

This is an image of the actual ticket issued to Kevin Gleason on November 23, 1999. Kevin Gleason was an auxiliary Police officer at the Police Department of Southbridge at the time. The time of the accident was a quarter to one in the morning.

“OUI” stands for Operating Under the Influence.

MASSACHUSETTS UNIFORM CITATION



TYPE OF CITATION
 OPER OWNER NON-MV

H0380175

DATE CITATION WRITTEN 11/23/99		AGENCY CODE 50B		OFFICER I.D. NUMBER 1068		COURT CODE 64		TYPE OF CITATION		H0380175		
VIOLATOR	MOTOR VEHICLE LICENSE NO. OF VIOLATOR 012566133				STATE MA	CLASS D	CDL LICENSE <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	RACE W	SEX M	SSN (For non motor veh. citation only)		
	VIOLATOR NAME (Last) GLEASON				(First) KEVIN		(Initial) P		DATE OF BIRTH 06/13/62			
	ADDRESS 246 TORREY RD.				CITY/TOWN SOUTHBRIDGE		STATE MA	ZIP 01550				
M.V.	PLATE TYPE PAS	MOTOR VEHICLE REGISTRATION NO. 05 4987		STATE MA	CDL VEHICLE <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	NON-MV 1.		2.				
	HAZ. MAT. <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	MAKE AND TYPE JEEP WRJL		YEAR 96	COLOR BRO	3.		4.				
OFFENSE(S)	DATE OF OFFENSE 11/23/99		LOCATION OF OFFENSE (Include city or town) TORREY RD., SOUTHBRIDGE				TIME OF OFFENSE 12:46		AM <input checked="" type="checkbox"/> PM <input type="checkbox"/>		ACCIDENT <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
	A. CHAP/SEC/SUB 90/24		<input checked="" type="checkbox"/> CRIM <input type="checkbox"/> CIVIL		DESCRIPTION OF OFFENSE OUI - LIQUOR		ASSESSMENT \$	JUDGMENT NG	JUDGMENT DATE 3-21-00	COMMENT		
	B. 90/17		<input type="checkbox"/> CRIM <input type="checkbox"/> CIVIL		SPEED GREATER		\$	R	11			
	D. SPEEDING <input type="checkbox"/> 90/17 <input type="checkbox"/> 90/18		CIVIL		MPH IN A	MPH ZONE	<input type="checkbox"/> POSTED <input type="checkbox"/> NOT POSTED	<input type="checkbox"/> CLOCKED <input type="checkbox"/> RADAR	<input type="checkbox"/> ESTIMATED			
OFFICER CHECK ONE ONLY		<input type="checkbox"/> ALL CIVIL INFRACTIONS (See instruction A on back)		<input type="checkbox"/> CRIMINAL APPLICATION (See instruction B on back)		<input checked="" type="checkbox"/> ARREST		<input type="checkbox"/> WARNING (No action required by violator)		TOTAL DUE \$	DOCKET NUMBER 09121R3873	
OFFICER CERTIFIES		<input checked="" type="checkbox"/> IN HAND TO VIOL.		<input type="checkbox"/> MAILED TO VIOL.		<input type="checkbox"/> IN HAND TO VIOLATOR'S AGENT		COURT ADDRESS DUPLEY COURT DUPLEY MA				
X		VIOLATOR/AGENT ACKNOWLEDGES RECEIPT OF CITATION										
X												

DATE COPY OF CIVIL OR COURT COPY (IF CRIM.)

"PRESS HARD - You are making 5 copies."



DEFENDANT NAME GLEASON, KEVIN P				COURT NAME & ADDRESS Dudley District Court West Main Street P.O. Box 100 Dudley, MA 01571 (508)943-7123	
DEFENDANT DOB 06/13/1962	DATE COMPLAINT ISSUED 11/23/1999	DATE OF OFFENSE 11/23/1999	NO. OF COUNTS 2		
OFFENSE LOCATION SOUTHBRIDGE		POLICE DEPARTMENT OF OFFENSE SOUTHBRIDGE PD			
		POLICE INCIDENT NUMBER	NEXT EVENT	NEXT EVENT DATE & TIME A	

