
Aaron Hernandez's conviction in murder of Odin Lloyd vacated

BY KEVIN ARMSTRONG

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Former Patriots tight end Aaron Hernandez is no longer seen as a convicted murder in the eyes of the Commonwealth of Massachusetts.

Judge E. Susan Garsh ruled Tuesday that Hernandez, who [hanged himself in a prison cell](#) last month, had not completed the automatic appeals process for his [first-degree murder conviction from 2015](#). The judge threw out Hernandez's conviction at the Fall River Justice Center.

"This court cannot know why Hernandez ended his life," Garsh said.

Bristol County (Mass.) prosecutor Patrick Bomberg charged that Hernandez forfeited his appeal when he committed suicide. Bomberg asserted that Hernandez, according to a state police report, told a fellow inmate that he was aware of a law that could vacate his conviction after committing suicide.



Aaron Hernandez, who committed suicide last month, has his murder conviction vacated Tuesday. (STEPHAN SAVOIA/AP)

In a [suicide note to his fiancée](#), Shayanna Jenkins-Hernandez, Hernandez, the father of a four-year-old daughter, also added, "YOU'RE RICH." Hernandez's estate is worth \$0.00, per court papers. A buyer is said to be interested in purchasing his North Attleboro, Mass. manse for \$1.3 million.

There is a potential payout to be collected from the Patriots, who withheld contract money from Hernandez once he was arrested and charged with Odin Lloyd's murder on June 17, 2013. A year before he was arrested, Hernandez signed a contract extension with the Patriots that was to be worth up to \$40 million over five years.

"The defendant should not be able to accomplish in death what he could not accomplish in life," Bomberg argued.



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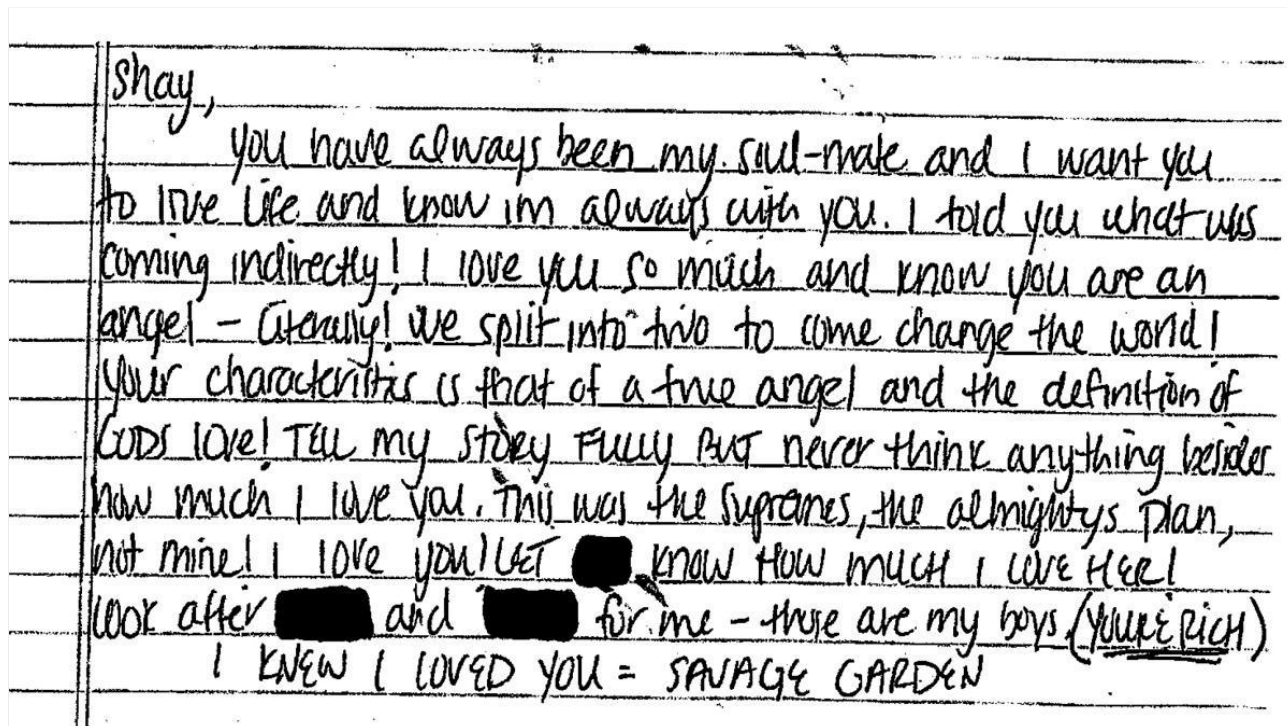


Rise and Fall of Aaron Hernandez

Hernandez is facing three wrongful death lawsuits. One was filed by Ursula Ward, the mother of Lloyd, a landscaper who Hernandez was convicted of killing. The two other cases were filed by the families of Daniel de Abreu and Safiro Furtado, the men Hernandez was acquitted of killing five days before he took his own life.

Ward's attorney in the civil case, Douglas Sheff, previously stated that the Patriots should "voluntarily" hand over a multimillion-dollar payment to the grieving families of the men Aaron Hernandez was charged with killing. He was confident that Ward would win her civil case whether Hernandez's conviction was vacated or not.

Hernandez was found guilty of pumping six .45-caliber bullets into Lloyd, who was dating Shaneah Jenkins, the sister of Hernandez's fiancée, at the time of the killing in June 2013. The guilty verdict was issued on April 15, 2015.



Shay,
 you have always been my soul-mate and I want you
 to live life and know im always with you. I told you what was
 coming indirectly! I love you so much and know you are an
 angel - literally! we split into two to come change the world!
 Your characteristics is that of a true angel and the definition of
 GODS love! TELL my story FULLY BUT never think anything besides
 how much I love you. This was the Supremes, the almighty's Plan,
 not mine! I love you! LET [REDACTED] know how much I love Her!
 Look after [REDACTED] and [REDACTED] for me - these are my boys (you're rich)
 I KNEW I LOVED YOU = SAVAGE GARDEN

The Bristol County district attorney's office released an excerpt of a letter written by Aaron Hernandez for his fiancée, Shayanna Jenkins Hernandez, before he committed suicide inside a jail cell at Souza-Baranowski Correctional Center in Shirley, Mass. on April 19, 2017. (BRISTOL COUNTY DA OFFICE)

In Tuesday's hearing, Garsh insisted that Hernandez's status reverted back to assumed innocence in death.

"Abatement is the law in this commonwealth and this court is required to follow that precedent," Garsh said.

The hearing took place in Courtroom 7 of the Fall River Justice Center, the same space where Hernandez was convicted by a 12-person jury two years prior. Hernandez had his wrists and ankles shackled by a court officer that afternoon. His fiancée and mother, Terri, wept in each other's arms.



Odin Lloyd (LLOYD FAMILY/BOSTON BANDITS VIA AP)

Hernandez was 27 when he died in his cell at Souza-Baranowski Correctional Center in Lancaster, Mass. He had been acquitted of a double homicide five days earlier. He was serving a life sentence without the possibility of parole as he prepared for his appeal. Lloyd's mother and his girlfriend, Shaneah Jenkins, both appeared in court Tuesday. Although Hernandez was convicted in 2015 of murdering Lloyd, Hernandez's appeal was not complete. Abatement ab initio means "from the beginning." Upon a person's death, if they have not exhausted their legal appeals, their case reverts to its status at the beginning. It was as if the trial and conviction never happened.

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