

CRIMINAL DOCKET		DOC 01	CR003006	ATTORNEY NAME K	
COURT DIVISION Framingham		<input type="checkbox"/> INTERPRETER <input type="checkbox"/> EQUIP <input type="checkbox"/> ED		DATE and JUDGE	
NAME, ADDRESS AND ZIP CODE OF DEFENDANT ELBERRY, MICHAEL 168 FAIRFIELD STREET NEEDHAM, MA				DOCKET ENTRY	
DEFT. DOB AND SEX 02/08/1952 M				OCT 17 2000 GPRCO	
DATE OF OFFENSE(S) 07/05/2000				OCT 17 2000	
COMPLAINANT TRASK, STEVEN				OCT 17 2000	
POLICE DEPARTMENT (if applicable) FRAMINGHAM PD				Terms of release set: <input type="checkbox"/> PR <input checked="" type="checkbox"/> Bail: 500- <input type="checkbox"/> Held (276 §58A) <input type="checkbox"/> See back for special conditions	
DATE OF COMPLAINT 10/17/2000				Arraigned and advised: <input checked="" type="checkbox"/> Potential of bail revocation (276 §58) <input type="checkbox"/> Right to bail review (276 §58) <input type="checkbox"/> Right to drug exam (111E §10)	
RETURN DATE AND TIME 10/17/2000 09:00:00				Advised of right to jury trial: <input type="checkbox"/> Does not waive <input type="checkbox"/> Waiver of jury trial found after colloquy	
COUNT/OFFENSE 1. 265/13A/B A&B c265 §13A				Advised of trial rights as pro se (Supp. R. 4)	
FINE				SURFINE	
COSTS				RESTITUTION	
VW ASSESSMENT				<input type="checkbox"/> WAIVED	
DISPOSITION DATE and JUDGE JUL 19 2001 - Stoddard				SENTENCE OR OTHER DISPOSITION	
DISPOSITION METHOD				<input type="checkbox"/> Sufficient facts found but continued without guilty finding until: <input type="checkbox"/> Probation <input type="checkbox"/> Pretrial Probation (276 §87) - until: <input type="checkbox"/> To be dismissed upon payment of court costs/restitution <input type="checkbox"/> Dismissed upon: <input type="checkbox"/> Request of Comm. <input type="checkbox"/> Request of Victim <input type="checkbox"/> Request of Deft <input type="checkbox"/> Failure to prosecute <input type="checkbox"/> Other: <input type="checkbox"/> Filed with Deft's consent <input type="checkbox"/> Nolle Prosequi <input type="checkbox"/> Decriminalized (277 §70C)	
FINDING				FINAL DISPOSITION	
<input type="checkbox"/> Guilty Plea or Admission to Sufficient Facts accepted after colloquy and 278 §29D warning <input type="checkbox"/> Bench Trial <input checked="" type="checkbox"/> Jury Trial <input type="checkbox"/> None of the Above				<input type="checkbox"/> Dismissed on recommendation of Probation Dept. <input type="checkbox"/> Probation terminated: defendant discharged	
<input type="checkbox"/> Not Guilty <input type="checkbox"/> Guilty <input type="checkbox"/> Not Responsible <input type="checkbox"/> Responsible <input type="checkbox"/> No Probable Cause <input type="checkbox"/> Probable Cause				JUDGE	
COUNT/OFFENSE 2. 265/15A/A A&B WITH DANGEROUS WEAPON c265 §15A				DATE	
FINE				SURFINE	
COSTS				RESTITUTION	
VW ASSESSMENT				<input type="checkbox"/> WAIVED	
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• NC.

Date _____

Justice

[illegible]

No.