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	OFFENSE DESCRIPTION
1	90/24/J	OUI—LIQUOR c90 §24
<p>on 11/23/1999 did operate a motor vehicle upon a way, as defined in G.L. c.90, §1, or in a place to which the public has a right of access, or upon a way or in a place to which members of the public have access as invitees or licensees, while under the influence of intoxicating liquor, in violation of G.L. c.90, §24(1)(a)(1). (PENALTY: imprisonment for not more than 2+ years; or not less than \$500, not more than \$5000 fine, plus \$125 Head Injury Treatment Services Fund surcharge; or both imprisonment and fine; no filing or continuance without a finding; and license revoked for 1 year (if death caused, for 10 years, or on subsequent conviction for life). If 1st offense in 10 years, and no personal injury or death caused, judge may allow first §24D alternative: probation not more than 2 years, plus driver alcohol education program, or alcohol treatment or rehabilitation program, or both, plus its program fee, plus \$250 assessment for apprehension, treatment and rehabilitation programs, plus license suspended not less than 45 days, not more than 90 days (or for 210 days, if defendant under age 21 on offense date).)</p>		
2	90/17/A	SPEEDING * c90 §17

NOTE: THIS IS A CIVIL MV INFRACTION, SET FORTH HERE FOR PROCEDURAL PURPOSES ONLY. on 11/23/1999: (1) did operate a motor vehicle on a way, as defined in G.L. c.90, §1, at a rate of speed greater than was reasonable and proper, having regard to traffic and the use of the way and safety of the public; or (2) did operate a school bus on a way, as defined in G.L. c.90, §1, that was not a limited access highway at a rate of speed exceeding 40 m.p.h. while actually engaged in carrying school children, in violation of G.L. c.90, §17. (CIVIL ASSESSMENT from §20: \$50, plus \$10 for each m.p.h. in excess of 10 m.p.h. over speed limit; upon 3rd or subsequent offense in same 12-month period, RMV shall suspend license for not less than 30 days.)

SIGNATURE OF COMPLAINANT X [Signature]	SWORN TO BEFORE CLERK/MAGISTRATE/ASST. CLERK/DEP. ASST. CLERK X [Signature]	DATE 11/23/99
NAME OF COMPLAINANT LEDOUX, OFFICER	A TRUE COPY ATTEST X CLERK-MAGISTRATE/ASST. CLERK	DATE

MICHAEL V. CAPLETTE
ATTORNEY AT LAW
THREE BOWLEN AVENUE
SOUTHBRIDGE, MASSACHUSETTS 01550-2455

JENNIE L. CAISSIE

(508) 765-0885
FAX (508) 765-0888
EMAIL: CAPLAW@MEGANET.NET

December 14, 1999

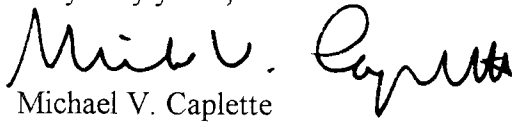
Dudley District Court
P.O. Box 100
Dudley, MA 01571-0100

Re: Commonwealth v. Gleason
Docket No. 9964-CR-3873

Dear Sir/Madam:

Enclosed for filing please find my Appearance with regard to the above matter.

Very truly yours,


Michael V. Caplette

/dct

cc: Dudley District Attorney's Office

Enclosure

1999 Dec 15 09:15 AM
DUDLEY DISTRICT ATTORNEY'S OFFICE

12/20 AN

COMMONWEALTH OF MASSACHUSETTS
TRIAL COURT

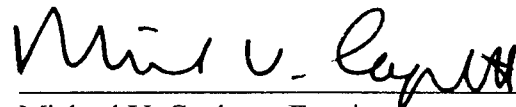
Worcester, ss

District Court Department
Dudley Division
Docket No. 9964-CV-3873

COMMONWEALTH OF MASSACHUSETTS,)
Plaintiff)
vs.)
KEVIN P. GLEASON,)
Defendant)

APPEARANCE

Please enter my Appearance for the Defendant, KEVIN P. GLEASON, in the above-entitled matter.



Michael V. Caplette, Esquire
BBO # 072800
Jennie L. Caissie, Esquire
BBO # 639925
Three Bowlen Avenue
Southbridge, MA 01550
Tel. No. (508) 765-0885
December 14, 1999

**WAIVER OF JURY TRIAL;
DEFENSE COUNSEL'S CERTIFICATE**

DOCKET NUMBER

Trial Court of Massachusetts
District Court Department



COURT DIVISION

**Dudley District Court
West Main Street, P.O. Box 100
Dudley, MA. 01571**

COMMONWEALTH VS _____

NAME OF DEFENDANT

**WAIVER OF RIGHT TO
BE TRIED BY JURY
(G.L. c. 263, s. 6)**

I, the above-named defendant, have been informed of my right to be tried by a jury. I understand that right. I have decided to waive that right. I HAVE CHOSEN TO BE TRIED BY THE COURT WITHOUT A JURY.

