

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

SUPERIOR COURT DEPARTMENT  
OF THE TRIAL COURT  
CIVIL ACTION NO. 22-2076 B

THE COMMONWEALTH OF MASSACHUSETTS, BY KEVIN HAYDEN,  
THE DISTRICT ATTORNEY FOR THE SUFFOLK DISTRICT

V.

\$9,337.00 IN UNITED STATES CURRENCY

COMPLAINT FOR FORFEITURE

1. The Plaintiff is the Commonwealth of Massachusetts, by Kevin Hayden, the District Attorney for the Suffolk District, a political subdivision of the Commonwealth of Massachusetts.
2. The defendant is \$9,337.00 In United States Currency.
3. The Plaintiff alleges that on August 13, 2022, officers of the Boston Police Department seized the defendant *res* from Dana Holmes of 67 Bridge Street, Apt. 2, Dea Ham, MA 02026 for Possession of a Class A Controlled Substance with Intent to Distribute, Possession of a Class B Controlled Substance with Intent to Distribute, and Operating a Motor Vehicle after Suspension.

On the above date, officers were patrolling in the area of Centre Street and Corey Street after receiving information about Holmes operating a white 2007 Honda Accord (MA REG 2TEK66) with possible possession of narcotics and/or a firearm. Officer observed the vehicle with excessive tint and a license plate cover. Officers observed the vehicle stop, the front driver's side door open, and the occupant shuffling through his pants. Officers told the occupant to remove his hands from his pants to which he responded that he was trying to pull up his pants. Officers requested the occupants' driver's license and registration and confirmed Holmes to be the driver with a suspended license.

Holmes exited the vehicle, and officers conducted a pat frisk and felt what was consistent with plastic bags. Holmes was placed into handcuffs without incident and officers recovered the following items from Holmes's person: 1 medium plastic bag of believed fentanyl, 1 small plastic bag of believed fentanyl, 3 medium plastic bags of believed "crack" cocaine, and 2

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packages of believed suboxone. Additionally, officers recovered \$9,337.00 in U.S. Currency packaged separately.

Dana Holmes has been indicted by Suffolk Superior Court Grand Jury on October 28, 2021 on the following charges: Trafficking a Class A Controlled Substance, Possession of a Class B Controlled Substance with Intent to Distribute, two counts of Possession of a Class E Controlled Substance with Intent to Distribute, and Operating a Motor Vehicle with a Suspended License (Docket No: 2184CR00677).

As a result of the arrest, the police seized a total of \$9,337.00 In United States Currency. Officers noted on the seized money form that there were 13 twenty dollar bills in the seized currency, a common denomination in street level drug transactions. The police report and seized money form of Officer Dorsainvil, CC#222061483, attached to the Commonwealth's Affidavit in Support of Request for Preliminary Order, are hereby incorporated herein by reference.

4. The Plaintiff alleges that the defendant property is subject to forfeiture under G.L. c.94C, §47, either under §47(a)(1), as "controlled substances"; or under §47(a)(2), as "materials, products, and equipment of any kind" used in violation of chapter 94C; or under §47(a)(3), as a conveyance "used, or intended for use, to transport, conceal, or otherwise facilitate the manufacture, dispensing, distribution of or possession with intent to manufacture, dispense, or distribute, a controlled substance in violation of any provision of section thirty-two, thirty-two A, thirty-two B, thirty-two C, thirty-two D, thirty-two E, thirty-two F, thirty-two G, thirty-two I, thirty-two J, or forty"; or under §47(a)(4), as "books, records, and research" used, or intended for use, in violation of chapter 94C; or under §47(a)(5), as "moneys, negotiable instruments, securities or other things of value furnished or intended to be furnished by any person in exchange for a controlled substance in violation of this chapter," or as "proceeds traceable to such an exchange," or as "moneys, negotiable instruments, and securities used or intended to be used to facilitate any violation of any provision of section thirty-two, thirty-two A, thirty-two B, thirty-two C, thirty-two D, thirty-two E, thirty-two F, thirty-two G, thirty-two I, thirty-two J, or forty"; or under §47(a)(6), as "drug paraphernalia"; or under §47(a)(8), as used or intended for use as a "container" for controlled substances, or other related materials, products, or equipment.

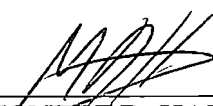
WHEREFORE, the Plaintiff prays:

1. That this Court issue an *ex parte* Preliminary Order allowing the Boston Police Department to secure the defendant property and to provide for its custody during the pendency of these proceedings, pursuant to G. L. c. 94C sec. 47 (f) (1); and
2. Such other orders as the Court deems just and necessary.

Respectfully submitted  
for the Commonwealth,

KEVIN HAYDEN  
DISTRICT ATTORNEY

by:

  
\_\_\_\_\_  
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Date: \_\_\_\_\_

9-9-22