

CRIMINAL DOCKET DOCKET NO. 0162CR006643 ATTORNEY NAME Cataldo Rubin

COURT DIVISION Worcester INTERPRETER REQUIRED

DATE and JUDGE DOCKET ENTRY

NAME, ADDRESS AND ZIP CODE OF DEFENDANT ZAMBRANO, JORGE A 3 EUCLID AVE, #3 WORCESTER, MA 01610

Attorney appointed (SJC R. 3-10) Atty denied and Deft Advised per 211D §2A Waiver of counsel found after colloquy

DEFT. DOB AND SEX 03/14/1981 M

Terms of release set: 300 Noble PR Bail: Held (276 §58A) See back for special conditions

DATE OF OFFENSE(S) 07/23/2001 PLACE OF OFFENSE(S) HOLDEN

Amalgated and advised: Potential of bail revocation (276 §58) Right to bail review (276 §58) Right to drug exam (111E §10)

COMPLAINANT HARRIGAN, RICHARD POLICE DEPARTMENT (if applicable) HOLDEN PD

Advised of right to jury trial: Does not waive Waiver of jury trial found after colloquy

DATE OF COMPLAINT 07/24/2001 RETURN DATE AND TIME

Advised of trial rights as pro se (Supp. R. 4) Advised of right of appeal to Appeals Ct (R. 28)

COUNT/OFFENSE 1. 94C/34/G DRUG, POSSESS CLASS D c94C §34 FINE SURFINE COSTS RESTITUTION VAW ASSESSMENT

DISPOSITION DATE and JUDGE 11/14/01 Finding: Not Guilty

SENTENCE OR OTHER DISPOSITION Sufficient facts found but continued without guilty finding until: 7.9.02 DW Probation Pretrial Probation (276 §87) - until: 11.02.02

COUNT/OFFENSE 2. 90/23/E LICENSE SUSPENDED, OP MV WITH, SUBSQ.OFF FINE 500- SURFINE 125 COSTS RESTITUTION VAW ASSESSMENT 35 WAIVED

DISPOSITION DATE and JUDGE 11/14/02 Finding: Guilty

SENTENCE OR OTHER DISPOSITION Sufficient facts found but continued without guilty finding until: 6/14/02 DW Probation Pretrial Probation (276 §87) - until: 12/02/02

COUNT/OFFENSE 3. 138/34C/A LIQUOR, PERSON UNDER 21 POSSESS c138 §3 FINE SURFINE COSTS RESTITUTION VAW ASSESSMENT

DISPOSITION DATE and JUDGE 11/14/02 Finding: Guilty

SENTENCE OR OTHER DISPOSITION Sufficient facts found but continued without guilty finding until: 8.1.02 Money pd to Prob. Probation Pretrial Probation (276 §87) - until: 12/02/02

COUNT/OFFENSE FINE SURFINE COSTS RESTITUTION VAW ASSESSMENT

DISPOSITION DATE and JUDGE DISPOSITION METHOD FINDING

SENTENCE OR OTHER DISPOSITION Sufficient facts found but continued without guilty finding until: Probation Pretrial Probation (276 §87) - until: Dismissed upon: Request of Comm. Request of Victim

COURT ADDRESS Worcester District Court 50 Harvard Street Worcester, MA 01608

A TRUE COPY ATTEST: X CLERK-MAGISTRATE/ASST. CLERK ON (DATE)



<b>CRIMINAL COMPLAINT</b>		<b>0162CR006643</b>				
DEFENDANT ZAMBRANO, JORGE A 3 EUCLID AVE, #3 WORCESTER, MA 01610						
DATE OF BIRTH	SEX	RACE	HEIGHT	WEIGHT	EYES	HAIR
03/14/1981	M	W	5'11"	165	BRO	BRO
INCIDENT REPORT #		SOCIAL SECURITY #				
01-184-AR		593-70-5052				
DATE OF OFFENSE		PLACE OF OFFENSE				
07/23/2001		HOLDEN				
COMPLAINANT			POLICE DEPARTMENT			
HORRIGAN, RICHARD			HOLDEN PD			
DATE OF COMPLAINT		RETURN DATE AND TIME				
07/24/2001						

**Trial Court of Massachusetts  
Worcester District Court**



TO ANY JUSTICE OR CLERK-MAGISTRATE  
OF THE WORCESTER DISTRICT COURT

The undersigned complainant, on behalf of the Commonwealth, on oath complains that on the date and at the location stated herein the defendant did commit the offense(s) listed below.

**COUNT-OFFENSE**  
1. 94C/34/G DRUG, POSSESS CLASS D c94C §34

on 07/23/2001, not being authorized by law, did knowingly or intentionally possess a controlled substance in Class D of G.L. c.94C, §31, to wit: MARIJUANA, in violation of G.L. c.94C, §34. (PENALTY for possession of marihuana if no prior conviction under c. 94C or prior law relating to narcotic or harmful drugs: probation if defendant consents, unless judge files memorandum stating reasons for not so doing; upon successful completion, case to be dismissed. PENALTY for possession of marihuana otherwise: imprisonment not more than 6 months; or \$500; or both. PENALTY for possession of other Class D drug: imprisonment not more than 1 year; or not more than \$1000; or both.)

**COUNT-OFFENSE**  
2. 90/23/E LICENSE SUSPENDED, OP MV WITH, SUBSQ.OFF c90

on 07/23/2001 did operate a motor vehicle after his or her license or right to operate a motor vehicle without a license had been suspended or revoked, or after notice of such suspension or revocation had been issued by the Registrar of Motor Vehicles and received by the defendant or by his or her agent or employer, and prior to the restoration of such license or right to operate or the issuance to him or her of a new license to operate, the defendant having previously been convicted of such an offense, in violation of G.L. c.90, §23. (PENALTY: imprisonment for not less than 60 days, not more than 1 year; and RMV shall suspend or revoke license for an additional 60 days.)

**COUNT-OFFENSE**  
3. 138/34C/A LIQUOR, PERSON UNDER 21 POSSESS c138 §34C

on 07/23/2001, being under twenty-one years of age and not accompanied by a parent or legal guardian, did knowingly possess, transport or carry on his or her person alcohol or an alcoholic beverage, not doing so in the course of his or her employment while between the ages of eighteen and twenty-one, in violation of G.L. c.138, §34C. (PENALTY: not more than \$50. CLERK-MAGISTRATE MUST REPORT CONVICTION TO THE REGISTRAR OF MOTOR VEHICLES, who shall suspend drivers license for 90 days.)

