

COMMONWEALTH OF MASSACHUSETTS

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

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.

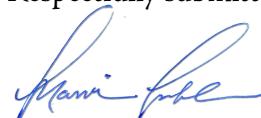
Submitted with this motion is a memorandum detailing the reasons for the request.

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.).

Respectfully submitted,

Dated: November 17, 2014



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,



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: Driver's license 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:



EXHIBITS
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EXHIBIT A:

Commonwealth's Notice of Appeal

COMMONWEALTH OF MASSACHUSETTS

WORCESTER, ss.

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

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

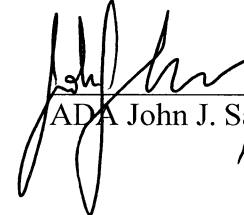
JOHN SARES
Assistant District Attorney
Office of the District Attorney
279 West Main Street
Dudley, MA 01571
(508)943-6446

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 Courthouse
225 Main St. G301 Worcester, MA 01608
www.worcesterda.com

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

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,

Glenn A. Ludwig
Assistant District Attorney
Asset Forfeitures

Enclosure

No.

COMMONWEALTH OF MASSACHUSETTS

) 14-1233B
Plaintiff (s))
v.)
FIVE HUNDRED FIFTY DOLLARS)
(\$550.00) IN UNITED STATES CURRENCY)
Defendant (s))
SUMMONS

XXXXXXX Interested Party:

Murray, Ben R.

Glenn A. Ludwig

* To the above-named Defendant:

You are hereby summoned and required to serve upon plaintiff's attorney, whose address is 225 Main Street, Rm. G301, Worcester, MA 01608 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 or 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.)
FIVE HUNDRED FIFTY DOLLARS (\$550.00))
IN UNITED STATES CURRENCY,)
DEFENDANT) COMPLAINT

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).

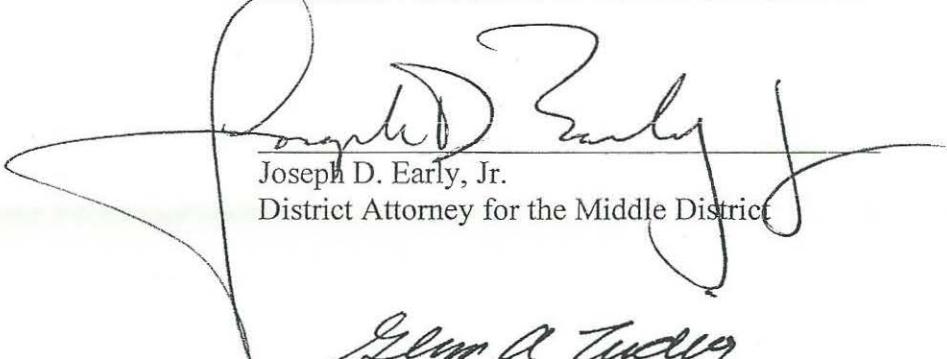
27. Mr. Murray was charged with Possession of a Class D Controlled Substance with Intent to Distribute, and Possession of a Class C Controlled Substance.

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

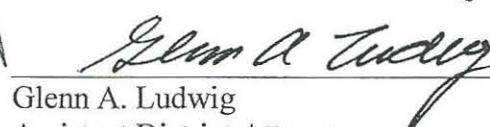

Glenn A. Ludwig
Assistant District Attorney
Worcester Trial Court
225 Main Street, Room G-301
Worcester, MA 01608
(774) 317-2404
BBO# 552878

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.

) ORDER TO RETURN PROPERTY
) SEIZED
)
)
)
)

BEN MURRAY

DEFENDANT

)

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 23rd day of July 2014.

Tony M. Clark

A True Copy Attest:
Kimberly L. Clark
Sig.
Clerk

EXHIBIT D:

Check for return of money

Bank of America
ACH R/T 011000138

1586

53-13/110 MA
29858

COMMONWEALTH OF MASSACHUSETTS
DISTRICT ATTY-MIDDLE DISTRICT

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

7/24/2014

PAY TO THE Law Office of Marvin Cable \$ **550.00
ORDER OF _____

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

DOLLARS

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

MEMO

Ben Murray


Leah Donohue
AUTHORIZED SIGNATURE

10001586 1011000138 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.



