

Extra

Michael Elbery, C57634
SECC Prison
12 Administration Rd.
Bridgewater, Mass. 02324
6-6-01

Clerk - Criminal
Framingham District Court
600 concord St.
Framingham, Mass. 01701

RE: Commonwealth v. Michael Elbery #003006

Dear Clerk:

Please find for enclosed for immediate filing and review,

"Defendant's Motion for Clarification Regarding Defendant's
Discovery Request for Telephone & Dispatch Evidence"

Certificate of Service

THANK YOU

Mike, mas

COMMONWEALTH OF MASSACHUSETTS

Middlesex ss

Framingham District Court

Commonwealth

Six Man Jury Session

v.

00-3006

Michael Elbery

Defendant's Motion for Clarification

Regarding Defendant's Discovery Request for Telephone & Dispatch Evidence

&

Related Court Order

1. As per Ex. A, the Court allowed #6d of the defendant's Motion to Compel Discovery.

2. That request, #6d, to Compel, as in #1, is for #6 & #8 of the defendant's "Omnibus Motion", which are the telephone and dispatch evidence requests.

Contradiction

3. there is a contradiction. As per Ex. B, the "Omnibus Motion" #6 & #8 requests for evidence were denied by the Court.

4. The Court, per the #8 "Omnibus request, refers to the defendat's #4 Omnibus request for telephone evidence where the Court orders the prosecution to produce documents that reflect Gear's calls to the F.P.D. regarding this case.

5. However, Request #4 of the "Omnibus Motion" does not ask for

the F.P.D. dispatch reports relating to the call made by the Defendant from the Mobil at 696 Cochituate Rd. at 2:22 a.m. as a result of the underlying incident that caused this action. These F.P.D. dispatch reports will provide crucial evidence the jury will need to understand the case presented by this defendant. These Dispatch Reports will also stop the prosecution from lying to the jury and being committed to irrefutable documented evidence.

6. The defendant presumes, even with the above contradictions, that he will receive, at a minimum:

a. The F.P.D. computer printouts of the 2 calls Gear made to the F.P.D. on 7-4-00. These printouts will document the time Gear made those calls to the F.P.D.

b. A tape recording and computer printout (documenting time of call) of the call Gear made to the F.P.D. on 7-5-00 at 7:21 as per F.P.D. Log obtained by this defendant's investigating attorney,, Brekka.

7. The defendant also presumes he will receive all F.P.D. documents as requested via the defendant's "Omnibus Motion" requests #4, 6, 8 as allowed and ordered by the Court as per 6d of the Defendant's Motion to Compel, Ex. A, and #4 of the defendant's "Omnibus Motion, Ex.B.

This would include the F.P.D. Dispatch Reports caused as a result of the 911 call this defendant made to the F.P.D. at 2:22 am on 7-4-00.

WHEREFORE,

Please clarify that this defendant will receive as

allowed and ordered by the Court all F.P.D. telephone and dispatch evidence as requested by this defendant in his "Omnibus Discovery Motion" requests #'s 4, 6, 8, as above. This in order to comply with the 6th and 14th Amendments of the U.S. Constitution and Rule 14a of the Mass. Rules of Criminal Procedure.



Michael Elbery

SECC Prison

12 Adminisration RD.

Bridgewater, Mass. 02324

6-6-01

Certificate of Service

I the defendant, Michael Elbery, sent this "Motion for Clarification Regarding Defendant's Discovery Request for Telephone & Dispatch Evidence" to the Clerk-Criminal, Framingham District Court, 600 Concord St., Framingham, Mass. 01701 and to the D.A.'s Office at 100 Concord St., Framingham, Mass. 01701 via U.S. Certified mail return receipt - prepaid on 6-12-01 from SECC Prison.

Mike Elbery

Ex. A.

COMMONWEALTH OF MASSACHUSETTS

Middlesex ss

Framingham District Court

Commonwealth

Criminal Docket
#0049CR1893A (3006)

v.

Elbery

5/17/01
See
Margin
notations
which
constitute
order of
court
Dmy Gaddy

Defer
Defer

Defendant's Motion to Compel Prosecutor

to

Produce Discovery Evidence

as

Requested by Defendant's Discovery Motions

N/A

1. The defendant-pro se, Michael Elbery, Motions the Court to Compel the proesection to produce the exculpatory, relevant and materiãl evidence asked for in the defendant's 12 discovery motions filed in this instant case.