**COUNT-OFFENSE**

COMPLAINANT X <i>Richard E. Hoyer</i>	SWORN TO BEFORE CLERK-MAGISTRATE X <i>Francis E. Raymond</i>	ON (DATE) 7/24/01	TOTAL COUNTS 3
FIRST JUSTICE Hon. Elliott Zide	COURT ADDRESS Worcester District Court 50 Harvard Street Worcester, MA 01608	A TRUE CLERK-MAGISTRATE/ASST. CLERK COPY ATTEST: X	ON (DATE)

**FINDING OF JUDGE -- DETERMINATION OF INDIGENCY**

After considering the report and recommendation of the probation officer or other appropriate court employee, and after interrogating the defendant named in the complaint on the reverse side, if appropriate, based upon the standards in Supreme Judicial Court Rule 3:10, I FIND THAT THE DEFENDANT IS:

- INDIGENT** because the defendant:
- receives Aid to Families with Dependent Children (AFDC).
  - receives Emergency Aid to Elderly, Disabled and Children (EAEDC).
  - receives poverty-related veterans' benefits.
  - receives food stamps.
  - receives refugee resettlement benefits.
  - receives Medicaid.
  - receives Supplemental Security Income (SSI).
  - is a patient in a mental health facility or treatment center (or is the subject of a proceeding for admission to such a facility) and lacks available funds.
  - is serving a sentence in a correctional institution and has no available funds.
  - is held in custody in a jail and has no available funds.
  - has an annual income, after taxes, 125% or less of the current poverty threshold referred to in G.L. c. 261, § 27A(b).
  - is determined to be indigent pursuant to S.J.C. Rule 3:10, Section 4(b) [Judge's Section 4(b) findings on the record are appended].

- INDIGENT BUT ABLE TO CONTRIBUTE**, and is therefore ordered to pay

\$ \_\_\_\_\_ toward the cost of counsel  
because the defendant:

- has an annual income, after taxes, of more than 125% and less than 250% of the current poverty threshold referred to in G.L. c. 261, § 27A(b).
- is charged with a felony within the jurisdiction of the Superior Court and has available funds sufficient to pay a portion of the anticipated cost of counsel
- is determined to be indigent but able to contribute pursuant to S.J.C. Rule 3:10, Section 4(b) [Judge's Section 4(b) findings on the record are appended].

- NOT INDIGENT** and is able to pay the anticipated cost of counsel [Judge's findings on the record are appended if this finding is pursuant to S.J.C. Rule 3:10, Section 4(b)].

\_\_\_\_\_  
Date

\_\_\_\_\_  
District Court Justice

**CERTIFICATE OF JUDGE -- WAIVER OF COUNSEL**

I hereby certify that the defendant named in the complaint on the reverse side has been informed of his/her right to counsel in accordance with Supreme Judicial Court Rule 3:10 and G.L. c. 211D, §5; that he/she has knowingly elected to proceed without a lawyer, and that he/she has:

- Executed a waiver of counsel in my presence.
- Refused to sign a waiver.

\_\_\_\_\_  
Date

\_\_\_\_\_  
District Court Justice

<b>TENDER OF PLEA OR ADMISSION WAIVER OF RIGHTS</b>	DOCKET NO <i>0162 CR 006643</i>	NO. OF COUNTS <i>3</i>	<b>Trial Court of Massachusetts District Court Department</b>
INSTRUCTIONS: This form must be typed or printed clearly, completed prior to the Pretrial Hearing, signed by both counsel and submitted to the court by the defendant at or before the Pretrial Hearing.	NAME OF DEFENDANT <i>Jorge Zambiano</i>		COURT DIVISION <b>Worcester District Court 50 Harvard Street Worcester, MA. 01608</b>

**SECTION I TENDER OF PLEA**

Defendant in this case hereby tenders the following:  PLEA OF GUILTY  ADMISSION TO FACTS SUFFICIENT FOR A FINDING OF GUILTY conditioned on the dispositional terms indicated below. *Include all proposed terms (guilty finding, finding of sufficient facts, continued without finding, dismissal, fine, costs, probation period and supervision terms, restitution amount including the identification of the recipient of restitution, and any sentence of incarceration, split sentence or suspended sentence, etc.). Number each count and specify terms for each count separately.*

COUNT NO	DEFENDANT'S DISPOSITIONAL TERMS (Check "Yes" if Prosecution agrees - Check "No" If Prosecution disagrees)	PROSECUTOR'S RECOMMENDATION (Required if Prosecutor disagrees with terms)
<i>1</i>	<i>CWOF 6 mos. TO BE DISM.</i>	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
<i>2</i>	<i>Guilty \$500 F</i>	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
<i>3</i>	<i>Guilty 50</i>	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO

WE HAVE CONSULTED WITH THE PROBATION DEPARTMENT REGARDING ANY PROBATION TERMS SET FORTH ABOVE.

SIGNATURE OF DEFENSE COUNSEL <i>X</i> <i>David J. Costello</i>	DATE <i>1/14/02</i>	SIGNATURE OF PROSECUTING OFFICER <i>X</i> <i>[Signature]</i>	DATE <i>1/14/01</i>
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**SECTION II PLEA OR ADMISSION ACCEPTED BY THE COURT**

The Court  ACCEPTS the tendered Plea or Admission on defendant's terms set forth in Section I, and will impose sentence in accordance with said terms, subject to submission of defendant's written WAIVER (see Section IV on reverse of this form), completion of the required oral COLLOQUY, a determination that there is a FACTUAL BASIS for the Plea or Admission, and notice of ALIEN RIGHTS.

**SECTION III PLEA OR ADMISSION REJECTED BY THE COURT**

The Court  REJECTS the defendant's dispositional terms set forth above and, in accordance with Mass. R. Crim. P. 12(c)(6), has set forth to the defendant the dispositional terms it would find acceptable, to wit:

*[Handwritten Signature]*

**DEFENDANT'S DECISION IF COURT REJECTS TENDERED PLEA OR ADMISSION:**

Defendant **WITHDRAWS** the tendered Plea or Admission; the parties must complete and file a Pretrial Conference Report, a Pretrial Hearing must be conducted and a trial date scheduled, if necessary.

Defendant **ACCEPTS** terms set forth by the Court, a Plea or Admission will be accepted by the court and said dispositional terms imposed, subject to submission of defendant's written WAIVER (see Section IV on reverse of this form), completion of the required oral COLLOQUY, a determination that there is a FACTUAL BASIS for the Plea or Admission, and notice of ALIEN RIGHTS.

SIGNATURE OF JUDGE ACCEPTING OR REJECTING PLEA OR ADMISSION <i>X</i> <i>[Signature]</i>	DATE <i>1/14/02</i>	SIGNATURE OF DEFENSE COUNSEL (if rejection decision made)	DATE
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# APPEARANCE OF COUNSEL

# Trial Court of Massachusetts District Court Department



DOCKET NUMBER:

COURT NAME AND ADDRESS

01    62    CRIM    01664B  
YEAR\*    COURT NUMBER    CASE TYPE\*\*    CASE NUMBER

Worcester District Court  
50 Harvard Street  
Worcester, MA. 01608

\*e.g. '93', '94' etc.  
\*\*e.g. "CR", "CV" etc.

### To the Clerk - Magistrate:

Please enter my appearance as attorney for \_\_\_\_\_  
in the above numbered court action.