DATE

SIGNATURE OF DEFENDANT

**DEFENSE COUNSEL'S
CERTIFICATE
(G.L. c. 218, s. 26A)**

I, the undersigned counsel for the above-named defendant in the case captioned above, certify that with regard to the waiver of the right to jury trial, I have explained the following to said defendant:

That the jury consists of members of the community;

That the defendant may participate in their selection;

That the verdict of the jury must be unanimous;

That the jury must decide guilt or innocence while the judge makes rulings of law in the course of the trial and instructs the jury on the law, and imposes sentence in case of guilt; and

That when a jury is waived, the judge alone decides guilt or innocence in accordance with the facts and the law.

3-21-00

DATE

SIGNATURE OF DEFENSE COUNSEL

FINDING OF JUDGE -- DETERMINATION OF INDIGENCY

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

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

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

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

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

*Private
att*

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

11-23-99
Date

[Signature]
District Court Justice

CERTIFICATE OF JUDGE -- WAIVER OF COUNSEL

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

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

Date

District Court Justice

CRIMINAL DOCKET		DOCKET NO. 9964CR003873	ATTORNEY NAME <i>Own Atty M. Caplette</i>		
COURT DIVISION Dudley	<input type="checkbox"/> INTERPRETER REQUIRED		DATE and JUDGE NOV 23 1999 <i>M. H. [unclear]</i>		DOCKET/ENTRY <input checked="" type="checkbox"/> Attorney appointed (SJC R. 3:10) <input type="checkbox"/> Atty denied and Deft Advised per 211D §2A <input type="checkbox"/> Waiver of counsel found after colloquy
NAME, ADDRESS AND ZIP CODE OF DEFENDANT GLEASON, KEVIN P 246 TORREY ROAD SOUTHBRIDGE, MA 01550			Terms of release set: <input type="checkbox"/> PR <input type="checkbox"/> Bail: <input type="checkbox"/> Held (276 §58A) <input type="checkbox"/> See back for special conditions		
DEFT. DOB AND SEX 06/13/1962 M	PLACE OF OFFENSE(S) SOUTHBRIDGE		Arraigned and advised: <input type="checkbox"/> Potential of bail revocation (276 §58) <input type="checkbox"/> Right to bail review (276 §58) <input type="checkbox"/> Right to drug exam (111E §10)		
DATE OF OFFENSE(S) 11/23/1999	POLICE DEPARTMENT (if applicable) SOUTHBRIDGE PD		Advised of right to jury trial: <input type="checkbox"/> Does not waive <input checked="" type="checkbox"/> Waiver of jury trial found after colloquy		
COMPLAINANT LEDOUX, OFFICER	RETURN DATE AND TIME		Advised of trial rights as pro se (Supp. R. 4)		
DATE OF COMPLAINT 11/23/1999			Advised of right of appeal to Appeals Ct (R. 28)		
COUNT/OFFENSE 1. 90/24/J OUI—LIQUOR c90 §24	FINE	SURFINE	COSTS	RESTITUTION	V/W ASSESSMENT <input type="checkbox"/> WAIVED
DISPOSITION DATE and JUDGE 3-21-00 McCann	SENTENCE OR OTHER DISPOSITION <input type="checkbox"/> Sufficient facts found but continued without guilty finding until: <input type="checkbox"/> Probation <input type="checkbox"/> Pretrial Probation (276 §87) - until: <input type="checkbox"/> To be dismissed upon payment of court costs/restitution <input type="checkbox"/> Dismissed upon: <input type="checkbox"/> Request of Comm. <input type="checkbox"/> Request of Victim <input type="checkbox"/> Request of Deft <input type="checkbox"/> Failure to prosecute <input type="checkbox"/> Other: <input type="checkbox"/> Filed with Deft's consent <input type="checkbox"/> Nolle Prosequi <input type="checkbox"/> Decriminalized (277 §70C)				
DISPOSITION METHOD <input type="checkbox"/> Guilty Plea or Admission to Sufficient Facts accepted after colloquy and 278 §29D warning <input checked="" type="checkbox"/> Bench Trial <input type="checkbox"/> Jury Trial <input type="checkbox"/> None of the Above	FINDING <input checked="" type="checkbox"/> Not Guilty <input type="checkbox"/> Guilty <input type="checkbox"/> Not Responsible <input type="checkbox"/> Responsible <input type="checkbox"/> No Probable Cause <input type="checkbox"/> Probable Cause	FINAL DISPOSITION <input type="checkbox"/> Dismissed on recommendation of Probation Dept. <input type="checkbox"/> Probation terminated: defendant discharged			
COUNT/OFFENSE 2. 90/17/A SPEEDING * c90 §17	FINE	SURFINE	COSTS	RESTITUTION	V/W ASSESSMENT 35 <input type="checkbox"/> WAIVED
DISPOSITION DATE and JUDGE 3-21-00 McCann	SENTENCE OR OTHER DISPOSITION <input type="checkbox"/> Sufficient facts found but continued without guilty finding until: <input type="checkbox"/> Probation <input type="checkbox"/> Pretrial Probation (276 §87) - until: <input type="checkbox"/> To be dismissed upon payment of court costs/restitution <input type="checkbox"/> Dismissed upon: <input type="checkbox"/> Request of Comm. <input type="checkbox"/> Request of Victim <input type="checkbox"/> Request of Deft <input type="checkbox"/> Failure to prosecute <input type="checkbox"/> Other: <input checked="" type="checkbox"/> Filed with Deft's consent <input type="checkbox"/> Nolle Prosequi <input type="checkbox"/> Decriminalized (277 §70C)				
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DISPOSITION METHOD <input type="checkbox"/> Guilty Plea or Admission to Sufficient Facts accepted after colloquy and 278 §29D warning <input type="checkbox"/> Bench Trial <input type="checkbox"/> Jury Trial <input type="checkbox"/> None of the Above	FINDING <input type="checkbox"/> Not Guilty <input type="checkbox"/> Guilty <input type="checkbox"/> Not Responsible <input type="checkbox"/> Responsible <input type="checkbox"/> No Probable Cause <input type="checkbox"/> Probable Cause	FINAL DISPOSITION <input type="checkbox"/> Dismissed on recommendation of Probation Dept. <input type="checkbox"/> Probation terminated: defendant discharged			
COUNT/OFFENSE	FINE	SURFINE	COSTS	RESTITUTION	V/W ASSESSMENT <input type="checkbox"/> WAIVED
					<input type="checkbox"/> ADDITIONAL COUNTS ATTACHED
A TRUE COPY ATTEST: X			CLERK-MAGISTRATE/ASST. CLERK		
ON (DATE)			COURT ADDRESS Dudley District Court West Main Street P.O. Box 100 Dudley, MA 01571		