See
other
ct order
5/17/01

2. There has been no Pretrial Conference or Pretrial Report regarding this instant case.

Denise

3. This defendant was allowed only limited participation at the Hearing Pretrial, see Defendant's "objection to Case Proceeedings etc.," filed on this instant case.

Denise-
Disc.
hearing
today
5/17/01

4. At this late date the Court has yet to discuss the defendant's discovery requests made via his motions to the prosecution.

NA 5. All the discovery per this defendant's discovery Motions are for relevant, material, exculpatory evidence.

Specific Evidence this defendant Motions the Court to Compel the Prosecution to Produce from the Defendant's already Filed Discovery Motions filed in this instant case.

See Omnibus motion
6. The defendant motions the Court to Compel the prosecution to produce the following specifically requested prosecution controlled evidence. This defendant already requested this discovery through his "Omnibus Discovery Motion"

allowed
a. The Booking evidence regarding the arrest of Peter H. Gear on 7-4-00 by the Framingham Police Dept. This evidence has already been asked for by the defendant via Request #1 of his "Omnibus Motion".

allowed
b. The 6 photos of Peter H. Gear taken by the Framingham Police alleging the injuries caused by this defendant. This has already been requested via #2 of the Defendant's "Omnibus Motion".

denied
c. The therapists records and related information regarding treatment to the alleged victim, Peter H. Gear, needed due, allegedly, because of the beating he received causing this action. This evidence has already been requested by the defendant via his request # 5 of the defendant's "Omnibus Discovery Motion".

allowed
d. The Police telephone evidence in requests #'s 6 & 8 of the defendant's "Omnibus Discovery Motion". In particular the defendant requests the prosecution to produce the computerized print outs of the calls the alleged victim, Peter H. Gear, made to the Framingham Police on 7-4-00.

The Framingham Police informed my investigating attorney on this case, Attorney Ken Brekka, that the two Gear calls, as above, were made hours after the incident; not as the the prosecution now claim immediately after the incident. See Affidavit attached.

6. In addition, the defendant motions the Court to Compel the prosecution to produce #'s 3, 4, 7, 9, 10, 14, 15, 16, 18, 19, 20, 22, 23, 25, 27, 28, 29, 30, 31, 33, 34, 35, 38, 39, 40, 41, 42, 43, 44 of the defendant's "Omnibus Discovery Motion".

7. Gear's Hospital Records

The defendant further motions the Court to Compel the prosecution to produce the hospital and physicians records and reports that the alleged victim in this case, Peter H. Gear, incurred as a result of the underlying incident on 7-4-00 at the Route 30 Mobil that caused this instant case.


These same hospital records were requested in 3 of the defendant's Discovery Motions already filed with the Court in this case as follows:

- a. #11 Request of Defendant's "Motion for Discovery"
- b. #4 Request "Defendant's Motion to Preserve/Impound by Court & Compel for Production & Inspection of Prosecution Controlled Evidence"
- c. #1-i Request of the "Defendant's Motion for Additional Discovery"

But see Ex. D of the Defendant's "Omnibus Discovery Motion" which quotes the victim-alleged, Gear, that he went to the Hospital and was treated by a physician for weeks as a result of the underlying incident that gave rise to this action.

wherefore,

the defendant motions the Court to Compel the prosecution to produce the above discovery requests as the law of Massachusetts and Federal Brady laws require.


Michael Elbery, prose
SECC Prison 3-13-01

See
omnibus
motion

all
any
new records
to be provided
in 233
79(6)
at least
10 days
before
trial

COMMONWEALTH OF MASSACHUSETTS

Middlesex ss

Framingham District Court

Commonwealth of Massachusetts

v.

Michael Elbery

Criminal Docket

#0049CR1893#

CR 3006

5/17/01
 see notations
 in margins
 which constitute
 court order
 Dmy [signature]

Defendant's Omnibus Discovery Motion

Due to the Court refusing to docket this Pro se defendant's Discovery Motions the Pro se defendant files this discovery motion. The defendant, Pro se, makes the following discovery demands which will yield discovery that is mandatory per M.R.Cr.P.- Rule 14.