*George Zambono*

ATTORNEY NAME

*David D. Catella*

B.B.O. NUMBER (Required)

*078900*

ATTORNEY FIRM

*Magnard + Catella*

TELEPHONE NUMBER

*(799) 4448*

STREET ADDRESS

*487 Main St.*

CITY/TOWN

*Worc.*

STATE

*Ma.*

ZIP CODE

*01608*

X

*David D. Catella*

SIGNATURE OF ATTORNEY

*8/30/01*

DATE

# RECOGNIZANCE

(Promise to Appear)

# COMMONWEALTH OF MASSACHUSETTS



DOCKET NUMBER

DEFENDANT'S NAME AND ADDRESS (INCLUDE ANY ALIASES)

Jorge A. Zambardo  
3 Euclid Ave #3  
Worcester MA

### TERMS OF RELEASE

- PERSONAL RECOGNIZANCE (Promise to Appear) \$ 300.
- BAIL
- CASH AS SURETY \$ \_\_\_\_\_
- BOND AS SURETY \$ \_\_\_\_\_
- OTHER SURETY \$ \_\_\_\_\_ (Please Specify)

NAME AND ADDRESS OF COURT

District Court Dept.  
Worcester Division  
50 Harvard Street  
Worcester, Ma. 01608

DATE AND TIME OF APPEARANCE

7-24-01 Room 415  
AT 8:30  A.M.  P.M.

← THE DEFENDANT MUST APPEAR AT THIS COURT ADDRESS ON THE DATE AND TIME SPECIFIED HEREIN ←

SOCIAL SECURITY NUMBER

DATE OF BIRTH

593-70-5052

3-14-81

SURETY/SURETIES NAME AND ADDRESS

ARREST ON WARRANT

- YES
- NO

OFFENSE(S)

Open MV with License Suspense  
Poss of Class D

I, as defendant, charged by complaint with the crime(s) listed above, understand that I am being released from custody according to the terms of release specified. I will personally appear before the above named court at the date and time indicated, and I will appear for any continuance until the final decree, sentence or order, and I will abide by it and not depart without leave. Further, I will appear before any court to which the charges may be transferred or appealed, or to any sitting of the Superior Court to which I may be bound over or indicted to answer to any indictment, and I will appear for any continuance until the final decree, sentence or order, and I will abide by it and not depart without leave.

I understand and acknowledge that if I fail without sufficient excuse to appear in accordance with the foregoing promise, I will be liable, jointly and severally if a surety has been required, to the Commonwealth of Massachusetts for the dollar amount specified in the terms of release.

SIGNED (DEFENDANT)

DATE

*[Signature]* 7-24-01

I, as surety, understand and acknowledge that if the above named defendant fails to appear and abide by all orders of the court according to the foregoing promise, I will be liable, jointly and severally, with the defendant to the Commonwealth of Massachusetts for the dollar amount specified in the terms of release.

SIGNED (SURETY)

X

SIGNED (SURETY)

X

SIGNED (PERSON AUTHORIZED TO TAKE BAIL)

*[Signature]*

- Clerk—Magistrate
- Assistant Clerk
- Bail Commissioner

Subscribed and sworn to before me, the defendant having been furnished a copy of this recognizance.

A. RELEASE AUTHORIZED FROM

B. JURISDICTION OF MAGISTRATE

(Complete when appearance is being required outside of your jurisdiction)

BAIL FEE RECEIVED

\$ 25.00

DATE AND TIME SIGNED

7-24-01 8:40  A.M.  P.M.

### NOTICE TO DEFENDANT

#### Penalty for failure to appear in court after release on bail or recognizance

A defendant who fails without sufficient excuse to appear in court after release on bail or recognizance may be punished by a fine of \$10,000 or by imprisonment for a year, or both, in the case of a misdemeanor, and by a fine of \$50,000 or imprisonment for five years, or both, in the case of a felony.

#### Penalty for committing a crime while on release on bail or recognizance

A defendant who is charged with another crime while on release on bail or recognizance may have the terms of this release revoked, and the defendant may be held without bail for a period not to exceed 60 days.

### RECEIPT-RECORD OF PAYMENT OF CASH BAIL

NOT APPLICABLE

DATE	RECEIVED FROM SURETY (NAME AND ADDRESS)	DEFENDANT	AMOUNT
		CASE NUMBER	DISTRICT COURT

RECEIVED BY

*[Signature]*

<b>CRIMINAL COMPLAINT</b>		<b>0162CR006643</b>				
DEFENDANT ZAMBRANO, JORGE A 3 EUCLID AVE, #3 WORCESTER, MA 01610						
DATE OF BIRTH	SEX	RACE	HEIGHT	WEIGHT	EYES	HAIR
03/14/1981	M	W	5'11"	165	BRO	BRO
INCIDENT REPORT #		SOCIAL SECURITY #				
01-184-AR		593-70-5052				
DATE OF OFFENSE		PLACE OF OFFENSE				
07/23/2001		HOLDEN				
COMPLAINANT			POLICE DEPARTMENT			
HORRIGAN, RICHARD			HOLDEN PD			
DATE OF COMPLAINT		RETURN DATE AND TIME				
07/24/2001						

**Trial Court of Massachusetts  
Worcester District Court**



TO ANY JUSTICE OR CLERK-MAGISTRATE  
OF THE WORCESTER DISTRICT COURT

The undersigned complainant, on behalf of the Commonwealth, on oath complains that on the date and at the location stated herein the defendant did commit the offense(s) listed below.

COUNT-OFFENSE
1. 94C/34/G DRUG, POSSESS CLASS D c94C §34

on 07/23/2001, not being authorized by law, did knowingly or intentionally possess a controlled substance in Class D of G.L. c.94C, §31, to wit: MARIJUANA, in violation of G.L. c.94C, §34. (PENALTY for possession of marihuana if no prior conviction under c. 94C or prior law relating to narcotic or harmful drugs: probation if defendant consents, unless judge files memorandum stating reasons for not so doing; upon successful completion, case to be dismissed. PENALTY for possession of marihuana otherwise: imprisonment not more than 6 months; or \$500; or both. PENALTY for possession of other Class D drug: imprisonment not more than 1 year; or not more than \$1000; or both.)

COUNT-OFFENSE
2. 90/23/E LICENSE SUSPENDED, OP MV WITH, SUBSQ.OFF c90

on 07/23/2001 did operate a motor vehicle after his or her license or right to operate a motor vehicle without a license had been suspended or revoked, or after notice of such suspension or revocation had been issued by the Registrar of Motor Vehicles and received by the defendant or by his or her agent or employer, and prior to the restoration of such license or right to operate or the issuance to him or her of a new license to operate, the defendant having previously been convicted of such an offense, in violation of G.L. c.90, §23. (PENALTY: imprisonment for not less than 60 days, not more than 1 year; and RMV shall suspend or revoke license for an additional 60 days.)

COUNT-OFFENSE
3. 138/34C/A LIQUOR, PERSON UNDER 21 POSSESS c138 §34C

on 07/23/2001, being under twenty-one years of age and not accompanied by a parent or legal guardian, did knowingly possess, transport or carry on his or her person alcohol or an alcoholic beverage, not doing so in the course of his or her employment while between the ages of eighteen and twenty-one, in violation of G.L. c.138, §34C. (PENALTY: not more than \$50. CLERK-MAGISTRATE MUST REPORT CONVICTION TO THE REGISTRAR OF MOTOR VEHICLES, who shall suspend drivers license for 90 days.)