SCHEDULING HISTORY

NO.	SCHEDULED DATE	SCHEDULED EVENT	RESULT		JUDGE	TAPE NO.	START	STOP
1	12/20/99	jur arr	<input checked="" type="checkbox"/> Held	<input checked="" type="checkbox"/> Cont'd				
2			<input type="checkbox"/> Held	<input type="checkbox"/> Cont'd				
3	3-7-00	Mt	<input type="checkbox"/> Held	<input checked="" type="checkbox"/> Cont'd				
4			<input type="checkbox"/> Held	<input type="checkbox"/> Cont'd		00-161	90	
5			<input type="checkbox"/> Held	<input type="checkbox"/> Cont'd				
6			<input type="checkbox"/> Held	<input type="checkbox"/> Cont'd				
7			<input type="checkbox"/> Held	<input type="checkbox"/> Cont'd				
8			<input type="checkbox"/> Held	<input type="checkbox"/> Cont'd				
9			<input type="checkbox"/> Held	<input type="checkbox"/> Cont'd				
10			<input type="checkbox"/> Held	<input type="checkbox"/> Cont'd				

ARR=Arraignment PT=Pretrial hearing CE=Discovery compliance and jury election T=Bench trial J=Jury Trial PC=Probable cause hearing M=Motion hearing SR=Status review
 SRP=Status review of payments FA=First appearance in jury session S=Sentencing CW=Continuance-without-finding scheduled to terminate P=Probation scheduled to terminate
 DFTA=Defendant failed to appear and was defaulted WAR=Warrant issued WARD=Default warrant issued WR=Warrant or default warrant recalled PR=Probation revocation hearing

ENTRY DATE	OTHER DOCKET ENTRIES
12-15-99	app filed

ADDITIONAL ASSESSMENTS IMPOSED OR WAIVED

DATE IMPOSED and JUDGE	TYPE OF ASSESSMENT	AMOUNT	DUE DATES and COMMENTS	✓ WAIVED
	Legal Counsel Fee (211D §2A ¶2)			
	Legal Counsel Contribution (211D §2)			
	Court Costs (280 §6)			
	Drug Analysis Fee (280 §6B)			
	OUI §24D Fee (90 §24D ¶9)			
	OUI Head Injury Surfine (90 §24[1][a][1] ¶2)			
	Probation Supervision Fee (276 §87A)			
	Default Warrant Assessment Fee (276 §30 ¶2)			
	Default Warrant Removal Fee (276 §30 ¶1)			