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August 10, 2025

The Honorable Marc C. Lemieux, A.J.S.C.
Superior Court of New Jersey
Monmouth County Courthouse
71 Monument Park
Freehold, New Jersey 07728

Re: State of New Jersey v. Paul Caneiro
Indictment No. 19-02-0283/Case No. 18-4915

Dear Your Honor:

On August 7, 2025, the State received defendant's motion in limine to preclude graphic/autopsy photos at trial. The State submits that it is very much aware of the governing law and relevant New Jersey Rules of Evidence and intends to limit its use of autopsy (and on-scene) photographs of the victims based upon its understanding of both relevance under N.J.R.E. 401 and the weighing of probative value against the risk of undue prejudice under N.J.R.E. 403.

While the State intends to identify to the Court and the defense which photographs it intends to use long before the testimony of Drs. Alex Zhang and Lauren Thoma, the State is candidly not yet prepared to do so. As this Court is aware, the State has a significant list of witnesses, only two of which are the aforementioned Forensic Pathologists. Given their schedules and, quite frankly, those of Ms. Wallace and I, we have not yet been able to determine which photographs that Drs. Zhang and Thoma will need in order to provide helpful testimony

regarding Cause and Manner of death of the 4 victims. The State has plans to meet with both doctors in the very near future and intends to provide the relevant photographs shortly thereafter.

The State understands that “as with other evidentiary determinations, ‘[i]t has long been the rule in this State that admissibility of photographs of the victim of a crime rests in the discretion of the trial court, and the exercise of its discretion will not be reversed in the absence of a palpable abuse thereof.’” State v. Parrish, 2025 N.J. Super. Unpub. LEXIS 569, quoting State v. Thompson, 59 N.J. 396, 420 (1971). The State understands and appreciates that some photographs of the victims are “likely to cause some emotional stirring....” Thompson, 59 N.J. at 421. However, such photos only become inadmissible “when their probative value is so significantly outweighed by their inherently inflammatory potential as to have a probable capacity to divert the minds of the jurors from a reasonable and fair evaluation of the basic issue of guilt or innocence.” Ibid. In other words, the admission of autopsy or crime scene photographs will constitute an abuse of discretion “only where the logical relevance will unquestionably be overwhelmed by the inherently prejudicial nature of the particular picture.” Ibid.

As with all evidence, to be admissible, the autopsy photographs must be logically relevant to an issue in the case. State v. Johnson, 120 N.J. 263, 297 (1990). See e.g., State v. Savage, 120 N.J. 594, 632-33 (1990) (upholding admission of photographs of victim’s dismembered torso since they were reasonably related to the identity of the decedent, the time and manner of death, and the ultimate disposition of the corpse, all of which were issues in the case because of defendant’s denial of guilt in all respects); McDougald, 120 N.J. 523, 583 (upholding the admission of eight autopsy photographs offered to prove that the defendant purposefully or knowingly killed the victim); State v. Sanchez, 224 N.J. Super. 231, 250-51

(App. Div. 1988) (upholding the admission of photographs of the victim that showed close-ups of gunshot wounds to the hand, chest, and face, despite the cumulative nature of such evidence, because “here the photographs were introduced to show the viciousness of the attack in order to establish purpose or knowledge to support the murder charge as opposed to a manslaughter conviction.”). Moreover, trial courts faced with the question of the admissibility of crime scene and autopsy photographs must balance the relevance of the photographic evidence against the likelihood of jury prejudice. N.J.R.E. 403; State v. Morton, 155 N.J. 383, 456 (1998), cert. denied, 532 U.S. 931, 121 S.Ct. 1380 (2001). Although any photograph of a murder victim will likely “cause some emotional stirring,” that certainly does not mean that any photos necessary for a Medical Examiner to thoroughly explain their process in determining cause and manner of death are not relevant and probative.

