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NEWS RELEASE
JULY 1, 2021

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BROCKTON MAN SENT TO STATE PRISON ON GUN CHARGES

PLYMOUTH – A Brockton man has been convicted on gun charges and sentenced to State Prison, Plymouth County District Attorney Timothy J. Cruz has announced.

After a two-day trial, a jury deliberated approximately four hours late yesterday before finding Erik Teixeira, 26, guilty of one count each of Possession of a Machine Gun, Carrying a Firearm without a Permit, Possession of a Large Capacity Feeding Device, and Carrying a Loaded Firearm. Today, at sentencing, Plymouth Superior Court Judge Jeffrey Locke set aside the Machine Gun Possession charge, citing that there appeared to be insufficient knowledge by Teixeira that the machine gun he possessed was modified. Judge Locke sentenced Teixeira to serve three to three years and one day in State Prison, with three years probation from and after his incarceration. The Commonwealth recommended Teixeira serve 3-4 years in State Prison with probation from and after. The Commonwealth is determining whether to appeal the charge set aside by Judge Locke.

On April 27, 2019, Teixeira was pulled over by Massachusetts State Police in Brockton for a plate violation that revealed Teixeira was operating an unregistered and uninsured motor vehicle. Teixeira exited the vehicle and spoke to State Police as they waited for the arrival of a tow truck. During this time, a trooper inventorying the vehicle's contents prior to the tow, recognized the barrel of a firearm in the driver's side door panel. State Police determined it to be a .40 caliber Glock semi-automatic firearm with an obliterated serial number, loaded with 17 rounds of ammunition in a 22-round magazine. The firearm was found to have an after-market switch attached to it that allowed it to be fired as a fully automatic weapon. Teixeira was then placed under arrest.

Assistant District Attorneys Joseph Janezic and Jason Herron prosecuted the case, which was investigated by Massachusetts State Police.