1. Regarding the arrest of Peter H. Gear (alleged victim) by the Framingham Police (hereinafter the F.P.D) on 7-4-00 the defendant requests

- Bookings*
Back to motion
imposed photo
all allowed
all allowed
denied
all allowed
denied
all allowed
- a. the booking photos of that arrest by the F.P.D.
 - b. the booking sheet and booking report of that arrest
 - c. the booking video of that arrest
 - d. all information the F.P.D. has of that arrest
 - e. the amount of bail, date of bail and who paid the bail regarding that arrest
 - f. All statements made by Gear during that arrest

2. Regarding the alleged injuries that the alleged victim, Peter H. Gear,

See Mr. Motter 9-13
at airport photo
14 - truly

- denied b.
denied g.
denied d.
denied e.
denied f.

U.S.P. - vst m. 168
info. of state
of jury work
with trial of prob.
denied. H.W.
However,
the prob. do't
shall provide
Def. with a
copy of Mr.
sear's reco

3.
Cour
on 7

4.

- denied.
However,
the pros. do
shall provide
Def. with a
copy of Mr.
Gair's record
4. Wh
Crime

enied
but any
documents
which
reflect same
shall be
provided

- denied

5. State the name of the therapist and address that, as per Mass. Region #9 Parole officer - Karen Rouke-Gatty, Gear went to for therapy or treatment. See Ex. D.

denied

- a. Produce all reports from that therapist regarding Gear's treatment needed because of the incident that caused this action
- b. Produce all reports from that therapist via reports or otherwise indicating or revealing where Gear went in terms of a physician's or hospital treatment regarding his alleged injuries.

6. A viewing and listening by the defendant to the F.P.D. recording machine that records the times and phone calls to the F.P.D., the same recording machine Attorney Ken Brekka obtained the information regarding the defendant's 911 call on 7-4-00 to the F.P.D. and their response to that call, See Ex. B.

(No patch report)

- a. Including all 7 known phone calls involved in this instant case to the F.P.D. - See #8 below for a list of the 7 phone calls
- b. In particular the 2 phone calls Gear made on 7-4-00 to the F.P.D.
- c. Also the phone call made by F.P.D. Vizikas from the Route 30 Mobile on 7-4-00 upon arrival to the Mobil as a result of the defendant's 911 call from the Mobil.

7. Produce all information for the last 6 years of Peter H. Gear with the Mass. Registry of Motor Vehicles regarding his registration of automobiles

8. Regarding the phone calls made to or from/by the F.P.D. concerning the above docketed case, the defendant requests (See calls listed below)

- a. A computer print out of each phone call
- b. that he listen to the original tape recording of each call on the original F.P.D. recording machine
- c. that he get or receive a transcript of the recording of each call
- d. a print out of the F.P.D. log of each call

	<u>Caller</u>	<u>Time Call Made</u>	<u>Date</u>	<u>Source</u>
1.	Elbery	2:22 a.m.	7-4-00	

*order - Brekka 9-13
motion - J. J. J.
Lombardi Co. for*

*12-1-39
info. State
agency under
with 1st person*

See #4

3.	Gear	?	7-4-00	F.P.D. 911 tape
4.	Elbery	2:37 a.m.	7-4-00	F.P.D. log
5.	Gear	7:21 a.m.	7-5-00	F.P.D. log
6.	Elbery	3:30 a.m.	7-7-00	Attorney Ken Brek & F.P.D. tape
7.	F.P.D. Sanchez	7:30 a.m,	7-6-00	F.P.D. tape

9. Meaning of the abbreviations, all, on the F.P.D. computer printout . See Ex. C.

10. A copy of the 7-3-00 Mobil video that is in possession of the F.P.D for the the defendant's viewing.

a. or a viewing of that tape by the defendant at the Court.

11. The synagogue or temple Gear was bartmitzvahed at.

12. The Docket Entries of this instant case.

13. 4 applications for criminal complaint.

14. Provide the "Chain of Custody" of the Mobil video of 7-2-00 through 7-3-00 that the F.P.D. possess and the Court ordered impounded during this instant action/case.

