

COMMONWEALTH OF MASSACHUSETTS

DISTRICT COURT DEPARTMENT  
WORCESTER COUNTY - DUDLEY DIVISION  
CASE NO. 1364-CR-003053

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**COMMONWEALTH**

**v.**

**BEN MURRAY**

---

***Motion to Return Illegally Seized Property***

Now comes the Defendant in the above-captioned matter and requests this Honorable Court to Order the return of unlawfully seized property. Specifically, Mr. Murray seeks the return of items, as designated on the SPD's police report: "MARIJUANA 13-344-PR"; "HASHISH 13-345-PR"; "LEDGERS 13-346-PR"; and "SCALE, GRINDER, 2 PIPES, BAGGIES 13-348-PR."

Because this case was dismissed with prejudice, and because all property in this case was determined by this Court to be unlawfully seized, the defendant prays that this Court Orders the return of above-mentioned property.

Submitted with this motion is a memorandum detailing the reasons for the request.

This Court should also take notice that, already, the Worcester Superior

Court has Ordered return of certain property (currency) in this case, and the Commonwealth has complied. (See Ex. C. Order to Return Seized Property; Ex. D. Check for return of money.).

Dated: November 17, 2014

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Marvin Cable", is written over the typed name.

Marvin Cable, BBO#: 680968  
Law Offices of Marvin Cable  
P.O. Box 1630  
Northampton, MA 01061  
E: law@marvincable.com  
P: (413) 268-6500  
F: (888) 691-9850

ATTORNEY FOR DEFENDANT

COMMONWEALTH OF MASSACHUSETTS

DISTRICT COURT DEPARTMENT  
WORCESTER COUNTY - DUDLEY DIVISION  
CASE NO. 1364-CR-003053

---

**COMMONWEALTH**

*v.*

**BEN MURRAY**

---

*Memorandum in Support of Motion to  
Return Illegally Seized Property*

Now comes the Defendant in the above-captioned matter and requests this Honorable Court to Order return of unlawfully seized property, specifically, as designated on the SPD's police report: "MARIJUANA 13-344-PR"; "HASHISH 13-345-PR"; "LEDGERS 13-346-PR"; and "SCALE, GRINDER, 2 PIPES, BAGGIES 13-348-PR."

Mr. Murray was arrested for intent to distribute marijuana and possession of a hashish after a search of his van in September 2013. He pled not guilty and filed a motion to suppress. The motion was allowed, and consequently all evidence seized pursuant the search (and subsequent arrest) was suppressed. The Court then, *sua sponte*, dismissed the case with prejudice. In response, the Commonwealth filed a

Notice of Appeal. (See Ex. A. Commonwealth's Notice of Appeal)

Shortly-thereafter, however, the Commonwealth filed a complaint in the Worcester Superior Court seeking forfeiture of currency seized during the unlawful search (and subsequent arrest). (See Ex. B. Commonwealth's Forfeiture Complaint with cover letter) The Worcester Superior Court dismissed complaint, Ordered currency be returned to Mr. Murray, and Commonwealth complied (See Ex. C. Order to Return Seized Property; Ex. D. Check for return of money.)

Undersigned counsel then asked the prosecutor's office in Dudley for return of the remainder of property. (See Ex. E. Letter to DA's Office seeking return of property.) Their response was to file motion for return of property. (See. F. E-mail response from DA's Office.) Accordingly, pursuant DA's request this motion seeks return of property as listed in the first paragraph this motion and also memorandum.

"In the criminal context, when property has been seized, the defendant may bring a motion to suppress and, if the property is found to have been unlawfully seized, may move for its return." *Commonwealth v. One 2004 Audi Sedan Automobile & others*, 456 Mass. 34, 45, 921 N.E.2d 85 citing *Commonwealth v. Sacco*, 401 Mass. 204, 208 (1987). ("If a defendant moves for the return of property which a judge has already determined in the same proceeding was unlawfully seized, and no third person has any reasonable claim to the property, the judge has the authority to enter

any appropriate order concerning the return of the property (or, if it has been lost or destroyed, payment of its fair market value).”) *See also, Mass. Const. pt. 1, art. XI.* (Every subject of the commonwealth ought to find a certain remedy, by having recourse to the laws, for all injuries or wrongs which he may receive in his person, property, or character. He ought to obtain right and justice freely, and without being obliged to purchase it; completely, and without any denial; promptly, and without delay; conformably to the laws.).

Because this case was dismissed with prejudice, and because all property seized was determined by this Court to be unlawfully seized, the Court should order that property be returned.

There is also no indication that the requested property will be used as evidence against the defendant; and since property was unlawfully seized, and since defendant is a medical marijuana patient (whom may rightfully possess certain property like marijuana), property should therefore be returned, especially since its for medicinal and lawful use.

