

Ex 10

Jury Court: Worcester Division 9462-JC- 3067 -A

Comm. v. Michael G, Elbery Prim Ct: Westboro Adult Juv CHINS

Prim Ct Disposition: Prim Ct Judge:

Police Dept: Shrewsbury Complainant: Sgt. Hurley

Defense Atty: Robt. Shubertoff DA:

Date Appealed: 12/15/94 Bail: \$5000 Cash - Not posted

Docket Nos.	Offense	Result in Jury Session	Disposition in Jury Session
Primary Ct: 9467CR1900A Jury Ct: 3067A	POSS. FIREARM NOT MOME/WRK, NO LIC.	<input type="checkbox"/> Jury verdict <input checked="" type="checkbox"/> Ct finding NG Date: 4.3.95	discharged
Primary Ct: B Jury Ct: B	POSS. FIREARM W/OUT FIREARM ID CARD	<input type="checkbox"/> Jury verdict <input checked="" type="checkbox"/> Ct finding NG Date: 4.3.95	discharged
Primary Ct: C Jury Ct: C	POSS. FIREARM W/OUT FIREARM ID CARD	<input type="checkbox"/> Jury verdict <input checked="" type="checkbox"/> Ct finding NG Date: 4.3.95	discharged
Primary Ct: D Jury Ct: D	POSS. FIREARM W/OUT FIREARM ID CARD	<input type="checkbox"/> Jury verdict <input checked="" type="checkbox"/> Ct finding NG Date: 4.3.95	discharged

DOCKET ENTRIES

A TRUE COPY ATTEST:
[Signature]
ASSISTANT CLERK Justice

No.	Date	Received <input type="checkbox"/> De novo. <input type="checkbox"/> First instance.	
1	12/15/94		
	1/18/95 TAD		<i>[Signature]</i>
	1-27-95	TAD. Habeas	Concord Cor 1-24-95 Habeas MCI Car
	2-15-95	Conf Habeas	<i>[Signature]</i>
	3-15-95	P.W. Trial Habeas	<i>[Signature]</i>
	4-3-95	T Habeas MCI Gardner	Concord ✓ Cor <i>[Signature]</i>

Docket Nos. Offense Result in Jury Session Disposition in Jury Session

Primary Ct: 9467CR1900E	POSS. FIREARM W/OUT FIREARM ID CARD	<input type="checkbox"/> Jury verdict <input checked="" type="checkbox"/> Ct finding NG Date: <u>4.3.95</u>	discharged
Jury Ct: 3067E			
Primary Ct: F	POSS. FIREARM W/OUT FIREARM ID CARD	<input type="checkbox"/> Jury verdict <input checked="" type="checkbox"/> Ct finding NG Date: <u>4.3.95</u>	discharged
Jury Ct: F			
Primary Ct:		<input type="checkbox"/> Jury verdict <input type="checkbox"/> Ct finding Date: _____	
Jury Ct:			
Primary Ct:		<input type="checkbox"/> Jury verdict <input type="checkbox"/> Ct finding Date: _____	
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Jury Ct:			
Primary Ct:		<input type="checkbox"/> Jury verdict <input type="checkbox"/> Ct finding Date: _____	
Jury Ct:			
Primary Ct:		<input type="checkbox"/> Jury verdict <input type="checkbox"/> Ct finding Date: _____	
Jury Ct:			

A TRUE COPY ATTEST:
[Signature]
ASSISTANT CLERK

COUNT DIVISION
WESTBOROUGH
 NAME, ADDRESS AND ZIP CODE OF DEFENDANT
 Michael G Elbery
 31B Chilmark St
 Worcester, MA

Atty Robert J. Kelly
 Waives
 Retained
 Assigned
 TERMS OF RELEASE
\$5000 Cash Bail
 DATE: **8-8-94**
 PROCEEDING: Arraigned before **J. McNamee**
 Advised of right to counsel
 Advised of right to drug exam
 Advised of right to bail review
 Advised of right to F.I. Jury Trial
 Waives Requests F.I. Jury Trial
 Advised of alien rights
 Warrant issued Default warrant issued
 Default removed Warrant recalled
 Warrant issued Default warrant issued
 Default removed Warrant recalled

DEF. DOB AND SEX: **2/8/1952**
 OFFENSE CODE(S): **702/700 X 5**
 DATE OF OFFENSE: **3/5/1994**
 PLACE OF OFFENSE: **Shrewsbury**
 COMPLAINANT: **Sgt Hurley**
 POLICE DEPARTMENT (if applicable): **Shrews./Samson**
 DATE OF COMPLAINT: **9/5/1994**
 RETURN DATE AND TIME: **9/8/1994 ARREST**

COUNT-OFFENSE: **A. PCSS. FIREARM, NOT HOME/WRK, NO LIC. c269 s10(a)**
 DATE: **8-8-94**
 PLEA: Not Guilty Guilty Nolo
 New Plea: Admits suff. facts
 FINDING: _____ JUDGE: _____
 Cont. w/o finding until: _____
 Appeal of find. & disp. Appeal of disp.

