

# *News Advisory*

From the Rhode Island Judiciary



## **Court suppresses text messages as evidence in murder case**

**September 4, 2012:** In the matter of State v. Michael Patino, today a Superior Court judge ruled that certain phone text messages collected by investigators in a Cranston homicide case may not be used as evidence at trial.

Patino is charged in the death of 6-year-old Marco Nieves, the son of his girlfriend, Trisha Oliver, in 2009. Patino's trial is expected to begin in the coming weeks.

Associate Justice Judith C. Savage conducted a month-long series of evidentiary hearings about the text messages and a video-recorded interview. The judge determined that Patino had a reasonable expectation of privacy with his phone messages and that evidence was collected illegally.

Judge Savage's 190-page decision can be found on the Judiciary's website at <http://www.courts.ri.gov/Courts/SuperiorCourt/DecisionsOrders/decisions/10-1155.pdf>

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