Merely because the medication is not a traditional drug, like Vicodin or Adderall, its usage should not be treated differently under the law as compared to traditional drugs. The defendant’s medication, along with tools of administration, were unlawfully seized, and should be returned the same as it would likely be returned if it were a traditional drug.

Lastly, the timing is ripe for this motion. The Defendant has waited a reasonable period of time for the Commonwealth to file an appeal, and Commonwealth has not done so. There has been no indication that Commonwealth will file appeal.

To conclude, since the defendant is a medical marijuana patient and is allowed to possess certain property which was illegally seized by Commonwealth, the defendant requests this Court Order the above-requested property be returned to defendant.

Dated: November 17, 2014

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Marvin Cable", written in a cursive style.

Marvin Cable, BBO#: 680968  
Law Offices of Marvin Cable  
P.O. Box 1630  
Northampton, MA 01061  
E: law@marvincable.com  
P: (413) 268-6500  
F: (888) 691-9850

ATTORNEY FOR DEFENDANT

*Affidavit of Counsel.*

I, Marvin Cable, having been duly sworn do state:

- (1) I am an attorney admitted to practice in the Commonwealth of Massachusetts.
- (2) The facts and statements submitted in the motion and memorandum in support of motion are made to the best of my knowledge, and I believe them as true.

Signed under penalty of perjury:

Marvin Cable

Name

Marvin Cable

Signature

The foregoing instrument was acknowledged by me this 17 day of November, 2014  
by: Marvin Cable who is personally known by me or who has  
produced: Power of Attorney as identification.

MA

State of Notary's Commission

Julie Isabelle

Printed Name of Notary

2/17/17

Notary's Expiration

Notary Identification Number (optional)

Notary's Seal & Signature:

Julie Isabelle



**JULIE ISABELLE**

Notary Public, Commonwealth of Massachusetts  
My Commission Expires Feb. 17, 2017

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**EXHIBITS  
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# EXHIBIT A:

*Commonwealth's Notice of Appeal*

COMMONWEALTH OF MASSACHUSETTS

WORCESTER, ss.

DUDLEY DIVISION OF THE  
DISTRICT COURT DEPARTMENT OF  
THE TRIAL COURT  
NO. 1364CR3053

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COMMONWEALTH OF MASSACHUSETTS

v.

Ben Murray  
Defendant.

---

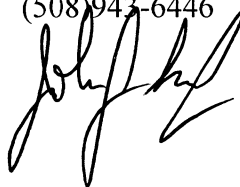
NOTICE OF APPEAL

The Commonwealth of Massachusetts does hereby give notice of its intent to appeal from  
this Court's order of May 27, 2014, granting the defendants' motion to suppress.

Respectfully submitted,  
for the Commonwealth  
JOSEPH D. EARLY, JR.  
District Attorney for  
the Middle District

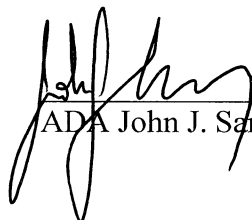
JOHN SARES  
Assistant District Attorney  
Office of the District Attorney  
279 West Main Street  
Dudley, MA 01571  
(508) 943-6446

Dated: July 3, 2014



CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon Attorney Marvin Cable, P.O. Box 1630 Northampton MA 01061 by hand at the Dudley District Court, on July 3, 2014.

  
ADA John J. Sares

# EXHIBIT B:

*Commonwealth's Forfeiture Complaint  
with cover letter*

Office of

District Attorney Joseph D. Early, Jr.

Worcester County  
(Middle District)  
(508)-755-8601



Worcester County Courthouse  
225 Main St. G301 Worcester, MA 01608  
[www.worcesterda.com](http://www.worcesterda.com)

Date

7/11/14

Ben Murray  
26 Monson Road  
Wales, Ma 01081-9714

Re: Commonwealth v. Five Hundred Fifty Dollars (\$550.00) In United States Currency.

Dear Mr. Murray:

You have been identified as a person who may have an interest in the Defendant property seized by the Sturbridge Police Department on September 7, 2013. The Commonwealth has filed an in rem, civil forfeiture Complaint against the seized property under G.L. c. 94C, § 47 and seeks to have the property forfeited. Enclosed are (1) a copy of the Complaint, and (2) a civil summons.

If you own or have an interest in the property referenced above, you or your attorney may file the following in Worcester Superior Court, pursuant to the procedures in Massachusetts Superior Court Rule 9A: (1) a Motion to Intervene under Mass. R. Civ. P. 24, to join the civil case as a party defendant, stating your reason(s) for intervention and supported by a credible affidavit made on personal knowledge and signed under oath; and (2) an Answer or other civil pleading setting forth the claim or defense for which intervention is sought.