COUNT-OFFENSE

COMPLAINANT X	SWORN TO BEFORE CLERK-MAGISTRATE X	ON (DATE)	TOTAL COUNTS 3
(DEFENDANT COPY)	FIRST JUSTICE Hon. Elliott Zide	COURT ADDRESS Worcester District Court 50 Harvard Street Worcester, MA 01608	
A TRUE COPY ATTEST: X	CLERK-MAGISTRATE/ASST. CLERK	ON (DATE)	



<b>RETURN OF SERVICE ON SUMMONS TO DEFENDANT</b>			DOCKET NO. <b>0162CR006643</b>		<b>Trial Court of Massachusetts District Court Department</b>	
DEFENDANT'S DOB 03/14/1981	SEX M	HOME PHONE	WORK PHONE	NO. COUNTS 3	COURT NAME and ADDRESS Worcester District Court 50 Harvard Street Worcester, MA 01608	
DEFENDANT'S NAME and ADDRESS  ZAMBRANO, JORGE A 3 EUCLID AVE, #3 WORCESTER, MA 01610						
					DATE YOU MUST APPEAR	←←←←←
					TIME YOU MUST APPEAR	YOU MUST APPEAR AT ABOVE COURT AT THIS DATE and TIME ←←←←←
<b>FIRST SIX COUNTS:</b>					SCHEDULED EVENT <b>ARRAIGNMENT</b>	
1. 94C/34/G DRUG, POSSESS CLASS D c94C §34 2. 90/23/E LICENSE SUSPENDED, OP MV WITH, SUBSQ.OFF c90 §23 3. 138/34C/A LIQUOR, PERSON UNDER 21 POSSESS c138 §34C						
<b>TO THE ABOVE-NAMED DEFENDANT:</b>						
You are hereby ordered to appear in this court on the date and time indicated above to answer to a criminal complaint that has been issued against you. Please report to the probation office upon your arrival at the court.						
TESTE OF FIRST JUSTICE			DATE ISSUED		CLERK-MAGISTRATE	
WITNESS: Hon. Elliott Zide			07/24/2001		THOMAS NOONAN	
<b>TO ANY PERSON AUTHORIZED TO SERVE CRIMINAL PROCESS:</b>						
You are hereby commanded to serve the defendant's copy of this summons upon the defendant named above, and make your return of service below.						
<b>RETURN OF SERVICE</b>	I hereby certify that I served a copy of this summons not less than 24 hours before the scheduled date and time of appearing by ("x" one): <ul style="list-style-type: none"> <li><input type="checkbox"/> Delivering a copy of it personally to the defendant.</li> <li><input type="checkbox"/> Leaving a copy of it at the dwelling house or usual place of abode of the defendant with a person of suitable age and discretion residing therein:  Name of person to whom delivered: _____</li> <li><input type="checkbox"/> Mailing a copy of it to the defendant at the address shown above, which is the defendant's last known address.</li> <li><input type="checkbox"/> I was unable to make service because:</li> </ul>					
DATE OF SERVICE	SIGNATURE OF PERSON MAKING SERVICE				TITLE OF PERSON MAKING SERVICE	
	<b>X</b>					

NAME/ADDRESS Zambrano, Jorge 3 Euclid Ave #3  
Worce. MA 01610

You have been placed on Probation to the date of 7/9/2002. Unless otherwise excused, you must appear in court on **CWOF 7/9/02** when a report on your probation will be made. You are hereby ordered to:

**REQUIRED CONDITION OF PROBATION**

1. Obey all court orders and all city, state and federal laws.

**SPECIAL CONDITIONS OF PROBATION**

- 2.  EMPLOYMENT/SCHOOL- Remain employed or make reasonable efforts to 1. attain employment or 2. attend school.
- 3.  LITERACY- Participate in literacy, basic education or high school equivalency classes.
- 4.  DRUG FREE/TESTING- Remain drug and alcohol free; submit to random testing.
- 5.  SPECIFIC PROGRAMS- Complete court approved  Driver Education  
 Anger Management  Community Service \_\_\_\_\_  
No. of hours
- Alcohol Anonymous/Narcotics Anonymous \_\_\_\_\_  
No. of meetings
- 6.  NO CONTACT- Have no direct or indirect contact with \_\_\_\_\_  
Person(s)
- 7.  OTHER- \_\_\_\_\_
- 8.  FINANCIAL PAYMENTS AND PENALTIES- Pay the following to the Probation Department in accordance with the schedule established by the court or the probation officer.

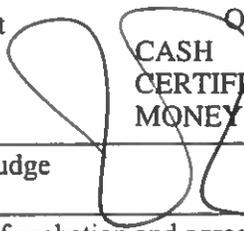
Fine/Surfine	Restitution	V W Fee	Costs	Counsel Fee	Drug Fee	Head Injury Fee	Other
\$ 660 <sup>00</sup>	\$	\$ 35	\$	\$	\$	\$	\$

With regard to special conditions of probation you are required to furnish proof to the Probation officer listed below in a manner satisfactory to him/her that you have completed the special conditions.

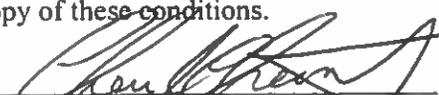
Your Probation Officer is: **JANICE HINSON (508)757-8350 EXT. 338**

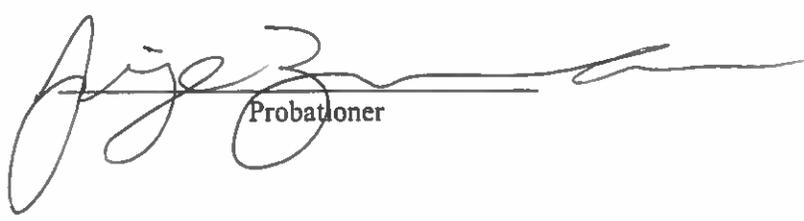
Make Payments To: Chief Probation Officer  
Worcester District Court  
50 Harvard Street  
Worcester, MA 01608

**NO PERSONAL CHECKS  
ONLY  
CASH  
CERTIFIED BANK CHECK OR  
MONEY ORDER**

Date 1/14/2002 Judge 

I have read and understand all the above conditions of probation and agree to observe them. I acknowledge receipt of a copy of these conditions.

X   
Probation Officer ( Witness)

  
Probationer

**NOTICE OF TRIAL DATE**

DOCKET NUMBER  
*6643 (01)*

**Trial Court of Massachusetts  
District Court Department**



COURT DIVISION

Worcester District Court  
50 Harvard Street  
Worcester, MA. 01608

COMMONWEALTH VS

*Joye CAMBRANO*  
NAME OF DEFENDANT

*assignment*  
**TRIAL DATE**

The PRETRIAL proceedings in this case having concluded without a pretrial disposition, **this case is now scheduled for trial as follows:**

Place: *Worcester* District Court  
Date: *12.14.01*  
Time: *8:45 Rm 401*

Defendant's right to trial by jury  HAS  HAS NOT been waived. (If waived, court waiver form must be completed.)

