

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 20-CV-12222-RWZ

DARRELL JONES

v.

CITY OF BROCKTON et al.

ORDER

July 15, 2021

ZOBEL, S.D.J.

Plaintiff brings this action against defendants for alleged constitutional and state law violations that resulted in his 1986 murder conviction. Based on newly discovered evidence in 2017, he was retried in June 2019 and acquitted. Defendants now move to dismiss the complaint on the ground that the claims are barred by the doctrines of qualified immunity and/or collateral estoppel, as well as the statute of limitations. (Dkt # 21).¹ All of these defenses are based on facts still in dispute. The motion to dismiss (Dkt # 21) is accordingly DENIED.

July 15, 2021
DATE

Rya W. Zobel
RYA W. ZOBEL
UNITED STATES DISTRICT JUDGE

¹ Defendant Joseph Smith does not join the motion.