

APPLICATION FOR COMPLAINT

☒ ADULT
☐ JUVENILE

NUMBER

Trial Court of Massachusetts
District Court Department



☐ ARREST ☒ HEARING ☐ SUMMONS ☐ WARRANT

The within named complainant requests that a complaint issue against the within named defendant, charging said defendant with the offense(s) listed below.

COURT DIVISION

Cambridge District Court
48 Tremont St. - P.O. Box 200
East Cambridge, MA 02141

DATE OF APPLICATION MAR 29, 1993 DATE OF OFFENSE MAR 23-93 PLACE OF OFFENSE HIGH SCHOOL CAMBRIDGE RINDGE + LATIN

NAME OF COMPLAINANT DARYL C. JAMES

NO.

OFFENSE

G.L. Ch. and Sec.

ADDRESS AND ZIP CODE OF COMPLAINANT

50 J.F.K. CAMBRIDGE, MA 02138

1. VERBAL THREAT TO COMMIT GOODLY HARM.

2.

NAME, ADDRESS AND ZIP CODE OF DEFENDANT

ROBERT ITEALY
CITY MANAGER OF CAMBRIDGE
MA

3.

4.

COURT USE ONLY →

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

DATE OF HEARING

TIME OF HEARING

April 20/93 AT 10 AM

← COURT USE ONLY

CASE PARTICULARS — BE SPECIFIC

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

OTHER REMARKS:

SEE ATTACHED LETTER

SIGNATURE OF COMPLAINANT

DEFENDANT IDENTIFICATION INFORMATION — Complete data below if known

DATE OF BIRTH	PLACE OF BIRTH	SOCIAL SECURITY NUMBER	SEX	RACE	HEIGHT	WEIGHT	EYES	HAIR
DEC 1, 44	CAMBRIDGE	034386638	M	W	6'1"	142	B	BROWN
OCCUPATION	EMPLOYER/SCHOOL	MOTHER'S NAME (MAIDEN)	FATHER'S NAME					
TEACHER	CAMBRIDGE CENTER FOR ADULT EDUCATION	ELINOR STEELE	VINCENT JAMES					

Cambridge Police Department Investigative Report

FILE NUMBER 93

Offense	1. Time of Occurrence FROM: 3 29 93 10 AM M	2. Date of Report M 3 29 93 T 4 31 P M	4. Weather Conditions Clear	N.C.I.C./IT#	
	TO: M M T W T F S UNK	6. Location of Offense 140 Thorne St	Sector	7. Type of Premise Mun. Bldg.	
	5. Offense(s) Post Assault	8. Business/Complainant's Name Daryl Jones	10. Sex Race D.O.B.		11. T E L 547 6921 Res. Bus.
	12. Reporting Person (If Other Than Victim) Address 50a JEFF ST Camb	11. T E L Res. Bus.			
Victim/Witness	13. Was There A Witness To The Crime? If Yes, Check Box				
	14. Indicate with proper code in boxes provided person's relationship to investigation. (W-1: Witness #1, NI: Not interviewed #2, RP: Reporting Person, PK: Person w/Knowledge, V: Victim, AV: Additional Victim)				
	Person interviewed	D.O.B.	Address (Number and Street)	Apt. #	City, State, Zip Code
	15. Nature of Injury	Hospital Taken To	Attending Physician	Type of Conveyance	
Suspect	16. Number of Suspects				
	17. Can A Suspect Be Identified? If Yes, Check Box				
	18. Using Appropriate Codes Indicate who can identify suspect(s). (See Box 14)				
	19. Can A Suspect Be Described? If Yes, Check Box				
Susp. Veh.	20. Can A Suspect Be Named? If Yes, Check Box				
	21. Can A Suspect Be Located? If Yes, Check Box				
	22. Is Suspect(s) Known To The Police? If Yes, Check Box				
	23. Can Suspect Vehicle Be Identified? If Yes, Check Box				
Evidence	24. Is Stolen Property Traceable?				
	25. Is There Physical Evidence Present? If Yes, Check Box and Explain in Narrative				
	26. Is There Significant Circumstantial Evidence Present? If Yes, Check Box and Explain in Narrative				
	27. Is There A Significant M.O.? If Yes, Check Box and Explain in Narrative				
28. Narrative: Summarize details of crime including progression of events, names of other officers or units assisting. For any information which is an extension of any of the blocks, indicate block number in box provided at left:					
Block					
RP states on the above date & time #20 forceable pulled fingernail causing injury					
31. Reporting Officer(s) Signature 32. Field Supervisor 33. Responding Supervisor (if same, write same) 34. Reviewing Officer Signature 35. Complainant's Signature					
36. Is There Reason To Return Complaint? 37. Is Filing An Investigation Recommended? 38. Mail In 39. Phone In 40. Walk In 41. CID 42. Juvenile 43. Accident Inv.					