RECEIPT of this notice acknowledged:

*Joye*  
Defendant Date

*R. Camp* *11/21/01*  
Prosecutor Date

*Dan C. Petrelli* *11/21/01*  
Defense Counsel Date

**N.B.:** Commonwealth's case file must be promptly transmitted to the prosecutor responsible for trial, if the latter is other than the above-signed.

**N.B.:** Withdrawal of counsel is permitted only in accordance with S.J.C. Rule 3:10(8)(b)(assigned counsel), S.J.C. Rule 3:07, DR 2-110 (private counsel), and applicable law.

White copy: Court  
Pink copy: Prosecutor  
Blue copy: Defendant

**HABEAS CORPUS  
FOR PROSECUTION**

DOCKET NUMBER  
**0162CR006643**

**Trial Court of Massachusetts  
District Court Department**



DEFENDANT NAME  
**ZAMBRANO, JORGE A**

COURT NAME & ADDRESS  
Worcester District Court  
50 Harvard Street  
Worcester, MA 01608  
(508) 757-8350

DEFENDANT DOB    SEX    SSN    PCF NUMBER  
03/14/1981    M    593-70-5052

NAME AND ADDRESS OF INSTITUTION  
  
MIDDLESEX HOUSE OF CORRECTION  
269 TREBLE COVE RD  
BILLERICA, MA 1821

NEXT EVENT  
**MOTION HEARING**

NEXT EVENT DATE & TIME  
**11/21/2001 9:00 AM**

COURTROOM

←←←←←  
DEFENDANT MUST  
APPEAR AT ABOVE  
COURT ON THIS  
DATE AND TIME  
←←←←←

**TO THE OFFICIAL IN CHARGE OF THE INSTITUTION NAMED ABOVE:**

You are hereby ORDERED to bring the defendant named above, who is presently in your custody, before this court on the date and time indicated above for the event indicated.

If the above named defendant is transferred from your facility prior to the appearance date, please transmit this writ with the defendant to the new facility. If the defendant is released from custody, please notify the court immediately.

**FURTHER ORDERS OF THE COURT:**

TESTE OF FIRST JUSTICE

DATE ISSUED

CLERK-MAGISTRATE / ASST. CLERK

**WITNESS:** Hon. Elliott Zide

10/12/2001

**X**

**RETURN**

I certify that:

I have produced the defendant in court as ordered.

I am unable to produce the defendant and I am returning this writ to the court because:

DATE OF RETURN

SIGNATURE OF PERSON MAKING RETURN

TITLE OF PERSON MAKING RETURN

**X**

Defendant agrees, if an alibi defense will be offered, to notify the Commonwealth in writing on or before \_\_\_\_\_, 20\_\_\_\_ of the place or places at which the defendant claims to have been at the time of the alleged offense and the names, addresses and dates of birth of the defendant's alibi witnesses or may here so state. N/A

The Commonwealth agrees to notify the defendant in writing on or before \_\_\_\_\_, 20\_\_\_\_ of the names, addresses and dates of birth of witnesses on which it relies to establish defendant's presence at the scene of the alleged offense or otherwise to rebut defendant's alibi defense.

5. NOTICE OF OTHER DEFENSES, Mass. R. Crim. P. 14(b)(2),(3). If the defendant intends to rely upon the defense of lack of criminal responsibility or upon a defense based upon a license, claim of authority or ownership, or exemption, defendant must notify the Commonwealth within seven days of today or may here so state. N/A

6. OTHER DISCOVERY AGREEMENTS. The parties agree to the following other matters relating to discovery:

None

7. MOTIONS. Matters upon which the parties have not reached agreement which are to be the subject of motions:

none to suppress

8. STIPULATIONS OF FACT:

None

9. STATUS OF DEFENDANT. The defendant (is)  (is not) presently in custody at \_\_\_\_\_.

10. INTERPRETER. A N/A interpreter will be needed.

11. STATUS OF CASE. (NOT BINDING)

Estimated length of trial: \_\_\_\_\_  
No. of Witnesses: Pros. \_\_\_\_\_ Def. 3  
Jury  Jury Waived \_\_\_\_\_ (Not binding)

12. SUBSEQUENTLY DISCOVERED MATERIAL. The undersigned acknowledge their continuing duties regarding discovery under Mass. R. Crim. P. 14 (a)(4).

13. CERTIFICATION. The undersigned certify that the above Pre-Trial Conference Report was agreed to on 10/12, 2001 and that each party is bound by this report. This report shall control the subsequent course of the proceedings.

RCam  
Ass't. District Attorney  
Police Prosecutor

Paul J. Catalano  
Defense Counsel

Defendant

THIS REPORT HAS BEEN SUBMITTED IN ITS ENTIRETY AND ACCEPTED BY THE COURT. THE MATTER IS SCHEDULED FOR TRIAL ON

11/21, 2001 IN Worcester Court

RRH  
Signature of Justice

10-12-01  
Date

**TENDER OF PLEA OR ADMISSION WAIVER OF RIGHTS**

DOCKET NO.

NO. OF COUNTS

Trial Court of Massachusetts  
District Court Department



INSTRUCTIONS: This form must be typed or printed clearly, completed prior to the Pretrial Hearing, signed by both counsel and submitted to the court by the defendant at or before the Pretrial Hearing.

NAME OF DEFENDANT  
*Joseph Zambano*

COURT DIVISION  
**Worcester District Court  
50 Harvard Street  
Worcester, MA. 01608**

**SECTION I TENDER OF PLEA**

Defendant in this case hereby tenders the following:  PLEA OF GUILTY  ADMISSION TO FACTS SUFFICIENT FOR A FINDING OF GUILTY conditioned on the dispositional terms indicated below. *Include all proposed terms (guilty finding, finding of sufficient facts, continued without finding, dismissal, fine, costs, probation period and supervision terms, restitution amount including the identification of the recipient of restitution, and any sentence of incarceration, split sentence or suspended sentence, etc.). Number each count and specify terms for each count separately.*

COUNT NO.	DEFENDANT'S DISPOSITIONAL TERMS (Check "Yes" if Prosecution agrees - Check "No" If Prosecution disagrees)	PROSECUTOR'S RECOMMENDATION (Required if Prosecutor disagrees with terms)
1	<del>GOVT</del> <b>DISM</b>	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
2	<b>30 DAY H/C CC w/ Sat morning Serving</b>	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
3	<b>CFIEE</b>	YES <input type="checkbox"/> NO <input type="checkbox"/>
		YES <input type="checkbox"/> NO <input type="checkbox"/>

WE HAVE CONSULTED WITH THE PROBATION DEPARTMENT REGARDING ANY PROBATION TERMS SET FORTH ABOVE.