Very Truly Yours,

A handwritten signature in cursive script, reading "Glenn A. Ludwig", is written over a light blue horizontal line.

Glenn A. Ludwig  
Assistant District Attorney  
Asset Forfeitures

Enclosure

No.

14-1293 B

COMMONWEALTH OF MASSACHUSETTS

Plaintiff (s)

v.

SUMMONS

FIVE HUNDRED FIFTY DOLLARS  
(\$550.00) IN UNITED STATES CURRENCY

Defendant (s)

XXXXXXX Interested Party:

Murray, Ben R.

\* To the above-named Defendant:


Glenn A. Ludwig

You are hereby summoned and required to serve upon.....  
 ..... plaintiff's attorney,  
 whose address is .....  
 an answer to the complaint which is herewith served upon you, within 20 days after  
 service of this summons upon you, exclusive of the day of service. If you fail to do so,  
 judgement by default will be taken against you for the relief demanded in the complaint.  
 You are also required to file your answer to the complaint in the SUPERIOR COURT  
 Department of the Trial Court at WORCESTER either before service upon plaintiff's  
 attorney or within a reasonable time thereafter.

Unless otherwise provided by Rule 13 (a), your answer must state as a counter-  
 claim any claim which you may have against the plaintiff which arises out of the  
 transaction of occurrence that is the subject matter of the plaintiff's claim or you will  
 thereafter be barred from making such claim in any other action.

Witness, Barbara J. Rouse, Esquire, at Worcester, the 11th  
 day of July in the year of our Lord two thousand and

FOURTEEN (2014)

  
 Clerk

## NOTES:

1. This summons is issued pursuant to Rule 4 of the Massachusetts Rules of Civil Procedure.
2. When more than one defendant is involved, the names of all defendants should appear in the caption.  
 If a separate summons is used for each defendant, each should be addressed to that particular defendant.

PLEASE CIRCLE TYPE OF ACTION INVOLVED: TORT — MOTOR VEHICLE TORT —  
 CONTRACT — EQUITABLE RELIEF — CH. 93A — MEDICAL MALPRACTICE — OTHER.

\*

NOTICE TO DEFENDANT: You need not appear personally in court to answer the complaint, but  
 if you claim to have a defense, either you or your attorney must serve a copy of your written  
 answer within 20 days as specified herein AND also file the original in the Clerk's Office, Superior  
 Court, Room 1008.

COMMONWEALTH OF MASSACHUSETTS

WORCESTER, ss

SUPERIOR COURT DEPARTMENT  
OF THE TRIAL COURT  
CIVIL ACTION  
NO.

COMMONWEALTH OF MASSACHUSETTS )

14-1293 B

VS. )

COMPLAINT

FIVE HUNDRED FIFTY DOLLARS (\$550.00) )

IN UNITED STATES CURRENCY, )  
DEFENDANT )

1. The Plaintiff, Commonwealth of Massachusetts, brings this Complaint for Forfeiture in the nature of a proceeding *in rem* pursuant to G.L. c. 94C § 47.
2. The Defendant, Five Hundred Fifty Dollars (\$550.00) in United States Currency, was money seized pursuant to the arrest of Ben Murray, DOB 03/12/79, by the Sturbridge Police Department on September 7, 2013, for violations of Chapter 94C.
3. On September 7, 2013 at approximately 6:02 pm, Sgt. Dessert, of the Sturbridge Police Department, observed a white Ford Van (MA Reg 93VK58) traveling westbound on Rt. 20 passing the intersection of Rt. 131 in Sturbridge, MA.
4. Approaching the intersection, the light was yellow, providing sufficient time for the van to safely come to a stop.
5. The van did not attempt to slow or stop, and proceeded through the intersection by which time the light turned red.
6. There was heavy traffic in the area at the time due to the Brimfield Flea Market.
7. Sgt. Dessert initiated a traffic stop of the van for failure to stop at the red light.
8. Sgt. Dessert informed the operator, Ben Murray, that he was pulled over for running the red light, and learned that Mr. Murray was also not wearing his seat belt.
9. Sgt. Dessert went back to his patrol car and wrote Mr. Murray a written warning for the traffic violations.
10. Upon returning to the van, Sgt. Dessert detected an odor of fresh marijuana coming from the vehicle.



