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Kevin Spacey’s attorney rips prosecutors: ‘Are you kidding?’



Actor Kevin Spacey, left, sits beside attorney Alan Jackson addressing the court in a pretrial hearing on Monday, June 3, 2019, at district court in Nantucket, Mass. The Oscar-winning actor is accused of groping the teenage son of a former Boston TV anchor in 2016 in the crowded bar at the Club Car in Nantucket. (AP Photo/Steven Senne)

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Kevin Spacey’s lawyer slammed Nantucket prosecutors in court Monday, claiming state attorneys have hidden evidence about the groping case — while also arguing that the 18-year-old busboy’s mother deleted texts that could exonerate the actor.

Spacey’s defense attorney, after whispering with a smiling Spacey who made a surprise appearance at the pretrial hearing, asked the judge to allow the defense to obtain the phone. If that motion is approved, the defense would then try to resurrect the allegedly deleted messages, Spacey attorney Alan Jackson said in Nantucket District Court.



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Actor Kevin Spacey listens to attorney Alan Jackson during a pretrial hearing on Monday, June 3, 2019, at district court in Nantucket, Mass. The Oscar-winning actor is accused of groping the teenage son of a former Boston TV anchor in 2016 in the crowded bar at the Club Car in Nantucket. (AP Photo/Steven Senne)



Spacey, 59, has pleaded not guilty to a single felony count of indecent assault and battery after the son of former WCVB anchor Heather Unruh accused the Oscar-winning actor of putting a hand down the then-18-year-old’s pants at an upscale bar on Nantucket in July 2016.

During the investigation, Unruh told police she had gone through her son’s phone to remove anything related to “frat boy activities,” Jackson said Monday.

“Are you kidding?” Jackson said. “Heather Unruh took it upon herself to physically remove exculpatory information from the phone before she handed it to the government, and the government never told us.”

The defense attorney said he needs to possess the actual phone. Last week, Nantucket District Court Judge Thomas Barrett ruled Spacey’s attorneys will be able to read text messages sent by the teenager.

In addition to accusing Unruh of deleting texts, the defense attorney said the 18-year-old may have also deleted texts.

“They cleansed the phone,” Jackson said. “They deleted information they didn’t want police to have. They deleted information they didn’t want us to have.”

The prosecutors knew about this manipulation and kept it from the defense, Jackson added.

“That’s unjustifiable and it’s outrageous,” he said.

Cape & Islands Assistant District Attorney Brian Glenney denied any misrepresentations and withholding evidence.

“The Commonwealth should not even have to address these unsupported allegations as the Commonwealth has agreed to provide the forensic download (of the phone),” the district attorney’s office wrote in court filings.

The Unruh family is represented by Boston attorney Mitchell Garabedian. The family has not filed a lawsuit.

“Respectfully, because of the pending criminal case I have no comment,” Garabedian wrote in an email Monday.

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The judge said he hoped to issue a ruling on the defense’s motions this week.

Last week, the judge ruled the Club Car must turn over the surveillance footage from 5 p.m. July 7, 2016, to 3 a.m. the next morning. However, the Club Car does not have any surveillance video, it said in an affidavit.

More than a dozen other people, many in the entertainment business, have accused Spacey of behaving inappropriately, but the Nantucket charge is the only one filed against the actor.

The next hearing is planned for July 8. The trial could take place as early as the fall.

Tags: **Heather Unruh**, **Kevin Spacey**, **Mitchell Garabedian**, **Nantucket**, **Sexual Assault**



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