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|------------------------|--------------------------------------|---------------------------|---|
| CRIMINAL DOCKET | DOCKET NUMBER 1668CR000176 | NO. OF COUNTS 4 | Trial Court of Massachusetts District Court Department |
|------------------------|--------------------------------------|---------------------------|---|

| | | | |
|---|---|-----------------------|---|
| DEFENDANT NAME AND ADDRESS Jorge Zambrano 22 Saxon Road Worcester, MA 01602 | DOB 03/14/1981 | GENDER Male | COURT NAME & ADDRESS Clinton District Court 300 Boylston Street Clinton, MA 01510 |
| | DATE COMPLAINT ISSUED 02/11/2016 | | INTERPRETER REQUIRED |
| | PRECOMPLAINT ARREST DATE 02/10/2016 | | |

| COUNT | CODE | OFFENSE DESCRIPTION | OFFENSE DATE |
|-------|-----------|---|--------------|
| 1 | 265/13M/B | A&B ON FAMILY / HOUSEHOLD MEMBER c265 §13M(a) | 02/10/2016 |
| 2 | 266/123 | TRESPASS ON STATE/COUNTY PROPERTY c266 §123 | 02/10/2016 |
| 3 | 268/32B | RESIST ARREST c268 §32B | 02/10/2016 |
| 4 | 272/43/B | DISORDERLY CONDUCT ON PUB CONVEY,3RD OFF c272 §43 | 02/10/2016 |

| | | |
|---|------------------------------------|---|
| DEFENSE ATTORNEY Anthony Scola-Esey | OFFENSE CITY/TOWN Bolton | POLICE DEPARTMENT SP LEOMINSTER |
|---|------------------------------------|---|

| DATE & JUDGE | DOCKET ENTRY | DATE & JUDGE | FEES IMPOSED |
|------------------------------|---|--------------|---|
| 2/11/16 Mandell J | <input type="checkbox"/> Attorney appointed (SJC R. 3:10) <input type="checkbox"/> Atty denied & Deft. Advised per 211 D §2A <input type="checkbox"/> Waiver of Counsel found after colloquy Terms of release set: <input type="checkbox"/> PR <input checked="" type="checkbox"/> Bail <input type="checkbox"/> See Docket for special condition <input type="checkbox"/> Held (276 §58A) | | Counsel Fee (211D § 2A ¶2) <input type="checkbox"/> WAIVED |
| | | | Counsel Contribution (211D § 2) <input type="checkbox"/> WAIVED |
| | | | Default Warrant Fee (276 § 30 ¶1) <input type="checkbox"/> WAIVED |
| | | | Default Warrant Arrest Fee (276 § 30 ¶2) <input type="checkbox"/> WAIVED |
| 2/11/16 Mandell J | Arraigned and advised: <input checked="" type="checkbox"/> Potential of bail revocation (276 §58B) <input checked="" type="checkbox"/> Right to bail to review (276 §58) <input type="checkbox"/> Right to drug exam (111E § 10) <input checked="" type="checkbox"/> Inquiry made by Court under 276 § 56A | | Probation Supervision Fee (276 § 87A) <input type="checkbox"/> WAIVED |
| | | | Bail Order Forfeited |
| 2/11/16 Mandell J | Abuse Allegation: <input checked="" type="checkbox"/> C276 § 56A form filed by Commonwealth <input checked="" type="checkbox"/> Allegation of abuse under C276 § 56A found <input type="checkbox"/> No allegation of abuse under C276 § 56A found | | Advised of right to jury trial: <input type="checkbox"/> Waiver of jury found after colloquy <input type="checkbox"/> Does not waive |
| | | | Advised of trial rights as pro se (Dist. Ct. Supp.R.4) |
| | | | Advised of right of appeal to Appeals Ct. (M.R. Crim P.R. 28) |

| SCHEDULING HISTORY | | | | | |
|--------------------|----------------|-------------|--|------------------|-----------------|
| NO. | SCHEDULED DATE | EVENT | RESULT | JUDGE | TAPE START/STOP |
| 1 | 02/11/2016 | Arraignment | <input checked="" type="checkbox"/> Held <input type="checkbox"/> Not Held but Event Resolved <input type="checkbox"/> Cont'd | Mandell J | |
| 2 | 3/15/16 | PTH | <input type="checkbox"/> Held <input type="checkbox"/> Not Held but Event Resolved <input type="checkbox"/> Cont'd | but for | |
| 3 | 3/14/16 | PTH | <input checked="" type="checkbox"/> Held <input type="checkbox"/> Not Held but Event Resolved <input checked="" type="checkbox"/> Cont'd | | |
| 4 | 4/21/16 | Compl | <input type="checkbox"/> Held <input type="checkbox"/> Not Held but Event Resolved <input checked="" type="checkbox"/> Cont'd | Gardner | |
| 5 | 5/17/16 | Compl + PTH | <input type="checkbox"/> Held <input type="checkbox"/> Not Held but Event Resolved <input checked="" type="checkbox"/> Cont'd | Wolfe J. | |
| 6 | 6/24/16 | Election | <input type="checkbox"/> Held <input type="checkbox"/> Not Held but Event Resolved <input type="checkbox"/> Cont'd | | |
| 7 | | | <input type="checkbox"/> Held <input type="checkbox"/> Not Held but Event Resolved <input type="checkbox"/> Cont'd | | |
| 8 | | | <input type="checkbox"/> Held <input type="checkbox"/> Not Held but Event Resolved <input type="checkbox"/> Cont'd | | |
| 9 | | | <input type="checkbox"/> Held <input type="checkbox"/> Not Held but Event Resolved <input type="checkbox"/> Cont'd | | |
| 10 | | | <input type="checkbox"/> Held <input type="checkbox"/> Not Held but Event Resolved <input type="checkbox"/> Cont'd | | |

APPROVED ABBREVIATIONS
 ARR = Arraignment PTH = Pretrial hearing DCE = Discovery compliance & jury selection BTR = Bench trial JTR = Jury trial PCH = Probable cause hearing MOT = Motion hearing SRE = Status review
 SRP = Status review of payments FAT = First appearance in jury session SEN = Sentencing CWF = Continuance-without-finding scheduled to terminate PRO = Probation scheduled to terminate
 DFTA = Defendant failed to appear & was defaulted WAR = Warrant Issued WARD = Default warrant issued WR = Warrant or default warrant recalled PVH = probation revocation hearing.

| | | | |
|---------------------|---|--------------------|-----------|
| A TRUE COPY ATTEST: | CLERK-MAGISTRATE / ASST CLERK X | TOTAL NO. OF PAGES | ON (DATE) |
|---------------------|---|--------------------|-----------|

DISPOSITION DATE AND JUDGE

DISPOSITION METHOD
 Guilty Plea or Admission to Sufficient Facts accepted after colloquy and alien warning pursuant to C278§29D and MRCrP12
 Bench Trial
 Jury Trial
 Dismissed upon:
 Request of Commonwealth Request of Victim
 Request of Defendant Failure to prosecute
 Other:
 Filed with Defendant's consent
 Nolle Prosequi
 Decriminalized (277 §70 C)

OFFENSE: **DISORDERLY CONDUCT ON PUB CONVEY,3RD OFF c272 §43**

| | | | | |
|------------------|-------------|----------------|----------------|------------------|
| FINE/ASSESSMENT | SURFINE | COSTS | OUI §24D FEE | OUI VICTIMS ASMT |
| HEAD INJURY ASMT | RESTITUTION | V/W ASSESSMENT | BATTERER'S FEE | OTHER |

SENTENCE OR OTHER DISPOSITION
 Sufficient facts found but continued without a finding until:
 Defendant placed on probation until:
 Risk/Need or OUI Administrative Supervision
 Defendant placed on pretrial probation (276 §87) until:
 To be dismissed if court costs / restitution paid by:

| | | | |
|--|--|-------|------|
| FINDING | FINAL DISPOSITION | JUDGE | DATE |
| <input type="checkbox"/> Guilty <input type="checkbox"/> Not Guilty <input type="checkbox"/> Responsible <input type="checkbox"/> Not Responsible <input type="checkbox"/> Probable Cause <input type="checkbox"/> No Probable Cause | <input type="checkbox"/> Dismissed on recommendation of Probation Dept. <input type="checkbox"/> Probation terminated: defendant discharged <input type="checkbox"/> Sentence or disposition revoked (see cont'd page) | | |

COUNT / OFFENSE

DISPOSITION DATE AND JUDGE

DISPOSITION METHOD
 Guilty Plea or Admission to Sufficient Facts accepted after colloquy and alien warning pursuant to C278§29D and MRCrP12
 Bench Trial
 Jury Trial
 Dismissed upon:
 Request of Commonwealth Request of Victim
 Request of Defendant Failure to prosecute
 Other:
 Filed with Defendant's consent
 Nolle Prosequi
 Decriminalized (277 §70 C)

| | | | | |
|------------------|-------------|----------------|----------------|------------------|
| FINE/ASSESSMENT | SURFINE | COSTS | OUI §24D FEE | OUI VICTIMS ASMT |
| HEAD INJURY ASMT | RESTITUTION | V/W ASSESSMENT | BATTERER'S FEE | OTHER |