Cambridge Police Department Investigative Report

FILE
NUMBER

93-

1. Time of Occurrence FROM: <u>4 23 93</u> M		2. Date of Report M <u>5 12 93</u> 230 PM		4. Weather Conditions		N.C.I.C./TT#	
TO: M		S M T W T F S UNK					
5. Offense(s) <u>INTIMIDATION</u>		6. Location of Offense F <u>PHONE - 50A JFK ST</u> 6 M F M F M		7. Type of Premise <u>APT</u>		10. Sex <u>W</u> Race <u>F</u> D.O.B.	
12. Reporting Person (If Other Than Victim)		8. Business/Complainant's Name <u>JANES DARYL</u>		9. Business/Complainant's Address <u>50A JFK ST, CAMB, MA</u>		11. T <u>544-6927</u> Res. E L Bus T E L Res. Bus	
13. Was There A Witness To The Crime?		If Yes, Check Box					
14. Indicate with proper code in boxes provided person's relationship to investigation. (W-1: Witness #1. NI: Not Interviewed #2. RP: Reporting Person. PK: Person w/Knowledge. V: Victim. AV: Additional Victim)							
Person Interviewed		D.O.B.		Address (Number and Street)		Apt. #	
15. Nature of Injury		Hospital Taken To		Attending Physician		Type of Conveyance	
16. Number of Suspects							
17. Can A Suspect Be Identified?		If Yes, Check Box					
18. Using Appropriate Codes Indicate who can identify suspect(s). (See Box 14)		Suspect #1		Suspect #2			
19. Can A Suspect Be Described:		If Yes, Check Box					
Suspect #1 Race <u>W</u> Sex <u>M</u> Age <u>40</u> Ht. <u>5'10"</u> Wt. <u>180</u> Hair <u>B</u> Eyes <u>B</u> Other <u></u> Clothing and Unusual Characteristics <u></u>							
Suspect #2 Race <u></u> Sex <u></u> Age <u></u> Ht. <u></u> Wt. <u></u> Hair <u></u> Eyes <u></u> Other <u></u> Clothing and Unusual Characteristics <u></u>							
20. Can A Suspect Be Named?		If Yes, Check Box					
Suspect #1 (Include any A.K.A. information) <u>MOSCOW, ROBERT</u>		Suspect #2 (Include any A.K.A. information) <u>(GIBBY)</u>					
21. Can A Suspect Be Located?		If Yes, Check Box					
Suspect #1 Can be located at <u>40 THORNHILL ST.</u>		Suspect #2 can be located at					
22. Is Suspect(s) Known To The Police?		If Yes, Check Box					
23. Can Suspect Vehicle Be Identified?		If Yes, Check Box					
Registration Information: State <u></u> Year <u></u> Make <u></u> Color <u></u> Special Characteristics/V.I.N. <u></u> Stolen Car Yes <u></u> No <u></u> Stolen Plate Yes <u></u> No <u></u> Listing Yes <u></u> No <u></u>							
24. Is Stolen Property Traceable?		If Yes, Check Box					
General Description of Property		Total Value		Turned Over To		Property Sheet Attached <u></u> w/Victim <u></u> N/A <u></u>	
25. Is There Physical Evidence Present?		If Yes, Check Box and Explain In Narrative					
26. Is There Significant Circumstantial Evidence Present?		If Yes, Check Box and Explain In Narrative					
27. Is There A Significant M.O.?		If Yes, Check Box and Explain In Narrative					
Point of Entry		Point of Exit		Type of Instrument Used (if known)		Unusual Features of Crime	
28. Narrative: Summarize details of crime including progression of events, names of other officers or units assisting. For any information which is an extension of any of the blocks, indicate block number in box provided at left.							
Block							
<u>Rp claims he was intimidated by #20 over telephone when RP called regarding a complaint he wanted issued against another court clerk. MR. MOSCOW is CHIEF CLERK MAGISTRATE, 3RD DIST. CT.</u>							
31. Reporting Officer(s) Signature <u>[Signature]</u> Badge #/Date <u>252</u>		29. Is There Reason To Believe Crime may Be Solved?		If Yes, Check Box.			
32. Field Supervisor <u>[Signature]</u> Rank/Name <u></u>		30. Is Follow Up Investigation Necessary From Factors Listed Above?		If Yes, Check Box.			
33. Responding Supervisor (if same, write same)		34. Reviewing Officer Signature <u></u> Date <u></u>					
35. Complainant's Signature <u>[Signature]</u> Date <u>5-12-93</u>		Mail In <u></u> Phone In <u></u> Walk In <u>X</u> C.I.D. <u>X</u> Juvenile <u></u> Accident Inv <u></u>					