COMMONWEALTH OF MASSACHUSETTS

OFFICE OF THE
DISTRICT ATTORNEY
MIDDLE DISTRICT

JOSEPH D. EARLY, JR.
DISTRICT ATTORNEY

WORCESTER COUNTY COURTHOUSE
WORCESTER, MASSACHUSETTS 01608
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,

Linda Quinlivan
Fiscal Administrator

Enclosure: Check

WORCESTER, 18
COMMONWEALTH OF MASSACHUSETTS

COMMONWEALTH OF MASSACHUSETTS

~~WORCESTER, S.~~

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

COMMONWEALTH OF MASSACHUSETTS

卷之三

vs.

) ORDER TO RETURN PROPERTY
) SEIZED

BEN MURRAY

DEFENDANT

三

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 23rd day of July 2014.

23 "d

23rd day of July 2014.

Front m. col

A True Copy Attest:
Sgt.
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 Law Office of Marvin Cable
ORDER OF _____

\$ **550.00

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

DOLLARS

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

MEMO
Ben Murray


Leah Denutti

AUTHORIZED SIGNATURE

10001586101100013810000552055??

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

From: 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,



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,



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 *via priority mail*
36 Monson Road
Wales, MA 01081

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

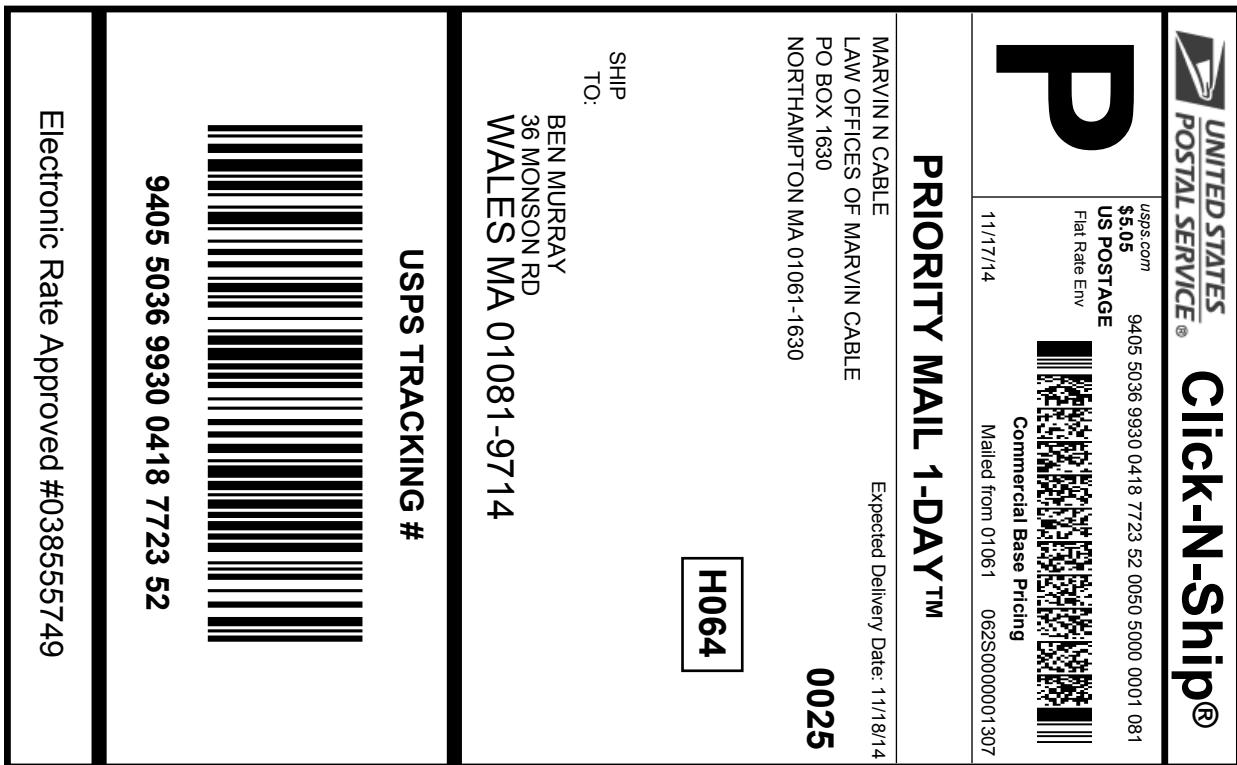
Dear Sir or Madam:

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,



Marvin Cable, Esq.