SENTENCE OR OTHER DISPOSITION
 Sufficient facts found but continued without a finding until:
 Defendant placed on probation until:
 Risk/Need or OUI Administrative Supervision
 Defendant placed on pretrial probation (276 §87) until:
 To be dismissed if court costs / restitution paid by:

| | | | |
|--|--|-------|------|
| FINDING | FINAL DISPOSITION | JUDGE | DATE |
| <input type="checkbox"/> Guilty <input type="checkbox"/> Not Guilty <input type="checkbox"/> Responsible <input type="checkbox"/> Not Responsible <input type="checkbox"/> Probable Cause <input type="checkbox"/> No Probable Cause | <input type="checkbox"/> Dismissed on recommendation of Probation Dept. <input type="checkbox"/> Probation terminated: defendant discharged <input type="checkbox"/> Sentence or disposition revoked (see cont'd page) | | |

COUNT / OFFENSE

DISPOSITION DATE AND JUDGE

DISPOSITION METHOD
 Guilty Plea or Admission to Sufficient Facts accepted after colloquy and alien warning pursuant to C278§29D and MRCrP12
 Bench Trial
 Jury Trial
 Dismissed upon:
 Request of Commonwealth Request of Victim
 Request of Defendant Failure to prosecute
 Other:
 Filed with Defendant's consent
 Nolle Prosequi
 Decriminalized (277 §70 C)

| | | | | |
|------------------|-------------|----------------|----------------|------------------|
| FINE/ASSESSMENT | SURFINE | COSTS | OUI §24D FEE | OUI VICTIMS ASMT |
| HEAD INJURY ASMT | RESTITUTION | V/W ASSESSMENT | BATTERER'S FEE | OTHER |

SENTENCE OR OTHER DISPOSITION
 Sufficient facts found but continued without a finding until:
 Defendant placed on probation until:
 Risk/Need or OUI Administrative Supervision
 Defendant placed on pretrial probation (276 §87) until:
 To be dismissed if court costs / restitution paid by:

| | | | |
|--|--|-------|------|
| FINDING | FINAL DISPOSITION | JUDGE | DATE |
| <input type="checkbox"/> Guilty <input type="checkbox"/> Not Guilty <input type="checkbox"/> Responsible <input type="checkbox"/> Not Responsible <input type="checkbox"/> Probable Cause <input type="checkbox"/> No Probable Cause | <input type="checkbox"/> Dismissed on recommendation of Probation Dept. <input type="checkbox"/> Probation terminated: defendant discharged <input type="checkbox"/> Sentence or disposition revoked (see cont'd page) | | |



**CRIMINAL DOCKET
DOCKET ENTRIES**

DEFENDANT NAME
Jorge Zambrano

DOCKET NUMBER
1668CR000176

DATE

DOCKET ENTRIES

2/11/16 Comm Motion to Revoke Release in Worcester Div
filed + denied Mandell

3/14/16 brought forward request of
Atty.

APPROVED ABBREVIATIONS

ARR = Arraignment PTH = Pretrial hearing DCE = Discovery compliance & jury selection BTR = Bench trial JTR = Jury trial PCH = Probable cause hearing MOT = Motion hearing SRE = Status review
SRP = Status review of payments FAT = First appearance in jury session SEN = Sentencing CWF = Continuance-without-finding scheduled to terminate PRO = Probation scheduled to terminate
FTA = Defendant failed to appear & was defaulted WAR = Warrant Issued WARD = Default warrant issued WR = Warrant or default warrant recalled PVH = probation revocation hearing.



| | | | | | |
|--|--------------------------------|---|---------------------------|---|--|
| CRIMINAL COMPLAINT ORIGINAL | | DOCKET NUMBER 1668CR000176 | NO. OF COUNTS 4 | Trial Court of Massachusetts District Court Department | |
| DEFENDANT NAME & ADDRESS Jorge Zambrano 22 Saxon Road Worcester, MA 01602 | | | | COURT NAME & ADDRESS Clinton District Court 300 Boylston Street Clinton, MA 01510 (978)368-7811 | |
| DEFENDANT DOB 03/14/1981 | COMPLAINT ISSUED 02/11/2016 | DATE OF OFFENSE 02/10/2016 | ARREST DATE 02/10/2016 | | |
| OFFENSE CITY / TOWN Bolton | OFFENSE ADDRESS | | | NEXT EVENT DATE & TIME 02/11/2016 08:45 AM | |
| POLICE DEPARTMENT SP LEOMINSTER | | POLICE INCIDENT NUMBER 2016-0C4-000404 | | NEXT SCHEDULED EVENT Arraignment | |
| OBTN TSC4201600533 | PCF NUMBER 2449471 | DEFENDANT XREF ID 6494604 | | ROOM / SESSION Trial Session (Clinton) | |
| The undersigned complainant, on behalf of the Commonwealth, on oath complains that on the date(s) indicated below the defendant committed the offense(s) listed below and on any attached pages. | | | | | |

| COUNT | CODE | DESCRIPTION |
|-------|-----------|---|
| 1 | 265/13M/B | A&B ON FAMILY / HOUSEHOLD MEMBER c265 §13M(a) |

On 02/10/2016, did assault and beat Heather Philip, a family or household member as defined in c265 §13M(c), in violation of G.L. c.265, §13M(a).

PENALTY: house of correction not more than 2 ½ years; or fine not more than \$5,000; or both such fine and imprisonment. For any violation of this section, or as a condition of a continuance without a finding, the court shall order the defendant to complete a certified batterer s intervention program unless, upon good cause shown, the court issues specific written findings describing the reasons that batterer s intervention should not be ordered or unless the batterer s intervention program determines that the defendant is not suitable for intervention. From G.L. c258B §8: Court shall impose a \$50 domestic violence prevention and victim assistance assessment, which shall be deposited in the Domestic and Sexual Violence Prevention and Victim Assistance Fund.

| | | |
|---|---------|---|
| 2 | 266/123 | TRESPASS ON STATE/COUNTY PROPERTY c266 §123 |
|---|---------|---|

On 02/10/2016 did wilfully trespass upon land or premises belonging to this Commonwealth, or to an authority established by the General Court for purposes incidental to higher education, any correctional institution of the Commonwealth, Tewksbury hospital, Chelsea Soldiers' Home, Holyoke Soldiers' Home, a public institution for the care of mentally ill and developmentally disabled persons, any Massachusetts charitable institution, or upon land or premises belonging to a county and appurtenant to a jail, house of correction or courthouse, or did remain thereon after notice from an officer of such institution to leave such land, in violation of G.L. c.266, §123.

PENALTY: imprisonment not more than 3 months; or not more than \$50.

| | | |
|---|---------|-------------------------|
| 3 | 268/32B | RESIST ARREST c268 §32B |
|---|---------|-------------------------|

On 02/10/2016 did knowingly prevent or attempt to prevent a police officer, as defined in G.L. c. 268, §32B(c), who was acting under color of his or her official authority, from effecting an arrest, by: (1) using or threatening to use physical force or violence against the police officer or another; or (2) using some other means which created a substantial risk of causing bodily injury to such police officer or another, in violation of G.L. c. 268, §32B.

PENALTY: jail or house of correction for not more than 2½ years; or not more than \$500; or both.

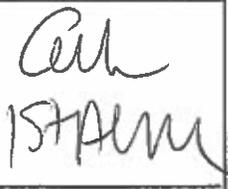
| | | |
|---|----------|---|
| 4 | 272/43/B | DISORDERLY CONDUCT ON PUB CONVEY,3RD OFF c272 §43 |
|---|----------|---|

On 02/10/2016, in or upon a railroad carriage, steamboat or other public conveyance, was disorderly, or did disturb or annoy travelers in or upon the same by profane, obscene or indecent language, or by indecent behavior, the defendant having previously been convicted of such an offense two or more times within one year prior to such offense, in violation of G.L. c.272, §43.

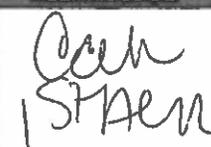
PENALTY from §40: imprisonment not more than 1 month, which shall not be suspended.

| | | |
|--|--|---------------------------------------|
| SIGNATURE OF COMPLAINANT <i>X: The Court of Justice</i> | SWORN TO BEFORE CLERK-MAGISTRATE/ASST. CLERK/DEP. ASST. CLERK <i>X: [Signature]</i> | DATE 2/11/16 |
| NAME OF COMPLAINANT <i>W. Angel Conner</i> | A TRUE COPY ATTEST <i>X</i> | CLERK-MAGISTRATE/ ASST. CLERK DATE |

Notice to Defendant: 42 U.S.C. § 3796gg-4(e) requires this notice: If you are convicted of a misdemeanor crime of domestic violence you may be prohibited permanently from purchasing and/or possessing a firearm and/or ammunition pursuant to 18 U.S.C. § 922 (g) (9) and other applicable related Federal, State, or local laws.

