

Michael Elbery C57634
MCI Concord
P.O. Box 9/06
Concord, Mass. 01742
12-9-99 -9/06

Justices of the Mass. SJC
New Court House
Pemberton Square
Boston, Mass. 02108

RE: Com. v. Elbery SJ 99-0308

Justices of the Mass SJC:

1. This criminal defendant filed a Motion for new trial under Rule 30 of the MRCP on July 6, 1999 in the Worcester Superior Court.
2. The motion for new trial resulted from a criminal conviction of this criminal defendant on 7-2-93 in Worcester Superior Court before Judge Dan Toomey.
3. Judge Dan Toomey limited this moveant/defendant to 60 pages regarding his Motion for New Trial including appendix, exhibits, & addendums.
4. This defendant petitioned, via C. 211 S. 3, to a Single Justice of the SJC regarding this illegal limitation, via 60 pages, of this defendant's

Motion for New Trial.

5. The S.J.C. Single Justice denied this defendant's petition via C. 211 s. 3 and this defendant appealed to the SJC full bench.
6. This defendant has once again been illegally detained by the Mass. Region #9 Parole Board and now "imprisoned" in Concord Prison serving the 10 year sentence that resulted from the 7-2-93 conviction for "attempted mayhem".
7. This defendant asks that the SJC Justices make a decision on this defendant's appeal, SJ99-0308, so that this plaintiff may obtain rightful and quick justice.
8. The Single Justice has a complete copy of this defendant's Motion for New Trial which includes over two dozen constitutional errors. I should not be imprisoned, I committed no crime. All the evidence and law used to convict me was a fraud.

Wherefore,

this defendant asks that the
SJC decide appeal # 5599-0308
so that there may be justice.

Michael Elbery

Michael Elbery 057634
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Certificate of Service

I the defendant, Michael Elbery, sent this
letter to the SJC at Pemberton Sq. Boston
on 12-9-99 via U.S. mail and to the
Mass. ^{superior} Attorney General's Office & Clerk Worcester
District Court & Worcester D.A.'s Office.

Michael Elbery