SIGNATURE OF DEFENSE COUNSEL: *David E. Catella* DATE: *10/12/01* SIGNATURE OF PROSECUTING OFFICER: *R. Carey* DATE: *10/12/01*

**SECTION II PLEA OR ADMISSION ACCEPTED BY THE COURT**

The Court  ACCEPTS the tendered Plea or Admission on defendant's terms set forth in Section I, and will impose sentence in accordance with said terms, subject to submission of defendant's written WAIVER (see Section IV on reverse of this form), completion of the required oral COLLOQUY, a determination that there is a FACTUAL BASIS for the Plea or Admission, and notice of ALIEN RIGHTS.

**SECTION III PLEA OR ADMISSION REJECTED BY THE COURT**

The Court  REJECTS the defendant's dispositional terms set forth above and, in accordance with Mass. R. Crim. P. 12(c)(6), has set forth to the defendant the dispositional terms it would find acceptable, to wit:

*2- 90 days on + after  
01-255  
R. L. Howard  
10-12-01*

**DEFENDANT'S DECISION IF COURT REJECTS TENDERED PLEA OR ADMISSION:**

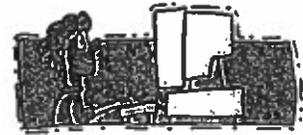
Defendant **WITHDRAWS** the tendered Plea or Admission; the parties must complete and file a Pretrial Conference Report, a Pretrial Hearing must be conducted and a trial date scheduled, if necessary.

Defendant **ACCEPTS** terms set forth by the Court, a Plea or Admission will be accepted by the court and said dispositional terms imposed, subject to submission of defendant's written WAIVER (see Section IV on reverse of this form), completion of the required oral COLLOQUY, a determination that there is a FACTUAL BASIS for the Plea or Admission, and notice of ALIEN RIGHTS.

SIGNATURE OF JUDGE ACCEPTING OR REJECTING PLEA OR ADMISSION: X SIGNATURE OF DEFENSE COUNSEL (if rejection decision made): *David E. Catella* DATE:

facsimile  
TRANSMITTAL

**WORCESTER DISTRICT COURT**  
Clerk's Office  
50 Harvard Street  
Worcester, MA 01608  
phone (508) 757-8350 fax(508)797-0716



*Middlesex County HC*

FAX TO: Records

FAX NUMBER: 1-508-667-0696

DATE: 10-5-01

PAGE(S): \_\_\_\_\_

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Poly*  
Initials \_\_\_\_\_  
<Worcester District Court>  
<Worcester, MA> <01608>

TO 
 Middlesex County House of Correction  
 Box 565  
 Billerica, Mass. 01821

(Name and Address of Institution)

Special Attention to

\_\_\_\_\_ Sheriff

Superintendent (Jail House of Correction or Massachusetts Correctional Institution)

\_\_\_\_\_ Director, Department of Youth Services

\_\_\_\_\_ Other \_\_\_\_\_

Worcester, ss.

Docket No 0162 CR 6643	Commonwealth Vs Jorge A. Zambrano	D.O.B 3-14-81	Rm 408
---------------------------	--------------------------------------	---------------	--------

It is hereby ordered that

Jorge A. Zambrano

(name of individual)

Presently in your custody, be brought before this court on

October 12, 2001

Date

at 9 am AM/PM for the purpose of

Trial  
  Violation of Probation  
  Revise & Revoke  
  Motion  
  Other  
  Provide Testimony as a Witness

in the above mentioned matter and to immediately return this individual to your institution under safe and secure conduct.

FIRST JUSTICE WITNESS: <del>Timothy S. Hillman</del> Elliott G. Zide	DATE OF ISSUE 10-5-01	CLERK/MAGISTRATE ASST/CLERK <input checked="" type="checkbox"/> <i>Barbara Chasin</i>
---	--------------------------	--

RETURN OF SERVICE

By virtue of this writ I certify that

- The defendant has been brought before the Court as ordered
- I am returning the writ without service to the court. Reason

DATE OF RETURN	SIGNATURE OF PERSON MAKING SERVICE	TITLE OF PERSON MAKING SERVICE
----------------	------------------------------------	--------------------------------

\*\* TX CONFIRMATION REPORT \*\*

AS OF OCT 5 '01 13:07 PAGE.01

WORCESTER DIST. COURT

	DATE	TIME	TO/FROM	MODE	MIN/SEC	PGS	CMD#	STATUS
01	10/ 5	13:07	15088530818	EC--S	00"41	02		OK

WRIT OF  
HABEAS CORPUS

ADULT  
 JUVENILE

COURT DIVISION  
**WORCESTER**

Trial Court of Massachusetts  
District Court Department



TO

Middlesex County House of Correction  
Box 565  
Billerica, Mass. 01821

(Name and Address of Institution)

Special Attention to

\_\_\_\_ Sheriff  
 Superintendent (Jail  
House of Correction  
or Massachusetts  
Correctional Institution  
\_\_\_\_ Director, Department  
of Youth Services  
\_\_\_\_ Other \_\_\_\_\_

Worcester, ss.

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RETURN  
OF  
SERVICE

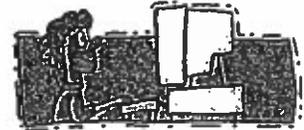
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facsimile  
TRANSMITTAL

**WORCESTER DISTRICT COURT**  
Clerk's Office  
50 Harvard Street  
Worcester, MA 01608  
phone (508) 757-8350 fax(508)797-0716



FAX TO: middlesex county Hc  
Billerica  
FAX NUMBER: 1-978-667-0696  
DATE: 10-5-01  
PAGE(S): \_\_\_\_\_

Comments: \_\_\_\_\_  
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\_\_\_\_\_

poll  
Initials  
<Worcester District Court>  
<Worcester>, <MA> <01608>



TO 
 Middlesex County House of Correction  
 Box 565  
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(Name and Address of Institution)

Special Attention to

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Superintendent (Jail House of Correction or Massachusetts Correctional Institution)

\_\_\_\_ Director, Department of Youth Services

\_\_\_\_ Other \_\_\_\_\_

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  Revise & Revoke  
  Motion  
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\*\* TX CONFIRMATION REPORT \*\*

AS OF OCT 5 '01 13:00 PAGE.01

WORCESTER DIST. COURT

	DATE	TIME	TO/FROM	MODE	MIN/SEC	PGS	CMD#	STATUS
01	10/ 5	13:00	978 667 0696	EC--S	00"39	02		OK

**APPLICATION FOR COMPLAINT**

ADULT     JUVENILE

**State Court of Massachusetts**  
**District Court Department**  
 COURT DIVISION



WORCESTER CENTRAL DISTRICT  
 50 HARVARD ST  
 WORCESTER, MA. 01608

ARREST     HEARING     SUMMONS     WARRANT

THE WITHIN NAMED COMPLAINANT REQUESTS THAT A COMPLAINT ISSUE AGAINST THE WITHIN NAMED DEFENDENT, CHARGING SAID DEFENDANT WITH THE OFFENSE(S) LISTED BELOW.

