NEWS > CRIME & PUBLIC SAFETY

# Lindsay Clancy's defense continues fight to have child-murder charges dropped



Lindsay Clancy, center, speaks with her lawyer Kevin Reddington during proceedings in her murder trial in Plymouth this past August. (AP Photo/Josh Reynolds, Pool, File)



By **FLINT MCCOLGAN** | flint.mccolgan@bostonherald.com

PUBLISHED: October 29, 2026 at 6:08 PM EDT

Lindsay Clancy's attorneys haven't backed down from their post-mistrial fight to have the charges that she murdered her three children be dismissed.

Clancy is charged with murdering her three children, Cora, 5, Dawson, 3, and Callan, 8 months. Prosecutors say that she strangled them with exercise bands in the basement of their Duxbury home and then leapt from her upper-story bedroom window after sending the father away on errands on Jan. 24, 2023.

She was tried on the charges this last summer in Plymouth Superior Court. Judge William Sullivan ultimately declared a mistrial on Sept. 4 after more than 26 hours of jury deliberation and successive notes from the jury stating an impasse.

The meaning of these notes and Sullivan's mistrial declaration form the basis for the arguments from Clancy attorneys Martin Weinberg and Kevin Reddington.




The pair's latest salvo in the post-trial motions battle argues that the law not only allows but suggests there should be an inquest into a dissenting juror and that such an inquest should have preceded Sullivan's mistrial declaration.

To retry their client after failing to use these legal options, Weinberg and Reddington argue, would amount to a violation of Clancy's protections from double jeopardy — meaning to be retried on charges already acquitted.

The prosecution in its Monday response to the defense's previous motion argued that the conditions for mistrial were met and the recourse is a new trial.

"The court properly declared a mistrial due to manifest necessity after the jury had twice reported that it was deadlocked following due and thorough deliberation," prosecutors wrote in that memo. "As such, double jeopardy does not operate to bar the Commonwealth from seeking justice on behalf of the three victims."

Clancy's attorneys argue that the DA's office's response misses the point of their argument.

"The Commonwealth does not dispute, because it cannot, that Ms. Clancy's constitutional right to trial by an impartial jury includes a requirement that all jurors be able and willing to 'conscientiously apply the law to the facts adduced at trial.'"

They argue that any reading of the jury's notes to the judge "either clearly communicated that a member of the jury was not applying the law as instructed as to reasonable doubt or at the very least were so consistent with that conclusion as to require further judicial inquiry as a matter of law."

Weinberg and Reddington argue that "the Commonwealth instead repeatedly superimposes its own subjective conclusions that the juror notes at issue here 'did not indicate any lack of impartiality' or 'inability to deliberate.'"

In a separate filing, defense attorneys said they had no objection to the DA's request to redact "a single juror number" from its response to their filing.

**News as it breaks:** All our breaking news stories, sent as often as we have them.

Email address SIGN UP

By signing up, you agree to our Terms of Use, Privacy Policy, and to receive emails from Boston Herald.

But even this one-paragraph filing demonstrates tension between the parties in this dismissal battle: “Ms. Clancy does, however, oppose, and hereby moves to strike, the purported rationale for the Commonwealth’s request, which has nothing to do with the propriety of the redaction proposed (but rather seems directed towards the Commonwealth’s separate pending Motion to Preclude Prejudicial Extrajudicial Statements to the Media).”

## MORE FROM OUR NEWSROOM



**Howie Carr: Maura Healey is your Alibi Ikette**

Friday, October 30



**Mass State Police implements ‘priority reforms’ ahead of new recruit class**

Friday, October 23



**What A.J. Brown had to say after another quiet game in Patriots loss**

Friday, October 23



**Suffolk DA rules off-duty Boston cop justified in fatal Back Bay Chick-fil-A shooting**

Wednesday, October 21