Date

Justice

54	JUL 18 2001	Defendant's Motion & Return Regarding his Prior Convictions Felt - Court Clerk D.A. Request to ask about Defendant's Prior Convictions. Stoddard J.	
55	JUL 18 2001	Defendant's Motion to (Continue) Felt - Clerk - Defendant Request to Respond to Court when Request Taken. The Court Rule that all Pre-Trial Motions were Satisfied Waived. Thereafter the Docket this Motion. Stoddard J.	
56	JUL 18 2001	Defendant's Affidavit Sworn of Witnesses (Summons) Under M.R.C.P. 17b1, 17c, 17d-1 Felt	
57	JUL 18 2001	Defendant's Motion to Dismiss - Commonwealth's witnesses not to mention defendant's Past Record or Incarceration or Parole Felt & Allowed. Stoddard J. co.	
58	JUL 18 2001	In Court Daily, Middle of Day	Stoddard J.
59	" "	After Noon, S.C.C. Under Rules, Res-7-19-01. Stoddard J. co.	
	JUL 19 2001	Defendant's Request to pay Prosecution Felt. Continued Heavy Waiver. Stoddard J. co.	
	(JAP: nos)		
	(JUL 18 2001)	33-01-346 (448-946)	
	7-18-01	33-01-362 (001-906)	
	JUL 19 2001	33-01-368 (001-878)	

Docket Numbers:

0049CR3006

No.	Date	Justice
	June 28, 2001	MOTION #39 Denied, SToddart, J. Notice Mailed To Deft.
		Motion #40 NO ACTION TAKEN.
43	July 3, 2001	Defendant's Combined Motion - Compel Bill Of Particulars, Pretrial Conference Report, And Testing Of Mobil's Video Surveillance System
		File - Marked For 7/10/2001, SUBMITTED TO Judge Stoddart.
		dd
		dd
	July 5, 2001	Motion #43 As To Judge's Finding - See Motion,
44	July 5, 2001	Copy Of Judge's Findings On Motion #43 Faxed To Defendant.
45	July 5, 2001	Commonwealth's Supplemental Discovery Filed.
46	July 9, 2001	Defendant's Petition Amendment Filed - Request For Review Prior To 7/10/2001 Hearing on motion #43, however Judge's Finding issued See #44....
47	July 11, 2001	Defendant -Motion To Compel 2 F.P.D Picutres, Filed (dd)
48	July 11, 2001	Defendant's Motion To Compel Prosecution To Produce Evidence Requested By Defendant's Omnibus Motion Filed.
		dd
49	July 11, 2001	Defendant's Combined Motion For Bill Of Particulars, Filed.
	JULY 11, 2001	MOTIONS #47, 48, 49 Submitted To Judge Stoddart.
	July 11, 2001	Judge's Findings RE: MOTIONS #47, #48, #49.
50	July 16, 2001	Copy Of Findings Faxed To Defenant And Copy Given To A.D.A.
51	July 16, 2001	RE: PHYSICIAN WITNESS, Copy OF Fax From Attorney Submitted And Approved By Judge Stoddart.
52	July 17, 2001	Certification Of Business Records Filed.
53	JUL 18 2001	<i>Comm. Motion To Exclude all References to Victim Witness Peter (Jack's) 1993 (Mordern) OUT Conviction and the dismissal of A Harvey (Chuck) Case In 2000 or (In) the alternative to Permit the Court to Reopen Defendants' Criminal Criminal History files & allow AS TO OUT - Permit AS TO Harvey Except (If) May only Inquire Of witness (Or) Same Peter who in such & such a date did write A Sat chid.</i>
		<i>Stoddart, J.</i>

Docket Numbers:

