

for copy

Michael Elbery, C57634
SECC Prison
12 Administration RD.
Bridgewater, Mass. 02324
3-15-01

Clerk - Criminal
Framingham District Court
600 Concord St.
Framingham, mass. 01701

RE: Com. v. Elbery #0049CR1893 (Amended 3006)

Dear Clerk:

Please find for immediate filing and review,

"Defendant's Motion for Stenographer"
and Supporting affidavits

Certificate of Service

Thank you.

COMMONWEALTH OF MASSACHUSETTS

Middlesex ss

Framingham District Court

Commonwealth

Criminal Docket

#0049CR1893A (amended 3006AB)

v.

Elbery

Defendant's Motion for Stenographer

at

The 4-4-01 Hearing

and

All Future Hearings of this Case

and

The Jury Trial of this Case

1. The defendant - pro se, Michael Elbery, motions the Court to appoint a stenographer to be present at the 4-4-01 Hearing of this case and all future hearings and the jury trial of this case.

2. The tape recordings at the Framingham District Court are not audible for appellate purposes and can not be relied upon for a record of the case.

3. See Blumenson, Mass. Criminal Practice, Vol. 1, p.34, (1998) for citing of Mass. C. 218 s.27A - h for authority for this request by this defendant for a stenographer.

See Affidavits in Support of Motion, attached.

Michael Elbery, pro se
3-15-01

COMMONWEALTH OF MASSACHUSETTS

Middlesex ss

Framingham District Court

Commonwealth

Criminal Docket# 0049CR1893

Amended 3006AB

v.

Michael Elbery

Affidavits in Support
of

Defendant's Motion for Stenographer

1. I am the defendant-pro se, Michael Elbery.
2. I requisitioned a tape of the 10-17-00 evidentiary hearing of this instant case .
3. Parts of the tape of that hearing, as in #2 above, were not audible and could not provide adequate record.
4. The tapes produced at the Framingham District Court do not provide a recording that can be used as an appellate record.

Signed under the pains and penalties of perjury on this 15th day of March , 2001.

Certificate of Service

I the defendant-pro se, Michael Elbery, sent this Motion for Sten
ographer to the Clerk-Criminal-Framingham District Court, 600
Concord st., Framingham, Mass. and to the DA , 100 Framingham,
Mass. all via U.S. certified mail - return receipt on 3-17-01.

jr