Daryl Janes
50a J.F.K. Street
Cambridge, Ma. 02138
(617)547-6927

April 16, 1993

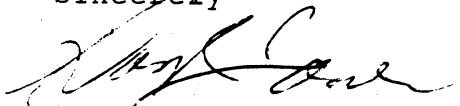
Mr. Robert L. Moscow
Clerk's Office
40 Thordike Street
Cambridge, Ma. 02138

RE: Hearing request.

Mister Robert L. Moscow,

I have tried twice to get hearing dates for the enclosed complaints: One against Robert Healy, and one against Tom Begly who works out of your office. At both times the proceedings were stopped. I wish an appointment with you to clear up this matter at the earliest possible date.

Sincerely



Daryl Janes



Commonwealth of Massachusetts
District Court Department of the Trial Court
Cambridge Division

ROBERT L. MOSCOW
Clerk-Magistrate

40 Thorndike Street
Cambridge, MA 02141
617-494-4331

April 26, 1993

Daryl Janes
50a J.F.K. Street
Cambridge, Mass. 02138

Dear Mr. Janes:

Pursuant to our phone conversation of April 23, 1993 and in response to your mailing received April 26, 1993, you may send any further requests for a hearing to Judge Sherman as you were originally instructed to do on March 29, 1993.

I would also again request that you return our original court documents that you took with you on March 29, 1993.

Sincerely yours,

Robert L. Moscow
Clerk-Magistrate

RLM/md

Daryl Janes
50a J.F.K. Street
Cambridge, Mass. 02138
(617)547-6927

March 29, 1993

CAMBRIDGE POLICE DEPARTMENT
5 Western Ave.
Cambridge, Mass. 02139

RE: COMPLAINT.

CHARGE: PHYSICAL ASSAULT.

PERSON CHARGED: Tom ^{Beggly}Beggly. First Magistrate Clerk. Third District Court, Cambridge, Ma.

Date of incident: March 29, 1993 at approximately ten A.M.
(10 A.M.)

Place: Cambridge Third District Court Office.

WITNESSES:

^{Doherty}
Tom Dority
Possibly some secretaries on duty.

COMMENTS:

I was writing out a request for a hearing date at the THIRD DISTRICT COURT. Mister Tom Dority gave me an official date of April 20, 1993 at Ten A.M. and a receipt. AS I was leaving I stopped at the brochure rack. I was then told by Mister Beggly that the hearing was denied. I went to the counter and was told by Mister Beggly that I could appeal his decision by going directly to the presiding judge. I asked who he was. He said he could not give it to me untill I gave him the receipt. I refused. He then demanded it. I refused. He then grabbed my note book, injuring my left finger and ripping part of the hearing receipt out of my hand. I left the room and went home then went to the V.A. Hospital in Boston for a medical examination.

