

M. Elbey, C57634
S.E.C. - Q.O.
12 Administration Rd.
Bridgewater, No. 02323
10-26-00

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

B.F. Com. v. Elbey
0049 CR/293

Dear Sir:

Please find enclosed for immediate filing
& review,

"Defendant's Motion for Court Order
&
Related Subpoena"

Thank you.

Mark Elbey, pro se

Commonwealth of Massachusetts

Framingham Dist. Ct.
Middlesex 55

Commonwealth

Criminal Docket
#0049 CR/1893

v.
Michael Elbery

Defendant's Motion for Court Order
&
Related Subpoenas

In Order
To Produce Exculpatory Evidence & Have a
Fair Trial

1. The defendant, above docketed, motions the Court for Court Orders, in order to obtain exculpatory evidence, & related Subpoenas for trial, so that the defendant can get a fair trial. This as required by the 6th & 14th Amendment of the U.S. Constitution. The defendant requests as follows:
 - a. Record of all mail this defendant, Michael Elbery, sent out of Concord State Prison from 7-7-00 through 10-11-00. Include the names, addressers & the destination of all outgoing mail sent by Elbery from Concord Prison and the date each piece of mail was sent.

There will be a need to subpoena a
Prison official for trial who is custodian
or has knowledge of the operation of that
mail System at Concord Prison.

- b. Court order to the management at the
Mobil Station at 686 Cockituate Rd, Fram-
ingham, Ma. & Station Operators Inc of
Dallas, Texas & Exxon-Mobil Corp demand-
ing they furnish the names and addresses
of executives with "final decision making
authority" regarding the video surveillance
System used at the Route 30 (686 Cockituate
Rd.), Framingham, Ma. - Mobil Station, made
7-1-00, where the underlying incident
occurred that gave rise to this instant
action, above docketed.
- c. As well, the same parties in b, above,
should be ordered by the Court to produce
the Mobil Manual on video security
as used by its Gas Station Management.

To date my attorney, Ken Brekka, has been
"put-off" on these important evidentiary
issues in b&c, above, due to the fact
that he has been requesting that evidence
from the Mgr., Dolly Skelji, at the
Mobil Gas Station. Skelji is a pivotal
person regarding the conspiracy to malicious-
ly prosecute the defendant & related
cover-up. The Court orders, ^{for} this discovery
in b&c, should go to Skelji's supervisor
at:

Mobil Corp.
Station Operator Inc. 40 Attn: Ken A. Homsey
P.O. Box 1140 300 Essex St.
Dallas, TX 75201-0140 Lawrence, Mass. 01840

(Atti. Brekka has a Westboro
address for Mobil, also.)

- d. Court Order requiring the same parties in b & c, above to disclose what kind of glass is used or in place in the plate windows at the Mobil gas station at 686 Cockituate Rd, Framingham where the underlying incident occurred.

- e. Court Order to the Mobil Gas Station at 686 Cockituate Rd, Framingham and its management, Dolly Skecht James T. Regal to turn over the video tape of 7-400 that recorded the underlying incident that caused the above docketed action. The same video tape that James T "Regal", the Asst. Mgr. of that gas station, told Atti. Ken Brekka's Office was returned and was seized in the safe.

As well, this same Court Order should go to Station Operators Inc. & Exxon-Mobil Corp, addressees in c, above.

- f. Written communication to the alleged victim, Peter H. Gear, telling him that he can not sue Exxon - Mobil if the defendant is unjustly convicted via Gear's lies. Tell Gear the law - If an employee commits a crime he is out

of the "scope of employment" and the
employer can not be held liable. Per
the 911 tape of Geary this is one of
his motives to falsely prosecute, to
make a fortune off the richest
company in the world via suit against
Exxon-Mobil Corp.

Wherefore,

the defendant asks the Court to issue
the above Court Orders in order to secure
the above related evidence. There will also
be a need for the Court to issue Subpoenas
for witnesses described, above, and in partic-
ular Mobil Corp. & Station Operators Inc.
Executives & Janes "J" legal.

Michael Ellery

10-26-00
SE.C.C. 12 Administrative Rd.,
Bridgewater, Fla. 34334

Certificate of Service

I the defendant, Michael Ellery, sent this
Motion for Court Orders & Subpoena, to the Clerk-
Framingham Dist. Ct., 600 Concord St, Framingham,
Mass. 01701 & Framingham D.A.s Office at 100
Concord St, Framingham via U.S. mail-1st class-pre-
paid on 10-22-00 from SE.C.C. Prison mail.

Mike Ellery