



TIMOTHY J. CRUZ
DISTRICT ATTORNEY

Commonwealth of Massachusetts

PLYMOUTH DISTRICT

OFFICE OF THE DISTRICT ATTORNEY

MAIN OFFICE:
166 MAIN STREET
BROCKTON, MA 02301
TEL: (508) 584-8120

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CONTACT: NATHAN LEDERMAN
(508) 584-8120

**SUPREME JUDICIAL COURT DENIES MOTION FOR NEW TRIAL IN 2006
HOMICIDE**

BOSTON – The Supreme Judicial Court of the Commonwealth of Massachusetts upheld a murder conviction today stemming from a 2006 shooting incident in Brockton, Plymouth County District Attorney Timothy J. Cruz has announced.

Thomas Mercado, 40, was convicted in June 2009 in Brockton Superior Court of fatally shooting 29-year-old David Gomes inside an apartment building in Brockton. He was sentenced to life imprisonment without the possibility of parole.

In November 2022, Mercado filed a motion for a new trial arguing eyewitness identifications of him that were testified to at trial were unreliable due to recent advancements in eyewitness identification research. His motion was denied by a superior court judge prior to the defendant submitting an appeal to the Supreme Judicial Court in April 2024. In their written opinion, the Supreme Judicial Court found that improved understanding of eyewitness identification would not have applied to eyewitnesses in Mercado's case since two of the three people who testified were familiar with the defendant prior to the incident. Additionally, the court found that evidence used aside from eyewitness testimony in Mercado's case was substantive. This evidence included an overheard statement from Mercado planning to "kill the guy," prior to the shooting and the fact Mercado fled to Puerto Rico while using an adopted alias immediately after the incident.

Assistant District Attorney Arne Hantson argued against Mercado's motion for a new trial in Brockton Superior Court, and later argued against the defendant's appeal in September 2024 in front of the Supreme Judicial Court. The case was initially prosecuted by Assistant District Attorneys Michael O'Connell and E. Russell Eonas.