

MA vs. Brian Walshe - Day 3

Day 3 - 3 December 2025

Today's witnesses:

1. Continuation - Witness #2 - State Witness #2 - Trooper Nicholas Guarino - Data Analyst
2. Witness #3 - State Witness #3 - William Foley - Customs and Border Protection
3. Witness #4 - State Witness #4 - Sgt. Patrick Reardon - K9 Handler
4. Witness #5 - State Witness #5 - Thomas Menino - JetBlue
5. Witness #6 - State Witness #6 - Gregory Lowrance - Cohasset PD
6. Witness #7 - State Witness #7 - Seth Fox - Lyft records custodian
7. Witness #8 - State Witness #8 - Alyssa Wimmer - Uber records custodian
8. Witness #9 - State Witness #9 - Michael Kenyon - Swampscot Police Dept.
9. Witness #10 - State Witness #10 - Sgt. Amy Waterman - Massachusetts State Police
10. Witness #11 - State Witness #11 - Peter Capazzoli - Owner of Ana & Brian's property
11. Witness #12 - State Witness #12 - Mark Selvaggi - Life Insurance Salesman at New York Life.
12. Witness #13 - State Witness #13 - Davis Gould - MSP Criminalist

Testimonies:

1. Continuation - Witness #2 - State Witness #2 - Trooper Nicholas Guarino - Data Analyst

- a. Cross Exam conducted by Larry Tipton
 - i. Nicholas Guarino testifies to the parsed and carved records being duplicates of the same records. [45:10-48:55]
 1. He testifies to there being no key guides for the records provided for the jury. [45:40-48:55]
 - a. Nicholas Guarino testifies to not having an index or guide to indicate what are redirects and what aren't redirects. [48:10-48:55]
 - ii. Nicholas Guarino testifies to the internet activity on the grey macbook from 3:50am to 4:52am on the 1st January 2022 [48:55-56:55]
 1. He testifies to there not being any reference to William Fastow in the data records and does not remember where he found it in the records as there is a lot of data. [50:10-50:55]
 2. He testifies to there being no indication that the Macbook had access to Ana's iMessage. [51:00-51:20]
 3. He testifies to the searches of body disposal options, cool ways to be buried, above ground burial options; all having no reference to murder with these searches. [51:30-53:20]
 - a. Nicholas Guarino testifies to the first use of the word murder appeared was approximately 6 hours after the searches began. [53:30-56:22]
 - i. He testifies to only being able to speak to what a user is searching and not whats on

their mind when asked that the inclusion of murder would bring different results when it was queried earlier. [56:00-56:22]

- iii. Nicholas Guarino testifies to there being no evidence of the hard drive being tampered with from the seizure of the devices on the 6th January 2023. [57:20-59:50]
 1. He testifies to the device being seized on the 8th January 2023 and there was evidence of tampering. [58:30-59:40]
- iv. Nicholas Guarino testifies to the searches related to divorce [1:13:20-1:17:25]
 1. He testifies to there being a search for "Katie Holmes divorce" on 27th December 2022 as the first search that includes the term divorce.
 - a. Nicholas Guarino testifies to the total duration of these searches related to divorce lasted for 21 minutes.
 2. He testifies to there being searches for a diamond ring during the chase login details.
- b. Redirect exam
 - i. Reasserts testimony from **Day 2:12:a** of this report. [1:21:20-1:22:00]
- c. No recross exam was conducted.

Established with this testimony

- 7 bags were recovered and transported to the crime lab for processing.
- Clarified limitations of digital evidence presentation (duplicates, lack of indexing).
- Confirmed timing and sequence of internet searches, including that "murder" did not appear until hours after earlier disposal-related searches.
- Established no evidence of tampering before device seizure, but evidence of tampering afterward.
- Identified divorce-related searches beginning December 27, 2022.
- Reaffirmed recovery and submission of seven trash bags to the crime lab.

Witness Function

- Anchor digital timeline.
- Define scope and limits of forensic certainty.
- Address and partially neutralize defence challenges to over-interpretation.

Connections with prior testimony

- Connects to Schmidt's testimony regarding trash recovery and investigative steps.
- Intersects with financial and motive evidence (divorce, assets).

Cross-examination function

- Undermine over-interpretation of search intent.
- Highlight forensic limits: inability to infer mindset, lack of full historical scope.
- Expose absence of indexing, creating doubt about context and sequencing.

