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COMMONWEALTH OF MASSACHUSETTS
WORCESTER SUPERIOR COURT
CRIMINAL DOCKET

WOCR93-00135

As of 03/22/9

Commonwealth v Elberry, Michael G

ENTRY DATE 03/04/93 CASE STATUS dappen Disposd: appeal pending
STATUS DATE 07/15/93 SESSION 1 Crim 1 (204 Worcester)
RETURN DATE 03/17/93 CASE ORIGIN I Indictment
LEAD CASE JURY TRIAL PUBLIC VIEW y

----- Tracking Information -----

TRIAL DLN DATE 03/17/94 DEADLINE STATUS active DLN STATUS DATE 03/05/93
CUSTODY STATUS DANGER WEAPON ILLEGAL SUBST
PRIOR RECORD SOCIAL RISK

NUM	OFFENSE	CODE	INDICTMENT	LOCATION	STATUS	DATE
001	09/29/92	272:053.1	WODA93-00135	Worcester	dguve	07/02/93
	Disorderly person					
002	09/29/92	265:013A.2	WODA93-00135	Worcester	dguve	07/02/93
	Assault & battery					
003	09/29/92	265:015B:b	WODA93-00135	Worcester	dnotgufi	07/01/93
	Assault, dangerous weapon					
004	09/29/92	265:015.2	WODA93-00135	Worcester	dguve	07/02/93
	Assault, intent to maim					

Plaintiff
Commonwealth
Active 03/04/93

Defendant
Michael G Elberry
370 Oak Street
Shrewsbury MA 01545
DOB: 02/08/52
SSN: 016-42-4647
Active 03/04/93 Notify

* * * D O C K E T * * *

DATE	PAPER	ENTRY
03/04/93	1.0	Indictment returned
03/05/93		Summons for arraignment issued
03/17/93		Plea of not guilty - same bail - \$500.00 w/out Prej.(Travers,J.
03/17/93		Bail satisfied: \$500. BB#2261, Surety: Jeannette Elberry 370 Oak St, Shrewsbury, Ma. Bail returned 7/15/93, Check #130, (\$500) BB#2261
03/17/93		Committee for Public Counsel Services appointed

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DATE	PAPER	ENTRY
03/31/93	2.0	Pre-trial conference report, filed in court and Approved(Travers,J.)
06/28/93	3.0	Deft files Motion to Sequester Witnesses, filed and ALLOWED by Agreement(Toomey,J.)
06/28/93	3.5	Deft files Proposed Questions to Prospective Jurors, filed - Se Action on Motion(Toomey,J.)
06/29/93		Mittimus without bail issued - Bail Revoked(Toomey,J.)B/W issue
07/01/93	4.0	Deft files (RE: Off. #1,2, & 4) Motion for a Required Finding of Not Guilty at the Close of the Commonwealth's Case, filed and DENIED (Toomey,J.)
07/01/93	5.0	Deft files (RE: Off. #3) Motion for a Required Finding of Not Guilty at the Close of the Commonwealth's Case, filed and ALLOWED(Toomey,J.)
07/01/93		RE offense 3: Not guilty finding(Toomey,J.)
07/02/93		Motion (P#4) denied - Renewed at Conclusion of Case & Denied(Toomey)
07/02/93	6.0	Deft files Proposed Jury Instructions, filed and DENIED(Toomey,J.)
07/02/93		Mittimus without bail issued (Toomey,J.)B/W issued
07/02/93	7.0	RE offense 1: Guilty verdict
07/02/93		Sentence stayed until 07/12/93 (Toomey,J.)
07/02/93	8.0	RE offense 2: Guilty verdict
07/02/93	9.0	RE offense 4: Guilty verdict
07/15/93	10.0	Deft files Motion After Discharge of Jury (RE: Off. #1), filed in court.
07/15/93	11.0	Deft files Motion after Discharge of Jury (RE: Off. #2), filed in court.
07/15/93	12.0	Deft files Motion after Discharge of Jury(RE: Off. #4), filed i court.
07/15/93	13.0	Deft files Motion for Stay of Sentence, filed in court and ALLOWED \$7,500.00 Cash(Toomey,J.)
07/15/93		Re offense #1: Placed on Probation 1 yr. from and after #93-0135-4 (Toomey,J.)
07/15/93		Re offense #2: Placed on Probation 1 yr., to run concurrent wit #93-0135-1 and to take effect from and after #93-0135-4(Toomey,J.)
07/15/93		Re offense #3: Defendant Discharged(Toomey,J.)
07/15/93		Re offense #4: Bail set at \$7,500.00 Cash with conditions that deft. have no contact with victim and no entry into any pouring estab. (Toomey,J.)
07/15/93		Bail satisfied: \$7,500.00 Cash - Surety: Jeanette M.

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DATE	PAPER	ENTRY
07/15/93		Davis-Elberry, 370 Oak Street, Shrewsbury, BB#2431. Sentence imposed:(RE: Off. #4) - 10 yrs. M.C.I. Concord, Credit 13 days Chapter 279 Section 33A(Toomey,J.)
07/15/93		Victim-witness fee \$50.00 to be paid while incarcerated
07/15/93		Sentence stayed pending appeal(Toomey,J.)
07/15/93	14.0	Notice of appeal, filed in court.
07/22/93		Motion (P#10) denied (Toomey,J.)
07/22/93		Motion (P#11) denied (Toomey,J.)
07/22/93		Motion (P#12) denied (Toomey,J.)
07/15/93		Court Reporter Ronald Francescone is hereby notified to prepare one copy of the transcript of the evidence of 6/28/93 thru 7/2/93.
07/15/93		Court Reporter Jane Esposito is hereby notified to prepare one copy of the transcript of the evidence of 7/15/93 (Sentencing).
09/07/93	15.0	Deft files Motion to Revise and Revoke, filed.
12/30/93		Transcript received - 1 volume from Jane Esposito(Sentencing)
02/09/94		Transcript received - 5 volumes from Ronald Francescone
02/23/94	16.0	Motion to Withdraw and Affidavit in Support, filed.
03/02/94		Motion (P#16) allowed - See 3/1/94 entry of 2/28/94 letter from the defendant(Toomey,J.)