No.	Date		Justice
	6-11-01	Defendant's Motion To Compel Officer Victim's Medical Records From Emergency Room and Pass Primary Care Provider as Exhibit By the Tamesha Martin, Aff J. Stoddart Noted TO all Parties	
29	June 11, 2001	Defendant's Pretrial Conference Material Filed.	(dd)
30	June 11, 2001	Defendant's Reciprocal Discovery Filed.	(dd)
31	June 11, 2001	Defendant's Proposed PreTrial Conference Report	Filed (dd)
32	June 11, 2001	Defendant's Response To Commonwealth's Motion For Reciprocal Discovery Filed.	(dd)
33	June 11, 2001	Defendant's Motion - Reconsider And Allow Defendant's Motion For Therapist Records Filed.	(dd)
34	June 11, 2001	Defendant's Combined Motion For Clarification Regarding Motion For PreTrial Conference Report	Filed. (dd)
35	June 11, 2001	UPDATED DOCUMENTS (14a-3) Filed.	(dd)
35	June 11, 2001	**PLEADINGS #29 Thru #35 SUBMITTED TO J. Stoddart***	
36	June 12, 2001	Commonwealth's Bill Of Particulars Filed.	(dd)
37	June 12, 2001	Commonwealth's Response To Court Order Filed.	(dd)
38	June 12, 2001	Affidavit And Attached Medical Records Filed.	(dd)
	JUNE 14, 2001	Re: Pleadings #29 Thru #35 Submitted To J. Stoddart....See #33 For Notation By J. Stoddart: Defendant Can Mark Up Motion For Date After June 15, 2001 But Not Later Than June 27, 2001 w/Notice To A.D.A. -Stoddart, Justice	
	June 14, 2001	NOTICE TO DEFENDANT MAILED	
39	June 18, 2001	Defendant's Motion To Reconsider Defendant's Omnibus Discovery Motion Requests Filed.	(dd)
40	June 18, 2001	Defendant's Motion For Clarification Regarding Defendant's Discovery Request For Telephone & Dispatch Evidence Filed.	(dd)
41	June 18, 2001	Documents And Related Affidavit RE: Medical Records	(dd)
42	June 21 2001	Commonwealth's Affidavit Pertaining To Medical	Records Filed.
	June 26, 2001	**CASE WITH JUDGE STODDART	

Docket Numbers:

0049CR3006

No.	Date		Justice
9.	May 3, 2001	Defendant's Motion For	
		Prosecution To Produce Certified Copies	
		Police 911 Tapes, Turret Tapes, Etc.	
		Filed - Unmarked For Date Certain.	dd
12.	May 15, 2001	"Defendant's Motion Ex-Parte Serve Witnesses",	Filed. (dd)
13.	May 16, 2001	Correspondence From Defendant RE: Cover Letter	
		As To Medical Records and Affidavit, Filed.	(dd)
14	MAY 17 2001	DEFENDANT'S OMNIBUS DISCOVERY MOTION, SEC.	
		NOTATIONS IN MARGINS - STODDART, J.	
15	MAY 17 2001	DEFT'S MOTION FOR BILL OF PARTICULARS, ALLOWED	
		IN PART, N.A. MUST COMPLY W/ CHAMBERS RULES	
		STODDART, J.	
16	MAY 17 2001	PETITIONER'S MOTION TO AMEND, N/A - STODDART, J.	
17	MAY 17 2001	DEFENDANT'S MOTION FOR DOCKET CERTIFICATES,	
		ALLOWED, - STODDART, J.	
18	MAY 17 2001	DEFT'S OBJECTION TO CASE PROCEEDINGS, NO FURTHER	
		TRIAL CONF., REPORT, PARTIES WILL COMPLETE	
		THE TRIAL CONF. REPORT TODAY - STODDART, J.	
19	MAY 17 2001	DEFT'S MOTION TO COMPEL PROSECUTION TO	
		PRODUCE DISCOVERY, SEE NOTATIONS IN	
		MARGINS - STODDART, J.	
20	MAY 17 2001	FINDING ON DISCOVERY - STODDART, J.	
	MAY 17 2001	COPIES OF MOTIONS 14 TO 20 GIVEN TO	
		DEFENDANT.	
	MAY 17 2001	DEFT'S MOTION TO SEQUESTER SEQUESTERATION	
		OF WITNESSES + MOTION TO SUPPRESS FALCON	
		CONVICTIONS FILLED + SAVED FOR TRIAL - STODDART	
21	MAY 17 2001	CASE MARGINS FOR THE JULY 18, 2001 CRIM	
		JURY TRIAL LIST.	
22	MAY 17 2001	HABEAS ORDERS FOR 7/18/01 SEC. BRIDGEMAN	
		- STODDART, J.	
24.	May 17, 2001	Petitioner's Motion To Amend - N/A - Stoddart, j.	
27.	May 31, 2001	Defendant's Motion To Compel Alleged Victim's	
		Medical Records From Emergency Room And Past	
		Primary Care Provider As Exposed By Physician, Filed,	
		With Supporting Documents Exhibits Marked A Thru B,	
		and Affidavit....	