2. Witness #3 - State Witness #3 - William Foley - Customs and Border Protection

- a. Direct exam conducted by Greg Conner
 - i. William Foley testifies to keeping records of people travelling in and out of the United States. [0:40-2:50]
 - ii. William Foley testifies to the airline confirming that Ana Walshe did board the flight from Lustarna Airlines from Boston Logan to Dublin Ireland [4:35-6:40]
 - i. William Foley testifies to the records admitted in direct exam not being public records. [6:30-6:40]
- b. No redirect was conducted

Witness Function

- Advances timeline
Provide connective tissue with Harrison Schmidt's testimony

Cross-examination function

- Narrow scope: establish records are not public, limiting defendant's access.

3. Witness #4 - State Witness #4 - Sgt. Patrick Reardon - K9 Handler

- a. Direct exam conducted by Greg Conner
 - i. Patrick Reardon testifies to be a K9 handler at the Cohasset Police department with the dog named Einstein. [0:30-1:40]
 - ii. Patrick Reardon testifies to conducting an area search around Peppermint Brook to try and pick up possible human scent. [2:00-2:40]
 - iii. Patrick Reardon testifies that they found nothing at the end of the search. [5:00-5:40]
- b. No cross exam was conducted

Witness function

- Demonstrate investigative diligence.
- Support the state geographic disposal theory.

4. Witness #5 - State Witness #5 - Thomas Menino - JetBlue

- a. Direct exam conducted by Anna Yas
 - i. Thomas Menino testifies to being a security manager of Jetblue and is a custodian of records at the company. [0:20-1:00] Role
 - ii. Thomas Menino testifies to the activities regarding the flights that were booked by Ana Walshe. [3:10-4:40]
 1. Flight from DCA Reagan National Airport to Boston, BOS for 6.30pm 25 December departure was not boarded. [3:25-4:10]
 - a. The flight was operational and the ticket was refunded.
 2. Flight from 27th December 2022 from Boston to Reagan National Airport at 7:30am was purchased on 20th December 2022 from American Airlines and have no records of whether Ana boarded or not. [4:50-5:30]
 3. Flight from 30 December 2022 from Reagan International Airport to Boston at 6:30am, purchased on 5th November 2022. [5:45-6:40]
 - a. Ana boarded the flight.

4. Flight from Boston to Reagan International airport on 3rd January 2023, 6:00am was recorded as a no show. [7:10-7:35]
5. Flight from Reagan International Airport to Boston on 13th January 2023, 6:30am was recorded as a no show. [7:58-8:50]
 - a. Flight purchased on 5th November 2022.
6. Flight from Boston to Reagan International Airport to Boston on 16th January 2023, 6am was recorded as a no show. [9:00-9:40]
 - a. Flight purchased on 5th November 2022.
7. Flight from Reagan International Airport to Boston on 27th January 2023, 6:30am was recorded as a no show. [9:43-10:05]
 - a. Flight was purchased on 5th November 2022
8. Flight from Boston to Reagan International Airport on 30th January 2022 [2023*], 6am was recorded as a no show. [10:00-10:30]
 - a. Flight was purchased on 5th November 2022
9. A database log of all flights from 23rd December 2022 to 1st January 2023 showing whether the flight status, whether cancelled or operational, was presented for the jury. [10:50-11:30]
 - b. No cross exam was conducted.

Established with Thomas Menino's testimony

- 23rd December 2025 flight was cancelled.
- 25th December 2025 flight was cancelled.
- Confirmed official records showing Ana Walshe boarded an international flight from Boston to Dublin.
- Flights after 1st January 2023 were no show infers a break in routine travel activity inferring no sign of life.

Witness function

- Advances timeline

5. Witness #6 - State Witness #6 - Gregory Lowrance - Cohasset PD

a. Direct exam

- i. Gregory Lowrance testifies to the purpose of going to Brian Walshe's residence for a welfare/wellbeing check in response of his missing person's report. [1:30-3:30]
 1. He testifies to Brian being calm and collected during the visit, the visit not being recorded and the Cohasset PD not having bodycams to this day.
 2. He testifies to Brian telling him that he contacted the workplace and they had not seen her the morning from 6am to 7am when she was due to leave on 1st January 2023. [2:35-3:20] [Connection with Thomas flights going to Logan airport]
 3. He testifies to Brian telling him this was not Ana's typical behaviour as they would usually facetime frequently and facetime with their children. [3:30-3:40]