11. Sgt. Dessert asked Mr. Murray if he had anything illegal in his vehicle, to which he replied no, but he had a little marijuana but had a medical marijuana certificate.
12. When asked how much marijuana he had on him, Mr. Murray stated he had 5-6 ounces.
13. Sgt. Dessert asked if he could see the marijuana, so Mr. Murray reach down between his seats, and presented a large plastic container with a large quantity of fresh marijuana inside.
14. A field test showed the marijuana weighed 11.4 ounces. Sgt. Dessert believed this was intended for distribution.
15. Mr. Murray handed Sgt. Dessert a piece of paper titled "Recommendation for Humanitarian Use of Marijuana in Massachusetts". The paper indicated it was issued by a doctor out of Northampton, MA.
16. Mr. Murray claimed that the paper was his medical marijuana permit that allowed him to have up to 10 ounces on him.
17. Mr. Murray also handed Sgt. Dessert a return receipt from the MA Dept. of Public Health which was received on 6/24/13. There was no other information regarding Mr. Murray's claimed legal possession of the marijuana.
18. Sgt. Dessert requested Mr. Murray to exit the vehicle and perform a field sobriety test, which Mr. Murray passed.
19. During a search of the vehicle, Sgt. Dessert located a backpack containing **six plastic bags containing smaller quantities of marijuana**, a plastic container of hashish (a Class C Controlled Substance), **ledgers with numbers and weights**, a **family pack of zip lock bags**, a **scale**, and a **marijuana grinder**.
20. The discovery of the contents of the backpack led to further suspicion that Mr. Murray was involved in the illegal distribution of marijuana.
21. After being placed under arrest, read his Miranda rights, and acknowledge he understood them, Mr. Murray made an unprovoked statement informing Sgt. Dessert that he makes his own hashish.
22. An inventory search of the vehicle revealed two marijuana pipes and a marijuana cigarette located in the front seat area.
23. The total weight of the marijuana found was 13.29 ounces.
24. Mr. Murray was not in possession of the documentation required to legitimize medical marijuana possession (no copy of application), and the quantity he possessed was well above the sixty day supply.
25. Mr. Murray was placed under arrest, and a search of his person revealed the Defendant, Five Hundred Fifty Dollars (\$550.00) in United States Currency, which was seized as suspected proceeds of illegal narcotics distribution.



26. "[P]ossession of a large amount of cash . . . is strong evidence that the cash is connected with drug trafficking." *United States v. Thirty Nine Thousand Eight Hundred Seventy-Three and NO/100 Dollars* (\$39,873.00), 80 F.3d 317, 319 (8th Cir. 1996); *Commonwealth v. Montanez*, 410 Mass. 290, 305 (1991) (\$1,406.00) found on defendant was considered evidence of drug distribution).

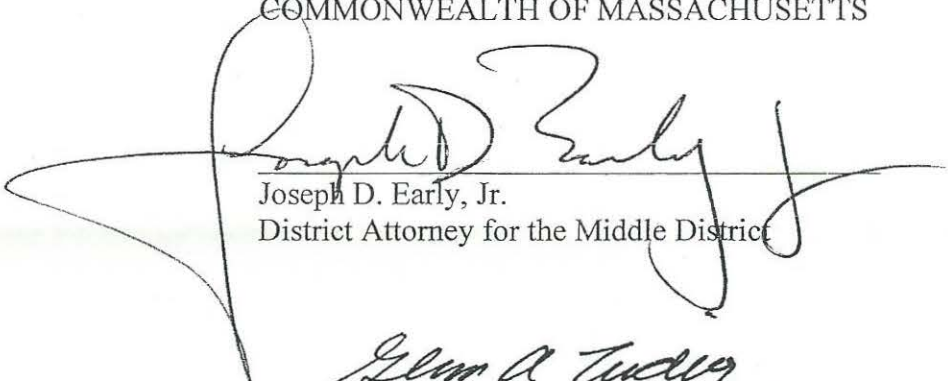
27. Mr. Murray was charged with Possession of a Class D Controlled Substance with Intent to Distribute, and Possession of a Class C Controlled Substance.

28. In this case, based on the totality of all the above-cited circumstances, the Defendant **Five Hundred Fifty Dollars (\$550.00) in United States Currency** was used or intended for the use in the procurement, manufacturing, compounding, processing, delivery and/or distribution of controlled substances, and/or constitutes the proceeds of the sale of controlled substances, all in violation of G.L. c. 94C.

WHEREFORE, the Plaintiff prays:

- a. That notice issue to Ben Murray at 26 Monson Rd. Wales, MA 01081-9714;
- b. That subsequent to fourteen (14) days after notice this matter be set down for a hearing;
- c. That the Court issue a judgment and order forfeiting the Defendant to the use of the Plaintiff by and through the District Attorney's Office for the Middle District to be utilized for the purpose of education, investigation and prosecution of cases and the use thereof as provided for under General Laws, Chapter 94C, Section 47.

