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The Supreme Judicial Court held that the common-law doctrine of abatement ab initio, where a criminal conviction is vacated and the indictment is dismissed after the defendant dies while his direct appeal as of right challenging that conviction is in process, is outdated and that a new approach that is more consonant with the circumstances of contemporary life applies in the present case.

Commonwealth v. Hernandez :: 2019 - US Law, Case Law ...

A compliance hearing ordered pursuant to Rule 11(b)(2)(iii) shall be limited to the following court actions: (1) determining whether the pretrial conference report and discovery are complete and, if necessary, hearing and deciding discovery motions and ordering appropriate sanctions for non-compliance; (2) receiving and acting on a tender of plea or admission; and

Criminal Procedure Rule 11: Pretrial conference and ...

See also Black's Law Dictionary at 189 (6th ed. 1990) (defining "[b]reach of the peace" as "violations of public peace or order and acts tending to a disturbance thereof . . . disorderly, dangerous conduct disrupting of public peace"); 4 23 C.E. Torcia, Wharton's Criminal Law § 503 (15th ed. 1996).²⁰ That is the sum and substance of the power ...

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