DATE OF APPLICATION: \_\_\_\_\_ DATE OF OFFENSE: 07/23/2001 PLACE OF OFFENSE: Holden, MA

NAME OF COMPLAINANT	NO.	OFFENSE	G.L. AND SEC.
OFC CHRISTOPHER J CAREY	1.	DRUG, POSSESS CLASS D [04C/34/G]	04C 34
ADDRESS AND ZIP CODE OF COMPLAINANT Holden Police Department 1420 Main Street Holden, MA 01520	2.		
	3.		
	4.		
NAME, ADDRESS, AND ZIP CODE OF DEFENDANT JORGE A ZAMBRANO 3 EUCLID AVE APT3 WORCESTER, MA. 01610			

**COURT USE ONLY** → A hearing upon this complaint application will be held at the above court address on \_\_\_\_\_ DATE OF HEARING \_\_\_\_\_ TIME OF HEARING \_\_\_\_\_ **COURT USE ONLY** ←

**CASE PARTICULARS — BE SPECIFIC**

No	NAME OF VICTIM Owner of property, person assaulted, etc.	DESCRIPTION OF PROPERTY Goods stolen, what destroyed, etc.	VALUE OR PROPERTY Over or under \$250	TYPE OF CONTROLLED SUBSTANCE OR WEAPON Marijuana, gun, etc.
1.				* PLEASE SEE REPORT *
2.				
3.				
4.				

**OTHER REMARKS**  
 Mr. Zambrano was arrested for Operating after Suspension. While performing a vehicle inventory I located a music cassette under the passenger seat with marijuana in it. Mr. Zambrano was the operator and owner of the vehicle.

SIGNATURE OF COMPLAINANT 

**DEFENDANT IDENTIFICATION INFORMATION — Complete data below if known.**

DATE OF BIRTH 03/14/1981	PLACE OF BIRTH FLORIDA	SOC. SECURITY NO. 593-70-5052	Sex M	Race W	HEIGHT 511	WEIGHT 165	EYES BRO	HAIR BRO
OCCUPATION PLUMER	EMPLOYER/SCHOOL UNION PLUMER	MOTHER'S NAME (MAIDEN) FEILD, YOLANDA		FATHER'S NAME				

**↓ COURT USE ONLY ↓**

DATE	DISPOSITION	AUTHORIZED BY
	<b>NO PROCESS TO ISSUE</b> <input type="checkbox"/> At request of complainant <input type="checkbox"/> Complainant failed to prosecute <input type="checkbox"/> Insufficient evidence having been presented	
	<b>PROCESS TO ISSUE</b> <b>TYPE OF PROCESS</b> <input type="checkbox"/> Sufficient evidence presented <input type="checkbox"/> Warrant <input type="checkbox"/> Defendant failed to appear <input type="checkbox"/> Summons returnable _____	
	<input type="checkbox"/> Continued to _____	

**COMMENTS**

NOTICE OF COMPLAINT HEARING

Supreme Judicial Court of Massachusetts  
District Court Department  
COURT DIVISION



TO THE DEFENDANT — SEE INSTRUCTIONS ON THE REVERSE SIDE

WORCESTER CENTRAL DISTRICT  
50 HARVARD ST  
WORCESTER, MA. 01609

DATE OF APPLICATION: [ ] DATE OF OFFENSE: 07/23/2001 PLACE OF OFFENSE: Holden, MA

NAME OF COMPLAINANT: OFC CHRISTOPHER J CAREY

NO	OFFENSE	G.L. AND SEC.
1.	DRUG, POSSESS CLASS D [B4C/34/G]	B4C 34
2.		
3.		
4.		

NAME, ADDRESS, AND ZIP CODE OF DEFENDANT  
JORGE A ZAMBRANO  
3 EUCLID AVE APT3  
WORCESTER, MA. 01610

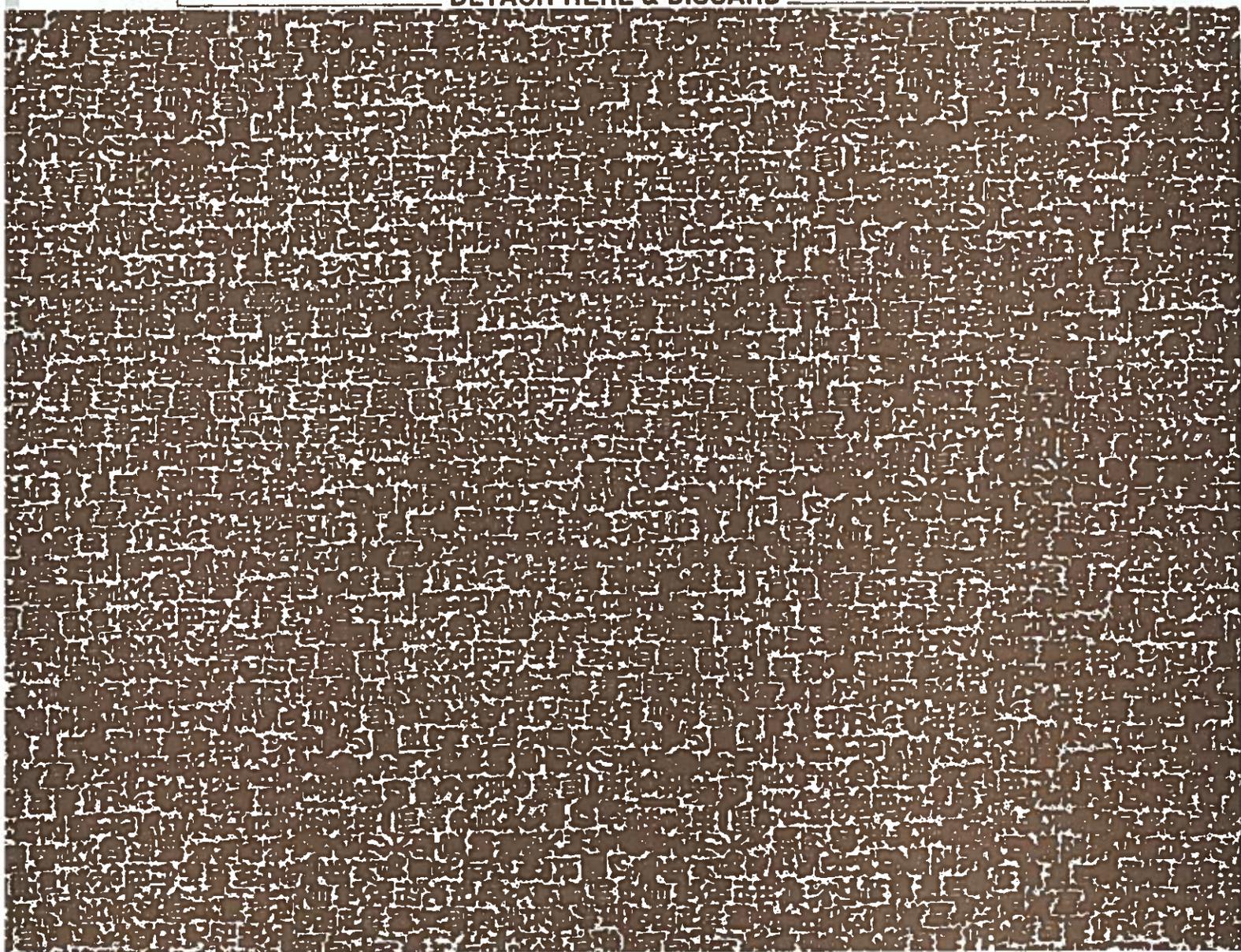
A hearing upon this complaint application will be held at the above court address on

