.13
- Paradis v. Frost, 103 Mass. App. Ct. 410, 218 N.E.3d 664, 421 Ed. Law Rep. 1184 (2023)—17.10, 21.11
- Pardo v. General Hosp. Corp., 446 Mass. 1, 841 N.E.2d 692 (2006)—28.1, 39.25
- Parent v. Stone & Webster Engineering Corp., 408 Mass. 108, 556 N.E.2d 1009 (1990)—17.6
- Park Drive Towing, Inc. v. City Of Revere, 442 Mass. 80, 809 N.E.2d 1045 (2004)—2.2
- Parker v. Chief Justice For Admin. and Management of Trial Court, 67 Mass. App. Ct. 174, 852 N.E.2d 1097 (2006)—17.10, 27.2
- Parker v. Com., 448 Mass. 1021, 863 N.E.2d 40 (2007)—53.98, 53.136, 63.3
- Parr v. Rosenthal, 475 Mass. 368, 57 N.E.3d 947 (2016)—39.24
- Parr v. Rosenthal, 87 Mass. App. Ct. 787, 34 N.E.3d 1275 (2015)—39.24
- Partanen v. Gallagher, 475 Mass. 632, 59 N.E.3d 1133 (2016)—53.23, 59.254
- Pasquale v. Casale, 72 Mass. App. Ct. 729, 893 N.E.2d 1263 (2008)—2.22
- Patel v. Martin, 481 Mass. 29, 111 N.E.3d 1082 (2018)—60.23
- Patel v. Planning Bd. of North Andover, 27 Mass. App. Ct. 477, 539 N.E.2d 544 (1989)—59.166
- Pear v. Davenport, 67 Mass. App. Ct. 239, 853 N.E.2d 206 (2006)—10.13
- Pellegrine v. Com., 446 Mass. 1004, 844 N.E.2d 608 (2006)—52.5, 53.93
- Pelletier v. Town of Somerset, 458 Mass. 504, 939 N.E.2d 717 (2010)—28.7, 28.8, 60.50
- Pembroke Country Club, Inc. v. Regency Savings Bank, F.S.B., 62 Mass. App. Ct. 34, 815 N.E.2d 241 (2004)—26.4
- Penn Cent. Transp. Co. v. City of New York, 438 U.S. 104, 98 S. Ct. 2646, 57 L. Ed. 2d 631 (1978)—17.10, 50.5, 60.57
- Perez v. Bay State Ambulance & Hosp. Rental Service, Inc., 413 Mass. 670, 602 N.E.2d 570 (1992)—39.12
- Perisho v. Board of Health of Stow, 103 Mass. App. Ct. 593, 225 N.E.3d 308 (2023)—34.2, 60.31
- Perroncello v. Donahue, 448 Mass. 199, 859 N.E.2d 827 (2007)—10.16, 47.6
- Perroncello v. Donahue, 64 Mass. App. Ct. 564, 835 N.E.2d 256 (2005)—10.16
- Perry v. New Hampshire, 565 U.S. 228, 132 S. Ct. 716, 181 L. Ed. 2d 694 (2012)—53.132
- Peters v. Haymarket Leasing, Inc., 64 Mass. App. Ct. 767, 835 N.E.2d 628 (2005)—19.22
- Peterson v. Commonwealth, 478 Mass. 434, 85 N.E.3d 965 (2017)—17.12
- Petrillo v. Zoning Bd. of Appeals of Cohasset, 65 Mass. App. Ct. 453, 841 N.E.2d 266 (2006)—2.72, 59.322

PRIMA FACIE CASE—PROOF AND DEFENSE

- Pettiford v. Branded Management Group, LLC, 104 Mass. App. Ct. 287, 237 N.E.3d 1191 (2024)—15.4, 28.10
- Pfannenstiehl v. Pfannenstiehl, 475 Mass. 105, 55 N.E.3d 933 (2016)—55.15
- Phelan v. May Dept. Stores Co., 443 Mass. 52, 819 N.E.2d 550 (2004)—43.2
- Phelan v. May Dept. Stores Co., 60 Mass. App. Ct. 843, 806 N.E.2d 939 (2004)—43.2, 60.46
- Phillips v. Equity Residential Management, L.L.C., 478 Mass. 251, 85 N.E.3d 12 (2017)—2.55
- Phone Recovery Services, LLC v. Verizon of New England, Inc., 480 Mass. 224, 102 N.E.3d 968 (2018)—28.10
- Picard v. Thomas, 60 Mass. App. Ct. 362, 802 N.E.2d 581 (2004)—19.22
- Picciotto v. Appeals Court (No. 1), 457 Mass. 1001, 927 N.E.2d 997 (2010)—64.2
- Piccone v. Bartels, 40 F. Supp. 3d 198 (D. Mass. 2014)—43.6
- Pickett v. Com., 33 Mass. App. Ct. 645, 604 N.E.2d 43 (1992)—17.10
- Pierce v. Department of Correction, 450 Mass. 1022, 879 N.E.2d 675 (2008)—52.5
- Pierce v. Doyle, 442 Mass. 1039, 816 N.E.2d 1212 (2004)—47.8
- Pierce v. Pierce, 455 Mass. 286, 916 N.E.2d 330 (2009)—55.15
- Pike, Matter of, 408 Mass. 740, 563 N.E.2d 219 (1990)—66.8, 66.12
- Pilgrim Ins. Co. v. Molard, 73 Mass. App. Ct. 326, 897 N.E.2d 1231 (2008)—2.2
- Pimentel v. City of Methuen, 323 F. Supp. 3d 255 (D. Mass. 2018)—53.101.50
- Pimentel v. Roundup Co., 100 Wash. 2d 39, 666 P.2d 888 (1983)—23.18
- Pina v. Massachusetts Society for Prevention of Cruelty To Animals, 446 Mass. 1017, 847 N.E.2d 349 (2006)—52.5
- Ping Zhao v. Bay Path College, 982 F. Supp. 2d 104, 304 Ed. Law Rep. 858 (D. Mass. 2013)—26.4, 27.2, 28.2
- Pixley v. Com., 453 Mass. 827, 906 N.E.2d 320 (2009)—53.137
- Pizzino v. Miller, 67 Mass. App. Ct. 865, 858 N.E.2d 1112 (2006)—55.16
- P.J. Keating Company v. Town of Acushnet, 104 Mass. App. Ct. 65, 233 N.E.3d 1097 (2024)—34.6
- Plante v. Wylie, 63 Mass. App. Ct. 151, 824 N.E.2d 461 (2005)—60.39
- PLIVA, Inc. v. Mensing, 564 U.S. 604, 131 S. Ct. 2567, 180 L. Ed. 2d 580 (2011)—25.9
- Plymouth County Wildlands Trust v. Smith, 63 Mass. App. Ct. 902, 823 N.E.2d 1262 (2005)—60.25
- Pobeda RT II, LLC v. Zoning Board of Appeals of Watertown, 104 Mass. App. Ct. 250, 236 N.E.3d 130 (2024)—65.7
- Poe v. Sex Offender Registry Bd., 456 Mass. 801, 926 N.E.2d 187, 64 A.L.R.6th 707 (2010)—53.63
- Pointer v. Texas, 380 U.S. 400, 85 S. Ct. 1065, 13 L. Ed. 2d 923 (1965)—53.126
- Polay v. McMahon, 468 Mass. 379, 10 N.E.3d 1122 (2014)—27.2, 43.9, 60.39
- Police Dept. of Groveland v. Gallant, 76 Mass. App. Ct. 912, 926 N.E.2d 1195 (2010)—59.23
- Police Dept. of Salem v. Sullivan, 460 Mass. 637, 953 N.E.2d 188 (2011)—53.96
- Polito v. School Committee of Peabody, 69 Mass. App. Ct. 393, 868 N.E.2d

TABLE OF CASES

- 624, 221 Ed. Law Rep. 328 (2007)—2.45
- Poncz v. Loftin, 34 Mass. App. Ct. 909, 607 N.E.2d 765 (1993)—15.5, 15.6
- Ponte v. DaSilva, 388 Mass. 1008, 446 N.E.2d 77 (1983)—34.2
- Pool, Matter of, 401 Mass. 460, 517 N.E.2d 444 (1988)—66.13
- Poor v. Lombard, 72 Mass. App. Ct. 719, 893 N.E.2d 1255 (2008)—48.5
- Poras v. Pauling, 70 Mass. App. Ct. 535, 874 N.E.2d 1127 (2007)—63.1
- Powell v. Massachusetts, 565 U.S. 1262, 132 S. Ct. 1739, 182 L. Ed. 2d 534 (2012)—53.36
- Powell v. Stevens, 69 Mass. App. Ct. 87, 866 N.E.2d 918 (2007)—43.2
- Prager, Matter of, 422 Mass. 86, 661 N.E.2d 84 (1996)—66.1, 66.13
- Pratt v. Martineau, 69 Mass. App. Ct. 670, 870 N.E.2d 1122 (2007)—19.22
- Pressman, Matter of, 421 Mass. 514, 658 N.E.2d 156 (1995)—66.2
- Preventive Medicine Associates, Inc. v. Com., 465 Mass. 810, 992 N.E.2d 257 (2013)—53.119
- Price Waterhouse v. Hopkins, 490 U.S. 228, 109 S. Ct. 1775, 104 L. Ed. 2d 268 (1989)—28.1
- Pridgett v. Commissioner of Correction, 443 Mass. 1016, 823 N.E.2d 1247 (2005)—52.5
- Primarque Products Co. Inc. v. Williams West & Witts Products Company, 303 F. Supp. 3d 188 (D. Mass. 2018)—26.1
- Prism Group, Inc. v. Slingshot Technologies Corporation, 104 Mass. App. Ct. 785, 245 N.E.3d 740 (2024)—2.6, 2.18
- Pritzky v. Safety Ins. Co., 64 Mass. App. Ct. 751, 835 N.E.2d 621 (2005)—19.23
- Proffit v. Com., 385 Mass. 781, 434 N.E.2d 190 (1982)—17.10
- Prouty v. Thippanna, 458 F. Supp. 3d 56 (D. Mass. 2020)—18.10
- Psy-Ed Corp. v. Klein, 459 Mass. 697, 947 N.E.2d 520 (2011)—26.1, 26.2, 28.1, 41.1
- Psy-Ed Corp. v. Klein, 62 Mass. App. Ct. 110, 815 N.E.2d 247 (2004)—2.42
- Public Employee Retirement Admin. Com'n v. Bettencourt, 474 Mass. 60, 47 N.E.3d 667 (2016)—53.152
- Pump, Inc. v. Collins Management, Inc., 746 F. Supp. 1159 (D. Mass. 1990)—43.9
- Purdy v. Colangelo, 61 Mass. App. Ct. 362, 810 N.E.2d 844 (2004)—55.15
- P.W. v. M.S., 67 Mass. App. Ct. 779, 857 N.E.2d 38 (2006)—62.1

