

SUPREME JUDICIAL COURT OF MASSACHUSETTS

Commonwealth v. Gonzalez

475 Mass. 396 (2016) · No. SJC-11731 · Decided September 6, 2016

SUMMARY

The Massachusetts Supreme Judicial Court reversed Cauris Gonzalez's conviction for murder in the first degree as a joint venturer. The court held that the evidence was insufficient to prove beyond a reasonable doubt that Gonzalez drove the vehicle used to transport the shooters or that she knew of and shared their intent to kill. The court therefore concluded that her motion for a required finding of not guilty should have been granted and did not reach her other evidentiary and ineffective-assistance claims.

CASE DETAILS

COURT	Supreme Judicial Court of Massachusetts
WRITING FOR THE COURT	Justice Lenk; Chief Justice Gants; Justice Cordy; Justice Botsford; Justice Hines
JURISDICTION	Massachusetts
DECIDED	September 6, 2016
DOCKET	SJC-11731
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Defendant appealed from a first-degree murder conviction entered after a jury trial, arguing that the evidence was insufficient to support a joint-venture conviction and raising additional evidentiary and ineffective-assistance claims. The Supreme Judicial Court reviewed the denial of the defendant's motions for a required finding of not guilty.
STANDARD OF REVIEW	The court viewed the evidence presented in the Commonwealth's case-in-chief in the light most favorable to the Commonwealth and asked whether any rational trier of fact could have found every essential element of the offense beyond a reasonable doubt.
PRECEDENTIAL VALUE	Published, precedential decision of the Massachusetts Supreme Judicial Court
PARTIES	Cauris Gonzalez v. Commonwealth

TOPICS

criminal procedure burden of proof appellate procedure standard of review evidence

PRACTICE AREAS

Criminal law Criminal procedure Evidence Appellate litigation

QUESTIONS PRESENTED

1. Whether the evidence was sufficient to permit a rational juror to find beyond a reasonable doubt that Gonzalez drove the Dodge Caravan that transported the coventurers to the shooting.
2. Whether the evidence was sufficient to prove beyond a reasonable doubt that Gonzalez knew of and shared the coventurers' intent to kill, as required for first-degree deliberate-premeditation murder on a joint-venture theory.
3. Whether the trial court erred in admitting CSLI interpretation testimony and a video comparison of the suspect vehicle with Gonzalez's mother's Dodge Caravan.
4. Whether trial counsel was ineffective for failing to object to the audio recording of Gonzalez's police interview.

HOLDINGS

1. The evidence was insufficient to allow a rational juror to find beyond a reasonable doubt that Gonzalez drove the Dodge Caravan used to transport the four shooters. Evidence that her mother's vehicle and her cellular telephone may have been involved, combined with motive and possible consciousness of guilt, did not establish her identity as the driver without impermissibly piling inference upon inference.
2. Even assuming Gonzalez drove the suspect vehicle and participated in an attack, the evidence was insufficient to prove beyond a reasonable doubt that she knew her passengers intended to kill the victim and shared their lethal intent.

KEY QUOTATIONS

"We conclude that the motion for a required finding of not guilty should have been granted." (475 Mass. at 397)

"While the jury could have concluded, on this evidence, that the defendant was in some way involved in the shooting, or that it was more likely than not that she was the driver, the evidence was insufficient to allow a jury to draw this conclusion beyond a reasonable doubt." (475 Mass. at 397)

"The fact that the attack ended up being deadly does not, by itself, prove that the defendant intended this result." (475 Mass. at 416)

"On this evidence, even assuming that the defendant was the driver, and even assuming further that she was involved in planning an attack of some sort on the victim, it cannot be said beyond a reasonable doubt that she knew of and shared her passengers' lethal intent." (475 Mass. at 418)

FACTUAL BACKGROUND

Robert Gonzalez was shot and killed in Lawrence by four people who had been dropped off near his minivan by a person driving a Dodge Caravan. Cauris Gonzalez had a contentious dispute with the victim over money owed for a vehicle and had been with her boyfriend Joel Javier, who was involved in the earlier confrontation with the victim. The Commonwealth relied principally on evidence that the suspect vehicle resembled the Dodge Caravan used by Gonzalez's mother, cellular telephone records and CSLI, calls involving alleged coventurers, and Gonzalez's statements to police. The surveillance evidence did not identify the driver or the passengers, and the evidence showed that Javier also used Gonzalez's vehicle and cellular telephone on the day of the shooting.