COMMONWEALTH OF MASSACHUSETTS



Joseph D. Early, Jr.  
District Attorney for the Middle District



Glenn A. Ludwig  
Assistant District Attorney  
Worcester Trial Court  
225 Main Street, Room G-301  
Worcester, MA 01608  
(774) 317-2404  
BBO# 552878

# EXHIBIT C:

*Order to Return Seized Property*

COMMONWEALTH OF MASSACHUSETTS

WORCESTER, ss

DISTRICT COURT DEPARTMENT  
OF THE TRIAL COURT  
CRIMINAL ACTION  
NO. 1364 CR 3053

COMMONWEALTH OF MASSACHUSETTS )

VS. )

BEN MURRAY )

DEFENDANT )

ORDER TO RETURN PROPERTY  
SEIZED

It is hereby ordered that the sum of \$ 550.00 in United States Currency, seized from the above Defendant on September 7, 2013 be returned to the Defendant, through his attorney, for the reasons stated in Commonwealth's Motion to Return Property Seized.

Dated at Dudley, Massachusetts this 23<sup>rd</sup> day of July 2014.

Timothy M. ...

A True Copy Attest:  
Sig. Clerk  
Carol A. ...

# EXHIBIT D:

*Check for return of money*

**COMMONWEALTH OF MASSACHUSETTS  
DISTRICT ATTY-MIDDLE DISTRICT**

TRUST ACCOUNT  
225 MAIN ST., RM. G301  
WORCESTER, MA 01608-1203

**Bank of America**  
ACH R/T 011000138

**1586**  
53-13/110 MA  
29858

7/24/2014

PAY TO THE ORDER OF Law Office of Marvin Cable

\$ \*\*550.00

Five Hundred Fifty and 00/100\*\*\*\*\*

DOLLARS

Law Office of Marvin Cable  
P.O. Box 1630  
Northampton, MA 01061

MEMO

Ben Murray

  
AUTHORIZED SIGNATURE

⑈001586⑈ ⑆011000138⑆ 000055205577⑈

**COMMONWEALTH OF MASSACHUSETTS**

**DISTRICT ATTY-MIDDLE DISTRICT**

**1586**

Law Office of Marvin Cable  
25000 · Confiscated Funds in Trust

Return of money Ben Murray

7/24/2014

550.00

# EXHIBIT E:

*Letter to DA's Office  
seeking return of property*

**LAW OFFICES OF  
MARVIN CABLE**  
P.O. Box 1630 NORTHAMPTON, MA 01061  
(413) 268-6500 - PHONE & FAX  
MARVINCABLE.COM

August 12, 2014

Dudley District Court  
c/o District Attorney's Office (John Sares)  
West Main Street  
Dudley, MA 01571

*via e-mail: John.Sares@massmail.state.ma.us*

*Re: Return of Property — Case No. 1364CR003053*

Dear Attorney Sares:

My client seeks the return of his property seized by the Sturbridge Police Department ("SPD"). As you know, the case has been dismissed, and all property seized by SPD determined by the Court to be unlawfully seized. Please provide a means to get the property back.

Specifically, Mr. Murray seeks the return of items, designated on the SPD's police report: MARIJUANA 13-344-PR; HASHISH 13-345-PR; LEDGERS 13-346-PR; and SCALE, GRINDER, 2 PIPES, BAGGIES 13-348-PR.

Please note that, already, one Court has Ordered the currency to be returned, and the Commonwealth has complied. (See Attachment A).

Thank you for your time.

Cordially,



Marvin Cable, Esq.



JOSEPH D. EARLY, JR.  
DISTRICT ATTORNEY

COMMONWEALTH OF MASSACHUSETTS

OFFICE OF THE  
DISTRICT ATTORNEY  
MIDDLE DISTRICT

WORCESTER COUNTY COURTHOUSE  
WORCESTER, MASSACHUSETTS 01608  
[www.worcesterda.com](http://www.worcesterda.com)

TELEPHONE  
755-8601  
AREA CODE 508

Attachment A

July 24, 2014

Law Office of Marvin Cable  
P.O Box 1630  
Northampton, MA 01061

Re: Order to Return Property Seized– Commonwealth v. Ben Murray

Dear Attorney Cable,

Enclosed please find a check in the amount of \$550.00 which is being returned to you on behalf of your client Ben Murray.

Sincerely,

A handwritten signature in blue ink, appearing to read "Linda Quinlivan".