—X— *Cut on dotted line.*

Instructions

1. 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.
2. Place your label so it does not wrap around the edge of the package.
3. 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.
4. 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.
5. 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	Priority Mail® Postage:	\$5.05
Print Date:	11/17/2014	Total:	\$5.05
Ship Date:	11/17/2014		
Expected			
Delivery Date:	11/18/2014		

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

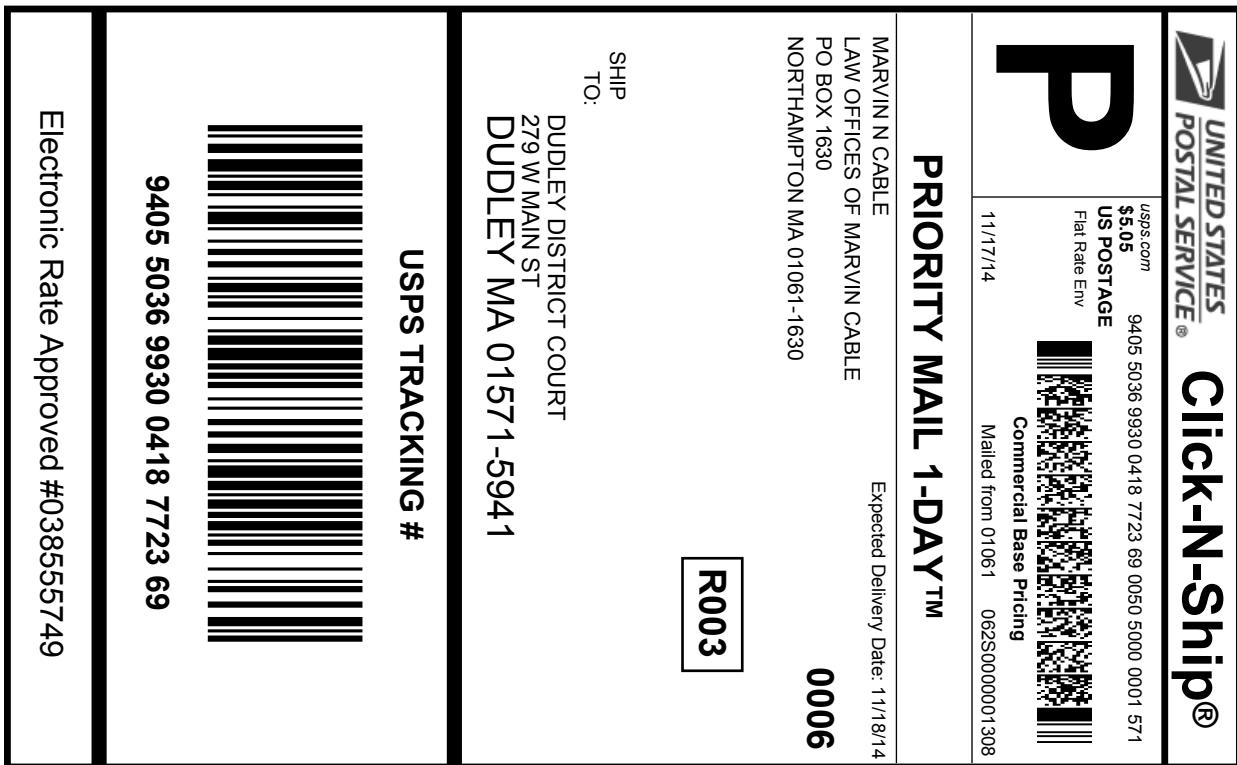
* Commercial Base Pricing Priority Mail rates apply. There is no fee for USPS Tracking™ service on Priority Mail service with use of this electronic rate shipping label. Refunds for unused postage paid labels can be requested online 30 days from the print date.



Thank you for shipping with the United States Postal Service!

Check the status of your shipment on the USPS Tracking™ page at usps.com

Electronic Rate Approved #038555749



—X— *Cut on dotted line.*

Instructions

1. 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.
2. Place your label so it does not wrap around the edge of the package.
3. 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.
4. 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.
5. 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 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

* 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.

