

**IMPOUNDED**

Commonwealth v. A Juvenile  
SJC-12706

Pursuant to Mass. R. Crim. P. 34, the motion judge reported the following questions of law:

1. Where a juvenile has been placed on pretrial probation under G.L. c. 276, § 87 and Commonwealth v. Tim T., 437 Mass. 592 (2002) in contemplation of the Commonwealth's dismissal of the case upon the juvenile's successful completion, does G.L. c. 276, § 58B govern the revocation of said pretrial probation?
2. Where the Commonwealth seeks revocation of pretrial probation in contemplation of dismissal, pursuant to G.L. c. 276, § 87 and Commonwealth v. Tim T., 437 Mass. 592 (2002), must a violation of any condition be proven by a preponderance of the evidence?
3. Do the evidentiary principles in Commonwealth v. Durling, 407 Mass. 108, 111 (1990) apply to such a hearing?