Denied

Allowed

Denied

Allowed

Denied

Denied

- Denied*
- b. State the date and time the officer in (a), above, picked-up that video tape or any video tape from the Route 30 Mobil
 - c. State the name of the F.P.D. officer who brought back that same video tape or any video tape to the Route 30 Mobil
 - d. State the time and day and date that the officer in (c), above, brought back that Mobil video tape to the Mobil and which Mobil employees did you give the tape to.
 - e. Describe all activrty of the F.P.D regarding the Mobil video, above, after it was initially picked-up until Sanchez put it in evidence at the F.P.D. on 7-7-00
 - i. Include the names of all F.P.D.employees and prosecutic team members who participated in any and all of the requested "chain of custody" and activities
 - ii. The date, day and time of all requested activity of the video "chain of custody"
 - iii. State the name of any and all Mobil employees contacte regarding any and all Mobil video tapes

Allowed

15. State the meaning of the number S56078321 per the F.PD. tape 911 re-cording of Peter H. Gear on 7-4-00.

Back to Motion 7-13
Denied

16. Produce all recordings of the F.P.D. regarding the above docketed case, including all phone tapes and radio communications of the underlying incident.

- a. Include all turret tapes.
- b. Include the recording of F.P.D. Dones and Vizikas' radio communi-cation from the Chinese Restaurant after leaving the Mobil on 7-4-00 after the incident that caused this action.

Allowed

Produce all transcripts made by the prosecution of any and all tapes and recordings involving this instant action.

Allowed

- a. Produce all transcripts the prosecution intends on using during the trial of this instant case.

18. The criminal CORI records of the

Allowed

19. Produce all documentary evidence the prosecution will use at trial
 - a. including all documents signed by the defendant

Allowed only if D.A. has same in its possession

20. Provide an "out-of-state " and Federal rap sheet or criminal convictions of the alleged victim, Peter H. Gear, for the other 49 state and Federal jurisdiction.

21. Provide for inspection by the defendant the prosecutor's file regarding this instant case.

Denied - note other records previously allowed and Brady applies.

22. Prosecutor to search and turn over to the defendant all records of Peter H. Gear's involvement with drugs.

23. Produce a list of all F.P.D. officers on duty the 11-7 shift during the month of May and June of 2000.

24. State the relationship between the Special A.D.A. handling this case, Hurley, and Lt. James Hurley of the Shrewsbury Police Dept.

25. Provide a viewing by the defendant, pro se, of the video tape taken from the Route 30 Mobil, 696 Cochituate Road, Framingham now being held by the F.P.D.

26. State the ancestry of the alleged victim, Peter H. Gear.
 - a. Religion of Gear
 - b. state whether Gear is a Jew

See next page

27. State the names, addresses, and ids of all people and

Any statements reduced to writing by police or a narrative by a witness reduced to writing by a D.A. are allowed other requests denied 7 of 9

witnesses interviewed by the Commonwealth, the F.P.D., D.A.'s Office and prosecution team regarding the above docketed case.

- a. describe the content of the subject matter of each of these interviews of each person.
- b. state day, time, and date of each such interview.

allowed

28. Produce all notes taken by the responding F.P.D. officers on 7-4-00

at the Mobil gas station, 696 Cochituate Road, Framingham, where the incident took place that caused this above docketed action.

Denied

29. List of all F.P.D. members that spoke to the following employees at the Route 30 Mobil, 696 Cochituate Road, Framingham, regarding the alleged criminal episode and anything related to that alleged criminal episode

- a. Mgr. Dolly Olecki
- b. Ast. Mgr. James "J" Regal
- c. Bill Fairbanks
- d. Mary fleyd
- e. Richard Gedsoe
- f. State the date and substance or content of each conversation

Denied

30. Provide a record of all mail this defendant, Michael Elbery, sent out of Concord State Prison from 7-7-00 through 10-10-00

- a. Include the name and address of all destinations of that mail
- b. include the date sent for each piece of that outgoing mail

Denied - Def. may seek same on his own by filling out a request

31. Provide an audible copy of the tape of the 10-17-00 evidentiary hearing held at the Framingham District Court on this action.

Denied

32. Provide the results of the eyesight tests done on this defendant between 7-7-00 and 10-10-00 at Concord State Prison's H.S.U. unit

33. Reserve a VCR and TV for trial date in order to show video evidence.

34. State who on the F.P.D. and prosecution team or any other state actor viewed any of the Mobil videos taken from the Mobil gas station, 696 Cochituate Road, Framingham

- a. state date each state actor viewed any of the videos taken from that same Mobil
- b. state the time of each viewing by each state actor

35. Provide an expert witness, independent of the prosecution and approved by the defendant, to test the

- a. the 6 F.P.D. pictures and related negatives of the alleged victim Peter H. Gear
- b. various F.P.D 911 tapes in this , as in #8 above
- c. pictures and documents depicting injuries in this case by a physician

