

COMMONWEALTH OF MASSACHUSETTS

Office of

District Attorney Joseph D. Early, Jr.

Worcester County
(Middle District)
(508)-755-8601



Worcester Trial Court
225 Main St. G301 Worcester, MA 01608
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April 2, 2020

Francis V. Kenneally
Clerk, Supreme Judicial Court
John Adams Courthouse
One Pemberton Square
Suite 1300
Boston, MA 02108

RE: Committee for Public Counsel Services & Another

v.

The Chief Justice of the Trial Court & Others

SJC-12926

Dear Clerk Kenneally:

This letter is submitted in response to petitioner's letter pursuant to Mass. R. App. P. 22(c), asserting a factual misstatement made by counsel for the trial court during the oral argument on March 31, 2020, citing the case of *Commonwealth v. Yang*, 1385CR01137, as "emblematic of our experiences, which demonstrate repeated instances of hearing delays." Petitioner's letter at p. 1. I write only to inform the Court that the Worcester Trial Court complex was closed to all persons and employees due to potential contamination from the COVID-19 virus from Tuesday, March 24, 2020 until Monday, March 30, 2020.

On Monday, March 30, 2020, the Commonwealth (the Worcester District Attorney's Office) emailed its response to Mr. Yang's motion to the superior court clerk staffing the office. That same day, Monday, March 30, 2020, the superior court clerk contacted counsel for both parties to arrange for a video hearing of the motion. Undersigned counsel further informs the Court that Mr. Yang's direct appeal from his conviction of arson of a dwelling (1385CR01137) is scheduled for oral argument in the Appeals Court on May 11, 2020. *Commonwealth v. Yang*, No. 2019-P-0326.

I would appreciate your circulating this letter to the Justices. Thank you for your attention and assistance.

Sincerely,

/s/ Jane A. Sullivan

Jane A. Sullivan
Assistant District Attorney
Middle (Worcester) District

Cc: All counsel of record (by efile and email)