| | | | | | |
|--|---|--|--|-------------------------------------|---------------|
| APPLICATION FOR CRIMINAL COMPLAINT | APPLICATION NO. (COURT USE ONLY) | Page 1 of 2 | TRIAL COURT OF MASSACHUSETTS DISTRICT COURT DEPARTMENT | | |
| I, the undersigned complainant, request that a criminal complaint issue against the accused charging the offense(s) listed below. If the accused HAS NOT BEEN ARRESTED and the charges involve: | | | Clinton, DC 300 Boylston Street Clinton, MA 01510 | | |
| <input type="checkbox"/> ONLY MISDEMEANOR(S), I request a hearing <input type="checkbox"/> WITHOUT NOTICE because of imminent threat <input type="checkbox"/> BODILY INJURY <input type="checkbox"/> COMMISSION OF A <input type="checkbox"/> FLIGHT <input type="checkbox"/> WITH NOTICE to accused <input type="checkbox"/> ONE OR MORE FELONIES, I request a <input type="checkbox"/> WITHOUT <input type="checkbox"/> WITH NOTICE to accused <input type="checkbox"/> WARRANT is requested because prosecutor represents that accused may not appear unless | | | ARREST STATUS OF ACCUSED <input checked="" type="checkbox"/> HAS <input type="checkbox"/> HAS NOT been arrested | | |
| INFORMATION ABOUT ACCUSED | | | | | |
| NAME (FIRST MI LAST) AND ADDRESS JORGE ARTURO ZAMBRANO 22 Saxon Road WORCESTER MA 01610 | | BIRTH DATE 03/14/1981 | | SOCIAL SECURITY NUMBER 593705052 | |
| | | PCF NO. 2449471 | | MARITAL STATUS Unknown | |
| | | DRIVERS LICENSE NO. S42250828 | | LICENSE STATE MA | |
| | | GENDER Male | HEIGHT 509 | WEIGHT 190 | EYES Brown |
| HAIR Brown | RACE Hispanic | COMPLEXION Light | SCARS/MARKS/TATTOOS | BIRTH STATE OR COUNTRY FLA | |
| EMPLOYER/SCHOOL Renovation Marlboro | | | MOTHER MAIDEN NAME YOLANDA FIELD | FATHER'S NAME JORGE | |
| CASE INFORMATION | | | | | |
| COMPLAINANT NAME (FIRST MI LAST) Trooper Ray Burton | | COMPLAINANT TYPE <input checked="" type="checkbox"/> POLICE <input type="checkbox"/> CITIZEN <input type="checkbox"/> OTHER | | PD M.S.P. | |
| ADDRESS State Police Leominster Hawes Street, Route 2 Leominster, MA 01453 | | PLACE OF OFFENSE RT 495 South, Exit 26, BOLTON, MA | | | |
| | | INCIDENT REPORT NO. 2016-0C4-000404 | OBTN TSC4201600533 | | |
| CITATION NO(S) | | | | | |
| 1 | OFFENSE CODE 265-13A-B | CHARGE DESCRIPTION A&B | CITATION #: | OFFENSE DATE 02/10/2016 | |
| | VARIABLES (e.g. victim name, controlled substances, type and value of property. other variable information; see Complaint Language Manual) DV | | | | |
| 2 | OFFENSE CODE 266-123 | CHARGE DESCRIPTION TRESPASS ON STATE/COUNTY PROPERTY | CITATION #: | OFFENSE DATE 02/10/2016 | |
| | VARIABLES (e.g. victim name, controlled substances, type and value of property. other variable information; see Complaint Language Manual) | | | | |
| 3 | OFFENSE CODE 268-32B | CHARGE DESCRIPTION RESIST ARREST | CITATION #: | OFFENSE DATE 02/10/2016 | |
| | VARIABLES (e.g. victim name, controlled substances, type and value of property. other variable information; see Complaint Language Manual) | | | | |
| REMARKS | | COMPLAINANT'S SIGNATURE | DATE FILED | | |
| COURT USE ONLY A HEARING UPON THIS COMPLAINT APPLICATION WILL BE HELD AT THE ABOVE COURT ADDRESS ON | | DATE OF HEARING | TIME OF HEARING | | |
| | | AT | | | |
| DATE | PROCESSING OF NON-ARREST APPLICATION (COURT USE ONLY) | | | CLERK/JUDGE | |
| | NOTICE SENT OF CLERK'S HEARING SCHEDULED ON: | | | | |
| | NOTICE SENT OF JUDGE'S HEARING SCHEDULED ON: | | | | |
| | HEARING CONTINUED TO: | | | | |
| | APPLICATION DECIDED WITHOUT NOTICE TO ACCUSED BECAUSE: <input type="checkbox"/> IMMINENT THREAT <input type="checkbox"/> BODILY INJURY <input type="checkbox"/> CRIME <input type="checkbox"/> FLIGHT BY ACCUSED <input type="checkbox"/> FELONY CHARGED AND POLICE DO NOT REQUEST NOTICE <input type="checkbox"/> FELONY CHARGED BY CIVILIAN: NO NOTICE AT CLERK'S DISCRETION | | | | |
| DATE | COMPLAINT TO ISSUE | COMPLAINT DENIED | CLERK/JUDGE | | |
| 2/11/16 | <input checked="" type="checkbox"/> PROBABLE CAUSE FOUND FOR ABOVE OFFENSE(S) NO(S) <input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 BASED ON <input type="checkbox"/> FACTS SET FORTH IN ATTACHED STATEMENT(S) <input type="checkbox"/> TESTIMONY RECORDED: TAPE NO: _____ START NO: _____ END NO: _____ <input type="checkbox"/> WARRANT <input type="checkbox"/> SUMMONS TO ISSUE ARRAIGNMENT DATE: _____ | <input type="checkbox"/> NO PROBABLE CAUSE FOUND <input type="checkbox"/> REQUEST OF COMPLAINANT <input type="checkbox"/> FAILURE TO PROSECUTE <input type="checkbox"/> AGREEMENT OF BOTH PARTIES <input type="checkbox"/> OTHER |  | | |
| | COMMENT | | | | |
| | | | | | |
| | | | | | |

COURT COPY

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|--|---|--|---|---------------|
| APPLICATION FOR CRIMINAL COMPLAINT | APPLICATION NO. (COURT USE ONLY) | Page 2 of 2 | TRIAL COURT OF MASSACHUSETTS DISTRICT COURT DEPARTMENT | |
| I, the undersigned complainant, request that a criminal complaint issue against the accused charging the offense(s) listed below. If the accused HAS NOT BEEN ARRESTED and the charges involve: | | | Clinton, DC 300 Boylston Street Clinton, MA 01510 | |
| <input type="checkbox"/> ONLY MISDEMEANOR(S), I request a hearing <input type="checkbox"/> WITHOUT NOTICE because of imminent threat <input type="checkbox"/> BODILY INJURY <input type="checkbox"/> COMMISSION OF A <input type="checkbox"/> FLIGHT <input type="checkbox"/> WITH NOTICE to accused <input type="checkbox"/> ONE OR MORE FELONIES, I request a <input type="checkbox"/> WITHOUT <input type="checkbox"/> WITH NOTICE to accused <input type="checkbox"/> WARRANT is requested because prosecutor represents that accused may not appear unless | | | ARREST STATUS OF ACCUSED <input checked="" type="checkbox"/> HAS <input type="checkbox"/> HAS NOT been arrested | |
| INFORMATION ABOUT ACCUSED | | | | |
| NAME (FIRST MI LAST) AND ADDRESS JORGE ARTURO ZAMBRANO 22 Saxon Road WORCESTER MA 01610 | | BIRTH DATE 03/14/1981 | SOCIAL SECURITY NUMBER 593705052 | |
| | | PCF NO. 2449471 | MARITAL STATUS Unknown | |
| | | DRIVERS LICENSE NO. S42250828 | LICENSE STATE MA | |
| | | GENDER HEIGHT Male 509 | WEIGHT 190 | EYES Brown |
| HAIR Brown | RACE Hispanic | COMPLEXION Light | SCARS/MARKS/TATTOOS | |
| EMPLOYER/SCHOOL Renovation Marlboro | | BIRTH STATE OR COUNTRY FLA | DAY PHONE | |
| | | MOTHER MAIDEN NAME YOLANDA FIELD | FATHER'S NAME JORGE | |
| CASE INFORMATION | | | | |
| COMPLAINANT NAME (FIRST MI LAST) Trooper Ray Burton ADDRESS State Police Leominster Hawes Street, Route 2 Leominster, MA 01453 | | COMPLAINANT TYPE <input checked="" type="checkbox"/> POLICE <input type="checkbox"/> CITIZEN <input type="checkbox"/> OTHER | | PD M.S.P. |
| | | PLACE OF OFFENSE RT 495 South, Exit 26, BOLTON, MA | | |
| | | INCIDENT REPORT NO. 2016-0C4-000404 | OBTN TSC4201600533 | |
| | | CITATION NO(S) | | |
| 4 | OFFENSE CODE 272-43-B | CHARGE DESCRIPTION DISORDERLY CONDUCT ON PUB CONVEY,3RD OFF | CITATION #: OFFENSE DATE 02/10/2016 | |
| VARIABLES (e.g. victim name, controlled substances, type and value of property, other variable information; see Complaint Language Manual) | | | | |
| REMARKS | | COMPLAINANT'S SIGNATURE  | DATE FILED 2/10/16 | |
| COURT USE ONLY A HEARING UPON THIS COMPLAINT APPLICATION WILL BE HELD AT THE ABOVE COURT ADDRESS ON _____ DATE OF HEARING _____ TIME OF HEARING _____ AT _____ | | | | |
| DATE | PROCESSING OF NON-ARREST APPLICATION (COURT USE ONLY) | | | CLERK/JUDGE |
| | NOTICE SENT OF CLERK'S HEARING SCHEDULED ON: | | | |
| | NOTICE SENT OF JUDGE'S HEARING SCHEDULED ON: | | | |
| | HEARING CONTINUED TO: | | | |
| | APPLICATION DECIDED WITHOUT NOTICE TO ACCUSED BECAUSE: <input type="checkbox"/> IMMINENT THREAT <input type="checkbox"/> BODILY INJURY <input type="checkbox"/> CRIME <input type="checkbox"/> FLIGHT BY ACCUSED <input type="checkbox"/> FELONY CHARGED AND POLICE DO NOT REQUEST NOTICE <input type="checkbox"/> FELONY CHARGED BY CIVILIAN: NO NOTICE AT CLERK'S DISCRETION | | | |
| DATE | COMPLAINT TO ISSUE | COMPLAINT DENIED | CLERK/JUDGE | |
| | <input checked="" type="checkbox"/> PROBABLE CAUSE FOUND FOR ABOVE OFFENSE(S) NO(S) <input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 BASED ON <input type="checkbox"/> FACTS SET FORTH IN ATTACHED STATEMENT(S) <input type="checkbox"/> TESTIMONY RECORDED: TAPE NO: _____ START NO: _____ END NO: _____ <input type="checkbox"/> WARRANT <input type="checkbox"/> SUMMONS TO ISSUE ARRAIGNMENT DATE: _____ | <input type="checkbox"/> NO PROBABLE CAUSE FOUND <input type="checkbox"/> REQUEST OF COMPLAINANT <input type="checkbox"/> FAILURE TO PROSECUTE <input type="checkbox"/> AGREEMENT OF BOTH PARTIES <input type="checkbox"/> OTHER |  | |
| | COMMENT | | | |