Daryl Janes

CC:

Tom Riley

Perry Anderson

Judge Arthur Sherman

POLICE SUPERINTENDENT, Walter Boyle

POLICE SUPERINTENDENT, Harold Murphy

FIRST ASSISTANT DISTRICT ATTORNEY, Martin Murphy

MEDICAL CERTIFICATE

1. DATE 7-29-93	2. TIME 11:56 AM	3. AGE 46	4. SEX ☒ M ☐ F	5. ON ARRIVAL PATIENT WAS: ☐ AMBULATORY ☐ STRETCHER ☐ WHEELCHAIR	6. PHONE NUMBER ()	7. HOMELESS ☐ YES ☒ NO
8A. ALLERGIES 0	8B. WEIGHT	8C. TEMPERATURE 98.4	8D. PULSE 69	8E. RESPIRATION 18	8F. B/P 100/69	8G. DUE TO INJURY ☐ NO ☒ YES

9. CURRENT MEDICATIONS: 7200X

10. TRIAGE: 10-4890. when A10X3 Ambulance was "stuck" by a municipal worker. "person tried to grab papers out of his [blank] & injured his left index finger - wounds to base of index finger."

12. HISTORY AND PHYSICAL: Examined. incident occurred @ 9¹⁵ AM today - bloodiness noted. Swaves were not appears lifted - 1st of doll pain adductor R-pot R.H.W. comfort P 10509 U.S. At Cent this A.M. re-hearing - joint special test interlock may from being possibly + chd @ index finger injury - came here for evaluation - 2 fingers of the injury that injured hand - i.e. pulled nail back

@ index finger - distal nail partially avulsed from nail bed. Is healing

13. DIAGNOSTIC IMPRESSIONS

Partial nail avulsion 2° to trauma

14. PLAN

Avoid further nail trauma. RT pm

15A. ATTENDING OF RECORD

CARL E. DETMAN, M.D.
#329

15B. EXAMINER'S SIGNATURE

SECTION II - FOR PATIENT

1. DISPOSITION / CLINIC APPOINTMENT	2. AFTER CARE SHEET GIVEN ☐ YES ☒ NO	3. FOLLOWUP - ACTIVITY - LIMITATIONS
4. CONDITION ☐ IMPROVED ☐ SATISFACTORY ☐ UNCHANGED	5. DATE / TIME OF DISCHARGE 02 29 93	6. SIGNATURE TO INDICATE INSTRUCTIONS GIVEN

7. PATIENT INSTRUCTIONS

JAMES DARYL C
50A J.F.K. ST
CAMBRIDGE MA 02138

C34 38 6638 NH 120144 523

C25513215 3 000 7
CAT AS

CERTIFY THAT I RECEIVED AND UNDERSTAND THESE INSTRUCTIONS

8. PATIENT'S SIGNATURE

Daryl Janes
50a J.F.K. Street
Cambridge, Ma. 02138

May 12, 1993

CAMBRIDGE POLICE DEPARTMENT
5 Western Ave.
Cambridge, Ma. 02139

RE: COMPLAINT

CHARGE: Intimidation By A public Official.

Person Charged: Robert Moscow - Chief Clerk Magistrate.
Third District Court, Cambridge, Ma. 02138.

Date of Incident: April 23, 1993.

STATEMENT:

On April 23, 1993 I called the Third District Court and asked to speak to Mister Robert Moscow. His secretary did not ask who I was but told me to hold the line. A few moments later Robert Moscow came on the line. I complained to him that my consitutional rights to due process was being violated in his office by denying me the right to a hearing for assault and battery charges against Mister Tom Beggly, who is one of the clerks at the third district. Mister Moscow began several minutes of intimidation by accusing me of assaulting mister Beggly. This intimidation was an obvious attempt to get me to stop any further action against Mister Beggly.

