

Ex. E

July  
1980

Mike Elbey  
C57634  
S.E. C.C. - O.O.A.  
12 Administration Rd.  
Bridgewater, MA 02324  
10-23-00

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

R.E. Com. v. Elbey  
Criminal # 0089 CP 1893

Dear Clerk:

Please find for immediate filing the new

"Defendant's Motion for Additional  
Discovery"

Thank you.

See T-1 Hold  
Leave file

Mike Elbey

Commonwealth of Massachusetts

Framingham Dist. Ct.  
Middlesex ss

Criminal Docket  
#0049CB18.93

Commonwealth

v.  
Michael Elbery

Defendant's Motion for Additional Discovery

1. The defendant requests additional discovery, he submits this motion prior to the scheduled discovery hearing of 11-14-00 regarding this case. The defendant asks as follows:

/ a list of all F.P.D. (Framingham Police Dept.) officers on duty the 117 Shift during the month of May, '00. Please indicate officer, day worked, & Shift via official F.P.D. documentation.

/ b. The relationship between the A.B.A. handling this case, Hovley, and Lt. James Hovley of the Shrewsbury Police Dept.

/ c. Viewing by the defendant (personally) of the 7-3-00 Mobil video which is currently being held by the F.P.D.

- e. The tape, #11, recorded by the F.P.D. of the defendant, Michael Elberg, calling the Framingham Police between 10pm-July 6 and 3:00am July 7, '80. In this tape Elberg leaves a message for a Sgt. Sanchez telling him that he can find the ③ men who witnessed the alleged criminal episode by contacting Mary Floyd who works at the same Mobil Station.
- f. The police log containing the second call gear made on 7-8-00 (am) to the F.P.D.
- g. Copy of all pictures the prosecution will use at trial.
- h. Names of all prosecution witnesses.
- i. All Hospital Records of Peter H. Cesar, the alleged victim, resulting from the incident at the Mobil on 7-8-00.
- j. All written statements of all defense & prosecution witnesses held by or taken by the prosecution team.
- k. The defendant's inculpatory & exculpatory statements both written & verbal.
- l. The Mobil Video of 7-8-00.
- m. The names & addresses & identification of all witnesses interviewed by the Com-

...monwealth, police, D.A.'s Office & team.  
Include when, how many times, where, what  
was said regarding the interviews of the  
witnesses.

The list of witnesses should include  
Dolly Bleck; James Regal & any and  
all Mobil employees.

All notes taken by the responding F.P.D.  
officers on 7-11-80 at the Mobil Station,  
696 Cochituate Rd, Framingham where the  
alleged criminal episode took place that  
caused this action.

a. Bill of Particulars

The cause of each injury as depicted  
in each of the F.P.D. photos taken of  
the alleged victim, Gays. The date the  
pictures were taken.

A list of all police & members of the prosecution team  
that spoke to Mobil Managers, Dolly Bleck, & James "T."  
Regal.

Wherefore,

The defendant motions for the above  
discovery, as the law allows & requires.

*McClellan*

Certificate of Service

I the defendant, Michael Elberg, sent this "Motion  
for Additional Discovery" to the Clerk-Framingham  
Dist. Ct, 600 Concord St, Framingham Ma. 01701 &  
to the D.A.'s Office 600 Concord St, Framingham.