COURT COPY

COMMONWEALTH OF MASSACHUSETTS
DISTRICT COURT DEPARTMENT OF THE TRIAL COURT

WORCESTER, ss.

COMMONWEALTH

v.

Jorge Zambrano
Defendant.

CRIMINAL ACTION

No. ¹⁶⁶²~~1662~~ CR0 537

*7/11/16
Revised
Bail*

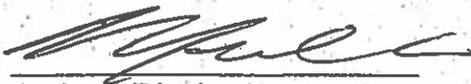
COMMONWEALTH'S MOTION TO REVOKE DEFENDANT'S BAIL

Now comes the Commonwealth pursuant to M.G.L. ch. 276 § 58B and moves this Honorable Court to revoke the defendant's bail on the above-captioned case.

As reasons therefore, the Commonwealth states (1) that there is probable cause to believe that the defendant has committed a federal or state crime while on release, or clear and convincing evidence that the defendant has violated any other condition of release; and (2) that there are no conditions of release that will reasonably assure the defendant will not pose a danger to the safety of any other person or the community; or the defendant is unlikely to abide by any condition or combination of conditions of release

Respectfully Submitted
For the Commonwealth,
Joseph D. Early, Jr.
DISTRICT ATTORNEY

By:



Assistant District Attorney
Middle District Attorney's Office
Clinton District Court
300 Boylston St.
Clinton, MA 01510
(978) 765-3886

APPEARANCE OF COUNSEL

Trial Court of Massachusetts
District Court Department



CASE NAME:

Commonwealth

v.

Jorge Zambrano

DOCKET NUMBER: _____

Clinton

DISTRICT COURT

To the Clerk-Magistrate:

Please enter my appearance as attorney for Jorge Zambrano

in the above numbered court action.

ATTORNEY NAME

Anthony J. Swolk

B.B.O. NUMBER (Required)

4 4 8 9 5 0

ATTORNEY FIRM

44 Reservoir St

TELEPHONE NUMBER

508 755 6314

STREET ADDRESS

Holder MA

Filed
CERIS SYSTEM
2/11/16

CITY / TOWN

STATE

ZIP CODE

01520

X

SIGNATURE OF ATTORNEY

2-11-16

DATE



ARREST REPORT

State Police Leominster

Hawes Street, Route 2
Leominster, MA
(978) 537-2188

CASE # 2016-0C4-000404

Invest Officer: Trooper Ray Burton ID# 3544
Agency: C-4

Court: Clinton, DC

Activity Date/Time 02/10/2016 1505 Incident Class: Investigation Domestic

Location: RT 495 South, Exit 26, BOLTON, MA

Last: ZAMBRANO

First: JORGE

Middle: ARTURO

Suffix:
DOB: 03/14/1981

Age: 34

SSN: 593705052

License #: S42250828

Lic. State: MA

Address: 22 Saxon Road

City/Town: WORCESTER

State: MA

Zip Code: 01610

Phone #:

Occupation: Laborer

Employer: Renovation Marlboro

Emp. Add:

Emp. Phn:

Race: Hispanic

Sex: Male

Height: 509

Weight: 190

Hair Color: Brown

Eye Color: Brown

Build: Medium

Complexion: Light

Marital Stat: Unknown

Spouse:

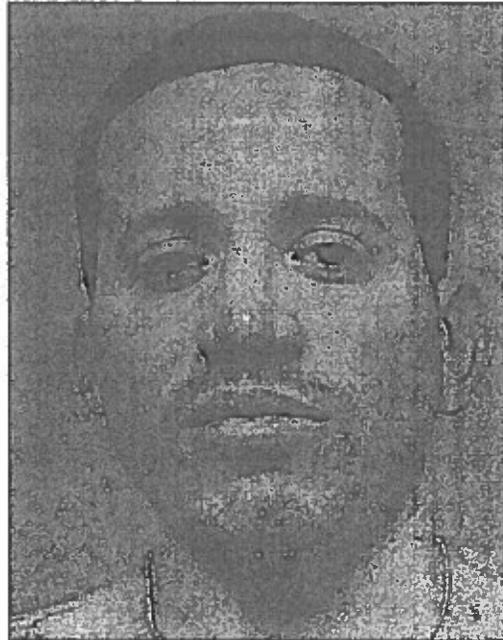
Father: JORGE

Mother: YOLANDA FIELD

Dependents: 2

Birth Place: FLA

Citizenship:



Custody Status: Pending Bail
Booking Officer: Trooper Ray Burton ID# 3544
Desk Officer: Trooper Joseph Hall ID# 3279
Photo Officer: Trooper Ray Burton ID# 3544
Miranda Given: Y Trooper Ray Burton ID# 3544
Print Officer: Trooper Ray Burton ID# 3544
Lang Rights: N
Visible Injuries: N
Positive Q5: N
Phone Used: Y
Number Called:
MW: N
Detox Notified: N
Medications:
Offered BT:
Refused BT:
BT Results: 0.000 0.000 0.000
Bailed To:

OBTN: TSC4201600533

Booked @ MSP Leominster

Charge(s):

266-123 TRESPASS ON STATE/COUNTY PROPERTY
268-32B RESIST ARREST
272-43-B DISORDERLY CONDUCT ON PUB CONVEY,3RD OFF
265-13A-B A&B

Alias(es):

Distinguishing Marks:

Trooper Ray Burton ID# 3544

status: Approved
Approved by: ASergeant Stephen Rock ID# 1359

Supervisor



ARREST REPORT
State Police Leominster

Hawes Street, Route 2
Leominster, MA
(978) 537-2188

CASE # 2016-0C4-000404

Invest Officer: Trooper Ray Burton ID# 3544
Agency: C-4

Court: Clinton, DC

Vehicle(s):

MA PAN 135SL6 2011 Hyundai SONATA WHITE
VIN: 5NPEC4AC8BH273691

Countryside Towing
OCCIDENTAL FIRE

Other Property/Evidence Involved In Case:

Arrest Narrative:

ZAMBRANO, JORGE DOB 3/14/1981

By Trooper Ray M Burton #3544

1. On Wednesday February 10, 2016 approximately 3:05 PM, I was on patrol on route 495 Northbound in the City of Marlboro when I was advised by the Leominster Barracks that a civilian caller stated that they were traveling Route 495 Southbound in the area of exit 26 in Berlin observed a light colored vehicle located in the breakdown lane. The caller observed the male passenger strike the female party as she ran towards him. This caused the female party to fall on the ground. A witness statement attached to court packet. Above roadways are public ways. The arrestee made comments such as "wait until I talk to them" in relation to the witness and therefore the witness name and contact number are not in the narrative but are available to the court upon request.

2. At this time I approached the Route 495 Southbound ramp from Route 62 exit 26. I observed a male party halfway down the ramp walking towards Route 62. This travel way is intended for motor vehicles only. I pulled my vehicle over to the right side of the roadway and exited the vehicle with the intent of checking on the wellbeing of the subject and if he was related to the possible physical altercation that had taken place in the area. At this time there was no safe place to walk on the ramp because of the snow. I noticed that the male subject was the only person in the area and a white sedan parked in the breakdown lane of Route 495 Southbound towards the on ramp from Route 62 was visible. I observed the male party to be preoccupied. He was trying to walk and fumbling with a phone and several items in his hands, including a backpack. It was clear that he was in a hurry, and his head was down and he would make an effort to not make eye contact when I would speak with him. His clothes and his body appeared to be dissheveled. I asked why he was walking on the ramp and he gave a short answer that he had to get to the gas station. The male party did not want to stop and speak with me. I inquired if he was coming from a vehicle that was broken down. He stated that he was going to find help and tried to continue to walk away. It became extremely clear that the male subject was upset and did not want to talk based off of his tone of voice and attitude. I informed the male party and ordered him at least 3 separate times to stop and provided me with identification due to the fact that he was walking on a state highway and that he may have had involvement in a physical altercation that had just taken place within the same area.