4. He testifies to Brian telling him that Ana was boarding a Jet Blue flight that day. [7:15-7:40]
 - ii. Gregory Lowrance testifies to not going into Brian's house and was at the residence for approximately 20 minutes. [7:40-7:55]
 1. Gregory testifies to returning to the residence later on for a recorded interview with Harrison Schmidt.
 - b. Cross exam conducted by Larry Tipton
 - i. Gregory testifies to never being at the house before since working at the Cohasset police department since 2018. [8:25-8:35]
 - c. No redirect exam was conducted

Established with Gregory Lowrance's testimony

- Brian appeared calm and claimed Ana boarded a JetBlue flight.
- Police did not enter the residence.

Witness function

- Document Brian's initial statements and demeanor.
- Establish early investigative baseline.

Cross-examination function

- Limit testimony scope (no prior familiarity with residence).
- Reduce weight of observational conclusions.

Connections with

- Brian's statements conflict with testimonies regarding JetBlue, Uber, and Lyft data.
- Ties into Harrison Schmidt's later interviews.

6. Witness #7 - State Witness #7 - Seth Fox - Lyft records custodian

- a. Direct exam
 - i. Seth Fox testifies to no rides being utilised by Ana Walshe from 30th December 2022 to 8th January 2023 using Lyft. [5:15-5:40]
- b. No cross exam was conducted

Witness function

- Eliminate a transportation pathway.

Connections

- Contradicts Brian's statements.

7. Witness #8 - State Witness #8 - Alyssa Wimmer - Uber records custodian

- a. Direct exam
 - i. Alyssa Wimmer testifies to no rides being utilised by Ana Walshe between 30th December 2022 to 8th January 2023 using Uber. [10:35-14:40]
- b. No cross exam was conducted

Witness function

- Eliminate a transportation pathway.

Connections

- Reinforces Lyft evidence.
- Conflicts with Brian's statements

8. Witness #9 - State Witness #9 - Michael Kenyon - Swampscot Police Dept.

- a. Direct exam conducted by Greg Conner
 - i. Michael Kenyon testifies to leading the thrash compactor and securing the gate. [2:50-3:50]
- b. Cross exam
 - i. Michael Kenyon testifies to not knowing whether there was thrash in the thrash compactor. [4:00-4:10]
- c. No redirect exam was conducted

Witness function

- Establish perimeter and chain-of-custody controls.

Cross-examination function

- Highlight evidentiary uncertainty (unknown contents)

9. Witness #10 - State Witness #10 - Sgt. Amy Waterman - Massachusetts State Police

- a. Direct exam conducted by Anna Yas
 - i. Amy Waterman testifies to searching Ana Walshe's residence with Lieutenant Lopes on the 7th January 2023, 11:40am where she says the kitchen, the house was furnished and the garage was neatly organised. [5:30-6:20]
 - ii. Amy Waterman testifies to the house being generally neat and tidy and found paperwork in the kitchen. [11:40-12:10]
 1. Amy testifies to Ana Walshe not being the home.
- b. Cross exam
 - i. Amy Waterman testifies to taking some documents and knew what documents to collect as they were looking for documents for travel. [12:25-13:20]
 1. Amy testifies to there being no male clothes found at the house.
- c. No redirect exam was conducted

Established with this testimony

- No male clothing found.
- Travel documents collected.

Witness function

- Establish absence and domestic context.
- Rule out voluntary departure signals.

Cross-examination function

- Clarify targeted search purpose (travel documents).
- Narrow interpretive conclusions.