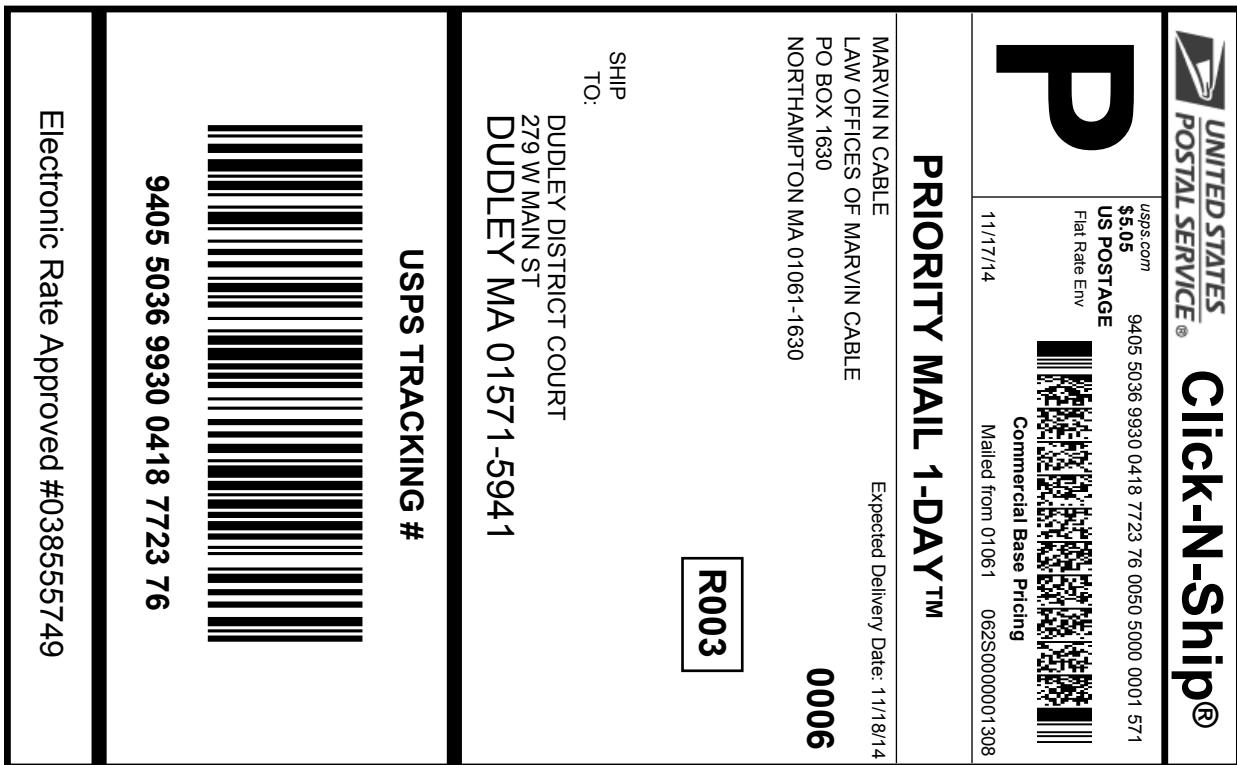


Thank you for shipping with the United States Postal Service!

Check the status of your shipment on the USPS Tracking™ page at usps.com

Electronic Rate Approved #038555749

9405 5036 9930 0418 7723 69



Cut on dotted line.

Instructions

1. 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.
2. Place your label so it does not wrap around the edge of the package.
3. 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.
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Thank you for shipping with the United States Postal Service!

Check the status of your shipment on the USPS Tracking™ page at usps.com



Cashier's Check

No. 1453602049

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.

NORTHAMPTON CTR

0003 0084956 0061

Pay



***\$550.00

To The BEN MURRAY
Order Of

Remitter (Purchased By): LAW OFFICE OF MARVIN CABLE

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

Void After 90 Days
30-1/1140
NTX

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

AUTHORIZED SIGNATURE

1453602049 1140000190 001641005388

016434156

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ENDORSE CHECK HERE

00-32-33643 11-2010

DO NOT WRITE OR SIGN A STAMP BELOW THIS LINE

DEPOSITOR'S BANK ENDORSEMENT