“The presence of blood and gruesome details [in autopsy photographs] are not ipso facto grounds for exclusion.” Morton, supra, 155 N.J. at 456 (upholding admission of photographs revealing dried blood and interior of the victim’s body); see also Savage, supra, 120 N.J. at 632-33 (upholding admission of pictures of the victim’s dismembered torso); McDougald, supra, 120 N.J. at 583 (upholding admission of eight photographs, including one with a baseball bat protruding from the victim’s vagina); Sanchez, supra, 224 N.J. Super. at 250 (“[T]he fact that the photographs were gruesome in their revelations does not detract from the fact that they were legitimately part of the State’s proof of defendant’s criminal state of mind. From them the jury could infer that the attack was performed with such conclusive ferocity that it could only have been the product of a knowing purpose to cause death.”). The State submits that it intends to proffer to the Court and the defense only photos that it believes are necessary for the respective Medical Examiners to testify in a meaningful way. The State will be guided by the idea that

certain gruesome photos will not be admissible and, frankly, are not necessary. However, that is not to say that no autopsy or scene photos are relevant to the State's ability to prove its case beyond a reasonable doubt.

In his motion, the defendant indicates that they do not dispute the death of the four victims, nor do they dispute the causes of their deaths. Defendant argues, "[t]herefore, photographs of their bodies taken on scene or during the autopsy procedures are not relevant to any material issue in this case" and that "they are also unduly prejudicial to the defense." Db2. While the defendant says that he does not challenge the causes of death for each victim, it is not that simple. Despite this supposed lack of challenge, the State reminds the Court that the defendant has recently challenged the timing of when the fire started at 15 Willow Brook Drive, where the victims all died via the testimony of Christopher Wood. In doing so, it appears that they are also challenging the time of death of the four victims. In this regard, the State submits that certain injuries, the degree of thermal burning about the bodies of the victims and, for instance, the presence of carboxyhemoglobin within [REDACTED] Caneiro's bloodstream (and soot inside [REDACTED] mouth) may be extremely relevant.


The State also finds the arguments regarding relevance and prejudice by the defense to be interesting in light of the fact that they very recently supplied a report from a Biomechanist who utilizes autopsy/wound photographs in his July 11, 2025 report and in a more recently provided trial presentation. This fact was not mentioned in the defendant's motion to preclude. In the expert report supplied by Christopher P. Eckersley, Ph.D., P.E. of ESi, he utilizes, by the State's count, 26 photos from the autopsies of Jennifer, [REDACTED] and [REDACTED] Caneiro in order to conclude that the knife recovered in the foyer of 15 Willow Brook Road likely did not cause "all of the sharp object penetrating wounds documented in Ms. Jennifer Caneiro's, Mr. [REDACTED] Caneiro's and

Ms. [REDACTED] Caneiro's autopsy report." Defense report at 18. While the State understands that the defendant is simply seeking to preserve this issue until the State provides the proffered autopsy photos given the Court's in limine motion deadline, their filing seeks to preclude all "graphic on-scene/autopsy photographs." It is hard to fathom that this remedy could ever be appropriate; however, given Mr. Wood's expert testimony and the fact that Dr. Eckersley is utilizing autopsy photos himself to support his findings regarding the cause of certain injuries, it makes the State's use of these autopsy photos all the more relevant.

As indicated above, the State is not looking to use all of the autopsy photos which were taken. It will proffer a relatively small amount of photos which depict various injuries that caused or contributed to the victim's deaths in order to prove these four purposeful and/or knowing murders. As soon as the State has determined which photos it intends to utilize, the Court and defense will be provided with those and they can be discussed in hopes of reaching an agreement. If not, the State understands that the Court would then control the ultimate admissibility of each proffered photo. Given the above, the State opposes the motion to preclude "graphic on-scene/autopsy photographs."

Very truly yours,

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A handwritten signature in blue ink, consisting of a stylized 'D' followed by a vertical line and a loop.