

Handwritten mark



JOHN J. CONTE
DISTRICT ATTORNEY

COMMONWEALTH OF MASSACHUSETTS

OFFICE OF THE
DISTRICT ATTORNEY
MIDDLE DISTRICT

WORCESTER COUNTY COURTHOUSE
WORCESTER, MASSACHUSETTS 01608

TELEPHONE
755-8601
AREA CODE 508

FACSIMILE TRANSMISSION
COVER PAGE

TO: Ken Brekka

FROM: ADA Glenn Ludwig

DATE: 3/24/94

RE: Elber 940 case.

This transmission contains 2 pages, including this memo.

If any response is required to this transmission, our telecopier number is 757-8510. Our telephone number is 757-2786.

Ken:
 I will be putting this letter
 into evidence, just basis, for
 a N.G.

0016T

Handwritten mark



TOWN OF SHREWSBURY

DEPARTMENT OF POLICE



Robert K. McGinley
CHIEF OF POLICE

106 Maple Avenue
Shrewsbury, Massachusetts 01545-2849

Tel: (508) 845-4681
FAX: (508) 842-5334

March 20, 1995

District Attorney's Office
Worcester County Courthouse
Worcester, MA 01608

Attn: Glenn A. Ludwig
Assistant District Attorney

Dear Mr. Ludwig:

Re: Commonwealth v. Michael Elbery
9462 JC 3067

In reply to your letter of March 13, 1995, concerning the above case, please be advised that our records indicate that Michael G. Elbery, D.O.B. 2-8-52, had a valid Firearms Identification Card #E545159 on August 4, 1994.

However, I have revoked this Firearms Identification Card effective today, March 20, 1995.

Yours very truly,

Robert K. McGinley
Chief of Police

RKM:ck



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RECEIVED
TOWN OF SHREWSBURY
POLICE DEPT.

MAR 15 11 25 AM '95

March 13, 1995

ADD SSA TOWN

PLEASE SEE ME ON THIS

Chief Robert McGinley
Shrewsbury Police Department
106 Maple Avenue
Shrewsbury, MA 01545-2849

RE: Commonwealth v. Michael Elbery
9462 JC 3067

REM

Dear Chief McGinley:

I am the Assistant District Attorney assigned to prosecute the above matter in the Worcester Jury of Six.

This matter is regarding firearms located in a storage bin rented by Mr. Elbery at the EZ Mini Storage on Turnpike Road. The firearms were located during a fire at that premises on August 4, 1994.

The Defendant contends that he had a valid F.I.D. card to possess the firearms at the time. Would you kindly respond in writing as to the status of this permit and provide me with copies of any correspondence to the defendant concerning this permit. I do have in my possession copies of letters from the Worcester Police concerning the revocation of his license to carry firearms dated March 20, 1990. A similar request has been sent to the Worcester Police.

The matter currently is set for trial on April 3, 1995 in the Worcester Jury Session. Thank you for your attention to this matter.

Sincerely,

Glenn A. Ludwig

Glenn A. Ludwig
Assistant District Attorney

ltr

A-3

BREKKA & BREKKA
ATTORNEYS AT LAW
32 MAIN STREET
P.O. BOX 515
HUBBARDSTON, MASSACHUSETTS 01452

(508) 928-5000

FAX (508) 928-5085

KENNETH L. BREKKA
CLARE FRAIN BREKKA

March 24, 1995

Michael G. Elbery
N.C.C.I. Gardner
269 Chapel Street
Gardner, MA 01440

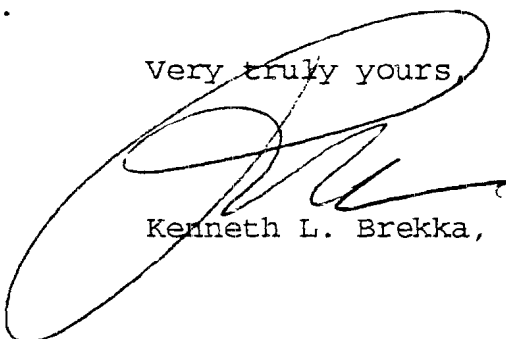
Re: Commonwealth v. Michael Elbery
Docket No. 9462 JC 3067

Dear Mike:

Please be advised that I was held in the Gardner Court on Friday longer than I had anticipated. I had also received word from my office on Friday that I received a fax from the DA which contained a letter from the Shrewsbury police that conceded that your F.I.D. license was valid on August 4, 1994. Enclosed please find a copy of that fax. I tried to reach the DA on Friday afternoon to discuss his note on the fax concerning a not guilty on a jury waived trial. I'm going to find out if we can bring the case before Sullivan next week and dispose of the whole mess.

I apologize for not making it over to talk to you on Friday. I will keep you posted.

Very truly yours,



Kenneth L. Brekka, Esq.

KLB/mf

3/14/80 MS

APPLICATION FOR A FIREARM IDENTIFICATION CARD

FORM 787 H & W INC.
REVISED NOV. 1972

(C.I.L. S.G.L. AS AMENDED)

II (R) 545159

CITY OR TOWN Shrewsbury

NAME (TYPE) Michael G. Elbery

LEGAL ADDRESS 370 Oak St. ZIP CODE 01545

DATE OF BIRTH 2-8-52 PLACE OF BIRTH Boston

HEIGHT 6'-2" WEIGHT 210 EYES blue HAIR brown

I HAVE READ S.129B OF C.140 AND I STATE AFFIRMATIVELY I AM NOT DISQUALIFIED FOR ANY OF THE REASONS FROM POSSESSING SUCH A FIREARM IDENTIFICATION CARD.

LEGAL SIGNATURE Michael G. Elbery

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