Q

- Quazi v. Barnstable County, 70 Mass. App. Ct. 780, 877 N.E.2d 273 (2007)—28.1, 28.10
- Queeno v. Colonial Co-Operative Bank, 63 Mass. App. Ct. 392, 826 N.E.2d 738 (2005)—10.1
- Quigley v. Bay State Graphics, Inc., 427 Mass. 455, 693 N.E.2d 1368 (1998)—17.6
- Quilla Q. v. Matt M., 102 Mass. App. Ct. 237, 201 N.E.3d 1285 (2023)—53.22
- Quinlan v. Clasby, 71 Mass. App. Ct. 97, 879 N.E.2d 703 (2008)—15.1
- Quinn v. Gjoni, 89 Mass. App. Ct. 408, 50 N.E.3d 448 (2016)—53.22
- Quinn v. Mar-Lees Seafood, LLC, 69 Mass. App. Ct. 688, 871 N.E.2d 511 (2007)—2.3, 19.42, 47.6
- Quinton v. Gavin, 64 Mass. App. Ct. 792, 835 N.E.2d 1124 (2005)—15.2, 15.4

PRIMA FACIE CASE—PROOF AND DEFENSE

R

- Rackemann v. Taylor, 204 Mass. 394, 90 N.E. 552 (1910)—58.5
- Rafferty v. Merck & Co., Inc., 479 Mass. 141, 92 N.E.3d 1205 (2018)—25.9
- Raheman v. Raheman, 444 Mass. 1008, 829 N.E.2d 223 (2005)—52.5
- Rahim v. District Attorney for Suffolk District, 486 Mass. 544, 159 N.E.3d 690 (2020)—53.73
- Ramirez v. Commonwealth, 479 Mass. 331, 94 N.E.3d 809 (2018)—53.36
- Ramirez v. Graham, 64 Mass. App. Ct. 573, 834 N.E.2d 754 (2005)—60.7, 61.22
- Ramona, In re Adoption of, 61 Mass. App. Ct. 260, 809 N.E.2d 547 (2004)—62.4
- Rancourt v. Attorney General, 491 Mass. 1030, 203 N.E.3d 596 (2023)—53.63
- Rando v. Leonard, 826 F.3d 553 (1st Cir. 2016)—26.4
- Raposo v. Evans, 71 Mass. App. Ct. 379, 882 N.E.2d 356 (2008)—60.26
- Rasheed v. Commissioner of Correction, 446 Mass. 463, 845 N.E.2d 296 (2006)—28.10
- Rattigan v. Wile, 445 Mass. 850, 841 N.E.2d 680 (2006)—34.1, 34.4
- Rauseo v. Com., 65 Mass. App. Ct. 219, 838 N.E.2d 585 (2005)—35.2
- Ravasizadeh v. Niakosari, 94 Mass. App. Ct. 123, 112 N.E.3d 807 (2018)—55.15
- Ravnikar v. Bogojavlensky, 438 Mass. 627, 782 N.E.2d 508, 16 A.L.R.6th 815 (2003)—43.6
- Ray v. Com., 447 Mass. 1008, 849 N.E.2d 821 (2006)—52.5
- Raya, Guardianship of, 103 Mass. App. Ct. 531, 224 N.E.3d 485 (2023)—62.2
- Raymond v. Board of Registration in Medicine, 387 Mass. 708, 443 N.E.2d 391, 34 A.L.R.4th 600 (1982)—66.15
- Ray-Tek Services, Inc. v. Parker, 64 Mass. App. Ct. 165, 831 N.E.2d 948 (2005)—15.4
- Ready, In re, 63 Mass. App. Ct. 171, 824 N.E.2d 474 (2005)—53.13
- Reagan v. Brissey, 446 Mass. 452, 844 N.E.2d 672 (2006)—59.166
- Reardon v. Parisi, 63 Mass. App. Ct. 39, 822 N.E.2d 748 (2005)—23.16
- Reckis v. Johnson & Johnson, 471 Mass. 272, 28 N.E.3d 445 (2015)—18.18
- Reddish v. Bowen, 66 Mass. App. Ct. 621, 849 N.E.2d 901 (2006)—15.5, 60.4
- Redstone v. O'Connor, 70 Mass. App. Ct. 493, 874 N.E.2d 1118 (2007)—47.8
- Reed v. Zipcar, Inc., 883 F. Supp. 2d 329 (D. Mass. 2012)—2.22
- Reem Property, LLC v. Engleby, 251 F. Supp. 3d 274 (D. Mass. 2017)—2.1, 10.12
- Reeves v. Sanderson Plumbing Products, Inc., 530 U.S. 133, 120 S. Ct. 2097, 147 L. Ed. 2d 105 (2000)—60.57
- Regis College v. Town of Weston, 462 Mass. 280, 968 N.E.2d 347, 280 Ed. Law Rep. 369 (2012)—65.1
- Rempelakis v. Russell, 65 Mass. App. Ct. 557, 842 N.E.2d 970 (2006)—58.6, 58.12
- Renaud v. Com., 471 Mass. 315, 28 N.E.3d 478 (2015)—17.12
- Renovator's Supply, Inc. v. Sovereign Bank, 72 Mass. App. Ct. 419, 892 N.E.2d 777 (2008)—2.12, 15.5, 15.7
- Rental Property Management Services v. Hatcher, 479 Mass. 542, 97 N.E.3d 319 (2018)—51.11
- Renzi v. Paredes, 452 Mass. 38, 890

TABLE OF CASES

- N.E.2d 806 (2008)—39.6.50
- Republican Co. v. Appeals Court, 442 Mass. 218, 812 N.E.2d 887 (2004)—53.63
- Request for an Investigation of an Attorney, In re, 449 Mass. 1013, 867 N.E.2d 323 (2007)—66.1
- Restucci v. Appeals Court, 442 Mass. 1031, 815 N.E.2d 571 (2004)—47.9
- Revere, City of v. Massachusetts Gaming Commission, 476 Mass. 591, 71 N.E.3d 457 (2017)—59.5
- Reynolds v. Reynolds, 443 Mass. 1001, 819 N.E.2d 938 (2004)—47.8, 59.5
- Reynolds v. Sullivan, 330 Mass. 549, 116 N.E.2d 128 (1953)—19.42
- Reznik v. Garaffo, 466 Mass. 1034, 999 N.E.2d 1089 (2013)—52.5, 60.43
- Reznikov, In re, 567 B.R. 239 (D. Mass. 2017)—59.54, 59.268
- RFF Family Partnership, LP v. Burns & Levinson, LLP, 465 Mass. 702, 991 N.E.2d 1066 (2013)—66.8
- Rhodes v. AIG Domestic Claims, Inc., 461 Mass. 486, 961 N.E.2d 1067 (2012)—15.5, 15.6
- Rhona, In re Adoption of, 63 Mass. App. Ct. 117, 823 N.E.2d 789 (2005)—62.4
- Richards v. Arteva Specialties S.A.R.L., 66 Mass. App. Ct. 726, 850 N.E.2d 1068 (2006)—15.5
- Richards, In re, 62 Mass. App. Ct. 701, 819 N.E.2d 604 (2004)—61.22
- Richardson v. UPS Store, Inc., 486 Mass. 126, 156 N.E.3d 177 (2020)—59.88
- Rico, In re Adoption of, 72 Mass. App. Ct. 214, 889 N.E.2d 974 (2008)—62.4
- Riley v. California, 573 U.S. 373, 134 S. Ct. 2473, 189 L. Ed. 2d 430 (2014)—53.116
- Ring, Matter of, 427 Mass. 186, 692 N.E.2d 35 (1998)—66.2, 66.9
- Rios v. Centerra Group LLC, 106 F.4th 101, 124 Fed. R. Evid. Serv. 2864, 119 Fed. R. Serv. 3d 355 (1st Cir. 2024)—28.3, 60.57
- Ritter v. Bergmann, 72 Mass. App. Ct. 296, 891 N.E.2d 248 (2008)—60.12
- Ritter v. Johnson, 616 F. Supp. 3d 158 (D. Mass. 2022)—10.3
- Rivera v. Stetson, 103 Mass. App. Ct. 187, 218 N.E.3d 55 (2023)—2.45
- RJR Para Corp. v. Pond, 78 Mass. App. Ct. 362, 937 N.E.2d 511 (2010)—60.43
- R.L. Whipple Co., Inc. v. Pondview Excavation Corp., 71 Mass. App. Ct. 871, 887 N.E.2d 1095 (2008)—61.22
- Robbins v. Krock, 73 Mass. App. Ct. 134, 896 N.E.2d 633 (2008)—61.1
- Robert Leroy Mccoy v. Louisiana, 584 U.S. 414, 138 S. Ct. 1500, 200 L. Ed. 2d 821 (2018)—53.131
- Roberts v. Legendary Marine Sales, 447 Mass. 860, 857 N.E.2d 1089 (2006)—60.26
- Robinson v. City of Boston, 71 Mass. App. Ct. 765, 887 N.E.2d 261 (2008)—28.1
- Robinson v. Com., 445 Mass. 280, 837 N.E.2d 241 (2005)—60.97
- Robinson v. Com., 32 Mass. App. Ct. 6, 584 N.E.2d 636, 71 Ed. Law Rep. 1104 (1992)—17.10
- Robinson Trust, In re, 450 Mass. 1023, 879 N.E.2d 1234 (2008)—47.8
- Roch v. Mollica, 481 Mass. 164, 113 N.E.3d 820 (2019)—60.26, 60.37
- Rodgers v. Conservation Com'n of Barnstable, 67 Mass. App. Ct. 200, 853 N.E.2d 199 (2006)—59.5
- Rodriguez v. Cambridge Housing Authority, 443 Mass. 697, 823 N.E.2d 1249 (2005)—17.10
- Rodriguez v. Com., 449 Mass. 1029, 871 N.E.2d 486 (2007)—52.5

