

Shrewsbury Police Department
Incident Report

September 15, 1997

Monday 11:50

Single Incident

INCIDENT LOCAL # PRIORITY ACC REP	ACTIVITY ADDRESS (JURISDICTION) DISPOSITION	OFFICER(S)	RECEIVED DISPATCHED ARRIVED CLEARED	DISPATCHER SUPERVISOR NATURE INCIDENT TYPE
94010436	CALL FOR SERVICE LOCK-UP STORAGE 869 BOSTON TURNPIKE Cross: FRUIT STREET #803 LEBEAUX DRIVE #897 SHREWSBURY, MA, 01545 (01) ARREST	SAMPSON SKLUT HANSON	08/05/1994, 17:40 08/05/1994, 17:40 08/05/1994, 17:40 08/05/1994, 19:09	C. FAUCHER CARLIN ARREST COMPLAINT

Reported as: COMPLAINT Found as: COMPLAINT
Domestic Abuse: No

Dispatcher Remarks:

ARRESTED: MICHAEL ELBERY, 02-08-52, 31B CHILMARK ST., WORCESTER FOR POSS. OF A FIREARM W/O ID CARD - 5 CTS AND POSS. OF AMMUNITION W/O ID CARD. X

Persons:

ARRESTED ELBERY, MICHAEL G. License: 016-42-4787 (MA)
(Male) 31B CHILMARK STREET SSN: 016-42-4787
M8603791 WORCESTER MA 01604
Phone: 757-5387 Race: WHI DOB: 02/08/1952 Age: 42
Commt: ARRESTED: ARREST

Narrative(s):

Narr. 1: LT. A. W. SAMPSON Division: None Status: Closed [94010436]
Title: INVESTIGATION Entered: LT. A. W. SAMPSON
Reviewed: No officer

On August 4, 1994 there was a major fire at the E Z Mini Storage, located at 869 Boston Turnpike in Shrewsbury. During the course of the fire, fire fighters were required to open storage areas in order to put out the blaze. At some point, fire fighters opened storage bin C-341 in order to fight the fire. They were able to extinguish the fire within this storage bin.

On August 5, 1994 officers of the Shrewsbury Police Department, along with fire officials worked continuously from the time of the original fire, on the investigation to determine the cause and origin of the fire. During this examination of the building, Sergeant Chester Johnson of the Shrewsbury Police Department had occasion to inspect storage bin C-341 which was open to public view due, to the fire.

Inside storage bin C-341 was a 1990 Chevrolet Corvette, VIN number 1GYZ23J615800956, which is listed to Michael Elberry of 31B Chilmark Street, Worcester, MA.

Inside the passenger compartment, in plain view, was an item wrapped in plastic and tape. This item was consistent with the shape of a rifle. A portion of the

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Narrative 1 (continued) By: LT. A. W. SAMPSON Incident 94010436

plastic can be seen through and appears in fact to be a rifle. Next to this item on the floor is a box marked "UZI". Through this officers training and experience, "UZI" is known to be a type of firearm, commonly a machine gun.

Mr. Elberry had been at the E Z Mini Storage four or five times since early that morning attempting to reach his storage bin C-341 with the stated reason of trying to lock it. During this time he made the following statement to Sergeant James Hurley, "I can't do anything anymore, I'm a convicted felon". Mr. Elberry stated to Sergeant Hurley that the vehicle belonged to him.

Mr. Elberry rented storage bin C-341 on July 25, 1993 and on August 5, 1994, Mr. Elberry was standing outside the gate waiting for officers to allow citizens to enter the fire area.

This officer checked with the Worcester Police Department and determined that their records indicate that on January 28, 1991 they received a court memo confirming revocation of Mr. Elberry's right to possess firearms.

Sampson
9/19/94cms
9/19/94

Narr. 2: SGT. J. HURLEY Division: None Status: Closed [94010436]
Title: SUPPLEMENT Entered: SGT. J. HURLEY
Reviewed: No officer

On the above date and time I was requested to assist Lieutenant Wayne Sampson and other members of the department with the execution of a search warrant at the EZ Mini Storage located on Boston Turnpike, Shrewsbury. The container to be searched was container C341.

Upon my arrival photographs were taken of the storage container and I noted that there was a 1990 Chevy Corvette, color red, facing in an easterly direction headed into the storage container. To the rear of the Corvette, near the opening of the overhead door, was a palette. Along the right side were bar lights. There were other miscellaneous objects to the passenger side front. In the vicinity, just to the right of the tire, there was a suitcase, which was confiscated by this department. In front there were miscellaneous bar type items. To the left front, near the drivers side tire, there was a blanket and underneath the blanket were three boxes believed to be AK 47's, which were found by Lieutenant Sklut. The previous mentioned suitcase was found by Sergeant Faucher.

Just to the west, or towards the opening of the container, was a bag which was found by Sergeant Johnson. And that bag contained, what appeared to be, a

**Shrewsbury Police Department
Incident Report**

ember 15, 1997

Monday 11:50

ngle Incident

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rrative 2 (continued) By: SGT. J. HURLEY

Incident 94010436

quantity of ammunition.

As a result of that the items were taken into custody. There were two, what appeared to be, firearms, one on the drivers front seat of the vehicle, which appeared to be an Uzi. And another one, which was wrapped in plastic with the barrel protruding, which appeared to be a long barreled rifle, in the Corvette.

The Corvette was additionally towed to the station and subsequently Caola Lock Smith Company had to come out and open up the Corvette to retrieve what was an Uzi and a Remington 870 shot gun.

