

# SJC overturns murder conviction of man in 2010 Taunton stabbing



*BOSTON, MA – JUNE 26: Associate Justice Kimberly Budd listens as attorney Michael Keating argues that his client, Judge Shelley Joseph, should have her pay reinstated during a hearing before the Supreme Judicial Court on June 26, 2019 in Boston, Massachusetts. (Staff Photo By Angela Rowlings/MediaNews Group/Boston Herald)*

The Supreme Judicial Court reversed the murder conviction of a man charged in a brutal 2010 stabbing in Taunton, citing witnesses who did not see the man at a late-night backyard attack and “insufficient evidence” connecting him with others convicted in the killing.

Jean Carlos Lopez, convicted as a joint venturer of murder in the first degree in the 2010 murder of Tigan Hollingsworth, will see a Superior Court enter a judgement of not guilty on his behalf, the state’s highest court ruled Monday.

“His family feels overjoyed,” Lopez’s attorney, Robert F. Shaw, said. “I can tell you that when I conveyed the news they just about broke down in tears.”

Justice Kimberly Budd wrote that the inferences necessary to place Lopez in the backyard in a “two attack” scenario require “impermissible surmise and conjecture.”

Etnid Lopez, Jean Carlos Lopez's brother, and Erving Cruz, Jean Carlos Lopez's uncle, were convicted in separate trials of stabbing Hollingsworth 13 times in the head and chest after chasing him from a convenience store parking lot into a resident's backyard. The chase started when Kayla Lawrence, Etnid Lopez's then-girlfriend, had a heated exchange with Hollingsworth over his alleged assault on Jean Carlos Lopez two years earlier, prosecutors said.

Lawrence testified she saw Jean Carlos Lopez kick Hollingsworth in a driveway attack with others, supporting a "two attack" scenario, but later said she couldn't see the backyard, where Hollingsworth lay wounded when he was discovered by witnesses and police.

Justices said several factors lead to their conclusion, including a lack of evidence of blood in the driveway, Hollingsworth's likely inability to move to the backyard after being severely stabbed, Lawrence's vantage point and witnesses who said they didn't see a man in a blue sweatshirt, which Jean Carlos Lopez was wearing at the time.

"You had a witness who watched the attack and literally observed that it was somebody in a white t-shirt and a black tank top, and no one ever saw a bright baby blue sweatshirt," Shaw said, calling the circumstances "incredible."

The opinion also cited in a footnote a prosecutor's misstatements in closing arguments recapping Lawrence and a witness' testimony, of which Shaw voiced concerns.

"I think it's an ongoing and persistent problem in our criminal justice system that often prosecutors are far too loose with their assertions of what the evidence shows," Shaw said. "In this case the prosecution is arguing something that simply was not supported by the evidence."

A spokesman for the Bristol County District Attorney's Office said the office respects the SJC's decision and noted Jean Carlos Lopez's uncle, Cruz, had his second-degree murder conviction affirmed by the appeals court in an unpublished opinion.