PRIMA FACIE CASE—PROOF AND DEFENSE

- Rodriguez v. U.S., 575 U.S. 348, 135 S. Ct. 1609, 191 L. Ed. 2d 492 (2015)—53.117
- Rodrique v. Hearst Communications, Inc., 126 F.4th 85 (1st Cir. 2025)—28.5, 60.31
- Roe v. Rosencratz, 443 Mass. 1021, 824 N.E.2d 873 (2005)—52.5
- Roe No. 1 v. Children’s Hosp. Medical Center, 469 Mass. 710, 16 N.E.3d 1044 (2014)—18.11
- Romero v. UHS of Westwood Pembroke, Inc., 72 Mass. App. Ct. 539, 893 N.E.2d 355 (2008)—28.1
- Ropes & Gray LLP v. Jalbert, 454 Mass. 407, 910 N.E.2d 330 (2009)—61.24
- Rory, In re Adoption of, 80 Mass. App. Ct. 454, 954 N.E.2d 22 (2011)—60.51
- Rose v. Highway Equipment Co., 86 Mass. App. Ct. 204, 15 N.E.3d 241 (2014)—25.36
- Rose v. Rose, 96 Mass. App. Ct. 557, 136 N.E.3d 408 (2019)—55.14
- Rose v. Rose, 80 Mass. App. Ct. 480, 953 N.E.2d 1283 (2011)—58.7
- Rosenberg v. Lipnick, 377 Mass. 666, 389 N.E.2d 385 (1979)—55.15
- Rosenberg v. Rosenberg, 33 Mass. App. Ct. 903, 595 N.E.2d 792 (1992)—55.15
- Rosenberg, Matter of, 491 Mass. 1027, 202 N.E.3d 1226 (2023)—66.11
- Rosenfield v. U. S. Trust Co., 290 Mass. 210, 195 N.E. 323, 122 A.L.R. 1210 (1935)—2.1
- Roslindale Motor Sales, Inc. v. Police Com’r of Boston, 405 Mass. 79, 538 N.E.2d 312 (1989)—66.18, 66.21
- Ross v. Dietrich, 104 Mass. App. Ct. 458, 240 N.E.3d 251 (2024)—64.4
- Roth v. Newpol, 91 Mass. App. Ct. 609, 77 N.E.3d 881 (2017)—59.302
- Rothman v. Trister, 450 Mass. 1034, 882 N.E.2d 849 (2008)—52.5
- Rotman v. White, 74 Mass. App. Ct. 586, 908 N.E.2d 846 (2009)—48.14, 59.165
- Roukounakis v. Messer, 63 Mass. App. Ct. 482, 826 N.E.2d 777 (2005)—39.7
- Rourke v. Rothman, 448 Mass. 190, 859 N.E.2d 821 (2007)—65.11
- Roviaro v. U.S., 353 U.S. 53, 77 S. Ct. 623, 1 L. Ed. 2d 639 (1957)—60.78
- R.S. v. M.P., 72 Mass. App. Ct. 798, 894 N.E.2d 634 (2008)—55.16
- Ruby, In re, 328 Mass. 542, 105 N.E.2d 234 (1952)—66.1
- Rudenauer v. Zafiroopoulos, 445 Mass. 353, 837 N.E.2d 278 (2005)—39.5, 39.24
- Ruggers, Inc. v. U.S., 736 F. Supp. 2d 336 (D. Mass. 2010)—43.9
- Ruggiero v. Giamarco, 73 Mass. App. Ct. 743, 901 N.E.2d 1233 (2009)—39.12
- Rush v. Norfolk Electric Co., Inc., 70 Mass. App. Ct. 373, 874 N.E.2d 447 (2007)—2.3
- Ruszyk v. Secretary of Public Safety, 401 Mass. 418, 517 N.E.2d 152 (1988)—53.134
- Ryan v. Holie Donut, Inc., 82 Mass. App. Ct. 633, 977 N.E.2d 64 (2012)—28.7
- Ryan v. Hughes-Ortiz, 81 Mass. App. Ct. 90, 959 N.E.2d 1000 (2012)—18.38, 25.19.50
- Ryan v. Pepe, 65 Mass. App. Ct. 833, 845 N.E.2d 1136 (2006)—28.1, 28.10
- Ryan v. Ryan, 447 Mass. 1003, 849 N.E.2d 183 (2006)—47.8

S

- Saab, Matter of, 406 Mass. 315, 547 N.E.2d 919 (1989)—66.1, 66.12
- Saad v. American Diabetes Associa-

TABLE OF CASES

- tion, 123 F. Supp. 3d 175 (D. Mass. 2015)—43.2
- Sabatini v. Knouse, 105 Mass. App. Ct. 174, 251 N.E.3d 1203 (2025)—26.4, 43.25, 60.31, 60.39
- Sabree v. Conley, 62 Mass. App. Ct. 901, 815 N.E.2d 280 (2004)—28.10, 61.4
- Sacks v. Dissinger, 488 Mass. 780, 178 N.E.3d 388 (2021)—17.33
- Safety Ins. Co. v. Day, 65 Mass. App. Ct. 15, 836 N.E.2d 339 (2005)—2.4, 2.50
- Sagar v. Middlesex Div. of Probate and Family Court Dept. of Trial Court, 447 Mass. 1022, 856 N.E.2d 825 (2006)—52.5
- Saggese v. Kelley, 445 Mass. 434, 837 N.E.2d 699 (2005)—2.54, 53.128
- Salem, City of v. Massachusetts Com'n Against Discrimination, 44 Mass. App. Ct. 627, 693 N.E.2d 1026 (1998)—2.72, 28.1, 28.4, 28.8, 53.147
- Salten v. Ackerman, 64 Mass. App. Ct. 868, 836 N.E.2d 323 (2005)—55.15
- Salvi v. Suffolk County Sheriff's Dept., 67 Mass. App. Ct. 596, 855 N.E.2d 777 (2006)—28.7
- Sampson v. Sampson, 62 Mass. App. Ct. 366, 816 N.E.2d 999 (2004)—55.15
- Sanchez v. Com., 450 Mass. 1003, 876 N.E.2d 402 (2007)—52.5
- Santagate v. Tower, 64 Mass. App. Ct. 324, 833 N.E.2d 171 (2005)—55.16
- Santana v. Com., 88 Mass. App. Ct. 553, 38 N.E.3d 1047 (2015)—17.12
- Santiago v. Com., 442 Mass. 1045, 817 N.E.2d 756 (2004)—52.5
- Santiago v. Rich Products Corporation, 92 Mass. App. Ct. 577, 91 N.E.3d 1166, 352 Ed. Law Rep. 303 (2017)—17.1
- Santos v. City of Fall River, 942 F. Supp. 2d 178 (D. Mass. 2013)—2.54
- Santos, In re, 461 Mass. 565, 962 N.E.2d 726 (2012)—53.84
- Sarkisian v. Benjamin, 62 Mass. App. Ct. 741, 820 N.E.2d 263 (2005)—17.11
- Sarkisian v. Concept Restaurants, Inc., 471 Mass. 679, 32 N.E.3d 854 (2015)—23.12
- Saunders v. Ready, 68 Mass. App. Ct. 403, 862 N.E.2d 422 (2007)—39.12
- Savage v. Oliszczyk, 77 Mass. App. Ct. 145, 928 N.E.2d 995 (2010)—60.57
- Savers Property & Cas. Ins. Co. v. Admiral Ins. Agency, Inc., 61 Mass. App. Ct. 158, 807 N.E.2d 842 (2004)—18.33
- Saxon Coffee Shop, Inc. v. Boston Licensing Bd., 380 Mass. 919, 407 N.E.2d 311 (1980)—66.18, 66.21
- Scannell v. Attorney General, 70 Mass. App. Ct. 46, 872 N.E.2d 1136 (2007)—28.1, 28.10
- Schaer v. Brandeis University, 432 Mass. 474, 735 N.E.2d 373, 147 Ed. Law Rep. 247 (2000)—2.50, 60.31
- Schand v. City of Springfield, 380 F. Supp. 3d 106 (D. Mass. 2019)—40.14
- Schaumburg v. Friedmann, 72 Mass. App. Ct. 52, 888 N.E.2d 963 (2008)—10.7, 10.16, 15.6, 15.7
- Schechter v. Schechter, 88 Mass. App. Ct. 239, 37 N.E.3d 632 (2015)—55.16
- Schoeller v. Board of Registration of Funeral Directors and Embalmers, 463 Mass. 605, 977 N.E.2d 524 (2012)—66.21
- Schoepfer, Matter of, 426 Mass. 183,