I request an investigation and a court hearing.

Submitted by

Daryl Janes

RE: SECOND ATTEMPT April 26
FOR A HEARING AGAINST
TOM BEGLY. (APRIL 20, 1993)

Mrs Mc Whinney

I APPLIED FOR
A HEARING AGAINST TOM BEGLY
FOR ASSAULT AND BATTERY
FROM MR. PECHOCO IN THE
CLERK'S OFFICE. HE REFUSED
TO LOOK AT MY EVIDENCE,
SUCH AS THE MEDICAL REPORT -
POLICE REPORT, ETC. BUT ASKED
ME TO TELL HIM WHAT HAPPENED.
WHEN I DID, HE SAID - "DENIED"
I ASKED FOR A RECEIPT AND
HE REFUSED TO GIVE ONE.
THUS PREVENTING
EVIDENCE THAT
FOR A HEARING

Maureen
Keep these in
the box, don't
copy

ONE.
HAVING
APPLIED

RE: SECOND ATTEMPT April 26
FOR A HEARING AGAINST
TOM BEGLY. (APRIL 20, 1993)

Mrs Mc Whinney

I APPLIED FOR
A HEARING AGAINST TOM BEGLY
FOR ASSAULT AND BATTERY
FROM MR. PECHOCO IN THE
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ME TO TELL HIM WHAT HAPPENED.
WHEN I DID, HE SAID - "DENIED"
I ASKED FOR A RECEIPT AND
HE REFUSED TO GIVE ME ONE.
THUS PREVENTING ME FROM HAVING
EVIDENCE THAT I EVEN APPLIED
FOR A HEARING.

Daryl [Signature]

RECEIVED BY
OFFICE OF CITY CLERK

1994 JUN 10 PM 3:12

CAMBRIDGE MA.

Daryl Janes
50a J.F.K. Street
Cambridge, Ma. 02138
(617)547-6927

June 9, 1994

Cambridge City Council
City Hall
Cambridge, Ma. 02139

Attention: Ms. Drury

Dear Ms. Drury:

Enclosed is a hearing schedule which was canceled; also, two other complaints. I have asked councilor Russell, and Mayor Reeves to concern themselves with this matter. The situation is exacerbated by the fact that a hearing was granted and then canceled. (see enclosure) It has been over a year now, and no action has been forthcoming from City Hall; therefore, I must inform the Council of Cambridge that--for legal purposes only--this letter is to be considered a notice of demand.

Please inform me of the intentions of the Council, so I may proceed forward accordingly.

Sincerely



Daryl Janes

CC: The Cambridge City Council

Daryl Janes
50 J.F.K. Street
Cambridge, Ma. 02138
(617)547-6927

September 22, 1993

Mayor Kenneth E. Reeves
795 Mass. Ave.
Cambridge, Mass. 02139

Dear Mister Reeves:

I have been trying to get hearings at the Third District Court in Cambridge for two situations which occurred in March of this year: One hearing was canceled: No reason was given. (See enclosure.) The other hearing was denied: No reason was given. (See enclosure.)

I would like you to address this matter: As you know, it is a right, not a privilege of every citizen to a hearing in matters of complaint. It has been suggested by Police Commissioner Perry Anderson that I contact Judge Author Sherman of the Third District Court; However, my legal advice has informed me that because Mister Sherman was an eye witness to the original complaint, he is disqualified from the proceedings. Mister Moscow, Chief Clerk Magistrate will not give me a hearing. (See Police enclosure.) That leaves only the City Council, I believe, to exercise the powers of recommendation.

Your prompt attention to this matter is important.

Sincerely

Daryl Janes
CC: D Margaret Drury

Consent Comm. # 17

S-299

Comm. from Daryl Janes, 50a JFK Street,
regarding a hearing that was scheduled and
then canceled regarding a complaint of
physical assault.

In City Council,

June 20, 1994

Placed on file