The following is an inventory of items that were taken pursuant to the warrant:

1. A Remington 870 twelve gauge shot gun; recovered by Sergeant Hurley.
2. One AK47 made by KFS of Atlanta, Georgia, serial number (386) CF11168; recovered by Lieutenant Sklut.
3. One wrapped box, which is believed to contain an AK47 and is wrapped with a trash bag; recovered by Lieutenant Sklut.
4. One wrapped box, believed to contain an AK47, wrapped with a trash bag; recovered by Lieutenant Sklut.
5. One Uzi, by Action Arms, 9mm pistol; recovered by Sergeant Hurley, from in the Corvette.
6. One extra Uzi barrel; recovered from inside the Corvette, by Sergeant Hurley.
7. One Uzi bolt; recovered from inside the Corvette by Sergeant Hurley.
8. Eight extra magazines for an Uzi; recovered from inside the Corvette by Sergeant Hurley.
9. One Uzi manufacturers brochure information; recovered by Sergeant Hurley, from inside the Corvette.
10. One Uzi tool key, recovered from inside the Corvette, by Sergeant Hurley.
11. One Massachusetts drivers license, expired, in the name of Michael G. Elberry; recovered from inside the Corvette in the console, by Sergeant Hurley.

September 15, 1997

Shrewsbury Police Department
Incident Report

Monday 11:50

Single Incident

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Narrative 2 (continued) By: SGT. J. HURLEY Incident 94010436

12. One Mass. registration for a 1990 Corvette, in the name of Michael Elberry; recovered from the Corvette by Sergeant Hurley, in the console.
13. One receipt in the name of Michael Elberry, from Ragsdale Chevrolet, recovered from inside the Corvette, by Sergeant Hurley.
14. One Uzi shipping box, which all of the above mentioned extra Uzi items were packaged in; recovered from inside the Corvette, by Sergeant Hurley.

The following items were taken the suitcase that was recovered by Sergeant Faucher:

15. A twenty two caliber Beretta, semi automatic, which was loaded.
16. One loaded magazine with six live rounds, taken from the the above Beretta, twenty two caliber.
17. Two spare magazines for the above twenty two caliber Beretta.
18. One box addressed to Michael Elberry.

The following were seized from within item 18, the box addressed to Michael Elberry:

19. One box of trap loads.
20. Two boxes of .223 rounds.
21. One box of 5.56mm rounds.
22. One box of 9mm rounds; made by CCI.
23. One box of Olen .45 caliber automatic rounds.
24. One box of CCI 9mm rounds.
25. Three miscellaneous gun pieces.

It should be noted that item number 65, six magazines, one plastic and five

**Shrewsbury Police Department
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ember 15, 1997

Monday 11:50

ngle Incident

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rrative 2 (continued) By: SGT. J. HURLEY Incident 94010436

metal, were recovered from this box.

That concludes the items recovered from the box located within the suitcase.

Recovered from within the rest of the suitcase:

26. One gun cleaning kit.

27. One plastic drum magazine.

28. One metal drum magazine.

29. One bottle of Quick Scrub.

30. Multicolored plastic bag.

Located from within the first brown paper bag:

31. One bottle of Break Free.

32. One bottle of Hops lubricating oil.

33. Five gun cleaning brushes of various sizes.

34. One gun cleaning rod.

35. Gun cleaning rags.

Located from within the second brown bag, located in item #30, the multicolored bag, were:

36. Four magazines.

37. Forty five rounds of 9mm ammunition.

Located loose in the bottom of the suitcase:

38. One gun cleaning rod.

39. Two rag holders for gun cleaning.

40. Three, 357 rounds.

41. Also located in the bag was one large metal can that has opened containing ammunition.

42. The actual suitcase itself.

September 15, 1997

Shrewsbury Police Department
Incident Report

Monday 11:50

Single Incident

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Narrative 2 (continued) By: SGT. J. HURLEY

Incident 94010436

Located in the trash bag which was found by Sergeant Johnson were the following items. It should be noted that the trash bag had to be destroyed. It was not saved due to its' condition. It was both wet and torn.

43. One plastic bag containing clock accessories.
44. Three Glock magazines.
45. One box of Winchester 44 magnum rounds.
46. One box of .22 caliber Viper rounds by Remington.
47. One box of Remington 38 Smith and Wesson blanks.
48. Two boxes of Hanson cartridge 9mm rounds.
49. One box of Winchester reloads.
50. One box of Olan 45 rounds.
51. One packet of Glock manufacturers information.
52. Three Winchester shot gun shells, color red.
53. One Glock cleaning rod.
54. Six 38 caliber rounds.
55. Two 357 caliber rounds.
56. Two 22 caliber rounds.
57. One Galco holster.
58. One box of 22 caliber high velocity rounds, by Remington.
59. One box of 45 auto rounds by Olen.

The following were seized from various locations:

60. One AK47 box, belonging to the AK47 seized as item #2.
61. Six AK47 magazines, belonging to item #2, as part of the box packaging.
62. One green plastic bottle, from the packaging of item #2.

ber 15, 1997

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Incident Report

Monday 11:50

gle Incident

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ative 2 (continued) By: SGT. J. HURLEY

Incident 94010436

63. One black AK47 tool, belonging to the packaging from item #2.
64. Magazine covers for AK47 magazines that came out of the box, which item number two was seized from.
65. Six AK47 magazines, previously referred to as being seized from the box which was addressed to Michael Elberry, in the suitcase.
66. One bag in which the Beretta 22 caliber handgun was in that was seized from the suitcase. This is the actual packaging which I seized and secured.
67. One Chevy Corvette, belonging to Michael Elberry.
68. One Master Lock with two keys, seized from Mr. Elberry by Sergeant Hurley during the booking.

cms
8/9/94

Hurley
8/9/94