

LAW OFFICE OF JOSS R. FILIAULT

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Also Admitted in: Texas
Illinois
Michigan

August 7, 2015

Mr. Neil Burnette
Inmate W34381 C-3 235 DDU
Post Office Box #100
South Walpole, MA 02071-0100

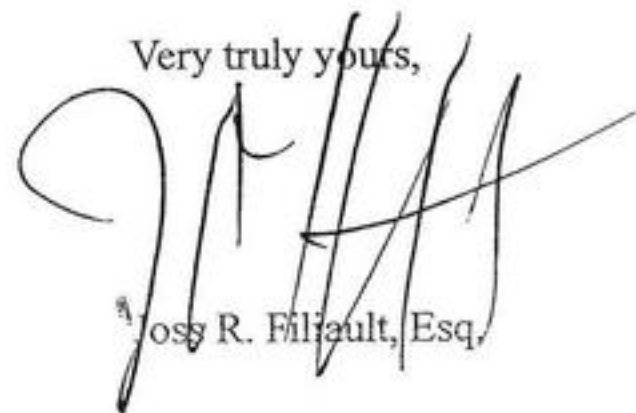
RE: Commonwealth v. Neil Burnette

Dear Mr. Burnette:

The case charging you with assault and battery in the Concord District Court was dismissed on August 6. I am enclosing a copy of the docket sheet which reflects this.

Enc.

Very truly yours,



Joss R. Filiault, Esq.

CRIMINAL DOCKET		DOCKET NUMBER 1447CR000064		NO. OF COUNTS 1		Trial Court of Massachusetts District Court Department	
DEFENDANT NAME AND ADDRESS Neil Burnett MCI-Concord 965 Elm Street P.O. Box 9106 Concord, MA 01742		DOB 05/30/1950		GENDER Male		COURT NAME & ADDRESS Concord District Court 305 Walden Street Concord, MA 01742	
		DATE COMPLAINT ISSUED 01/22/2014					
				PRECOMPLAINT ARREST DATE		INTERPRETER REQUIRED	
FIRST FIVE OFFENSE COUNTS							
COUNT	CODE	OFFENSE DESCRIPTION					OFFENSE DATE
1	265/15A/A	A&B WITH DANGEROUS WEAPON c265 §15A(b)					11/10/2013
DEFENSE ATTORNEY Fulbright		OFFENSE CITY/TOWN Concord		POLICE DEPARTMENT MCI Concord Warrants			
DATE & JUDGE		DOCKET ENTRY		DATE & JUDGE		FEES IMPOSED	
3-6-14 Singh		<input checked="" type="checkbox"/> Attorney appointed (SJC R. 3:10) <input type="checkbox"/> Atty denied & Defl. Advised per 211 D §2A <input type="checkbox"/> Waiver of Counsel found after colloquy Terms of release set: <input checked="" type="checkbox"/> PR <input type="checkbox"/> Bail <input type="checkbox"/> See Docket for special condition <input type="checkbox"/> Held (276 §58A)		3-6-14 Singh		Counsel Fee (211D § 2A(2)) \$ 150 <input checked="" type="checkbox"/> WAIVED	
						Counsel Contribution (211D § 2) \$ <input type="checkbox"/> WAIVED	
						Default Warrant Fee (276 § 30(1)) \$ <input type="checkbox"/> WAIVED	
						Default Warrant Arrest Fee (276 § 30(2)) \$ <input type="checkbox"/> WAIVED	
		Arraigned and advised: <input type="checkbox"/> Potential of bail revocation (276 §58) <input type="checkbox"/> Right to bail to review (276 §58) <input type="checkbox"/> Right to drug exam (111E § 10)				Probation Supervision Fee (276 § 87A) \$ <input type="checkbox"/> WAIVED	
						Bail Order Forfeited	
		Advised of right to jury trial: <input type="checkbox"/> Waiver of jury found after colloquy <input type="checkbox"/> Does not waive					
		Advised of trial rights as pro se (Dist. Ct. Supp.R.4)					
		Advised of right of appeal to Appeals Ct. (M.R. Crim P.R. 28)					
SCHEDULING HISTORY							
NO.	SCHEDULED DATE	EVENT	RESULT			JUDGE	TAPE START/STOP
1	03/06/2014	Arraignment	<input checked="" type="checkbox"/> Held <input type="checkbox"/> Not Held but Event Resolved <input type="checkbox"/> Cont'd			Singh	hab to MCI-Concord
2	4-22-14	RT	<input checked="" type="checkbox"/> Held <input type="checkbox"/> Not Held but Event Resolved <input type="checkbox"/> Cont'd			hab me to court by Singh	
3	7-9-14	(M)	<input type="checkbox"/> Held <input type="checkbox"/> Not Held but Event Resolved <input checked="" type="checkbox"/> Cont'd			HAB me to court by Singh	
4	8-4-14	(M)	<input checked="" type="checkbox"/> Held <input type="checkbox"/> Not Held but Event Resolved <input type="checkbox"/> Cont'd			HAB me to court by Singh	Pearson
5	9-15-14	(M)	<input type="checkbox"/> Held <input type="checkbox"/> Not Held but Event Resolved <input type="checkbox"/> Cont'd			HAB me to court by Singh	
6	11-3-14	(M)	<input type="checkbox"/> Held <input type="checkbox"/> Not Held but Event Resolved <input type="checkbox"/> Cont'd			HAB me to court by Singh	
7	1-14-15	(M)	<input type="checkbox"/> Held <input type="checkbox"/> Not Held but Event Resolved <input type="checkbox"/> Cont'd			HAB me to court by Singh	Actu 1-12-15
8	3-4-15	(M)	<input type="checkbox"/> Held <input type="checkbox"/> Not Held but Event Resolved <input checked="" type="checkbox"/> Cont'd			HAB me to court by Singh	Actu 3-4-15
9	3-23-15	(M)	<input type="checkbox"/> Held <input type="checkbox"/> Not Held but Event Resolved <input type="checkbox"/> Cont'd			HAB me to court by Singh	
10	4-22-15	(M)	<input type="checkbox"/> Held <input type="checkbox"/> Not Held but Event Resolved <input type="checkbox"/> Cont'd			HAB me to court by Singh	
APPROVED ABBREVIATIONS							
ARR = Arraignment PTH = Pretrial hearing DCE = Discovery compliance & jury selection BTR = Bench trial JTR = Jury trial PCH = Probable cause hearing MOT = Motion hearing SRE = Status review							
SRP = Status review of payments FAT = First appearance in jury session SEN = Sentencing CWF = Continuance-without-finding scheduled to terminate PRO = Probation scheduled to terminate							
DFTA = Defendant failed to appear & was defaulted WAR = Warrant issued WARD = Default warrant issued WR = Warrant or default warrant recalled PVH = probation revocation hearing.							
A TRUE COPY ATTEST:		CLERK-MAGISTRATE / ASST CLERK X				TOTAL NO. OF PAGES	ON (DATE)