Linda Quinlivan  
Fiscal Administrator

Enclosure: Check



Attachment A

COMMONWEALTH OF MASSACHUSETTS

WORCESTER, ss

DISTRICT COURT DEPARTMENT  
OF THE TRIAL COURT  
CRIMINAL ACTION  
NO. 1364 CR 3053

COMMONWEALTH OF MASSACHUSETTS )

VS. )

BEN MURRAY )

DEFENDANT )

ORDER TO RETURN PROPERTY  
SEIZED

It is hereby ordered that the sum of \$ 550.00 in United States Currency, seized from the above Defendant on September 7, 2013 be returned to the Defendant, through his attorney, for the reasons stated in Commonwealth's Motion to Return Property Seized.

Dated at Dudley, Massachusetts this 23<sup>rd</sup> day of July 2014.

Timothy M. ...

A True Copy Attest:  
Sig. Carol A. ...  
Clerk

**COMMONWEALTH OF MASSACHUSETTS  
DISTRICT ATTY-MIDDLE DISTRICT**

TRUST ACCOUNT  
225 MAIN ST., RM. G301  
WORCESTER, MA 01608-1203

**Bank of America**  
ACH R/T 011000138

**1586**  
53-13/110 MA  
29858

7/24/2014

PAY TO THE ORDER OF Law Office of Marvin Cable

\$ \*\*550.00

Five Hundred Fifty and 00/100\*\*\*\*\*

DOLLARS

Law Office of Marvin Cable  
P.O. Box 1630  
Northampton, MA 01061

MEMO Ben Murray

  
AUTHORIZED SIGNATURE

⑈001586⑈ ⑆011000138⑆ 000055205577⑈

**COMMONWEALTH OF MASSACHUSETTS**

**DISTRICT ATTY-MIDDLE DISTRICT**

**1586**

Law Office of Marvin Cable  
25000 · Confiscated Funds in Trust

Return of money Ben Murray

7/24/2014

550.00

# EXHIBIT F:

*E-mail response from DA's Office*



Marvin Cable <cable.marvin@gmail.com>

---

**See attached. Thanks.**

---

**Sares, John (DAA)** <john.sares@state.ma.us>  
To: "marvin@marvincable.com" <marvin@marvincable.com>

Tue, Aug 12, 2014 at 12:31 PM

Hello Attorney Cable,

In order to have the property returned, Mr. Murray will have to file a motion for return of property in the Dudley District Court.

Thank you,

**John Sares**

Assistant District Attorney

Worcester County District Attorney's Office

Office: (774) 317-2137

[john.sares@massmail.state.ma.us](mailto:john.sares@massmail.state.ma.us)

**From:** [cable.marvin@gmail.com](mailto:cable.marvin@gmail.com) [mailto:[cable.marvin@gmail.com](mailto:cable.marvin@gmail.com)] **On Behalf Of** Marvin Cable

**Sent:** Tuesday, August 12, 2014 8:29 AM

**To:** Sares, John (MID)

**Subject:** See attached. Thanks.

**LAW OFFICES OF  
MARVIN CABLE**  
P.O. BOX 1630 NORTHAMPTON, MA 01061  
**(413) 268-6500** - PHONE & FAX  
MARVINCABLE.COM

*November 17, 2014*

Dudley District Court  
c/o District Attorney's Office (John Sares)  
West Main Street  
Dudley, MA 01571

*Re: Motion for Return of Property — Case No. 1364CR003053*

Dear Sir or Madam:

Provided in this mailing are the documents for a motion for return of property  
in the above-captioned case.

Thanks,

A handwritten signature in black ink, appearing to read "Marvin Cable". The signature is fluid and cursive, with the first name "Marvin" and the last name "Cable" clearly distinguishable.

Marvin Cable, Esq.

**LAW OFFICES OF  
MARVIN CABLE**  
P.O. Box 1630 NORTHAMPTON, MA 01061  
**(413) 268-6500** - PHONE & FAX  
MARVINCABLE.COM

*November 17, 2014*

Dudley District Court  
Attn. Clerk's Office  
West Main Street  
Dudley, MA 01571

*Re: Motion for Return of Property — Case No. 1364CR003053*

Dear Sir or Madam:

I wish to file a motion for return of property in the above-captioned case. Please file documents provided in this mailing, and please call to setup a hearing date.

Thanks,

A handwritten signature in black ink, appearing to read "Marvin Cable". The signature is written in a cursive, flowing style.

Marvin Cable, Esq.

**LAW OFFICES OF  
MARVIN CABLE**  
P.O. Box 1630 NORTHAMPTON, MA 01061  
(413) 268-6500 - PHONE & FAX  
MARVINCABLE.COM

*November 17, 2014*

Ben Murray  
36 Monson Road  
Wales, MA 01081

*via priority mail*

*Re: Motion to Return Property*

*Dear Ben:*

Please find enclosed:

- A true copy of a Motion to Return Property, along with supporting memorandum and exhibits;
- Check for \$550.00, the return of your money; and,
- Copies of letters sent to Clerk and DA's offices, with tracking info.