SCHEDULING HISTORY

NO.	SCHEDULED DATE	SCHEDULED EVENT	RESULT	JUDGE	TAPE NO.	START	STOP
1	11-14-00	PTC	<input type="checkbox"/> Held <input type="checkbox"/> Cont'd <i>Habe issued</i>	33-00-635	GNRO	555	680
2	11-30-00	STATUS	<input type="checkbox"/> Held <input type="checkbox"/> Cont'd <i>motion issued</i>				
3	12-28-00	STATUS	<input type="checkbox"/> Held <input type="checkbox"/> Cont'd <i>Habe issued</i>	33-00-661	GNRO	461	548
4	1-31-01	STATUS	<input type="checkbox"/> Held <input type="checkbox"/> Cont'd <i>JAN 31 2001</i>	33-01-21	HEBY	582	
5	4-4-01	CE	<input type="checkbox"/> Held <input type="checkbox"/> Cont'd	33-01-47	HEBY	468	499
6	5-3-01	C&E - Hdr	<input type="checkbox"/> Held <input type="checkbox"/> Cont'd			709	825
7	7/18/01	JURY TRIAL	<input type="checkbox"/> Held <input type="checkbox"/> Cont'd	33-01-253		712	724
8	7-19-01	Jury Trial	<input type="checkbox"/> Held <input type="checkbox"/> Cont'd	33-01-337	HEBY	150	171
9			<input type="checkbox"/> Held <input type="checkbox"/> Cont'd	33-01-232	STONWORTH	725	851
10			<input type="checkbox"/> Held <input type="checkbox"/> Cont'd	33-01-365		156	167

ARR=Arraignment PT=Pretrial hearing CE=Discovery compliance and jury election T=Bench trial J=Jury Trial PC=Probable cause hearing M=Motion hearing SR=Status review
 SRP=Status review of payments FA=First appearance in jury session S=Sentencing CW=Continuance-without-finding scheduled to terminate P=Probation scheduled to terminate
 DFTA=Defendant failed to appear and was defaulted WAR=Warrant issued WARD=Default warrant issued WR=Warrant or default warrant recalled PR=Probation revocation hearing

ENTRY DATE	OTHER DOCKET ENTRIES
OCT 17 2000	HABE ORDERS RET 11-14-00 SFC BRIDGEMAN
	Rule of offense under 7-4-00
NOV 14 2000	Order of Bail from 0049-00-1893 Transferred to this case
	HABE ORDERS RET 11-30-00
	A copy note to withdrawal - filed + allowed Brief
NOV 30 2000	HABE ORDERS RET 12-28-00 SFC BRIDGEMAN
12/29/00	HABE ISSUED
12/29/00	HABE ISSUED
12/29/00	HABE ISSUED
12/29/00	HABE ISSUED
DEC 28 2000	HABE ORDERS RET 1-31-01 SFC BRIDGEMAN CDF IF
	A has own Aty
JAN 31 2001	Atty ROBERTSON ASSIGNED FOR WARD FOR 3-8-01 PTC Heby
	HABE RET

DATE IMPOSED and JUDGE	TYPE OF ASSESSMENT	AMOUNT	DUE DATES and COMMENTS	✓WAIVED
3-8-01	BROCKMAN	332		
MAY -3	CONT			
5-3-01	On Order of Dal. Middle of Jail. Henry			
	Legal Counsel Fee (211D §2A ¶12)			
	Legal Counsel Contribution (211D §2)			
	Court Costs (280 §6)			
	Dmg Analysis Fee (280 §13)			
	OUI §24D Fee (90 §24D ¶9)			
	OUI Head Injury Surfine (90 §24[1][a][1] ¶12)			
	Probation Supervision Fee (276 §87A)			
	Default Warrant Assessment Fee (276 §30 ¶12)			
	Default Warrant Removal Fee (276 §30 ¶1)			