3. The subject stopped in the area of my right front fender. The belongings in his hands which were cell phones and other smaller items were placed on my hood of the cruiser with his backpack. The male party stated that he did not have any identification and that his name was "Jose". He was mumbling his last name which I could not understand. When I would ask question regarding the matter at hand I would received short answer not relevant and the subject wanted to leave. He told me several times "look me up,

Trooper Ray Burton ID# 3544

Status: Approved
Approved by: #981 Sergeant Stephen Rock ID# 2019

Supervisor



ARREST REPORT

State Police Leominster

Hawes Street, Route 2
Leominster, MA
(978) 537-2188

CASE # 2016-0C4-000404

Invest Officer: Trooper Ray Burton ID# 3544
Agency: C-4

Court: Clinton, DC

you know my cousin Luis". The male party started making comments that did not make sense. He continued not listen to commands to keep his hands out of his pockets and to stop trying to touch items on the hood of the cruiser. I believe the party to be the subject witnessed to have struck the female. At this time, for safety reasons I went to insure that there were no weapons in the backpack. The male party locked his body up making his muscles stiff. One of the cell phone rang and the subject was advised not to answer the phone and to finishes speaking with me. For officer safety I was not sure he was talking to a potential victim or calling for help to our location. The subject grabbed the phone and at this time I removed the phone from his hand placing it on the hood. Due to the subjects not listing to my commands, his behavior, I believed him to be connected to the witnessed physical altercation that just occurred. I felt, for my safety that the male party should be placed in handcuffs while I conducted my investigation. The male party was told again to keep his hands away from his pocket. I felt a hard object in his front pocket. When placing the handcuffs on the male party he started to tighten up his muscles and he was not complying. He stated he really can't believe this shit.

4. As I placed one handcuff completely on the right wrist the subject started to pull his left arm away refusing to listen to commands. He started saying "I am not going back". This started into a physical struggle and I advised the Leominster Barracks to start another cruiser for assistances. The male party continued not listing to commands and pulling his left arm away while he was yelling. He was yelling things that had no relevance to the situation. An off duty Hudson Police Department official, Lieutenant Crippen pulled behind my police cruiser. He identified himself and asked if I needed assistances which I requested him to help. The physical altercation continued and the subject was not to listing to commands. He was warned several times to comply or he was going to get sprayed, which he knew what I was talking about and referenced his strength. The male party did not listen and was sprayed. This had little effect on the male subject who continued to resist by trying to lock his arms and swing his body around. At this time Trooper Grace (Leominster Barracks) arrived on scene and we were able to secure the subject after bringing him to the ground. The above altercation took place on the cruiser and on the side of the road. The male party was placed into the rear of the cruiser 1144 with the assistances of two troopers. The subject made several threats against everyone's safety. Prior and post being placed into the cruiser. A midsize silver knife was removed from his front pocket. The subject was advised that he was under arrest

5. Lt Crippen had visible injures to his right hand with at least two lacerations on his middle and ring finger. He also has discomfort in his right shoulder. Chief Burks of the Hudson Police Department arrived on scene and spoke with Lt Crippen about his injures. Lt Crippen right hand was bandaged up and he will follow up with his own medical care if needed.

6. Trooper Dolan (Leominster Barracks) spoke with the female who was in the white sedan on Route 495 Southbound Berlin. She had a scratch on her nose that appeared to be fresh. It was estimated to be the length of half of her nose. Female PHILIP, HEATHER DOB 1/16/1982 of 62 Uxbridge Street APT 3, Worcester. She stated that her and her boyfriend who was later identified as ZAMBRANO, JORGE DOB 3/14/1981 of 22 Saxon Road, Worcester got in an argument about the vehicle breaking down and a child is being picked up. She parked the car in the breakdown lane and he walked away. She stated nothing happened. She stated that she was not in fear. PHILIP stated that ZAMBRANO is her boyfriend.

Trooper Ray Burton ID# 3544

Status: Approved
Approved by: Sergeant Stephen Keith ID# 3538

Supervisor



ARREST REPORT
State Police Leominster

Hawes Street, Route 2
Leominster, MA
(978) 537-2188

CASE # 2016-0C4-000404

Invest Officer: Trooper Ray Burton ID# 3544
Agency: C-4

Court: Clinton, DC

7. ZAMBRANO was transported to the Leominster Barracks for booking. During the ride to the barracks, ZAMBRANO exhibiting temper tantrum like behavior. He was screaming, kicking his legs, flaying his arms, and crying. He stated several times how he can take all of us on and just wait until the handcuffs come off. He stated that we made a big mistake and if he wanted to hurt us he could have taken our guns. He informed me that "we left ourselves open I could have taken your guns". He stated that he is angry and knows he was wrong. Several times the subject stated how strong he was and how he could hurt us. He stated he "hates his name" and what he has become. He further explained that he has anger issues and likes to feel the pain. Leominster EMS was contacted to come to the barracks to wash out his eyes. ZAMBRANO stated several times that PHILIP was his girlfriend and got into an argument.

8. Once at the barracks, ZAMBRANO was removed from the cruiser without issues. He was placed on the bench where his behavior switched like a light switch and he began to scream and starting yelling he was in pain (Sabre Red Crossfire Spray). ZAMBRANO was given water and paper towels to help his eyes. He started to punch himself full force left arm to left temple area and right arm to the right temple area. This took place several times as he banged his body against the wall. He then took off his shirt while he screamed. His behavior changed after a while and at times would escalate back up and then go down.

9. ZAMBRANO was booked per policy and declined to speak about the case after read Miranda which he signed. ZAMBRANO would talk to himself and then say things to the personal in the barracks. He stated several times that he messed up and apologized for his action. He stated that none of this should have happened and he was angry and took it out the wrong way. ZAMBRANO was not finger printed due to his behavior. During the process simple questions were a challenge. When placed into the cell ZAMBRANO started to stretch and exercise.

10. I was able to speak directly to the civilian caller who stated that above facts and wrote a statement. Based on her statement both ZAMBRANO and PHILIP will be charged with domestic assault and battery. ZAMBRANO was read his SP 500 rights and declined taking an order out. PHILIP was read over the phone same rights and declined taking the order. PHILIP stated that a dog scathed her face. She declined coming to the barracks and was not very corporative with the investigation.

11. During inventory of ZAMBRANO backpack, a Massachusetts Driver's License of JACHIMCZYK, Robert DOB 7/4/1982 and a Commerce Bank Card. Card company was called and they report that the card has been cancelled and won't be able to advise reasons until bank is opens for regular business hours. I spoke with Auburn, Millbury and Worcester Police. I was unable to find a working phone number for JACHIMCZYK. Worcester Police report in 2014 JACHIMCZYK motor vehicle was stolen and it is unknown if this identification and credit card were in the vehicle. There was a black hard plastic knife and a thin durable extension claw which used in combination would be able to open a motor vehicle. There was 2 large knives also found in the back park.

12. ZAMBRANO has a lengthy and dangerous criminal record with over 84 entries on his adult record. A large amount of enterers are for Assault & Battery, Assault & Battery PO, Resisting Arrest, Carrying Dangerous Weapon, and Disorderly Person.

Trooper Ray Burton ID# 3544 Approved By:  Sargeant Stephen Koch ID# 1333 Supervisor



ARREST REPORT
State Police Leominster

Hawes Street, Route 2
Leominster, MA
(978) 537-2188

CASE # 2016-0C4-000404

Invest Officer: Trooper Ray Burton ID# 3544
Agency: C-4

Court: Clinton, DC

- 13. ZAMBRANO will be charged with the following:
MGL c266-s123 TRESPASS ON STATE/COUNTY PROPERTY
MGL c268-s34b RESIST ARREST
MGL c272-s34B DISORDERLY CONDUCT ON PUB CONVEY,3RD OFF
MGL c265-s13A-B ASSAULT AND BATTERY DOMESTIC

- 14. PHILIP will be summonsed to court charged:

MGL c265-s13A-B ASSAULT AND BATTERY DOMESTIC

Bail set at \$3000.00 and offered phone call which he did not want to make. Aftermath was contacted and cleaned the rear of cruiser 1144.

Use of force documentation completed. Troopers Hall Desk Officer Sgt Akerman CAT in the barracks in Barracks to assist.

Respectfully request this report be considered closed until further court action.

Trooper Ray M Burton #3544

Trooper Ray M Burton #3544

Status: Approved

Trooper Ray Burton ID# 3544

Approved by: #Sergeant Stephen Koch ID# 2379

Supervisor

Caller

Incident on 495 South

[REDACTED]
Sent: Wednesday, February 10, 2016 6:58 PM
[REDACTED]

Hello,

My name is Cynthia Katz. My husband and I were driving in the right lane on 495 South between exits 26 and 25 B-A at approximately 2:50 pm when we saw a car pulled over on the side of the highway. As we approached the car a female exited the drivers side door and ran towards a male passenger who was already outside of the vehicle with a phone in his hand, when the female reached the male passenger we saw him hit her in the face, hard enough she fell right to the ground. The last we saw was the female get up off the ground, at that point they were no longer in our view...

We were concerned for their safety, any possible kids in their vehicle and other drivers if they got back in their vehicle and continued physically fighting...