PRIMA FACIE CASE—PROOF AND DEFENSE

- 687 N.E.2d 391 (1997)—66.3, 66.9, 66.12
- Scholz v. Delp, 473 Mass. 242, 41 N.E.3d 38 (2015)—43.2
- Scholz v. Delp, 83 Mass. App. Ct. 590, 988 N.E.2d 4 (2013)—43.6
- School Committee of Lowell v. Oung, 72 Mass. App. Ct. 698, 893 N.E.2d 1246, 236 Ed. Law Rep. 983 (2008)—2.45
- School Committee of Norton v. Massachusetts Com'n Against Discrimination, 63 Mass. App. Ct. 839, 830 N.E.2d 1090 (2005)—28.1, 28.3, 59.5
- Schulman v. Attorney General, 447 Mass. 189, 850 N.E.2d 505 (2006)—55.2
- Schwalm v. Schwalm, 102 Mass. App. Ct. 825, 213 N.E.3d 618 (2023)—47.3
- Schwartz v. Board of Registration in Medicine, 490 Mass. 1025, 196 N.E.3d 325 (2022)—66.16
- Scott v. Attorney General, 448 Mass. 1002, 858 N.E.2d 1089 (2006)—52.5
- Scott v. District Attorney For Norfolk Dist., 445 Mass. 1022, 839 N.E.2d 282 (2005)—52.5
- Scott v. Encore Images, Inc., 80 Mass. App. Ct. 661, 955 N.E.2d 319 (2011)—59.321.50
- Scott v. Garfield, 454 Mass. 790, 912 N.E.2d 1000 (2009)—17.1, 24.3, 51.3
- Scott v. NG U.S. 1, Inc., 450 Mass. 760, 881 N.E.2d 1125 (2008)—8.3
- Scott v. NG U.S. 1, Inc., 67 Mass. App. Ct. 474, 854 N.E.2d 981 (2006)—8.3
- Scott-Jones v. Lu, 447 Mass. 1006, 849 N.E.2d 809 (2006)—52.5
- Sea Breeze Estates, LLC v. Jarema, 94 Mass. App. Ct. 210, 113 N.E.3d 355 (2018)—2.25
- Sea Pines Condominium III Ass'n v. Steffens, 61 Mass. App. Ct. 838, 814 N.E.2d 752 (2004)—48.14
- Seegel v. Miller, 443 Mass. 1007, 820 N.E.2d 809 (2005)—52.5
- Segal v. First Psychiatric Planners, Inc., 68 Mass. App. Ct. 709, 864 N.E.2d 574 (2007)—39.12
- Segal, In re, 430 Mass. 359, 719 N.E.2d 480 (1999)—66.1, 66.3
- Selmark Associates, Inc. v. Ehrlich, 467 Mass. 525, 5 N.E.3d 923 (2014)—15.5
- Seney v. Morhy, 467 Mass. 58, 3 N.E.3d 577 (2014)—53.22.50
- Seng v. Com., 445 Mass. 536, 839 N.E.2d 283 (2005)—53.84, 53.136
- Senior Housing Properties Trust v. HealthSouth Corp., 447 Mass. 259, 850 N.E.2d 1027 (2006)—48.1
- Serena, In re Adoption of, 64 Mass. App. Ct. 260, 832 N.E.2d 701 (2005)—62.1
- Service v. Newburyport Housing Authority, 63 Mass. App. Ct. 278, 825 N.E.2d 567 (2005)—28.10
- Shaev v. Alvord, 66 Mass. App. Ct. 910, 848 N.E.2d 438 (2006)—60.41
- Shak v. Shak, 484 Mass. 658, 144 N.E.3d 274 (2020)—63.3
- Shapiro v. Cynosure, LLC, 2024 WL 967594 (D. Mass. 2024)—2.1
- Sharis, In re Estate of, 83 Mass. App. Ct. 839, 990 N.E.2d 98 (2013)—59.309
- Sharlene, In re Care and Protection of, 445 Mass. 756, 840 N.E.2d 918 (2006)—39.9, 62.3
- Sharris v. Commonwealth, 480 Mass. 586, 106 N.E.3d 661 (2018)—53.84, 53.101.50
- Shaughnessy, In re, 442 Mass. 1012, 811 N.E.2d 990 (2004)—66.4, 66.6
- Shaulis v. Nordstrom Inc., 120 F. Supp.

TABLE OF CASES

- 3d 40 (D. Mass. 2015)—15.1
- Shaw, Matter of, 427 Mass. 764, 696 N.E.2d 126 (1998)—66.1, 66.4
- Shawmut-Canton LLC v. Great Spring Waters of America, Inc., 62 Mass. App. Ct. 330, 816 N.E.2d 545 (2004)—2.52, 2.94
- Shaw’s Supermarkets, Inc. v. Melendez, 488 Mass. 338, 173 N.E.3d 356 (2021)—52.5
- Shea v. Cameron, 92 Mass. App. Ct. 731, 93 N.E.3d 870 (2018)—27.2, 27.3
- Sheehan v. Roche Bros. Supermarkets, Inc., 448 Mass. 780, 863 N.E.2d 1276 (2007)—23.18
- Sheehan v. Zoning Bd. of Appeals of Plymouth, 65 Mass. App. Ct. 52, 836 N.E.2d 1103 (2005)—65.7
- Sheinkopf v. Bornstein, 443 Mass. 1012, 823 N.E.2d 372 (2005)—47.8
- Sher v. Desmond, 70 Mass. App. Ct. 270, 874 N.E.2d 408 (2007)—62.3
- Sheridan, In re, 449 Mass. 1005, 867 N.E.2d 297 (2007)—66.11
- Sheriff of Suffolk County v. AFSCME Council 93, Local 419, 68 Mass. App. Ct. 222, 861 N.E.2d 472 (2007)—2.45
- Shiel v. Rowell, 480 Mass. 106, 101 N.E.3d 290 (2018)—34.2
- Shoucair v. Board of Appeal of Boston, 494 Mass. 319, 236 N.E.3d 812 (2024)—48.13, 59.324, 65.7
- Siegel v. Berkshire Life Ins. Co., 70 Mass. App. Ct. 318, 873 N.E.2d 1202 (2007)—15.7, 61.1
- Siegel v. Berkshire Life Ins. Co., 64 Mass. App. Ct. 698, 835 N.E.2d 288 (2005)—15.2, 15.3, 15.7, 61.1
- Silva v. Carmel, 468 Mass. 18, 7 N.E.3d 1096 (2014)—53.22
- Silva-Santiago v. Com., 85 Mass. App. Ct. 906, 9 N.E.3d 850 (2014)—17.12
- Silvestris v. Tantasqua Regional School Dist., 446 Mass. 756, 847 N.E.2d 328, 209 Ed. Law Rep. 412 (2006)—28.10
- Simmons v. Clerk-Magistrate of Boston Div. of Housing Court Dept., 448 Mass. 57, 858 N.E.2d 727 (2006)—52.5
- Simmons v. Galvin, 575 F.3d 24 (1st Cir. 2009)—53.156
- Sindi v. El-Moslimany, 896 F.3d 1 (1st Cir. 2018)—26.1, 27.2
- Singh v. Blue Cross and Blue Shield of Massachusetts, Inc., 182 F. Supp. 2d 164 (D. Mass. 2001)—66.15
- Singh v. Blue Cross/Blue Shield of Massachusetts, Inc., 308 F.3d 25 (1st Cir. 2002)—39.25
- Siple v. Stickney, 190 Mass. 43, 76 N.E. 226 (1906)—4.2, 4.4
- Sisson v. Lhowe, 460 Mass. 705, 954 N.E.2d 1115 (2011)—39.24
- Six Brothers, Inc. v. Town of Brookline, 493 Mass. 616, 228 N.E.3d 565 (2024)—25.17, 47.11
- Skawski v. Greenfield Investors Property Development, LLC, 87 Mass. App. Ct. 903, 26 N.E.3d 1112 (2015)—65.7
- Skowronski v. Sachs, 62 Mass. App. Ct. 630, 818 N.E.2d 635 (2004)—29.4
- Slade v. Ormsby, 69 Mass. App. Ct. 542, 872 N.E.2d 223 (2007)—60.2
- Sliney v. Previte, 473 Mass. 283, 41 N.E.3d 732 (2015)—2.74
- Slotnick v. Pike, 374 Mass. 822, 370 N.E.2d 1006 (1977)—66.1
- Smaland Beach Ass’n, Inc. v. Genova, 461 Mass. 214, 959 N.E.2d 955 (2012)—60.2, 60.18
- Smallwood, In re, 470 Mass. 1018, 21 N.E.3d 545 (2014)—66.1
- Smiley First, LLC v. Department of Transportation, 492 Mass. 103, 209 N.E.3d 510 (2023)—50.7