10. Witness #11 - State Witness #11 - Peter Capazzoli - Landlord of Ana & Brian's property

- a. Direct exam conducted by Greg Conner
 - i. Peter Capazzoli testifies to renting to the Walshe family and they were the last tenants he rented to from March 2022 where \$4,800 paid upfront for 6 months of rent. [2:12-2:50]
 1. Peter testifies to the lease being extended for another six months after a full \$5,000 payment. [2:50-3:10]
 2. Peter says he saw Ana four times and Brian five or six times.
 - ii. Peter Capazzoli testifies to receiving a call from Brian Walshe late December probably a Thursday in the late afternoon whilst he was on vacation in the Caribbeans. [6:20-7:40]
 1. Peter testifies to telling Brian Walshe no when he had asked if he had security in the building and are still in the building process.
 - a. Peter testifies to Brian telling him his wife is missing when he asked why saying she took an uber this morning or was supposed to take an uber this morning to go to DC for work and we haven't found her. She didn't show up in DC.
 - i. Peter testifies to Brian telling him she left around the time frame of 4 to 5 in the morning.
 - iii. Peter Capazzoli testifies to the living room being the only room with a rug and fire place. [10:20-10:40]
 1. Peter testifies that the apartment was partially furnished
- b. Cross exam conducted by Kelli Borges
 - i. Peter Capazzoli testifies to the lease being in the Brian Walshe's mother's name Diane Walshe name. [11:50-13:20]
 1. Peter testifies to the family staying temporarily because they were planning to relocate to Washington DC.
- c. No redirect exam was conducted

Established with Peter Capazzoli's testimony

- Lease details and tenancy history.
- Brian reported Ana missing and claimed Uber travel.
- Confirmed apartment layout, including rug placement.

Witness function

- Establish timeline and account of events

Cross-examination function

- Clarify lease ownership and temporary residency.
- Reduce inference of permanence or motive.

11. Witness #12 - State Witness #12 - Mark Selvaggi - Life Insurance Salesman at New York Life.

a. Direct exam

- i. Mark Selvaggi testifies to being familiar with the Walshe's because Brian was looking for life insurance around June 2021 and doesn't know exactly when he became familiar with Ana but remembers it was during Covid. [1:20-10:30]
 1. Mark testifies to the different types of policies they offer as a company. [2:40-3:00]
 - a. Mark testifies to the policy for Ana amounting to \$1,000,000 [4:42-6:30]
 - b. Mark testifies to Brian Walshe being the beneficiary of the policy. [5:40-5:55] Beneficiaries

- Voir dire of records outside jury presence.

Judge Diane Freniere makes her decision to not allowing Ana's application for life insurance into evidence unless it becomes relevant on a rebuttal case, depending if the defence brings in her medical records via a doctor, not the way the state are trying to introduce it, with this witness. [13:20-14:55]

Jury returns for direct exam.

2. Cross exam

- a. Mark Selvaggi testifies to not knowing the person and cannot opine if a medical professional evaluate the health ratings. [19:15-19:40]
- b. Mark Selvaggi testifies to Ana Walshe having an health assessment on the 2nd February 2021 and there was no follow up from the company. [20:00-20:20]
- c. Mark Selvaggi testifies to it being common for young couples and married couples to take out life insurance policy and for both the husband and wife to be beneficiaries. [23:00 -23:50]
- d. Mark Selvaggi testifies to Brian Walshe applied for life insurance and was being rejected because of his pending federal case. [28:00-29:30]
 - i. Mark testifies to not knowing when Ana had applied for the life insurance; whether it was during Brian's rejections and overlapped or after the rejections. [29:40-30:30]
 1. Mark testifies to Ana applied for life insurance after Brian was getting denied. [34:00-34:40]
 - ii. Mark testifies to Brian not contacting the company about taking out loans on the life insurance policies and/or enquiring about the life insurance payout. [35:00-35:30]

3. No redirect exam was conducted

Established with Mark Selvaggi testimony

- Ana held a \$1M life insurance policy with Brian as beneficiary.
- Brian denied coverage due to federal charges.
- No loan or payout inquiries by Brian.

Witness function

- Establish motive.
- Establish financial backdrop.

Cross-examination function

- Normalize life insurance behavior.
- Remove medical or speculative inference.
- Limit probative value on intent.

Connections

- Intersects with financial stress narrative.

12. Witness #13 - State Witness #13 - Davis Gould - MSP Criminalist

a. Direct exam

i. Davis Gould testifies to working with the crime lab for 10 years starting in 2015 and works as a criminalist II and responds to crime scenes when called upon to assist with investigations. [0:50-2:30]

ii. Davis Gould testifies to finding the following non biological and biological materials from the Volvo that was examined on 9th January 2023 at 2:35pm. [8:45-10:20]

1. The exterior of the vehicle including the door handle was described as "very clean throughout most of the vehicle".
2. The interior of the vehicle was described as "overall, very clean".

a. The following materials were found after canvassing the Interior of the vehicle:

i. Total of two child safety seats observe in the last two rows of the vehicle's interior seating plan.

1. Second row:

1. One child safety seat on the passenger side

2. Third row:

1. One child safety seat on the driver's side.

ii. Two areas of visible staining in front [first row] of the vehicle.