I expect the clerk to call soon and schedule a hearing date. I will give you a call once that occurs.

If you have questions, please feel free to contact me. I hope all is going well.

Cordially,

  
Marvin Cable, Esq.

**LAW OFFICES OF  
MARVIN CABLE**  
P.O. Box 1630 NORTHAMPTON, MA 01061  
**(413) 268-6500** - PHONE & FAX  
MARVINCABLE.COM

*November 17, 2014*

Dudley District Court  
Attn. Clerk's Office  
West Main Street  
Dudley, MA 01571  
Fax: +1 (508) 949-0015

*via facsimile*

*Re: Motion for Return of Property — Case No. 1364CR003053*

Dear Sir or Madam:



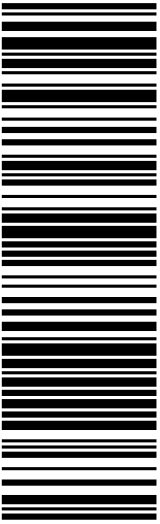
I wish to file a motion for return of property in the above-captioned case. Please file documents provided in this mailing, and please call to setup a hearing date.

Thanks,

A handwritten signature in cursive script, appearing to read "Marvin Cable".

Marvin Cable, Esq.



 <b>UNITED STATES POSTAL SERVICE®</b>		<b>Click-N-Ship®</b>	
<b>P</b>		<small>usps.com</small> <b>\$5.05</b> <b>US POSTAGE</b> <small>Flat Rate Env</small>	
<b>PRIORITY MAIL 1-DAY™</b>		 <small>Commercial Base Pricing</small> <small>Mailed from 01061 062S0000001307</small>	
<b>0025</b>		<b>9405 5036 9930 0418 7723 52 0050 5000 0001 081</b>	
<b>SHIP TO:</b> <b>MARVIN N CABLE</b> <b>LAW OFFICES OF MARVIN CABLE</b> <b>PO BOX 1630</b> <b>NORTHAMPTON MA 01061-1630</b>		<b>Expected Delivery Date: 11/18/14</b>	
<b>H064</b>		<b>USPS TRACKING #</b>  <b>9405 5036 9930 0418 7723 52</b>	
<b>BEN MURRAY</b> <b>36 MONSON RD</b> <b>WALES MA 01081-9714</b>		<b>Electronic Rate Approved #038555749</b>	

— ✂ — Cut on dotted line.

## Instructions

- Each Click-N-Ship® label is unique. Labels are to be used as printed and used only once. DO NOT PHOTO COPY OR ALTER LABEL.
- Place your label so it does not wrap around the edge of the package.
- Adhere your label to the package. A self-adhesive label is recommended. If tape or glue is used, DO NOT TAPE OVER BARCODE. Be sure all edges are secure.
- To mail your package with PC Postage®, you may schedule a Package Pickup online, hand to your letter carrier, take to a Post Office™, or drop in a USPS collection box.
- Mail your package on the "Ship Date" you selected when creating this label.

## Click-N-Ship® Label Record

**USPS TRACKING # :**  
**9405 5036 9930 0418 7723 52**

Trans. #: 316101020  
 Print Date: 11/17/2014  
 Ship Date: 11/17/2014  
 Expected  
 Delivery Date: 11/18/2014

Priority Mail® Postage: **\$5.05**  
 Total: **\$5.05**


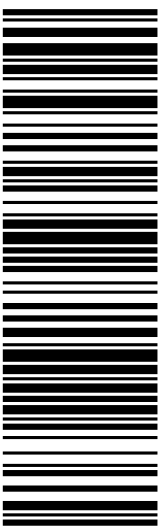
**From:** MARVIN N CABLE  
 LAW OFFICES OF MARVIN CABLE  
 PO BOX 1630  
 NORTHAMPTON MA 01061-1630

**To:** BEN MURRAY  
 36 MONSON RD  
 WALES MA 01081-9714

\* Commercial Base Pricing Priority Mail rates apply. There is no fee for USPS Tracking™ service on Priority Mail service with use of this electronic rate shipping label. Refunds for unused postage paid labels can be requested online 30 days from the print date.



