

Michael Elberry, 05834
S.E.C.C.
2 Administration Rd.
Bridgewater, Ma. 02324
10-26-00

RECEIVED
COPY

Clerk-Criminal
Framingham Dist. Ct.
600 Concord St.
Framingham, Mass. 01701

RE: Com. v. Elberry
0049 CR 1893

Dear Sir:

Please find for immediate filing treview

"Defendant's Motion for Court Order for
Attorney Ken Brekke to Produce Documentary Evidence, etc."

Thank you.

Mill Elberry

Commonwealth of Massachusetts

10f7

Framingham Dist. Ct.
Middlesex ss

Criminal Docket
#0049CR1893

Commonwealth

v.
Michael Elberg

Defendant's Motion for Court Order
for

Attorney Ken Brekka

to

Produce Documentary Evidence, etc.

1. The defendant, above docketed, has attempted to obtain various pieces of crucial evidentiary information & documentation from his attorney of record, Attorney Ken Brekka. This so the defendant can be informed of his case as the 6th & 14th Amendment of the U.S. Constitution

a. Maureen, Hobbs (Brethfus; secrete form) regarding
7-13-00 photo interview with Jason T.
Regoal, the ast manager of the Boe
30 McNeil, Franklin
With attorney for Brethfus; secrete form
Maureen on or about 7-13-00, Maureen
told this defendant that Jason T.,
Regoal (hence T.) advised the police
brought back the video tape and that the
police claimed the cameras were not working
very well that they (the police and the
liting incident that caused this attack). It
is still unclear if the police and the
juror for Maureen the same video

produce to me off the form:
as for the (001) of Dider my counsel to
regards his bar could to do. The defendant
requires the (001) of Dider my counsel to

that Mobil was to have the video surveillance recording $\frac{24}{365}$ days a year.

Maureen, due to the fact she & Brekka could not find the Mobil's phone number, was instructed by this defendant to call Ture Elberg, (the defendant's mother), who gave them the Mobil's phone number.

When this defendant spoke to Maureen by phone, as above, she had to read her interview notes with "T".

I, the defendant, have asked Att. Brekka repeatedly for Maureen's "T" interview notes and on Friday, 10-13-00, at a lawyer's visit, at S.E.C.C. Prison, Brekka declined to give this defendant the same notes even though he had the entire case file with him. He admitted Maureen's notes were in the file with him.

b. Notes taken by Att. Gen Brekka while interviewing Mobil Mgr. Dolly Oleski on various dates, including 8-9-00 & 9-13-00, and by phone & in person. These interview notes with Dolly Oleski that this defendant requested from Brekka were regarding the investigation of the Mobil Video

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Surveillance on 7-4-00 & Dolly Slecki's conversation with alleged victim, Peter H. Gear, on 7-4-00 at about 3:00 pm.

c. H.H. Ken Brekka's notes taken when interviewing James "J" Regal, the Asst. Manager at the Route 30 Mobil-Framingham. Brekka interviewed James "J" Regal at least once, on about 10-16-00, by phone.

Brekka showed me his notes regarding Regal on 10-17-00 at Framingham Dist. Ct. lockup. Brekka promised me these notes but now declines. Regal, during this Brekka interview admitted he told Maureen the cops returned the video tape & it was in the safe.

d. Transcript of the 911 tapes, ④, that the F.P.D. recorded involving Michael Ellery, ③, & Peter H. Gear ②. Brekka has a copy of these tapes & this defendant has ordered Brekka to send the defendant a transcript of each tape for review. I listened to the tapes once and there were words missing which I made note of regarding my tapes. Those tapes will be tested for tampering by an

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expert. Brekka has disobeyed my order regarding production of a transcript for each of these tapes.

e. Transcript of the 10-17-00 Evidentiary Hearing at Framingham Dist Ct regarding this case.

f. Notes Brekka took at the 10-17-00 hearing as in e, above.

i. including the name of the cop(s) who took the video tapes from Dolly Skecti at the Mobil.

ii. The name of Dolly Skecti's boss. & address.

iii. The name & address of the person who filled in for Dolly Skecti at the Route 30 Mobil, Framingham when she was on vacation.

iv. The address of James "J" Regal - Art Manager at the same Mobil, Home address.

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g. The original & Amended Complaint regarding this criminal action.

h. All discovery documents exchanged between A.H. Breffka & the prosecutor on 10-17-00 and any other time regarding this instant action.

i. The home address of James "T" Regal for future trial subpoena & testimony.

Wherefore,

the defendant Motion's the Court for Orders to obtain the above evidentiary materials from A.H. Ken Breffka.

Michael Effrey

Michael Effrey

S.E.C. - O.U.A.

12 Administrative Rd.

Bridgewater, Me. 02324

10-36-00

7-57

Certificate of Service

I the defendant, Michael Elbory, sent this Motion for Court Orders to Brebka to the Clerk-Criminal - Framingham Dist. Ct. at 600 Concord St., Framingham, Mass. 01701 & to the Framingham D.A.'s Office at 100 Concord St, Framingham, Mass. 01701 via U.S. mail - 1st class - prepaid on 10-28-00 from S.E.C.C. Prison mail.

Mike Elbory