38. State the address of the prosecution's star witness, Peter H. Gear, from 7-4-00 to present.

39. Produce all statements held by F.P.D. internal affairs of percipient witnesses regarding this case

- a. in particular involving any investigation of the missing Mobil video tape of 7-4-00

40. State the time F.P.D. Dones and Vizikas left the Mobil after responding to this defendant's call

Denied

41. See also Defendant's Bill of Particulars, Motion for Expert Testing on the F.P.D. phone tapes and recording machine and negatives of the pictures/photos (6) the F.P.D. has of the alleged victim's alleged injuries, Motion for a Medical witness to testify regarding the injuries sustained by Peter H. Gear and the defendant as per medical records and photos.

Denied - atty Brekka has ethical obligations outside this motion

42. See also defendant's Motion to compel Attorney Brekka to disclose exculpatory evidence he gained during his investigation of this case to the defendant so the defendant can be prepared for trial.

N/A 43. See defendant's Motion for Evidentiary Hearing of Peter H. Gear so the defendant can gain exculpatory evidence.

Brady still applies

? 44. See also defendant's Motions for hospital and medical records to the Deaconess-Glover Hospital and the M.C.I. Concord H.S.U. and to Mobil Oil Corp. for documents.

Michael Elbery

Michael Elbery, Pro se
SECC Prison A 406, C57634
12 Administration Rd.
Bridgewater, Mass. 02324
2-14-01

Certificate of Service

I the defendant prose, Michael Elbery, sent this Omnibus Motion to the Clerk-Criminal-Framingham District Court, 600 Concord St., Framingham, Mass. and to the Framingham D.A.'s Office, 100 Concord St., Framingham, Mass. all via U.S. certified mail-prepaid on 2- -01 from SECC Prison Mail.

Michael Elbery

ExA
ExA

PDF ADULT RECORD INFORMATION AS OF 09/19/2000

PAGE 1 OF 1

PRIM NAME: GEAR, PETER H

DOB: 02/15/1962 PDF#: 8038446

SEX: M SS #: 024-38-1958 MOTHER: CAROLE KIRBY
FATHER: NORMAN

HOME ADDR : 58 CLINTON ST FRAMINGHAM MA
ZIP CODE : 01702-

MASSACHUSETTS
COURT ACTIVITY
RECORD INFORMATION

ETHNICITY: WHITE HGT: 507 WGT: 170 HAIR: BROWN

EYES: GREEN

DT: 07/05/2000 RAY CRT: TAUNTON DISTRICT (21)
OFFENSE: LARCENY BY CHECK (LAR CK)
DISPOSITION: PTD 3/2/02 REST PD DISM

DKT# 9431CR43097

STATUS: CLOSED

DT: 10/18/1993 CRT: NEWTON DISTRICT (12)
OFFENSE: OPER UND INFL OF LIQ (1110)

DKT# 9312CR12460

DISPOSITION: C 11/8/93 S PROB 11/27/94 VWF PD VOP/WD PROB VOP
PROB 8/14/95 FINE 9/1/94 R/R PROB 3/2/95 PROB TERM

STATUS: CLOSED

Ex. B
Ex. B

Box 7/2/00 15:30

End Time 7/3/00 16:15

24 hour
TAPE

View Whole TAPE NO ECL Bay

911

2:24:27 #1 Line

INITIAL QAL -

HANG ON I got to get his license plate -

2:26:33 Phone disconnect

2:28:12 - Cop NOT there yet -

2:28:19 - Police ARRIVE

2:29:13 - ASSAULT TOOK PLACE -

2:30 - Chichay (Gier)

2:33 - Phone call

Ex. C
Ex. C
(000) 000-0000 TK003 00:33:29 | TO 00:33:29 | RLS 00:33:29 | DUR 00:00:01
2000/07/04 HIT CALL

Current time: 00:45 (2000/07/04)
System message: APU # 002 RMT SEND BY 0000 07/04 00:47:26

(508) 877-0916 TK001 00:47:05 | RI 00:47:07 | C0002 00:47:11 | TT013 00:47:21
| DI002 00:47:41 | RLS 00:47:43 | DUR 00:00:38

2000/07/04

201 RESD 00:47 07/04 (508) 877-0916 LEWIS, ERMOND F 5 BURBANK CIR FRAMINGHAM ESN=
204 INP FRAMINGHAM PD FRAMINGHAM FD FRAMINGHAM FD