Thank you for shipping with the United States Postal Service!  
 Check the status of your shipment on the USPS Tracking™ page at usps.com

 <b>Click-N-Ship®</b>		<b>P</b>
USPS.com 9405 5036 9930 0418 7723 69 0050 5000 0001 571 <b>US POSTAGE</b> Flat Rate Env 11/17/14 Commercial Base Pricing Mailed from 01061 062S0000001308		<b>9405 5036 9930 0418 7723 69</b>
<b>PRIORITY MAIL 1-DAY™</b>		
MARVIN N CABLE LAW OFFICES OF MARVIN CABLE PO BOX 1630 NORTHAMPTON MA 01061-1630 <b>0006</b>		
SHIP TO: DUDLEY DISTRICT COURT 279 W MAIN ST DUDLEY MA 01571-5941 <b>R003</b>		
<b>USPS TRACKING #</b>  <b>9405 5036 9930 0418 7723 69</b>		
Electronic Rate Approved #038555749		

✂ ————— Cut on dotted line.

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## Click-N-Ship® Label Record

**USPS TRACKING # :**  
**9405 5036 9930 0418 7723 69**

Trans. #: 316101020  
 Print Date: 11/17/2014  
 Ship Date: 11/17/2014  
 Expected  
 Delivery Date: 11/18/2014

Priority Mail® Postage: **\$5.05**  
 Total: **\$5.05**



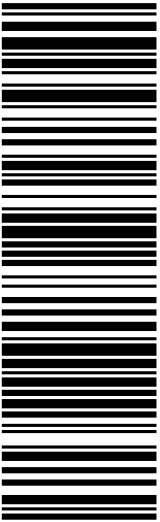
**From:** MARVIN N CABLE  
 LAW OFFICES OF MARVIN CABLE  
 PO BOX 1630  
 NORTHAMPTON MA 01061-1630

**To:** DUDLEY DISTRICT COURT  
 279 W MAIN ST  
 DUDLEY MA 01571-5941

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 <b>UNITED STATES POSTAL SERVICE®</b>		<b>Click-N-Ship®</b>	
<b>P</b>	usps.com <b>\$5.05</b> <b>US POSTAGE</b> Flat Rate Env	9405 5036 9930 0418 7723 76 0050 5000 0001 571 	11/17/14 Commercial Base Pricing Mailed from 01061 062S0000001308
	<b>PRIORITY MAIL 1-DAY™</b>		
MARVIN N CABLE LAW OFFICES OF MARVIN CABLE PO BOX 1630 NORTHAMPTON MA 01061-1630		Expected Delivery Date: 11/18/14 <b>0006</b>	
SHIP TO: DUDLEY DISTRICT COURT 279 W MAIN ST DUDLEY MA 01571-5941		<b>R003</b>	
<b>USPS TRACKING #</b> 		<b>9405 5036 9930 0418 7723 76</b>	
Electronic Rate Approved #038555749			



Cut on dotted line.

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**USPS TRACKING # :**  
**9405 5036 9930 0418 7723 76**

Trans. #: 316101020  
 Print Date: 11/17/2014  
 Ship Date: 11/17/2014  
 Expected  
 Delivery Date: 11/18/2014

Priority Mail® Postage: **\$5.05**  
 Total: **\$5.05**

**From:** MARVIN N CABLE  
 LAW OFFICES OF MARVIN CABLE  
 PO BOX 1630  
 NORTHAMPTON MA 01061-1630

**To:** DUDLEY DISTRICT COURT  
 279 W MAIN ST  
 DUDLEY MA 01571-5941

\* Commercial Base Pricing Priority Mail rates apply. There is no fee for USPS Tracking™ service on Priority Mail service with use of this electronic rate shipping label. Refunds for unused postage paid labels can be requested online 30 days from the print date.



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Notice to Purchaser - In the event that this check is lost, misplaced or stolen, a sworn statement and 90-day waiting period will be required prior to replacement. This check should be negotiated within 90 days.

Void After 90 Days

30-1/1140

Date 11/17/14 01:58:33 PM

NTX

NORTHAMPTON CTR

0003 0084956 0061

Pay

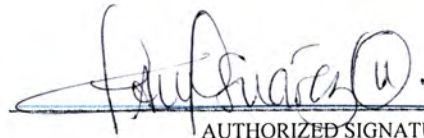
 BANK OF AMERICA **550.00**  
FIVE FIVE ZERO CTSCTS

\*\*\*\$550.00

To The  
Order Of BEN MURRAY

Remitter (Purchased By): LAW OFFICE OF MARVIN CABLE

Bank of America, N.A.  
SAN ANTONIO, TX

  
AUTHORIZED SIGNATURE

⑈ 1453602049 ⑈ ⑆ 114000019 ⑆ 001641005388 ⑈

016434156

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nkofamerica.com

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DO NOT WRITE OR STAMP BELOW THIS LINE  
DEPOSIT ONLY BY BANK ENDORSEMENT

ENDORSE CHECK HERE

000-55-33648 11-2010