PRIMA FACIE CASE—PROOF AND DEFENSE

- Smith v. Bell Atlantic, 63 Mass. App. Ct. 702, 829 N.E.2d 228 (2005)—28.3
- Smith v. Cain, 565 U.S. 73, 132 S. Ct. 627, 181 L. Ed. 2d 571 (2012)—53.132
- Smith v. Com., 450 Mass. 1015, 877 N.E.2d 934 (2007)—52.5
- Smith v. Edelman, 68 Mass. App. Ct. 549, 863 N.E.2d 576 (2007)—55.16
- Smith v. Jones, 75 Mass. App. Ct. 540, 915 N.E.2d 260 (2009)—53.22
- Smith v. Jones, 69 Mass. App. Ct. 400, 868 N.E.2d 629 (2007)—55.2
- Smith v. Jones, 67 Mass. App. Ct. 129, 852 N.E.2d 670 (2006)—53.22
- Smith v. Kelley, 484 Mass. 111, 139 N.E.3d 314 (2020)—47.11
- Smith v. McDonald, 458 Mass. 540, 941 N.E.2d 1 (2010)—53.23
- Smith v. Registrar of Motor Vehicles, 66 Mass. App. Ct. 31, 845 N.E.2d 389 (2006)—17.10
- Smith v. Sex Offender Registry Bd., 65 Mass. App. Ct. 803, 844 N.E.2d 680 (2006)—53.63
- Smith v. U.S., 568 U.S. 106, 133 S. Ct. 714, 184 L. Ed. 2d 570 (2013)—53.29
- Smith v. City of Westfield, 478 Mass. 49, 82 N.E.3d 390 (2017)—60.57
- Smith v. Winter Place LLC, 447 Mass. 363, 851 N.E.2d 417 (2006)—28.1
- SMS Financial V, LLC v. Conti, 68 Mass. App. Ct. 738, 865 N.E.2d 1142 (2007)—2.19, 2.24, 41.1, 60.39
- Snell v. Lee, 448 Mass. 1001, 858 N.E.2d 743 (2006)—52.5, 53.109
- Snyder v. Collura, 812 F.3d 46 (1st Cir. 2016)—30.1
- Society of Jesus of New England v. Com., 442 Mass. 1049, 818 N.E.2d 559 (2004)—52.5
- Soederberg v. Concord Greene Condominium Ass'n, 76 Mass. App. Ct. 333, 921 N.E.2d 1020 (2010)—24.9
- Solimine v. Massachusetts Property Ins. Underwriting Ass'n, 65 Mass. App. Ct. 782, 844 N.E.2d 256 (2006)—2.4
- Sommer v. Maharaj, 451 Mass. 615, 888 N.E.2d 891 (2008)—8.1
- Sonin v. Massachusetts Turnpike Authority, 61 Mass. App. Ct. 287, 809 N.E.2d 1075, 122 A.L.R.5th 725 (2004)—2.74
- Sonoiki v. Harvard University, 37 F.4th 691, 404 Ed. Law Rep. 90 (1st Cir. 2022)—2.50, 60.31
- Sophie, Care and Protection of, 449 Mass. 100, 865 N.E.2d 789 (2007)—52.5
- Sorenti Brothers, Inc. v. Com., 468 Mass. 189, 9 N.E.3d 779 (2014)—50.5
- Sourcing Unlimited, Inc. v. Cummings Properties, LLC., 102 Mass. App. Ct. 653, 211 N.E.3d 1091 (2023)—51.5
- South Boston Elderly Residences, Inc. v. Moynahan, 91 Mass. App. Ct. 455, 76 N.E.3d 272 (2017)—51.3
- Southwick v. Planning Bd. of Plymouth, 72 Mass. App. Ct. 266, 891 N.E.2d 239 (2008)—65.1
- Souza, In re, 87 Mass. App. Ct. 162, 27 N.E.3d 395 (2015)—53.63
- Sparrow v. Demonico, 461 Mass. 322, 960 N.E.2d 296 (2012)—2.97
- Specialized Technology Resources, Inc. v. JPS Elastomerics Corp., 80 Mass. App. Ct. 841, 957 N.E.2d 1116 (2011)—15.4
- Spencer v. Beacon Hill Hotel, 448 Mass. 1017, 863 N.E.2d 39 (2007)—52.5
- Spenslinhauer v. Spencer Press, Inc., 81 Mass. App. Ct. 56, 959 N.E.2d 436 (2011)—30.1

TABLE OF CASES

- Sperounes v. Farese, 449 Mass. 800, 873 N.E.2d 239 (2007)—52.5
- Spicuzza v. Commonwealth, 494 Mass. 1005, 232 N.E.3d 145 (2024)—28.10
- Spinnato v. Goldman, 67 F. Supp. 3d 457 (D. Mass. 2014)—26.1
- Spirito v. Hyster New England, Inc., 70 Mass. App. Ct. 902, 872 N.E.2d 1160 (2007)—17.9
- Squeri v. Mount Ida College, 954 F.3d 56, 375 Ed. Law Rep. 688 (1st Cir. 2020)—43.9
- S.S. v. S.S., 104 Mass. App. Ct. 633, 243 N.E.3d 1227 (2024)—55.15.50
- Standerwick v. Zoning Bd. of Appeals of Andover, 447 Mass. 20, 849 N.E.2d 197 (2006)—59.323, 65.7
- Standerwick v. Zoning Bd. of Appeals of Andover, 64 Mass. App. Ct. 337, 833 N.E.2d 181 (2005)—59.323, 65.7
- Stanton v. Sims, 571 U.S. 3, 134 S. Ct. 3, 187 L. Ed. 2d 341 (2013)—53.109
- State v. Flynn, 2015 ME 149, 127 A.3d 1239 (Me. 2015)—53.92.50
- State v. Gagnier, 2015 ME 115, 123 A.3d 207 (Me. 2015)—53.86
- State Board of Retirement v. Finneran, 476 Mass. 714, 71 N.E.3d 1190 (2017)—53.152, 59.5
- State Street Bank and Trust Co. v. Alden, 444 Mass. 1011, 830 N.E.2d 205 (2005)—47.8
- Steamboat Realty, LLC v. Zoning Bd. of Appeal of Boston, 70 Mass. App. Ct. 601, 875 N.E.2d 521 (2007)—65.4
- Stearns v. Metropolitan Life Insurance Co., 308 F. Supp. 3d 471 (D. Mass. 2018)—39.5
- Stearns v. Metropolitan Life Insurance Company, 481 Mass. 529, 117 N.E.3d 694 (2019)—15.23, 18.40, 51.3
- Steeves v. Berit, 64 Mass. App. Ct. 265, 832 N.E.2d 1146 (2005)—63.3
- Stephens v. Naps, 70 Mass. App. Ct. 676, 876 N.E.2d 452 (2007)—27.4, 28.8
- Stern, In re, 299 Mass. 107, 12 N.E.2d 100 (1937)—66.1
- Stern, Matter of, 425 Mass. 708, 682 N.E.2d 867 (1997)—66.3, 66.9
- Stevens v. Com., 450 Mass. 1012, 877 N.E.2d 555 (2007)—52.5
- Stevens v. Nagel, 64 Mass. App. Ct. 136, 831 N.E.2d 935 (2005)—5.1
- Stevenson v. Cafasso Properties, LLC, 451 Mass. 1003, 884 N.E.2d 972 (2008)—52.5
- Stevenson v. Mackey, 450 Mass. 1014, 877 N.E.2d 936 (2007)—52.5
- St. Fleur v. WPI Cable Systems/Mutron, 450 Mass. 345, 879 N.E.2d 27 (2008)—2.45
- Stonehill College v. Massachusetts Com'n Against Discrimination, 441 Mass. 549, 808 N.E.2d 205 (2004)—28.1
- Stop & Shop Supermarket Co. v. Loomer, 65 Mass. App. Ct. 169, 837 N.E.2d 712 (2005)—15.4
- Stovall v. Denno, 388 U.S. 293, 87 S. Ct. 1967, 18 L. Ed. 2d 1199 (1967)—53.132
- Strassheim v. Daily, 221 U.S. 280, 31 S. Ct. 558, 55 L. Ed. 735 (1911)—52.4
- Suffolk Const. Co., Inc. v. Division of Capital Asset Management, 449 Mass. 444, 870 N.E.2d 33 (2007)—61.6
- Sugarman v. Board of Registration in Medicine, 422 Mass. 338, 662 N.E.2d 1020 (1996)—66.15, 66.16
- Suliveres v. Com., 449 Mass. 112, 865 N.E.2d 1086 (2007)—2.52, 53.63
- Sullivan v. Town of Brookline, 416 Mass. 825, 626 N.E.2d 870

PRIMA FACIE CASE—PROOF AND DEFENSE

- (1994)—23.16
- Sullivan v. Chief Justice for Admin. and Management of Trial Court, 448 Mass. 15, 858 N.E.2d 699 (2006)—2.12, 52.5
- Sullivan v. Liberty Mut. Ins. Co., 444 Mass. 34, 825 N.E.2d 522 (2005)—28.2
- Sullivan v. Rich, 71 Mass. App. Ct. 16, 878 N.E.2d 937 (2007)—18.2
- Sullivan v. Southland Life Ins. Co., 67 Mass. App. Ct. 439, 854 N.E.2d 138 (2006)—2.4
- Sunrise Equipment & Excavation, Inc. v. Construction Management & Builders, Inc., 104 Mass. App. Ct. 669, 243 N.E.3d 477 (2024)—2.16, 61.24
- Suominen v. Goodman Indus. Equities Management Group, LLC, 78 Mass. App. Ct. 723, 941 N.E.2d 694 (2011)—2.12
- Superadio Ltd. Partnership v. Walt Baby Love Productions, Inc., 62 Mass. App. Ct. 546, 818 N.E.2d 589 (2004)—2.45
- Superadio Ltd. Partnership v. Winstar Radio Productions, LLC, 446 Mass. 330, 844 N.E.2d 246 (2006)—2.45
- Sutton v. Valois, 66 Mass. App. Ct. 258, 846 N.E.2d 1171 (2006)—57.1
- Swallows v. Barnes & Noble Book Stores, Inc., 128 F.3d 990, 122 Ed. Law Rep. 41, 1997 Fed. App. 0328P (6th Cir. 1997)—28.1
- Sweenie v. A.L. Prime Energy Consultants, 451 Mass. 539, 887 N.E.2d 238 (2008)—65.7
- Sweenie v. Planning Bd. of Groton, 69 Mass. App. Ct. 477, 868 N.E.2d 1237 (2007)—65.7
- T**
- TAL Financial Corp. v. CSC Consulting, Inc., 446 Mass. 422, 844 N.E.2d 1085 (2006)—2.22, 10.16
- T & D Video, Inc. v. City Of Revere, 66 Mass. App. Ct. 461, 848 N.E.2d 1221 (2006)—59.324
- T & D Video, Inc. v. City of Revere, 450 Mass. 107, 876 N.E.2d 842 (2007)—61.1
- Tanner v. Board of Appeals of Boxford, 61 Mass. App. Ct. 647, 813 N.E.2d 578 (2004)—65.1
- Tarpey v. Crescent Ridge Dairy, Inc., 47 Mass. App. Ct. 380, 713 N.E.2d 975 (1999)—15.3
- Tatar v. Schuker, 70 Mass. App. Ct. 436, 874 N.E.2d 481 (2007)—55.16
- Taupier v. Davol, Inc., 490 F. Supp. 3d 430, 102 U.C.C. Rep. Serv. 2d 1384 (D. Mass. 2020)—25.10
- Tavares v. Com., 447 Mass. 1011, 852 N.E.2d 65 (2006)—52.5
- Tavares v. Com., 443 Mass. 1014, 823 N.E.2d 374 (2005)—52.5
- Taylor v. Beaudry, 75 Mass. App. Ct. 411, 914 N.E.2d 931 (2009)—2.55
- Taylor v. Board of Appeals of Lexington, 451 Mass. 270, 885 N.E.2d 98 (2008)—65.1
- Taylor v. Burke, 69 Mass. App. Ct. 77, 866 N.E.2d 911 (2007)—61.13
- Taylor v. Com., 447 Mass. 49, 849 N.E.2d 192 (2006)—53.41, 53.93
- T. Butera Auburn, LLC v. Williams, 83 Mass. App. Ct. 496, 986 N.E.2d 404 (2013)—15.6
- Temple Emanuel of Newton v. Massachusetts Com'n Against Discrimination, 463 Mass. 472, 975 N.E.2d 433, 284 Ed. Law Rep. 1045 (2012)—28.6
- Tenczar v. Indian Pond Country Club, Inc., 491 Mass. 89, 199 N.E.3d 420 (2022)—18.4, 60.17
- Tessema v. Nextel Systems Corp., 451 Mass. 1007, 886 N.E.2d 122 (2008)—52.5