DATE OF HEARING

TIME OF HEARING

AT

DETACH HERE & DISCARD



**APPLICATION FOR COMPLAINT**

ADULT  JUVENILE

**State Court of Massachusetts**  
**District Court Department**  
 COURT DIVISION

WORCESTER CENTRAL DISTRICT  
 50 HARVARD ST  
 WORCESTER, MA. 01608

ARREST  HEARING  SUMMONS  WARRANT

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NAME OF COMPLAINANT	NO.	OFFENSE	G.L. AND SEC.
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ADDRESS AND ZIP CODE OF COMPLAINANT	2.		
Holden Police Department 1420 Main Street Holden, MA 01520	3.		
NAME, ADDRESS, AND ZIP CODE OF DEFENDANT	4.		
JORGE A ZAMBRANO 3 EUCLID AVE APT3 WORCESTER, MA. 01610			

**COURT USE ONLY** →

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DATE OF HEARING

TIME OF HEARING

AT

← **COURT USE ONLY**

**CASE PARTICULARS — BE SPECIFIC**

No.	NAME OF VICTIM Owner of property, person assaulted, etc.	DESCRIPTION OF PROPERTY Goods stolen, what destroyed, etc.	VALUE OR PROPERTY Over or under \$250	TYPE OF CONTROLLED SUBSTANCE OR WEAPON Marijuana, gun, etc.
1.				* PLEASE SEE REPORT *
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**OTHER REMARKS**

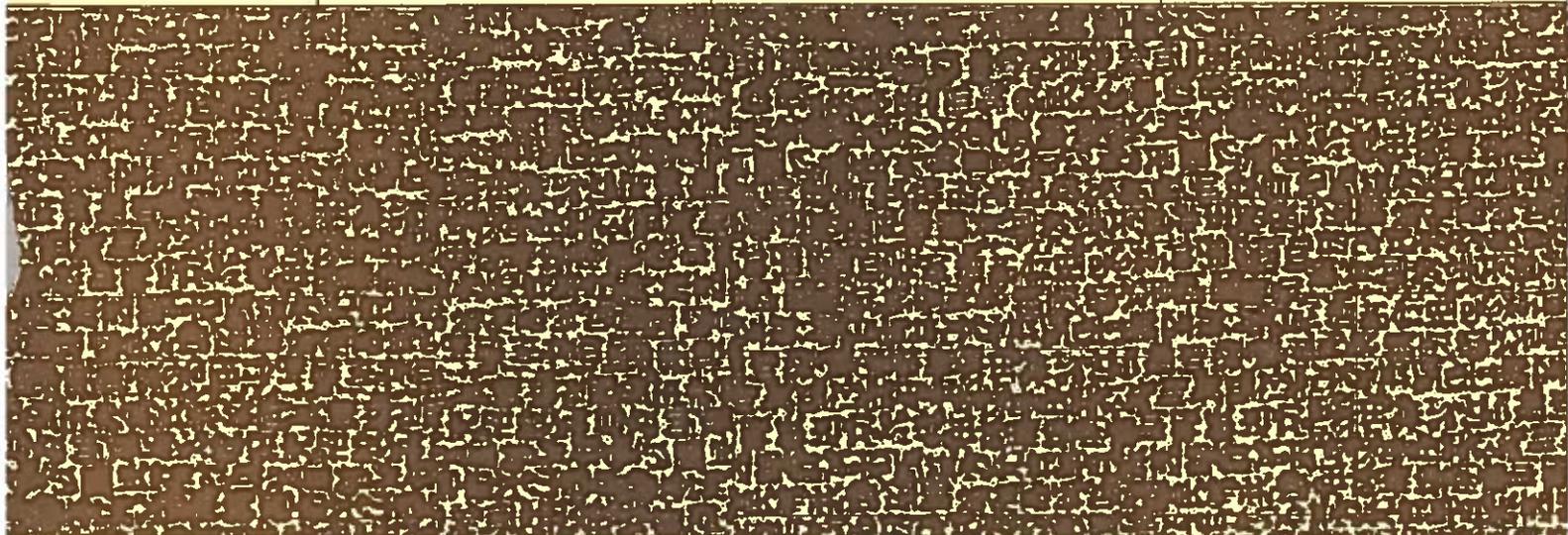
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UBIN: 1R00200100169

*[Signature]*  
 SIGNATURE OF COMPLAINANT

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DATE OF BIRTH 03/14/1981	PLACE OF BIRTH FLORIDA	SOC. SECURITY NO. 583-70-5052	Sex M	Race W	HEIGHT 511	WEIGHT 165	EYES BRO	HAIR BRO
OCCUPATION PLUMER	EMPLOYER/SCHOOL UNION PLUMER	MOTHER'S NAME (MAIDEN) FEILD, YOLANDA		FATHER'S NAME				



**HABEAS CORPUS  
FOR PROSECUTION**

DOCKET NUMBER  
**0162CR006643**

**Trial Court of Massachusetts  
District Court Department**



DEFENDANT NAME  
**ZAMBRANO, JORGE A**

COURT NAME & ADDRESS  
Worcester District Court  
50 Harvard Street  
Worcester, MA 01608  
(508) 757-8350

DEFENDANT DOB    SEX    SSN    PCF NUMBER  
03/14/1981    M    593-70-5052

NAME AND ADDRESS OF INSTITUTION  
  
MIDDLESEX HOUSE OF CORRECTION  
269 TREBLE COVE RD  
BILLERICA, MA 1821

NEXT EVENT  
**MOTION HEARING**

NEXT EVENT DATE & TIME  
**11/21/2001 9:00 AM**

COURTROOM

←←←←←  
DEFENDANT MUST  
APPEAR AT ABOVE  
COURT ON THIS  
DATE AND TIME  
←←←←←

**TO THE OFFICIAL IN CHARGE OF THE INSTITUTION NAMED ABOVE:**

You are hereby ORDERED to bring the defendant named above, who is presently in your custody, before this court on the date and time indicated above for the event indicated.

If the above named defendant is transferred from your facility prior to the appearance date, please transmit this writ with the defendant to the new facility. If the defendant is released from custody, please notify the court immediately.

**FURTHER ORDERS OF THE COURT:**

TESTE OF FIRST JUSTICE

DATE ISSUED

CLERK-MAGISTRATE / ASST/CLERK

WITNESS: Hon. Elliott Zide

10/12/2001

*[Handwritten Signature]*

**RETURN**

I certify that:

I have produced the defendant in court as ordered.

I am unable to produce the defendant and I am returning this writ to the court because:

DATE OF RETURN

SIGNATURE OF PERSON MAKING RETURN

TITLE OF PERSON MAKING RETURN

**X**