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## PRESS RELEASE FOR YOUR CONSIDERATION

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*Pending charges represent accusations:  
all defendants are presumed innocent unless  
and until proven guilty beyond a reasonable  
doubt under the United States Constitution.*

### **September death at Gillette stadium - update**

Two Rhode Island men involved in a September 17, 2023 altercation at Gillette Stadium in Foxborough, Mass., have been charged with assault and battery and disorderly conduct by Foxborough Police and are set to be arraigned in the Wrentham District Court on different dates in January, 2024.

John Vieira, age 59, of Warwick, is scheduled to be arraigned January 19, 2024, at or after 9 a.m. Justin Mitchell, 39, also of Warwick, is set to be arraigned on January 26, 2024. Mr. Mitchell is represented by attorney Daniel Gelb. Court records do not indicate an attorney for Mr. Vieira.

The named victim of the assault, Dale Mooney, 53, collapsed during the altercation. First responders in attendance rendered first aid but he did not survive. The Office of the Chief Medical Examiner (OCME) provided preliminary indications that did not suggest traumatic injury, but did identify a medical issue. The cause and manner of death were undetermined at that time, pending further testing.

The OCME recently provided final determinations to the Norfolk District Attorney's Office. The cause of death has been ruled as "Probable cardiac dysrhythmia in a person with severe hypertensive and atherosclerotic cardiovascular disease during a physical altercation." The manner of death was ruled to be homicide.

The review of the available evidence, including the autopsy results and multiple angles of video capturing the incident, did not determine that the evidence established a basis for criminal prosecution of charges related to homicide in Mr. Mooney's death.

"We thank the members of the public who made their private videos of the altercation available for our review, and the investigators at the Foxborough Police Department, for their help in establishing a clear picture of these tragic events," Norfolk District Attorney Michael W. Morrissey said.