TABLE OF CASES

- Tetrault v. Mahoney, Hawkes & Goldings, 425 Mass. 456, 681 N.E.2d 1189 (1997)—58.12
- T.F. v. B.L., 442 Mass. 522, 813 N.E.2d 1244, 5 A.L.R.6th 643 (2004)—2.31
- Theisz v. Massachusetts Bay Transportation Authority, 103 Mass. App. Ct. 822, 231 N.E.3d 369 (2024)—17.10
- Third Nat. Bank of Hampden County v. Continental Ins. Co., 388 Mass. 240, 446 N.E.2d 380, 35 U.C.C. Rep. Serv. 1307 (1983)—31.1
- Thomas v. Harrington, 909 F.3d 483 (1st Cir. 2018)—30.1, 30.2
- Thomas v. Town of Salisbury, 284 F. Supp. 3d 66 (D. Mass. 2018)—30.2
- Thomas v. Town of Salisbury, 134 F. Supp. 3d 633 (D. Mass. 2015)—30.2
- Thomas O'Connor Constructors, Inc. v. Massachusetts Com'n Against Discrimination, 72 Mass. App. Ct. 549, 893 N.E.2d 80 (2008)—28.4, 28.7
- Thornton v. Ipsen Biopharmaceuticals, Inc., 126 F.4th 76 (1st Cir. 2025)—28.5, 60.31
- Thurdin v. SEI Boston, LLC, 452 Mass. 436, 895 N.E.2d 446 (2008)—28.6, 28.10
- Tilton v. Union Oil Co. of California, 64 Mass. App. Ct. 115, 831 N.E.2d 391 (2005)—25.34
- Tinsley v. Town of Framingham, 485 Mass. 760, 152 N.E.3d 713 (2020)—61.4
- Titcomb v. Board of Appeals of Sandwich, 64 Mass. App. Ct. 725, 835 N.E.2d 295 (2005)—59.322, 65.7
- TJR Services LLC v. Hutchinson, 495 Mass. 142, 247 N.E.3d 853 (2024)—51.1
- Tobin, Matter of, 417 Mass. 92, 628 N.E.2d 1273 (1994)—66.1, 66.2, 66.7
- Tobin, Matter of, 417 Mass. 81, 628 N.E.2d 1268 (1994)—66.1, 66.10, 66.12
- Tocci v. Tocci, 490 Mass. 1, 189 N.E.3d 241 (2022)—47.4, 61.1
- Tomasella v. Nestle USA, Inc., 962 F.3d 60 (1st Cir. 2020)—15.5
- Tompkins v. Tompkins, 65 Mass. App. Ct. 487, 842 N.E.2d 1 (2006)—55.15
- Town Of Wrentham v. West Wrentham Village, LLC, 451 Mass. 511, 887 N.E.2d 210 (2008)—65.1
- Tracer Lane II Realty, LLC v. City of Waltham, 489 Mass. 775, 187 N.E.3d 1007 (2022)—59.324, 65.7
- Trenz v. Town of Norwell, 68 Mass. App. Ct. 271, 861 N.E.2d 777 (2007)—35.2
- Trethewey v. Trethewey, 104 Mass. App. Ct. 114, 233 N.E.3d 1111 (2024)—55.15
- Trinh v. Gentle Communications, LLC, 71 Mass. App. Ct. 368, 881 N.E.2d 1177 (2008)—28.7
- Trites v. Cricones, 105 Mass. App. Ct. 246, 252 N.E.3d 1051 (2025)—2.1, 15.5, 34.1
- Trychon v. Massachusetts Bay Transp. Authority, 90 Mass. App. Ct. 250, 59 N.E.3d 404 (2016)—28.1
- Tucker v. Badoian, 376 Mass. 907, 384 N.E.2d 1195 (1978)—35.3
- Tucker v. Connors, 342 Mass. 376, 173 N.E.2d 619 (1961)—10.13
- Tuffley v. City of Syracuse, 82 A.D.2d 110, 442 N.Y.S.2d 326 (4th Dep't 1981)—17.10
- Tufts Medical Center v. Dalexis, 103 Mass. App. Ct. 386, 218 N.E.3d 121 (2023)—28.3
- Turner v. Community Homeowner's Ass'n, Inc., 62 Mass. App. Ct. 319, 816 N.E.2d 537 (2004)—10.13

PRIMA FACIE CASE—PROOF AND DEFENSE

- Turner v. Rogers, 564 U.S. 431, 131 S. Ct. 2507, 180 L. Ed. 2d 452 (2011)—63.3
- Twin Fires Inv., LLC v. Morgan Stanley Dean Witter & Co., 445 Mass. 411, 837 N.E.2d 1121 (2005)—2.21, 15.7, 29.1, 29.6
- Twomey v. Com., 444 Mass. 58, 825 N.E.2d 989 (2005)—17.10
- Two Minors for Change of Name, In re Petition of, 65 Mass. App. Ct. 850, 844 N.E.2d 710 (2006)—55.17
- Tyree v. Com., 449 Mass. 1034, 873 N.E.2d 741 (2007)—60.99
- U**
- UBS Financial Services, Inc. v. Aliberti, 483 Mass. 396, 133 N.E.3d 277 (2019)—15.2
- Ulla U. v. Commonwealth, 485 Mass. 219, 149 N.E.3d 713 (2020)—53.83
- United Air Lines, Inc. v. Gregory, 716 F. Supp. 2d 79 (D. Mass. 2010)—29.1
- United States v. Florentino, 701 F. Supp. 3d 42 (D. Mass. 2023)—53.36
- United States v. Rahimi, 602 U.S. 680, 144 S. Ct. 1889, 219 L. Ed. 2d 351 (2024)—53.22
- United States v. Vasquez-Rodrigue, 96 F.4th 41 (1st Cir. 2024)—53.86
- United Truck Leasing Corp. v. Geltman, 406 Mass. 811, 551 N.E.2d 20 (1990)—26.4
- Universal Trading & Inv. Co., Inc. v. Bureau for Representing Ukrainian Interests in Intern. and Foreign Courts, 898 F. Supp. 2d 301 (D. Mass. 2012)—2.15
- Uno Restaurants, Inc. v. Boston Kenmore Realty Corp., 441 Mass. 376, 805 N.E.2d 957 (2004)—10.12
- Urban, Matter of Estate of, 102 Mass. App. Ct. 284, 205 N.E.3d 355 (2023)—58.6, 58.12
- U.S. v. Almeida, 748 F.3d 41 (1st Cir. 2014)—53.10
- U.S. v. Anderson, 772 F.3d 969 (2d Cir. 2014)—53.105
- U.S. v. Anderson, 2013 WL 5769976 (D. Vt. 2013)—53.105
- U.S. v. Burgard, 675 F.3d 1029 (7th Cir. 2012)—53.106
- U.S. v. Dunn, 480 U.S. 294, 107 S. Ct. 1134, 94 L. Ed. 2d 326 (1987)—53.105
- U.S. v. Farlow, 681 F.3d 15 (1st Cir. 2012)—53.105
- U.S. v. Gorski, 36 F. Supp. 3d 256 (D. Mass. 2014)—53.92.50
- U.S. v. Hughes, 640 F.3d 428 (1st Cir. 2011)—53.136
- U.S. v. Jones, 565 U.S. 400, 132 S. Ct. 945, 181 L. Ed. 2d 911 (2012)—53.118
- U.S. v. Kattar, 840 F.2d 118, 25 Fed. R. Evid. Serv. 11 (1st Cir. 1988)—53.134
- U.S. v. Landry, 631 F.3d 597, 84 Fed. R. Evid. Serv. 742 (1st Cir. 2011)—53.95
- U.S. v. Leon, 468 U.S. 897, 104 S. Ct. 3405, 82 L. Ed. 2d 677 (1984)—53.114
- U.S. v. Patane, 542 U.S. 630, 124 S. Ct. 2620, 159 L. Ed. 2d 667 (2004)—53.116
- U.S. v. Powers, 702 F.3d 1 (1st Cir. 2012)—53.92.50
- U.S. v. United Mine Workers of America, 330 U.S. 258, 67 S. Ct. 677, 91 L. Ed. 884 (1947)—61.6
- U.S. v. Wade, 388 U.S. 218, 87 S. Ct. 1926, 18 L. Ed. 2d 1149 (1967)—53.132
- U.S. Bank Trust, N.A. v. Johnson, 96 Mass. App. Ct. 291, 134 N.E.3d 594 (2019)—51.6
- U.S. Trust Company, N.A. v. Attorney

