

## **IMPOUNDED**

Impounded Case  
SJC-12752

The issues in this case involve whether a Juvenile Court judge has the discretion to decide, prior to arraignment, a motion to dismiss for prosecutorial delay where the juvenile is charged with committing a crime prior to the juvenile's eighteenth birthday but not apprehended until after the juvenile's nineteenth birthday; and, if so, and if the judge denies the motion, whether the juvenile is entitled as a matter of right to immediate appellate review of the adverse ruling, pursuant to G. L. c. 211, § 3, or otherwise, or whether the decision in N.M. v. Commonwealth, 478 Mass. at 92-93, precludes such review.