1. Red brown stain on the front driver side visor.

2. Brown stains on the front passenger side visor.

iii. Items found in the front of the vehicle.

1. Front passenger door pocket.

1. Located two additional exam style gloves inside a Zip lock bag.

2. Centre console

1. 16 exam style gloves found inside the centre console.

- iii. Davis Gould testifies to the results of the blood test screening he conducted after examining the interior of the vehicle which covered 40 to 50 contact areas including steering wheels, door controls, the radio controls, handles, door pulls, the floor mats, the brake pedals and other areas. [11:20-12:05]
 - 1. Front driver seat controls at the front seat tested positive for blood.
 - 2. Passenger floor mat tested positive for blood.
 - 3. Backside of the third row folded down passenger seat was tested positive for blood.
 - 4. Two mats covering the trunk storage space tested positive for blood.
- iv. Davis Gould testifies to the samples collected with swabs for further testing from the Volvo in his 3 hour examination of the vehicle. [12:10-13:40]
 - 1. All areas positive for blood.
 - 2. Hair found from the exterior door handle.
- v. Davis Gould testifies to moving on to examine Peabody Forest street, a recycling thrash centre to analyse the thrash that had been collected. [13:40-25:45]
 - 1. Davis testifies to the materials that were collected by the troopers at the recycling center. [17:10-30:10]
 - a. Bag one included:
 - i. Pair of green boots.
 - ii. Black jacket with red brown stains.
 - 1. Bracelet found inside the pocket.
 - iii. Black purse with red brown stains.
 - iv. Black wallet.
 - v. Pair of headphones inside of a case.
 - vi. Pair of socks.
 - vii. Pair of Volkswagen keys.
 - b. Bag two included:
 - i. Two white towels with red brown stains
 - ii. Piece of tape with gauze and red brown stains inside of it.
 - c. Bag three included:
 - i. A white bathrobe with red brown stains. [20:37-20:45]
 - d. Bag four included:
 - i. A pair of grey slippers with red brown stains. [20:50-23:21]
 - ii. Trace material apparent with hairs with red brown stains.
 - e. Bag five included:
 - i. A piece of rug with red brown stains.
 - 1. Rug in the center has red brown stains on the majority of the rug
 - 2. Rug on the left has red brown stains on the bottom right corner.

- f. Bag six included:
 - i. White wrapper Tyvek suit
 - ii. Tyvek suit [Explained by Davis as piece of personal protective equipment worn to protect themselves from anything they might be working with. Worn when handling biological fluids].
 - iii. Additional pieces of rug with red brown staining.
 - iv. Safety goggles.
 - v. Miscellaneous items.
- g. Bag seven included: [25:40-25:45]
 - i. Bottle of hydrogen peroxide.
 - ii. Ice pack.
 - iii. Blue flap sheet.
- h. Bag eight included:
 - i. A hammer
 - ii. A pair of wire snips
 - iii. A hatchet
 - iv. A hacksaw with red brown stains on it.
 - v. A wire snip is located on the right of the photo.
 - vi. Shear is located in the centre between the hacksaw and the hatchet.
- i. Bag ten included:
 - i. Large piece of tarp where multiple pieces taped together to make the tarp.
 - 1. Bottoms of shoes.
 - 2. Apparent piece of insulation
 - 3. Scraps from containers.
- vi. Davis Gould testifies to finding a COVID card belonging to Ana Walshe recovered from the scene. [38:40-51:40]
 - 1. Davis testifies to the collection of evidence in the bags they were stored in for further testing.
- 2. Cross exam conducted by Larry Tipton
 - a. Davis Gould testifies he cannot test for how it got there, only test for potential biological connections. [55:30-58:00]
- 3. No redirect exam was conducted.

Established with Davis Gould's testimony

- Blood detected throughout Brian Walshe's Volvo.
- Extensive inventory of trash-facility evidence: rugs, tools, gloves, chemicals.
- Blood presence confirmed, not causation.

Witness function

- Provide physical corroboration of cleanup and disposal.
- Anchor digital searches to tangible evidence.

Cross-examination function

- Reinforce scientific limits: cannot determine how blood was deposited.

Connections

- Ties directly to Guarino's search history.
- Connects landlord rug testimony and trash recovery.

Court adjourned for the day!

Timestamps based on The Trial Channel's channel, see sources for info.

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