Thanks
[REDACTED]

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|---|----------------------------------|-------------|---|
| APPLICATION FOR CRIMINAL COMPLAINT | APPLICATION NO. (COURT USE ONLY) | Page 1 of 4 | TRIAL COURT OF MASSACHUSETTS DISTRICT COURT DEPARTMENT |
| The undersigned alleges the following as a <input checked="" type="checkbox"/> full or <input type="checkbox"/> partial statement of the factual basis for the offense(s) for which a criminal complaint is sought | | | |

By Trooper Ray M Burton #3544

ZAMBRANO, JORGE DOB 3/14/1981

1. On Wednesday February 10, 2016 approximately 3:05 PM, I was on patrol on route 495 Northbound in the City of Marlboro when I was advised by the Leominster Barracks that a civilian caller stated that they were traveling Route 495 Southbound in the area of exit 26 in Berlin observed a light colored vehicle located in the breakdown lane. The caller observed the male passenger strike the female party as she ran towards him. This caused the female party to fall on the ground. A witness statement attached to court packet. Above roadways are public ways. The arrestee made comments such as "wait until I talk to them" in relation to the witness and therefore the witness name and contact number are not in the narrative but are available to the court upon request.

2. At this time I approached the Route 495 Southbound ramp from Route 62 exit 26. I observed a male party halfway down the ramp walking towards Route 62. This travel way is intended for motor vehicles only. I pulled my vehicle over to the right side of the roadway and exited the vehicle with the intent of checking on the wellbeing of the subject and if he was related to the possible physical altercation that had taken place in the area. At this time there was no safe place to walk on the ramp because of the snow. I noticed that the male subject was the only person in the area and a white sedan parked in the breakdown lane of Route 495 Southbound towards the on ramp from Route 62 was visible. I observed the male party to be preoccupied. He was trying to walk and fumbling with a phone and several items in his hands, including a backpack. It was clear that he was in a hurry, and his head was down and he would make an effort to not make eye contact when I would speak with him. His clothes and his body appeared to be dissheveled. I asked why he was walking on the ramp and he gave a short answer that he had to get to the gas station. The male party did not want to stop and speak with me. I inquired if he was coming from a vehicle that was broken down. He stated that he was going to find help and tried to continue to walk away. It became extremely clear that the male subject was upset and did not want to talk based off of his tone of voice and attitude. I informed the male party and ordered him at least 3 separate times to stop and provided me with identification due to the fact that he was walking on a state highway and that he may have had involvement in a physical altercation that had just taken place within the same area.

3. The subject stopped in the area of my right front fender. The belongings in his hands which were cell phones and other smaller items were placed on my hood of the cruiser with his backpack. The male party stated that he did not have any identification and that his name was "Jose". He was mumbling his last name which I could not understand. When I would ask question regarding the matter at hand I would received short answer not relevant and the subject wanted to leave. He told me several times "look me up, you know my cousin Luis". The male party started making comments that did not make sense. He continued not listen to commands to keep his hands out of his pockets and to stop trying to touch items on the hood of the cruiser. I believe the party to be the subject witnessed to have struck the female. At this time, for safety reasons I went to insure that there were no weapons in the backpack. The male party locked his body up making his muscles stiff. One of the cell phone rang and the subject was advised not to answer the phone and to finishes speaking with me. For officer safety I was not sure he was talking to a potential victim or calling for help to our location. The subject grabbed the phone and at this time I removed the phone from his hand placing it on the hood. Due to the subjects not listing to my commands, his behavior, I believed him to be connected to the witnessed physical altercation that just occurred. I felt, for my safety that the male party should be placed in handcuffs while I conducted my investigation. The male party was told again to keep his hands away from his pocket. I felt a hard object in his front pocket. When placing the handcuffs on the male party he started to tighten up his muscles and he was not complying. He stated he really can't believe this shit.

4. As I placed one handcuff completely on the right wrist the subject started to pull his left arm away refusing to listen to commands. He started saying "I am not going back". This started into a physical struggle and I advised

| | | | |
|---|----------------------------------|-------------|---|
| APPLICATION FOR CRIMINAL COMPLAINT | APPLICATION NO. (COURT USE ONLY) | Page 2 of 4 | TRIAL COURT OF MASSACHUSETTS DISTRICT COURT DEPARTMENT |
| The undersigned alleges the following as a <input checked="" type="checkbox"/> full or <input type="checkbox"/> partial statement of the factual basis for the offense(s) for which a criminal complaint is sought | | | |

the Leominster Barracks to start another cruiser for assistances. The male party continued not listening to commands and pulling his left arm away while he was yelling. He was yelling things that had no relevance to the situation. An off duty Hudson Police Department official, Lieutenant Crippen pulled behind my police cruiser. He identified himself and asked if I needed assistances which I requested him to help. The physical altercation continued and the subject was not listening to commands. He was warned several times to comply or he was going to get sprayed, which he knew what I was talking about and referenced his strength. The male party did not listen and was sprayed. This had little effect on the male subject who continued to resist by trying to lock his arms and swing his body around. At this time Trooper Grace (Leominster Barracks) arrived on scene and we were able to secure the subject after bringing him to the ground. The above altercation took place on the cruiser and on the side of the road. The male party was placed into the rear of the cruiser 1144 with the assistances of two troopers. The subject made several threats against everyone's safety. Prior and post being placed into the cruiser. A midsize silver knife was removed from his front pocket. The subject was advised that he was under arrest

5. Lt Crippen had visible injuries to his right hand with at least two lacerations on his middle and ring finger. He also has discomfort in his right shoulder. Chief Burks of the Hudson Police Department arrived on scene and spoke with Lt Crippen about his injuries. Lt Crippen right hand was bandaged up and he will follow up with his own medical care if needed.

6. Trooper Dolan (Leominster Barracks) spoke with the female who was in the white sedan on Route 495 Southbound Berlin. She had a scratch on her nose that appeared to be fresh. It was estimated to be the length of half of her nose. Female PHILIP, HEATHER DOB 1/16/1982 of 62 Uxbridge Street APT 3, Worcester. She stated that her and her boyfriend who was later identified as ZAMBRANO, JORGE DOB 3/14/1981 of 22 Saxon Road, Worcester got in an argument about the vehicle breaking down and a child is being picked up. She parked the car in the breakdown lane and he walked away. She stated nothing happened. She stated that she was not in fear. PHILIP stated that ZAMBRANO is her boyfriend.

7. ZAMBRANO was transported to the Leominster Barracks for booking. During the ride to the barracks, ZAMBRANO exhibiting temper tantrum like behavior. He was screaming, kicking his legs, flaying his arms, and crying. He stated several times how he can take all of us on and just wait until the handcuffs come off. He stated that we made a big mistake and if he wanted to hurt us he could have taken our guns. He informed me that "we left ourselves open I could have taken your guns". He stated that he is angry and knows he was wrong. Several times the subject stated how strong he was and how he could hurt us. He stated he "hates his name" and what he has become. He further explained that he has anger issues and likes to feel the pain. Leominster EMS was contacted to come to the barracks to wash out his eyes. ZAMBRANO stated several times that PHILIP was his girlfriend and got into an argument.

8. Once at the barracks, ZAMBRANO was removed from the cruiser without issues. He was placed on the bench where his behavior switched like a light switch and he began to scream and starting yelling he was in pain (Sabre Red Crossfire Spray). ZAMBRANO was given water and paper towels to help his eyes. He started to punch himself full force left arm to left temple area and right arm to the right temple area. This took place several times as he banged his body against the wall. He then took off his shirt while he screamed. His behavior changed after a while and at times would escalate back up and then go down.

9. ZAMBRANO was booked per policy and declined to speak about the case after read Miranda which he signed. ZAMBRANO would talk to himself and then say things to the personal in the barracks. He stated several times that he messed up and apologized for his action. He stated that none of this should have happened and he was angry and took it out the wrong way. ZAMBRANO was not finger printed due to his behavior. During the process simple questions were a challenge. When placed into the cell ZAMBRANO started to stretch and exercise.

| | | | |
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| APPLICATION FOR CRIMINAL COMPLAINT | APPLICATION NO. (COURT USE ONLY) | Page 3 of 4 | TRIAL COURT OF MASSACHUSETTS DISTRICT COURT DEPARTMENT |
| The undersigned alleges the following as a <input checked="" type="checkbox"/> full or <input type="checkbox"/> partial statement of the factual basis for the offense(s) for which a criminal complaint is sought | | | |

10. I was able to speak directly to the civilian caller who stated that above facts and wrote a statement. Based on her statement both ZAMBRANO and PHILIP will be charged with domestic assault and battery. ZAMBRANO was read his SP 500 rights and declined taking an order out. PHILIP was read over the phone same rights and declined taking the order. PHILIP stated that a dog scathed her face. She declined coming to the barracks and was not very corporative with the investigation.

11. During inventory of ZAMBRANO backpack, a Massachusetts Driver's License of JACHIMCZYK, Robert DOB 7/4/1982 and a Commerce Bank Card. Card company was called and they report that the card has been cancelled and won't be able to advise reasons until bank is opens for regular business hours. I spoke with Auburn, Millbury and Worcester Police. I was unable to find a working phone number for JACHIMCZYK. Worcester Police report in 2014 JACHIMCZYK motor vehicle was stolen and it is unknown if this identification and credit card were in the vehicle. There was a black hard plastic knife and a thin durable extension claw which used in combination would be able to open a motor vehicle. There was 2 large knives also found in the back park.

12. ZAMBRANO has a lengthy and dangerous criminal record with over 84 entries on his adult record. A large amount of enterers are for Assault & Battery, Assault & Battery PO, Resisting Arrest, Carrying Dangerous Weapon, and Disorderly Person.

