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COMMONWEALTH PREVAILS IN STEVEN JAMES MURDER CONVICTION

Single Justice of SJC rules, denying James's gatekeeper petition for leave to appeal from the denial of motion for a new trial

BROCKTON – Justice Scott L. Kafker of the Supreme Judicial Court has denied a gatekeeper petition for leave to appeal from the denial of a motion for a new trial filed on behalf of Steven James, who brutally murdered a Rockland man with a baseball bat, Plymouth County District Attorney Timothy J. Cruz announced today.

On April 11, 1995, a Plymouth County jury convicted Steven James of First Degree Murder in the death of 22-year-old Edward Sullivan. James was sentenced to a mandatory term of life without the possibility of parole.

On February 21, 1994, then 17-year-old James and several of his friends were in a parking lot of a sandwich shop in Rockland. Some distance away, near a van belonging to Sullivan, an argument began between Sullivan and Steven DiRenzo, one of James's friends. Mr. Sullivan took a baseball bat out of his van and used it to fend off DiRenzo, but did not actually swing it. DiRenzo then called to James who, with several of their other friends, ran toward the van and began taunting Sullivan. During this encounter, Sullivan, who was pushed to the ground, dropped the bat and lay motionless on his stomach as six or seven people repeatedly hit and kicked him. Throughout the beating, Sullivan pleaded with them to stop and made no attempt to fight back. James picked up the bat and swung it three times at Sullivan's head, crushing his skull and lacerating his brain. Sullivan was taken to a hospital, where he died two days later as a result of head injuries.

In 2013, James filed a motion for a new trial that was denied. James was resentenced to life with the possibility of parole because he committed the murder when he was under the age of 18. James thereafter filed an application, pursuant to the gatekeeper provision of G.L. Chapter 278, Section 33E, seeking leave to appeal from the denial of his motion for a new trial. James argued that he was not subject to the gatekeeper provision.

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On August 1, 2017, the SJC issued its opinion holding that the gatekeeper provision “applies to a juvenile defendant who, like James, has had a direct appeal, has received plenary review and, following that review, remains convicted of murder in the first degree.”

At that point, James's case returned to the Single Justice for consideration of his gatekeeper petition. Under Massachusetts General Law, a defendant may not appeal from the denial of a motion for a new trial in a first degree murder case to the full court unless the single justice determines that the defendant has presented “a new and substantial question which ought to be determined by the full court.” Yesterday, Single Justice Kafker denied James’s petition.

“We are pleased with the Single Justice’s opinion,” DA Cruz said. “Edward Sullivan was tragically and senselessly murdered by a baseball bat wielding Steven James. The Single Justice recognized that Mr. James failed to raise a new and substantial issue justifying further review and ruled accordingly.”

The opposition motion before the Single Justice was handled for Plymouth County by Assistant District Attorney Robert Thompson. The case was prosecuted at trial by First Assistant District Attorney Richard Savignano.

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