PROCEDURAL HISTORY

An Essex County grand jury indicted Gonzalez for first-degree murder on June 29, 2011. After a Superior Court jury trial from July 15 through August 2, 2013, she was convicted as a joint venturer on a theory of deliberate premeditation. The trial judge denied motions for a required finding of not guilty filed at the close of the Commonwealth's case and renewed after all evidence. The Supreme Judicial Court reversed because the evidence did not establish beyond a reasonable doubt either that Gonzalez drove the suspect vehicle or that she knew of and shared the coventurers' lethal intent, and remanded for entry of judgment for the defendant.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

Reverse the judgment, set aside the verdict, and remand to the Superior Court for entry of a judgment for the defendant.

CASES CITED

- Commonwealth v. Lao, 443 Mass. 770, 779 (2005); 450 Mass. 215 (2007); 460 Mass. 12 (2011)
- Commonwealth v. Britt, 465 Mass. 87, 96-97, 100-101 (2013)
- Commonwealth v. Simpkins, 470 Mass. 458, 461-462 (2015)
- Commonwealth v. Latimore, 378 Mass. 671, 677-678 (1979)
- Commonwealth v. Miranda, 458 Mass. 100, 113 (2010), cert. denied, 565 U.S. 1013 (2011); 474 Mass. 1008 (2016)
- Commonwealth v. Beckett, 373 Mass. 329, 341 (1977)
- Commonwealth v. Swafford, 441 Mass. 329, 339-343 (2004)
- Commonwealth v. Mazza, 399 Mass. 395, 398-400 (1987)
- Commonwealth v. Henderson, 47 Mass. App. Ct. 612, 613 (1999)
- Commonwealth v. Mandile, 403 Mass. 93, 94, 100-101 (1988)
- Commonwealth v. Morris, 422 Mass. 254, 255-256, 259 (1996)
- Commonwealth v. Mattei, 455 Mass. 840, 855 (2010)
- Commonwealth v. Zanetti, 454 Mass. 449, 470 (2009) (Appendix)
- Commonwealth v. Rosario, 83 Mass. App. Ct. 640, 643 (2013)

- Commonwealth v. Nolin, 448 Mass. 207, 217 & n.11 (2007)
- Commonwealth v. Walsh, 407 Mass. 740, 742-743 (1990)
- Commonwealth v. Woods, 466 Mass. 707, 711, 713-714 (2014), cert. denied, 134 S. Ct. 2855 (2014)
- Commonwealth v. Marrero, 459 Mass. 235, 248 (2011)
- Commonwealth v. Tavares, 471 Mass. 430, 432-433 (2015)
- Commonwealth v. Rosa, 468 Mass. 231, 233-234 (2014)
- Commonwealth v. Keo, 467 Mass. 25, 29-30, 39 (2014)
- Commonwealth v. Beneche, 458 Mass. 61, 70-71 (2010)
- Commonwealth v. Longo, 402 Mass. 482, 486 (1988)
- Commonwealth v. Newson, 471 Mass. 222, 226-228 (2015)
- Commonwealth v. Reaves, 434 Mass. 383, 386-387, 392-393 (2001)
- Commonwealth v. Norris, 462 Mass. 131, 133-135, 140 (2012)
- Commonwealth v. Lowe, 391 Mass. 97, 108 n.6 (1984), cert. denied, 469 U.S. 840 (1984)
- Commonwealth v. Augustine, 467 Mass. 230, 231 n.1 (2014); 472 Mass. 448 (2015)