Current time: 00:59 (2000/07/04)
Current time: 01:11 (2000/07/04)
Current time: 01:23 (2000/07/04)
Current time: 01:35 (2000/07/04)
Current time: 01:47 (2000/07/04)
Current time: 01:59 (2000/07/04)
Current time: 02:11 (2000/07/04)
Current time: 02:23 (2000/07/04)

(508) 875-1424 TK002 02:22:09 | RI 02:22:11 | C0001 02:22:16 | DI001 02:24:11
| RLS 02:24:14 | DUR 00:02:05

2000/07/04

202 BUSN 02:22 07/04 (508) 875-1424 MOBIL OIL CORP 696 COCHITUATE RD FRAMINGHAM
ESN=204 INP FRAMINGHAM PD FRAMINGHAM FD FRAMINGHAM FD

Current time: 02:36 (2000/07/04)
Current time: 02:48 (2000/07/04)
Current time: 03:00 (2000/07/04)
Current time: 03:12 (2000/07/04)

Page# 001 Calls on this page Cumulative calls today Total calls
All Calls TIU:03 MIU:00 LIU:00 TIU:0003 MIU:0000 LIU:0000 today:0003

Tuesday 2000/07/04 03:24 **** FRAMINGHAM **** Page # 002

Current time: 03:24 (2000/07/04)
Current time: 03:36 (2000/07/04)
Current time: 03:48 (2000/07/04)
System message: APU # 002 RMT SEND BY 0000 07/04 03:55:37

(508) 879-6978 TK003 03:55:10 | RI 03:55:12 | C0002 03:55:18 | C0004 03:55:30
| A0152 03:55:30 | TT013 03:55:31 | DI004 03:55:31
| C0004 03:55:31 | A0152 03:55:31 | DI004 03:55:32
| C0004 03:55:32 | A0152 03:55:32 | DI002 03:55:56
| DI004 03:55:58 | RLS 03:55:59 | DUR 00:00:49

2000/07/04

203 BUSN 03:55 07/04 (508) 879-6978 PATHWAYS RESIDENTS 70 PEARL FRAMINGHAM ESN=2
204 INP FRAMINGHAM PD FRAMINGHAM FD FRAMINGHAM FD

Current time: 04:08 (2000/07/04)
Current time: 04:20 (2000/07/04)
Current time: 04:32 (2000/07/04)
Current time: 04:44 (2000/07/04)
Current time: 04:56 (2000/07/04)
Current time: 05:08 (2000/07/04)
Current time: 05:20 (2000/07/04)
Current time: 05:32 (2000/07/04)

6-14-00 V 2:40pm. PO met with subject and viewed final checks from Merrit Gas periods ending 5-26,6-2-00 for 17½ hours each week. PO also viewed most receipt check stubs from Mobil Gas for 35 hours which is an avg. of 17.25 hours per week. Subject is meeting a standard number of hours imposed by the Board which is 35 hours weekly. Subject reports no changes other than that in employment. No problems.KR/jd

6-30-00 M PO on vacation from 7-3-00 to 7-7-00.KR/jd

7-6-00 TC/SI PO Stanford spoke with Officer Sanchez of Framingham PD. Subject was involved in an A&B at a gas station, investigation on-going.KR/jd

7-7-00 DET. PS advised by Framingham PD that a criminal complaint was filed against the subject for A&B D/W. PS authorized a WTC. PO Bello and Stanford along with Needham PD arrested subject at his residence at 6:30pm. Subject proclaimed his innocence.KR/jd

7-10-00 TC/PH PH set for 7-17-00 at MCI-Concord.KR/jd

7-11-00 PH PH rescheduled to 7-19-00.KR/jd

7-11-00 RI Computer check reveals no pending cases.KR/jd

7-12-00 L Form A faxed to MCI-Concord this date.KR/jd

7-12-00 TC PO spoke with the victim who informed PO that he sought medical treatment after the assault and was still under doctors care. The victim told PO that he was traumatized and fearful of the subject. PO referred victim to the Victims Service Unit. KR/jd

7-12-00 PVR Submitted. PO recommends Provisional Revocation.KR/jd

7-20-00 PBV Provisional Revocation. KR/jd

7-26-00 L Return of service received this date.KR/jd

8-7-00 L Subject postponed his final revocation hearing.KR/jd