13. ZAMBRANO will be charged with the following:
MGL c266-s123 TRESPASS ON STATE/COUNTY PROPERTY
MGL c268-s34b RESIST ARREST
MGL c272-s34B DISORDERLY CONDUCT ON PUB CONVEY,3RD OFF
MGL c265-s13A-B ASSAULT AND BATTERY DOMESTIC

14. PHILIP will be summonsed to court charged:

MGL c265-s13A-B ASSAULT AND BATTERY DOMESTIC

Bail set at \$3000.00 and offered phone call which he did not want to make. Aftermath was contacted and cleaned the rear of cruiser 1144.

Use of force documentation completed. Troopers Hall Desk Officer Sgt Akerman CAT in the barracks in Barracks to assist. Respectfully request this report be considered closed until further court action.

| | | | |
|---|----------------------------------|-------------|---|
| APPLICATION FOR CRIMINAL COMPLAINT | APPLICATION NO. (COURT USE ONLY) | Page 4 of 4 | TRIAL COURT OF MASSACHUSETTS DISTRICT COURT DEPARTMENT |
| The undersigned alleges the following as a <input checked="" type="checkbox"/> full or <input type="checkbox"/> partial statement of the factual basis for the offense(s) for which a criminal complaint is sought | | | |

| | | | |
|---|---|---|-------------------------------|
| PRINTED NAME <i>Raymond</i> | SIGNATURE <i>R. Bee</i> | I AM A <input checked="" type="checkbox"/> LAW ENFORCEMENT OFFICER <input type="checkbox"/> CIVILIAN COMPLAINANT OR WITNESS | DATE SIGNED <i>2/11/16</i> |
| ADDITIONAL FACTS FOUND BY CLERK-MAGISTRATE / ASST. CLERK/JUDGE BASED ON ORAL TESTIMONY | | | |
| <hr/> <hr/> <hr/> <hr/> | | | |
| REMARKS | SIGNATURE OF CLERK-MAGISTRATE / ASST. CLERK / JUDGE | DATE SIGNED | |

COURT COPY

MA Vehicle Registration (R5)

Results For - Plate No.: 135SL6

△STATUS: ACTV/NONR

Registration Details

Reg. #: 135SL6 Plate Type: PAN CLR: R VIN: 5NPEC4AC8BH273691 Title #: BN393902
Lic 1: S15659407 Lic 2: Lessee Lic: Lessee ST:

Lessee Information

Lessee Address: City: State: Zip:
Lessee Corp:

Owner Information

Last: PHILIP First: HEATHER Middle: JO DOB: 01/16/1982
Corp/Co Name:
Mailing Address: 62 UXBRIDGE STREET City: WORCESTER State: MA Zip: 01605
APT 3
Residential Address: City: State: Zip:

Vehicle Information

Registration Status - Date: ACTV/NONR - 07/03/2014 Sticker # (Date): 160839396 - 04/09/2015 Inspection Result: P
Effective Date: 07/03/2014 Expiration Date: 06/30/2016

Year/Make: 2011 - HYUN Color: WHITE Model: SONATA Style: SEDAN
Doors: 4 Passengers: 05 Seats: 05 Bus:
Transmission: A Cylinders: 4 Motor G Weight: 0000000
Power:

Purchase Date: 02/23/2014 OD: 51845 Non-Profit: N
Previous Title State: MA Previous Title #: BK158193
Title Status - Date: ACTV Title Issue Date: 03/03/2014
Lein1 Type/Cd: 32643/C Name: JPMORGAN CHASE BANK NA
Review-Reg/Title: Original Issue Date: 07/02/2012

Insurance Company Name: OCCIDENTAL FIRE Insurance Company ID: 686 New/Used: U



Handwritten notes: 11/9/11, 2:10 PM, and initials.

Give a victim of domestic violence immediate and adequate notice of his or her rights. The notice shall consist of handing said person a copy of the statement, which follows below, and reading the same to the victim. Where the victim's native language is not English; the statement shall then be provided in the victim's native language whenever possible.

"You have the right to appear at the Superior, Probate and Family District or Boston Municipal Court, if you reside within the appropriate jurisdiction, and file a complaint requesting any of the following applicable orders:

- (a) an order restraining your attacker from abusing you;
- (b) an order directing your attacker to leave your household, building or workplace;
- (c) an order awarding you custody of a minor child;
- (d) an order directing your attacker to pay support for you or any minor child in your custody, if the attacker has a legal obligation of support, and
- (e) an order directing your attacker to pay you for losses suffered as a result of abuse, including medical and moving expenses, loss of earnings or support, costs for restoring utilities and replacing locks, reasonable attorneys' fees and other out-of-pocket losses for injuries and property damage sustained."

"For an emergency on weekends, holidays, or week nights the police will refer you to a justice of the Superior, Probate and Family, District or Boston Municipal Court Departments."

"You have the right to go to the appropriate District Court or the Boston Municipal Court and seek a criminal complaint for threats, assault and battery, assault with a deadly weapon, assault with intent to kill or other related offenses."

"If you are in need of medical treatment, you have the right to request that an officer present drive you to the nearest hospital or otherwise assist you in obtaining medical treatment."

"If you believe that police protection is needed for your physical safety, you have the right to request that the officer present remain at the scene until you and your children can leave or until your safety is otherwise ensured. You may also request that the officer assist you in locating and taking you to a safe place, including but not limited to a designated meeting place for a shelter or a family member's or a friend's residence, or a similar place of safety."

"You may request a copy of the police incident report at no cost from the police department."

Handwritten note: No Donot want (over) No Fear

SP500 (8/02)

(over)

NOTIFICACIÓN DE DERECHOS DE LA PERSONA MALTRATADA ESPAÑOL

"Usted tiene el derecho de comparecer ante el tribunal Superior, de Relaciones de Familia, de Distrito o el Municipal de Boston", si usted reside dentro de esa jurisdicción para radicar una querrela y solicitar que se expida cualquiera de las siguientes órdenes:

- (a) una orden que le prohíba a la persona que la maltrata continuar haciéndolo;
- (b) una orden para que esa persona se vaya de su lugar de residencia, edificio o lugar de trabajo;
- (c) una orden que le otorgue a usted la custodia legal de los hijos menores de edad;
- (d) una orden para que esa persona le pague manutención para usted o su(s) hijo(s) menores bajo su custodia, si tiene la obligación legal de hacerlo; y
- (e) una orden que obligue al agresor a pagarle por las pérdidas causadas por el maltrato, incluyendo gastos médicos y de mudanza, pérdida de salario o manutención, el costo de re-conexión de los servicios y de nuevas cerraduras, honorarios razonables de abogado y otros gastos causados por las lesiones o daños materiales sufridos."

"Para las emergencias durante los fines de semana, los días feriados, o las noches la policia la referirá a un juez del tribunal superior, de relaciones de familia, de distrito o del (tribunal municipal de Boston."

"Usted tiene el derecho de acudir al tribunal de distrito correspondiente o al tribunal municipal de Boston para solicitar que se expida una querrela penal por amenazas, acometimiento y agresión, acometimiento con arma letal, acometimiento con intención homicida u otros delitos relacionados."

"Si necesita tratamiento médico, usted tiene el derecho de solicitar que un oficial de policia presente la lleve al hospital más cercano o de alguna otra forma la ayude a obtener dicho tratamiento."

"Si cree que necesita protección policial para su seguridad fisica, usted tiene el derecho de solicitar que el oficial de policia presente se quede en el lugar hasta que usted y sus hijos puedan irse o hasta que de alguna otra manera se determine su seguridad. También puede solicitar que el oficial la ayude a localizar y la lleve a un lugar seguro, incluyendo aunque no sin excluir otros, a un lugar de reunión que se haya designado para un refugio, o las residencia de algún familiar, o amigo, o un lugar similar donde usted esté segura."

"Usted puede solicitar que se le entregue una copia de informe de la policia sin costo alguno."

"Si la relación que usted tiene con la persona que la está maltratando es que "usted tiene o ha tenido una relación de noviazgo", usted puede comparecer ante cualquiera de los tribunales mencionados excepto el Tribunal Superior."



Give a victim of domestic violence immediate and adequate notice of his or her rights. The notice shall consist of handing said person a copy of the statement, which follows below, and reading the same to the victim. Where the victim's native language is not English; the statement shall then be provided in the victim's native language whenever possible.

"You have the right to appear at the Superior, Probate and Family District or Boston Municipal Court, if you reside within the appropriate jurisdiction, and file a complaint requesting any of the following applicable orders:

- (a) an order restraining your attacker from abusing you;
- (b) an order directing your attacker to leave your household, building or workplace;
- (c) an order awarding you custody of a minor child;
- (d) an order directing your attacker to pay support for you or any minor child in your custody, if the attacker has a legal obligation of support; and
- (e) an order directing your attacker to pay you for losses suffered as a result of abuse, including medical and moving expenses, loss of earnings or support, costs for restoring utilities and replacing locks, reasonable attorneys' fees and other out-of-pocket losses for injuries and property damage sustained."

"For an emergency on weekends, holidays, or week nights the police will refer you to a justice of the Superior, Probate and Family, District or Boston Municipal Court Departments."

"You have the right to go to the appropriate District Court or the Boston Municipal Court and seek a criminal complaint for threats, assault and battery, assault with a deadly weapon, assault with intent to kill or other related offenses."

"If you are in need of medical treatment, you have the right to request that an officer present drive you to the nearest hospital or otherwise assist you in obtaining medical treatment."

