

SUPREME JUDICIAL COURT OF MASSACHUSETTS

Collazo v. Commonwealth

SJC-12557 · No. SJC-12557 · Decided January 9, 2020

SUMMARY

The Massachusetts Supreme Judicial Court affirmed the denial of Raymond Collazo’s petition for relief under G. L. c. 211, § 3. The court held that double jeopardy principles did not bar retrial after a mistrial caused by a hung jury because the evidence was legally sufficient to support a murder conviction based on extreme atrocity or cruelty. The evidence sufficiently established both that the infant died from inflicted injuries and that Collazo, rather than the child’s mother, was the perpetrator.

CASE DETAILS

COURT	Supreme Judicial Court of Massachusetts
JURISDICTION	Massachusetts
DECIDED	January 9, 2020
DOCKET	SJC-12557
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from a county court judgment denying relief under G. L. c. 211, § 3, from the denial of Collazo's motion to dismiss a murder indictment and for a required finding of not guilty on double-jeopardy grounds.
STANDARD OF REVIEW	Whether the Commonwealth presented evidence legally sufficient to support a conviction, viewed in the light most favorable to the prosecution, such that retrial after a mistrial caused by a hung jury is not barred by double jeopardy. The court also reviewed the county court judgment for legal error or abuse of discretion.
PRECEDENTIAL VALUE	published precedential opinion
PARTIES	Raymond Collazo v. Commonwealth

TOPICS

- double jeopardy
- criminal procedure
- post-conviction relief
- constitutional law

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the evidence was legally sufficient to establish that the infant died from inflicted injuries rather than natural causes.
2. Whether the evidence was legally sufficient to support a finding that Collazo, rather than the infant's mother, was the perpetrator.
3. Whether double jeopardy principles barred retrial after the jury was unable to reach a unanimous verdict on the murder charge.

HOLDINGS

1. The Commonwealth presented legally sufficient evidence for a rational jury to find beyond a reasonable doubt that the infant died as a result of inflicted injuries.
2. The evidence did not equally support the two inconsistent propositions that Collazo or the infant's mother inflicted the fatal injuries; it provided a clear basis for the jury to find that Collazo was responsible.
3. Because the Commonwealth presented evidence legally sufficient to warrant a conviction of murder in the first degree based on extreme atrocity or cruelty, double jeopardy principles did not bar retrial after the jury failed to reach a unanimous verdict.

KEY QUOTATIONS

"So long as the Commonwealth 'presents evidence legally sufficient to convict' at the first trial, double jeopardy will not generally 'bar retrial after a mistrial [is] declared because of a 'hung jury.'"

"The jury were not left to speculate between two equally likely propositions."

FACTUAL BACKGROUND

The victim, a five-month-old infant, was found unresponsive after a period during which his mother fed him and observed him to be normal before returning to sleep. The Commonwealth presented expert testimony concerning a blood clot, scalp bruising, fractures of different ages, a classic metaphyseal lesion, oxygen-deprivation injuries, and acute hemorrhaging, supporting a finding that the child died from inflicted injuries. The evidence also supported a finding that Collazo was the child's sole caretaker during the period in which the fatal injuries were inflicted.

PROCEDURAL HISTORY

Collazo was indicted for murder in the first degree and related offenses arising from the death of his infant son. After a Superior Court jury could not reach a unanimous verdict on murder based on extreme atrocity or cruelty, the trial judge declared a mistrial. The trial judge denied Collazo's motion to dismiss the murder indictment and for a required finding of not guilty; a single justice of the county court denied relief under G. L. c. 211, § 3. The Supreme Judicial Court affirmed that judgment.

DISPOSITION

affirmed

CASES CITED

- Commonwealth v. Phim, 462 Mass. 470, 473 (2012)
- Berry v. Commonwealth, 393 Mass. 793, 794, 796, 798-799 (1985)
- Commonwealth v. Latimore, 378 Mass. 671, 677 (1979)
- Commonwealth v. Carter, 306 Mass. 141, 147 (1940)

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