

COMMONWEALTH OF MASSACHUSETTS

Middlesex ss

Framingham District Court

Commonwealth

Six Man Jury Session

v.

Michael Elbery

00-3006

Defendant's Affidavits

Service of Witnesses' Summons

Under M.R.C.P. 17b1, 17c, 17d-1

1. I am the defendnat, Michael Elbery, I am currently incarcerated at S.E.C.C. -Prison, Bridgewater, Mass.
  2. I mailed 13 witnesses' summons, attached, as allowed the above captioned Rules of M.R.C.P.
  3. I mailed these same witnesses' summons on 7-5-01 for the 7-18-01 trial of the above docketed case through U.S. certified mail-return receipt. This was done through the prison treasurer's office who enclosed witness fees and mileage fees.
  4. The original U.S. certified mail green cards are attached and indicate that my summons were successfully served on those 9 witnesses for the defense.
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4 Witnesses refused service

5. However 4 crucial defense witnesses were not served successfully by certified mail or refused service by U.S. certified mail.

Those 4 witnesses are

1. Davide Corriera  
17 Centennial St.  
Foxboro, Mass. 02035
2. Brian Warren  
361 Union St.  
Ashland, Mass. 01721
3. James "J" Regal  
7 Broobie Rd.  
Bedford, Mass. 01730
4. Dr. Scott Schissel  
75 Francis st.  
Bostion, Mass. 02115

I enclose original copies of the U.S. Mail return receipts for 3 of those witnesses.

also I enclose/attach a receipt from the treasurer at SECC Prison showing witnesss James "J" Regal was paid for witness and travel fees in the amount of \$70.00 with the summons sent to him. I have not received any return receipt or green card as a result of sending the attached summons to him.

The above is true and correct, signed under the penalties and pains of perjury on this 17th day of July 2001.



Note well - I , the defendant Michael Elbery , have motioned the Court on this case, twice in writing, to serve this defendant's summons. I also asked for a standby bar attorney to serve my summons to witnesses.