"If you believe that police protection is needed for your physical safety, you have the right to request that the officer present remain at the scene until you and your children can leave or until your safety is otherwise ensured. You may also request that the officer assist you in locating and taking you to a safe place, including but not limited to a designated meeting place for a shelter or a family member's or a friend's residence, or a similar place of safety."

"You may request a copy of the police incident report at no cost from the police department."

SP500 (8/02)

(over)

NOTIFICACIÓN DE DERECHOS DE LA PERSONA MALTRATADA ESPAÑOL

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- (d) una orden para que esa persona le pague manutención para usted o su(s) hijo(s) menores bajo su custodia, si tiene la obligación legal de hacerlo; y
- (e) una orden que obligue al agresor a pagarle por las pérdidas causadas por el maltrato, incluyendo gastos médicos y de mudanza, pérdida de salario o manutención, el costo de re-conexión de los servicios y de nuevas cerraduras, honorarios razonables de abogado y otros gastos causados por las lesiones o daños materiales sufridos."

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Decline JZ 5:17PM 2-10-16

MA Driver's License (R1)

Results For - OLN: S42250828

△STATUS: REV/RRV

License Image



License Information

License No.: S42250828
State: MA

Status: REV/RRV
SSN: 593-70-5052

Person Information

Last: ZAMBRANO
DOB: 03/14/1981
Organ Donor: R

First: JORGE
Sex: M

Middle: ARTURO
Height: 5' 10"

Address Information

Mailing: 170 JAMES STREET
City: WORCESTER
Residential:
City:

State: MA
State:

Zip: 01610-0000
Zip:

Previous Names

Additional Data

Driver's Ed.: N
Mab:
Type: L
Issue Date: 11/24/2000
Restrictions:
Type: M - MASS ID ONLY
Issue Date: 08/29/2007

Military: N
CDL:
Class: D
Exp. Date: 10/29/2010
Start Time:
Class:
Exp. Date: 03/14/2018

CDL Endor.:
End Time:

| | | | | |
|--|---------------------------------|--|--|--|
| RECOGNIZANCE (Promise to Appear) | | COMMONWEALTH OF MASSACHUSETTS | | DOCKET NUMBER 1668CR176 |
| DEFENDANT'S NAME AND ADDRESS (INCLUDE ANY ALIAS) Jorge Zambrano 22, Saxon Rd Ware MA 01602 | | TERMS OF RELEASE <input type="checkbox"/> PERSONAL RECOGNIZANCE <input checked="" type="checkbox"/> CASH BAIL \$ 500-- <input type="checkbox"/> WARRANT FOR MONEY OWED TO COURT \$ _____ (Please Specify) | | NAME AND ADDRESS OF COURT Clinton Dist. Court 300 Boylston St Clinton MA 01510 |
| SOCIAL SECURITY NUMBER | DATE OF BIRTH 3/14/81 | ARREST ON WARRANT <input type="checkbox"/> YES <input type="checkbox"/> NO POLICE DEPT. EXECUTING WARRANT | | DATE AND TIME OF APPEARANCE 3/15/16 AT 8:30 <input checked="" type="checkbox"/> A.M. <input type="checkbox"/> P.M. REPORT TO: <input type="checkbox"/> Probation <input type="checkbox"/> Clerk's Office |
| SURETY/SURETIES NAME AND ADDRESS Heather Philip 176 Maple Ave Rutland MA 01543 | | OFFENSE(S) See Docket | | |

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

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)
X _____ DATE

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 the release.

| | |
|---|---|
| SIGNED (SURETY) X _____ | SIGNED (SURETY) X _____ |
| SIGNED (PERSON AUTHORIZED TO TAKE BAIL) T. Roberts <input checked="" type="checkbox"/> Clerk-Magistrate <input type="checkbox"/> Assistant Clerk <input type="checkbox"/> Bail Commissioner PRINT FULL NAME | A. RELEASE AUTHORIZED FROM (PRINT) 68 B. JURISDICTION OF MAGISTRATE (PRINT) (Complete when appearance is being required outside of your jurisdiction) |
| ed and sworn to before me, the defendant having been a copy of this recognizance. | BAIL FEE RECEIVED \$ 0 In Court DATE AND TIME SIGNED 2/11/16 11:40 <input checked="" type="checkbox"/> A.M. <input type="checkbox"/> P.M. |

NOTICE TO DEFENDANT & SURETY

Bail shall not be released until the Legal Counsel Fee is satisfied in accordance with G.L. c. 211D, § 2 1/2.

Penalty for failure to appear in court after release on bail or recognizance
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 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
defendant who is charged with another crime while on release on bail or recognizance may have the terms of its release revoked, and the defendant may be held without bail for a period not to exceed 90 days.

RECEIPT-RECORD OF PAYMENT OF CASH BAIL NOT APPLICABLE

| | | | |
|--|------------------------------------|----------------------------|----------------------------------|
| RECEIVED FROM SURETY (NAME AND ADDRESS) 1/16 Heather Philip 176 Maple Ave Rutland MA 01543 | DEFENDANT Jorge Zambrano | AMOUNT \$ 500.00 | DISTRICT COURT Clinton |
| CASE NUMBER 1668CR176 | | BY A.M. | |



| | |
|--|----------------|
| Commonwealth vs. <u>Jorge Zambreno</u> <small>NAME OF DEFENDANT</small> | <u>Clinton</u> |
|--|----------------|

(To be completed and signed by both parties and submitted to the court at the Pretrial Hearing unless defendant tenders a plea or admission)

A pretrial conference between the parties was conducted on 3-14, 2016, with the following results:

I. DISCOVERY

1. AUTOMATIC DISCOVERY FOR DEFENSE. Pursuant to Mass.R.Crim.P. 14(a)(1)(A), the prosecution has disclosed to the defense and the defense has been permitted to discover, inspect, and copy:

- [Completed]** all items and information subject to automatic discovery.
- [Not Completed]** all items and information subject to automatic discovery, *except the following:*

Witness Statements
Any Medical documentation

2. AUTOMATIC RECIPROCAL DISCOVERY FOR PROSECUTION. Pursuant to Mass.R.Crim.P. 14(a)(1)(B), the defense has disclosed to the prosecution and the prosecution has been permitted to discover, inspect, and copy:

- [Completed]** all items and information subject to automatic reciprocal discovery.
- [Not Completed]** all items and information subject to automatic reciprocal discovery, *except the following:*

Not yet applicable because the prosecution has not yet completed all automatic or ordered discovery.

3. UNRESOLVED DISCOVERY ISSUES. With respect to any discovery to which the parties are or may be entitled, automatically or by court order, pursuant to Mass.R.Crim.P. 14 and which has not yet been provided:

- The parties agree as follows *(list items and agreed upon date of delivery, inspection, etc.):*

The defense is filing herewith the following motion(s) to compel discovery:

The prosecution is filing herewith the following motion(s) to compel discovery:

4. CERTIFICATE OF COMPLIANCE. The undersigned acknowledge that each party must file a Certificate of Compliance when the party has provided all discovery required by rule, agreement, or court order, pursuant to Mass.R.Crim.P. 14(a)(3).

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

II. OTHER PRETRIAL MATTERS

6. NON-DISCOVERY MOTIONS. In addition to any discovery-related motions listed above, the following motions will be filed on matters upon which the parties have *not* reached an agreement:

REASONS FOR ORDERING BAIL
G. L. c. 276, § 58

DOCKET NUMBER(S)
16WPCR000176

**Trial Court of Massachusetts
District Court Department**



COURT DIVISION
Clinton

NAME OF DEFENDANT
Joseph Lauriano

AMOUNT OF BAIL
*\$5,000 cash
or 500 cash*

TO THE SUPERIOR COURT DEPARTMENT:

On this date the court denied the release of the above named defendant on personal recognizance without surety. A summary of the court's reasons therefor is evidenced by my marking one or more of the items listed below in Section I. A further explanation may appear in Section II. In the case of a revision of bail upwards, findings of fact do appear in Section II.

SECTION I

- 1. The nature and circumstances of the offense charged.
- 2. The potential penalty the defendant faces.
- 3. The defendant's family ties.
- 4. The defendant's financial resources and employment record.
- 5. The defendant's history of mental illness.
- 6. The defendant's reputation and length of residence in the community.
- 7. The defendant's record of convictions.
- 8. The defendant's present drug dependency or his or her record for illegal drug distribution.
- 9. The defendant's record of flight to avoid prosecution.
- 10. The defendant's fraudulent use of an alias or false identification.
- 11. The defendant's failure to appear at a court proceeding to answer to an offense.
- 12. The fact that the defendant's alleged acts involve "abuse" as defined in G.L. c. 209A, § 1.
- 13. The fact that the defendant's alleged acts constitute a violation of a temporary or permanent order issued under G.L. c. 208, § 18 or 34B; G.L. c. 209, § 32; G.L. c. 209A, § 3, 4 or 5; or G.L. c. 209C, § 15 or 20.
- 14. The defendant's history of orders issued against him or her under the aforementioned sections.
- 15. The defendant's status of being on bail pending adjudication of a prior charge.
- 16. The defendant's status of being on probation, parole or other release pending completion of sentence for any conviction.
- 17. The defendant's status of being on release pending sentence or appeal for any conviction.

SECTION II

Further explanation (and, in the case of a revision of bail upwards, findings of fact):

*Deals now pending
we deny that a further*

JUSTICE
X

Andrew Marshall

DATE

7/11/16