

07/07/00 Case# 0004248

On July 04, 2000 at approximately 0230 hours this Officer and Officer Vizakis were dispatched to the Speen St Mobil located at 696 Cochituate Rd in Framingham for a 911 call.

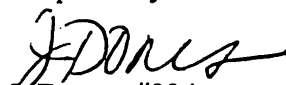
Upon our arrival we spoke with the cashier, later identified as Michael Elberry from 168 Fairfield St. in Needham. Mr. Elberry stated a man pumped some gas into his motor vehicle (totaling 24.60). The customer then walked into the gas station to pay for the gas. Mr. Elberry stated the man had about 15 credit cards and some cash. He stated the customer appeared to be drunk or on drugs. He said the customer was taking to long and could not decide what credit card to use. Mr. Elberry stated there was another client waiting in line. The male subject then got into an argument with the other customer. Mr. Elberry told the male subject to hurry up. This is when the male subject left the gas station and was not going to pay for the gas.

At this time, Mr. Elberry decided to get the male subjects plate. I had dispatch run the plate, which came back to a Peter H. Gear, DOB 02/15/62 from 65 Strathmore Rd. apt 3 in Brighton. Mr. Elberry stated when he went to get the plate the male subject attacked him. Mr. Elberry did have scratches on his forearms. The male subject threw to gallons of water against the glass door. He then took a traffic cone and hit Mr. Elberry over the head with the cone. Mr. Elberry stated he ran inside the gas station and dialed 911 for help.

I asked Mr. Elberry for an I.D. to get some information for a report I was going to file. He said he did not have an I.D. I then asked him for his name. He said oh no I don't want to give you that. I explained to Mr. Elberry that I needed his information to file the report. He stated why. I stated if he wanted charges taken out on this male subject I would need his information to file the report and that he would have to go to court and testify. I explained to him we would charge the male subject with assault and battery and larceny. Mr. Elberry said oh no I don't want to go to court. I then asked him what he would like us to do. He then said nothing. I don't want to give you my information and I don't want to go to court. Mr. Elberry did not want to take out charges against the male subject.

I told Mr. Elberry if his manager needed the male subjects information to give me a call at the police station.

Respectfully submitted,


J. Dones #234