TABLE OF CASES

- Gen., 447 Mass. 523, 854 N.E.2d 1231 (2006)—47.8
- Utica Mut. Ins. Co. v. Fontneau, 70 Mass. App. Ct. 553, 875 N.E.2d 508 (2007)—2.4
- V**
- Vakil v. Vakil, 450 Mass. 411, 879 N.E.2d 79 (2008)—55.15
- Vakil v. Vakil, 66 Mass. App. Ct. 526, 849 N.E.2d 233 (2006)—55.15
- Valley Forge Ins. Co. v. Katz, 63 Mass. App. Ct. 759, 829 N.E.2d 1160 (2005)—19.23
- Valley Green Grow, Inc. v. Town of Charlton, 99 Mass. App. Ct. 670, 173 N.E.3d 395 (2021)—65.1
- Van Arsdale v. Van Arsdale, 477 Mass. 218, 75 N.E.3d 1123 (2017)—55.15.50
- Van Liew v. Eliopoulos, 92 Mass. App. Ct. 114, 84 N.E.3d 898 (2017)—43.8, 43.26
- Van Liew v. Stansfield, 474 Mass. 31, 47 N.E.3d 411 (2016)—60.39
- Van Riper v. Van Riper, 445 Mass. 1007, 834 N.E.2d 239 (2005)—47.8
- Varga v. Board of Registration of Chiropractors, 411 Mass. 302, 582 N.E.2d 492 (1991)—66.16
- Vasa v. Compass Medical, P.C., 456 Mass. 175, 921 N.E.2d 963 (2010)—25.9
- Vasconcellos v. Arbella Mut. Ins. Co., 67 Mass. App. Ct. 277, 853 N.E.2d 571 (2006)—2.9
- Vazquez Diaz v. Commonwealth, 487 Mass. 336, 167 N.E.3d 822 (2021)—53.101
- Vega v. Commonwealth, 490 Mass. 226, 189 N.E.3d 1197 (2022)—53.154
- Veiga v. Schochet, 62 Mass. App. Ct. 440, 816 N.E.2d 1245 (2004)—53.145
- Veksler v. Board of Registration in Dentistry, 429 Mass. 650, 711 N.E.2d 562 (1999)—66.16, 66.17
- Velazquez v. Commonwealth, 491 Mass. 279, 201 N.E.3d 1250 (2023)—53.154
- Ventresca v. Town Manager of Billerica, 68 Mass. App. Ct. 62, 859 N.E.2d 897 (2007)—61.6
- Verdrager v. Mintz, Levin, Cohn, Ferris, Glovsky & Popeo, P.C., 474 Mass. 382, 50 N.E.3d 778 (2016)—28.1
- Vermont v. Brillon, 556 U.S. 81, 129 S. Ct. 1283, 173 L. Ed. 2d 231 (2009)—53.124
- Vermont Mutual Insurance Company v. Poirier, 490 Mass. 161, 189 N.E.3d 306 (2022)—2.4, 15.7, 61.5
- Vermont Mutual Insurance Company v. Toland, 2022 WL 4481508 (D. Mass. 2022)—15.8
- Verveine Corp. v. Strathmore Insurance Company, 489 Mass. 534, 184 N.E.3d 1266 (2022)—2.4
- V.H. v. J.P.H., 62 Mass. App. Ct. 910, 815 N.E.2d 1096 (2004)—60.60
- Victoria, In re Custody of, 473 Mass. 64, 39 N.E.3d 418 (2015)—62.1
- Vienna Convention on Consular Relations and Optional Protocol on Disputes, T.I.A.S. No. 6820, 21 U.S.T. 77, 1969 WL 97928 (U.S. Treaty 1969)—60.87
- Vinci v. Byers, 65 Mass. App. Ct. 135, 837 N.E.2d 1140 (2005)—39.24
- Vining v. Com., 63 Mass. App. Ct. 690, 828 N.E.2d 576 (2005)—17.10
- Vintimilla v. National Lumber Co., 84 Mass. App. Ct. 493, 998 N.E.2d 353 (2013)—16.13
- Visnick v. Caulfield, 73 Mass. App. Ct. 809, 901 N.E.2d 1261 (2009)—26.2
- Vita v. Berman, Devalerio & Pease, LLP, 81 Mass. App. Ct. 748, 967

- N.E.2d 1142 (2012)—2.11, 15.1
- Vittone v. Clairmont, 64 Mass. App. Ct. 479, 834 N.E.2d 258 (2005)—53.22
- Vizcaino v. Com., 462 Mass. 266, 967 N.E.2d 1109 (2012)—63.2
- Vizcarrondo v. Com., 447 Mass. 1017, 856 N.E.2d 821 (2006)—53.98
- VMark Software, Inc. v. EMC Corp., 37 Mass. App. Ct. 610, 642 N.E.2d 587, 38 A.L.R.5th 799 (1994)—2.22
- Votta v. Com., 445 Mass. 1008, 834 N.E.2d 749 (2005)—52.5
- Votta v. Commonwealth, 444 Mass. 1001, 826 N.E.2d 200 (2005)—52.5
- Vranos v. Franklin Medical Center, 448 Mass. 425, 862 N.E.2d 11 (2007)—39.25
- Vranos v. Skinner, 77 Mass. App. Ct. 280, 930 N.E.2d 156 (2010)—39.25
- V.V., In re Guardianship of, 470 Mass. 590, 24 N.E.3d 1022 (2015)—62.2
- W**
- Wainwright, In re, 448 Mass. 378, 861 N.E.2d 440 (2007)—66.1, 66.12
- Waithaka v. Amazon.com, Inc., 966 F.3d 10 (1st Cir. 2020)—2.45
- Waitz, Matter of, 416 Mass. 298, 621 N.E.2d 1166 (1993)—66.13
- Wakefield v. Hegarty, 67 Mass. App. Ct. 772, 857 N.E.2d 32 (2006)—55.16
- Walden Behavioral Care v. K.I., 471 Mass. 150, 27 N.E.3d 1244 (2015)—62.1
- Walker v. Collyer, 85 Mass. App. Ct. 311, 9 N.E.3d 854 (2014)—2.45
- Wallace W. v. Commonwealth, 482 Mass. 789, 128 N.E.3d 581 (2019)—53.83
- Waller v. Georgia, 467 U.S. 39, 104 S. Ct. 2210, 81 L. Ed. 2d 31 (1984)—53.65
- Wall Street Development Corp. v. Planning Bd. of Westwood, 72 Mass. App. Ct. 844, 894 N.E.2d 1139 (2008)—65.1
- Walsh v. Commonwealth, 485 Mass. 567, 151 N.E.3d 840 (2020)—52.5
- Walsh v. Morrissey, 63 Mass. App. Ct. 916, 830 N.E.2d 217 (2005)—10.3
- Walt, Care and Protection of, 478 Mass. 212, 84 N.E.3d 803 (2017)—62.3
- Wang v. Board of Registration in Medicine, 405 Mass. 15, 537 N.E.2d 1216 (1989)—66.15
- Wang v. Niakaros, 67 Mass. App. Ct. 166, 852 N.E.2d 699 (2006)—60.51
- Ward v. Perna, 69 Mass. App. Ct. 532, 870 N.E.2d 94 (2007)—51.1
- Ward v. Ward, 70 Mass. App. Ct. 366, 874 N.E.2d 433 (2007)—47.8
- Ware, Town of v. Town of Hardwick, 67 Mass. App. Ct. 325, 853 N.E.2d 599 (2006)—60.45
- Warfield v. Beth Israel Deaconess Medical Center, Inc., 454 Mass. 390, 910 N.E.2d 317 (2009)—2.45, 28.6
- Watermark II Member LLC v. Kim, 103 Mass. App. Ct. 1116, 223 N.E.3d 1235 (2023)—51.1
- Watson v. Appeals Court, 450 Mass. 1034, 883 N.E.2d 260 (2008)—52.5
- Watson v. Baker, 444 Mass. 487, 829 N.E.2d 648 (2005)—58.5, 59.303
- Watson v. McClerkin, 455 Mass. 1002, 915 N.E.2d 1065 (2009)—47.9
- Watson v. Walker, 447 Mass. 1014, 854 N.E.2d 1247 (2006)—52.5
- Watt, In re, 430 Mass. 232, 717 N.E.2d 246 (1999)—66.9, 66.11
- Watts v. Com., 468 Mass. 49, 8 N.E.3d 717 (2014)—53.83, 53.156
- Waxman v. Waxman, 84 Mass. App.