IMPRISONMENT AND OTHER DISPOSITION: **12/14/94 Reg's Jury Trial**
 FINE _____ SURFINE _____ COSTS _____ TOTAL DUE _____
 FINAL DISPOSITION: Discharged from probation
 Dismissed at request of probation

COUNT-OFFENSE: **B. PCSS. FIREARM W/OUT FIREARM ID CARD c269 s10(h)**
 DATE: **8-8-94**
 PLEA: Not Guilty Guilty Nolo
 New Plea: Admits suff. facts
 FINDING: _____ JUDGE: _____
 Cont. w/o finding until: _____
 Appeal of find. & disp. Appeal of disp.

IMPRISONMENT AND OTHER DISPOSITION: _____
 FINE _____ SURFINE _____ COSTS _____ TOTAL DUE _____
 FINAL DISPOSITION: Discharged from probation
 Dismissed at request of probation

COUNT-OFFENSE: **C. PCSS. FIREARM W/OUT FIREARM ID CARD c269 s10(h)**
 DATE: **8-8-94**
 PLEA: Not Guilty Guilty Nolo
 New Plea: Admits suff. facts
 FINDING: _____ JUDGE: _____
 Cont. w/o finding until: _____
 Appeal of find. & disp. Appeal of disp.

IMPRISONMENT AND OTHER DISPOSITION: _____
 FINE _____ SURFINE _____ COSTS _____ TOTAL DUE _____
 FINAL DISPOSITION: Discharged from probation
 Dismissed at request of probation

Hurley
EXHIBIT NO. 10
M.C.L. 6/4/99

COUNT-OFFENSE: **D. PCSS. FIREARM W/OUT FIREARM ID CARD c269 s10(h)**
 DATE: **8-8-94**
 PLEA: Not Guilty Guilty Nolo
 New Plea: Admits suff. facts
 FINDING: _____ JUDGE: _____
 Cont. w/o finding until: _____
 Appeal of find. & disp. Appeal of disp.

IMPRISONMENT AND OTHER DISPOSITION: _____
 FINE _____ SURFINE _____ COSTS _____ TOTAL DUE _____
 FINAL DISPOSITION: Discharged from probation
 Dismissed at request of probation

J. Kelly
Clerk/Magistrate

CONT TO	PURPOSE	CONT TO	PURPOSE
8-16-94	PTC		
9-8-94	PT. Dec. Def. need not appear		
1-20-00	PT. at Shrewsbury - Fines \$5000		

DATE	TYPE NO	START	STOP
10/21/99			

DATE	DOCKET ENTRIES
8-8-94	Mitt. Reasons for Bail, Bail Review cont
8.16.94	Habeas Mitt for 9.20.94
9/9/94	<p>Reinstatement of Amey (D'A's effort)</p> <p>Appearance filed by R. Shickoff</p> <p>Pre-trial Conf Report filed</p>
9-20-94	<p>Mitt. WCHC Habeas MCI-Concord p. 5.</p> <p>D'A's to pres. witnesses per health</p>
9.20.94	<p>Motion to suppress; affidavit in support of motion</p> <p>filed by Atty Shickoff filed for hearing 10.21.94 JMM-</p>
10.21.94	Cont'd 11-16-94 Status - Habeas Concord
11/16/94	<p>Matter cont'd to 12/14/94 Mc Coyne</p> <p>Prob Cause Hearing</p> <p>Notify Officer Hurler ✓</p> <p>Notify Officer Sampson ✓</p> <p>Notify Officer Hanson ✓</p> <p>Notify Officer Johnson ✓</p> <p>Habeas Winded MCI Concord</p> <p>H.C.</p>
11.16.94	<p>Notified 4 officers for prob cause hear 12/14/94 BMC</p>
11.16.94	Habeas Concord for 12.14.94
12/7/94	<p>Pending & Facts filed - Hankowski</p> <p>All parties notified</p>
12.14.94	<p>Pre-trial Conf report filed</p> <p>Def neg FI. to C.C. this date</p> <p>Mitt to Concord for CDC date 1.14.95 JMM-</p>

No.

Date

Justice

1-24-95

Rec'd Call M.C. - godrej - A
stives & they need a kate for 1-27