TABLE OF CASES

- Ct. 314, 995 N.E.2d 1138 (2013)—55.15
- Wayne v. U.S., 318 F.2d 205 (D.C. Cir. 1963)—53.109
- Weaver v. Com., 387 Mass. 43, 438 N.E.2d 831 (1982)—17.10
- Weems v. Citigroup Inc., 453 Mass. 147, 900 N.E.2d 89 (2009)—53.15
- Weiler v. PortfolioScope, Inc., 469 Mass. 75, 12 N.E.3d 354 (2014)—15.4
- Weiler v. Portfolioscope, Inc., 83 Mass. App. Ct. 216, 982 N.E.2d 555 (2013)—15.4
- Weinberg v. Grand Circle Travel, LCC, 891 F. Supp. 2d 228 (D. Mass. 2012)—15.5
- Welansky, In re, 319 Mass. 205, 65 N.E.2d 202 (1946)—66.1, 66.2
- Welch-Philippino v. Zoning Bd. of Appeals of Newburyport, 86 Mass. App. Ct. 258, 15 N.E.3d 265 (2014)—65.7
- Well-Built Homes, Inc. v. Shuster, 64 Mass. App. Ct. 619, 834 N.E.2d 1213 (2005)—48.10
- Weller v. Tagge, 67 Mass. App. Ct. 446, 854 N.E.2d 443 (2006)—58.5
- Wells v. Zoning Bd. of Appeals of Billerica, 68 Mass. App. Ct. 726, 864 N.E.2d 586 (2007)—65.1
- Welter v. Board of Registration in Medicine, 490 Mass. 718, 196 N.E.3d 312 (2022)—59.92, 59.268, 66.16
- Wendy's Old Fashioned Hamburgers of New York, Inc. v. Board of Appeal of Billerica, 454 Mass. 374, 909 N.E.2d 1161 (2009)—65.7
- Wenger v. Aceto, 451 Mass. 1, 883 N.E.2d 262 (2008)—60.39
- Wentworth v. Henry C. Becker Custom Bldg. Ltd., 459 Mass. 768, 947 N.E.2d 571 (2011)—61.22
- Werber v. Werber, 62 Mass. App. Ct. 927, 818 N.E.2d 630 (2004)—58.4
- Weston Forest and Trail Ass'n, Inc. v. Fishman, 66 Mass. App. Ct. 654, 849 N.E.2d 916 (2006)—2.50, 61.12
- Westover v. Leiserv, Inc., 64 Mass. App. Ct. 109, 831 N.E.2d 400 (2005)—17.1
- Westport, Town of v. Monsanto Company, 877 F.3d 58 (1st Cir. 2017)—25.9
- Wheatley v. Massachusetts Insurers Insolvency Fund, 456 Mass. 594, 925 N.E.2d 9 (2010)—15.5
- White v. Blue Cross and Blue Shield of Massachusetts, Inc., 442 Mass. 64, 809 N.E.2d 1034 (2004)—43.7
- White v. Gurnon, 67 Mass. App. Ct. 622, 855 N.E.2d 1124, 213 Ed. Law Rep. 1119 (2006)—61.4
- White v. Safety Ins. Co., 65 Mass. App. Ct. 607, 843 N.E.2d 82 (2006)—19.23
- WHTR Real Estate Ltd. Partnership v. Venture Distributing, Inc., 63 Mass. App. Ct. 229, 825 N.E.2d 105 (2005)—61.1
- Wiedmann v. The Bradford Group, Inc., 444 Mass. 698, 831 N.E.2d 304 (2005)—17.1, 61.1
- Wilborn v. Com., 448 Mass. 1010, 861 N.E.2d 391 (2007)—52.5
- Wilkins v. Cooper, 72 Mass. App. Ct. 271, 890 N.E.2d 868 (2008)—59.29, 60.51
- Wilkins v. City of Haverhill, 468 Mass. 86, 8 N.E.3d 753, 304 Ed. Law Rep. 602 (2014)—17.10
- Wilkinson v. Citation Ins. Co., 447 Mass. 663, 856 N.E.2d 829 (2006)—2.4, 61.1, 61.9
- Willamina, In re Adoption of, 71 Mass. App. Ct. 230, 881 N.E.2d 771 (2008)—62.4
- Williams v. Board of Appeals of Norwell, 490 Mass. 684, 194 N.E.3d 168 (2022)—59.324, 65.2

PRIMA FACIE CASE—PROOF AND DEFENSE

- Williams v. Com., 350 Mass. 732, 216 N.E.2d 779 (1966)—53.154
- Williams v. Massa, 431 Mass. 619, 728 N.E.2d 932 (2000)—55.15
- Williams v. O'Brien, 78 Mass. App. Ct. 169, 936 N.E.2d 1 (2010)—61.4
- Williams, Matter of, 491 Mass. 1021, 202 N.E.3d 1219 (2023)—66.9
- Will of Kline, Matter of, 495 Mass. 1, 244 N.E.3d 1011 (2024)—58.5
- Wilson v. Department Of Social Services, 65 Mass. App. Ct. 739, 843 N.E.2d 691, 206 Ed. Law Rep. 1004 (2006)—59.5
- Wilson v. James L. Cooney Ins. Agency, 66 Mass. App. Ct. 156, 845 N.E.2d 1187 (2006)—17.6, 18.2
- Windross v. Village Automotive Group, Inc., 71 Mass. App. Ct. 861, 887 N.E.2d 303 (2008)—28.4, 28.8
- Wing v. Commissioner of Probation, 473 Mass. 368, 43 N.E.3d 286 (2015)—60.78
- Wise, In re, 433 Mass. 80, 740 N.E.2d 946 (2000)—66.1, 66.6
- Wodinsky v. Kettenbach, 86 Mass. App. Ct. 825, 22 N.E.3d 960 (2015)—30.1, 30.3, 61.4
- Wojcicki v. Caragher, 447 Mass. 200, 849 N.E.2d 1258 (2006)—60.38
- Wojcik v. Lynn Housing Authority, 66 Mass. App. Ct. 103, 845 N.E.2d 1160 (2006)—51.4
- Womack, In re, 444 Mass. 1015, 831 N.E.2d 881 (2005)—52.5
- Wong v. Boston Retirement Bd., 448 Mass. 1012, 861 N.E.2d 420 (2007)—52.5
- Wong v. Luu, 472 Mass. 208, 34 N.E.3d 35 (2015)—61.18
- Wong, In re, 442 Mass. 1016, 812 N.E.2d 1227 (2004)—66.13
- Wood v. Roy Lapidus, Inc., 10 Mass. App. Ct. 761, 413 N.E.2d 345 (1980)—19.42
- Wooldridge v. Hickey, 45 Mass. App. Ct. 637, 700 N.E.2d 296 (1998)—53.22
- Wooten v. Crayton, 66 Mass. App. Ct. 187, 845 N.E.2d 1213 (2006)—28.6
- Wooters v. Wooters, 74 Mass. App. Ct. 839, 911 N.E.2d 234 (2009)—63.3
- Worcester, City of v. AME Realty Corp., 77 Mass. App. Ct. 64, 928 N.E.2d 656 (2010)—61.12
- Worcester Regional Retirement Board v. Public Employee Retirement Administration Commission, 489 Mass. 94, 180 N.E.3d 417 (2022)—47.11
- Worman v. Healey, 922 F.3d 26 (1st Cir. 2019)—53.36
- Worman v. Healey, 293 F. Supp. 3d 251 (D. Mass. 2018)—53.36
- Wrentham, Town of v. Housing Appeals Committee, 69 Mass. App. Ct. 449, 868 N.E.2d 1229 (2007)—65.1
- Wyman v. Ayer Properties, LLC, 469 Mass. 64, 11 N.E.3d 1074 (2014)—18.14
- Wynn & Wynn, P.C. v. Massachusetts Com'n Against Discrimination, 431 Mass. 655, 729 N.E.2d 1068 (2000)—28.1
- Wynne v. Creigle, 63 Mass. App. Ct. 246, 825 N.E.2d 559 (2005)—60.39

X

- Xaden, Adoption of, 104 Mass. App. Ct. 523, 242 N.E.3d 604 (2024)—62.3, 62.4
- Xarras v. McLaughlin, 66 Mass. App. Ct. 799, 850 N.E.2d 1111 (2006)—18.40, 60.7

Y

- Yale, In re Adoption of, 65 Mass. App. Ct. 236, 838 N.E.2d 598 (2005)—62.4
- Yannas v. Frondistou-Yannas, 395

TABLE OF CASES

- Mass. 704, 481 N.E.2d 1153 (1985)—55.16
- Yarde Metals, Inc. v. New England Patriots Ltd. Partnership, 64 Mass. App. Ct. 656, 834 N.E.2d 1233 (2005)—2.29
- Yohe v. Nugent, 321 F.3d 35, 60 Fed. R. Evid. Serv. 879 (1st Cir. 2003)—27.2
- York v. Zurich Scudder Investments, Inc., 66 Mass. App. Ct. 610, 849 N.E.2d 892 (2006)—2.29
- Youghal, LLC v. Entwistle, 484 Mass. 1019, 141 N.E.3d 444 (2020)—51.5, 51.6
- Young v. Boston University, 64 Mass. App. Ct. 586, 834 N.E.2d 760, 202 Ed. Law Rep. 279 (2005)—53.103
- Young v. Young, 478 Mass. 1, 81 N.E.3d 1165 (2017)—55.15.50
- Youngberg v. Romeo, 457 U.S. 307, 102 S. Ct. 2452, 73 L. Ed. 2d 28 (1982)—60.57
- Yousif v. Yousif, 61 Mass. App. Ct. 686, 814 N.E.2d 14 (2004)—55.15
- Z**
- Zabin v. Picciotto, 73 Mass. App. Ct. 141, 896 N.E.2d 937 (2008)—61.8
- Zak, In re Adoption of, 90 Mass. App. Ct. 840, 65 N.E.3d 1248 (2017)—62.4
- Zaleskas v. Brigham and Women’s Hospital, 97 Mass. App. Ct. 55, 141 N.E.3d 927 (2020)—38.6, 39.7
- Zaltman, In re Guardianship of, 65 Mass. App. Ct. 678, 843 N.E.2d 663 (2006)—39.9
- Zankowski, Matter of, 487 Mass. 140, 164 N.E.3d 898 (2021)—66.3, 66.12
- Zelby Holdings, Inc. v. Videogenix, Inc., 92 Mass. App. Ct. 86, 82 N.E.3d 1067, 93 U.C.C. Rep. Serv. 2d 585 (2017)—2.81
- Zielinski v. Connecticut Valley Sanitary Waste Disposal, Inc., 70 Mass. App. Ct. 326, 873 N.E.2d 1207 (2007)—51.4
- Zinck v. Gateway Country Store, Inc., 72 Mass. App. Ct. 571, 893 N.E.2d 364 (2008)—19.18
- Zisk v. Quincy Hosp., 64 Mass. App. Ct. 517, 834 N.E.2d 287 (2005)—39.25
- Zoltan, In re Adoption of, 71 Mass. App. Ct. 185, 881 N.E.2d 155 (2008)—62.4
- Zoning Bd. of Appeals of Lunenburg v. Housing Appeals Committee, 464 Mass. 38, 981 N.E.2d 157 (2013)—65.1
- Zoning Bd. of Appeals of Sunderland v. Sugarbush Meadow, LLC, 464 Mass. 166, 981 N.E.2d 690 (2013)—65.1
- Zoning Board of Appeals of Milton v. HD/MW Randolph Avenue, LLC, 490 Mass. 257, 189 N.E.3d 1224 (2022)—65.1
- Zora Enterprises, Inc. v. Burnett, 61 Mass. App. Ct. 341, 810 N.E.2d 835 (2004)—48.14, 60.34
- Zotos v. Armstrong, 63 Mass. App. Ct. 654, 828 N.E.2d 551 (2005)—59.166
- Zurich American Insurance Company v. Medical Properties Trust, Inc., 494 Mass. 382, 237 N.E.3d 733 (2024)—2.4