CRIMINAL DOCKET - OFFENSES		DEFENDANT NAME Neil Burnett		DOCKET NUMBER 1447CR000064		
COUNT / OFFENSE 1 A&B WITH DANGEROUS WEAPON c265 §15A(b)				DISPOSITION DATE AND JUDGE 8-6-15 Hornbaker		
DISPOSITION METHOD <input type="checkbox"/> Guilty Plea or <input type="checkbox"/> Admission to Sufficient Facts accepted after colloquy and 278 §29D warning <input type="checkbox"/> Bench Trial <input type="checkbox"/> Jury Trial <input checked="" type="checkbox"/> Dismissed upon: <input type="checkbox"/> Request of Commonwealth <input type="checkbox"/> Request of Victim <input checked="" type="checkbox"/> Request of Defendant <input type="checkbox"/> Failure to prosecute <input type="checkbox"/> Other: <input type="checkbox"/> Filed with Defendant's consent <input type="checkbox"/> Nolle Prosequi <input type="checkbox"/> Decriminalized (277 §70 C)		FINE/ASSESSMENT	SURFINE	COSTS	OUI §24D FEE	OUI VICTIMS ASMT
		HEAD INJURY ASMT	RESTITUTION	V/W ASSESSMENT	BATTERER'S FEE	OTHER
		SENTENCE OR OTHER DISPOSITION <input type="checkbox"/> Sufficient facts found but continued without a finding until: <input type="checkbox"/> Defendant placed on probation until: <input type="checkbox"/> Risk/Need or OUI <input type="checkbox"/> Administrative Supervision <input type="checkbox"/> Defendant placed on pretrial probation (276 §87) until: <input type="checkbox"/> To be dismissed if court costs / restitution paid by:				
FINDING <input type="checkbox"/> Guilty <input type="checkbox"/> Not Guilty <input type="checkbox"/> Responsible <input type="checkbox"/> Not Responsible <input type="checkbox"/> Probable Cause <input type="checkbox"/> No Probable Cause		FINAL DISPOSITION <input type="checkbox"/> Dismissed on recommendation of Probation Dept. <input type="checkbox"/> Probation terminated: defendant discharged <input type="checkbox"/> Sentence or disposition revoked (see cont'd page)		JUDGE DATE		
COUNT / OFFENSE				DISPOSITION DATE AND JUDGE		
DISPOSITION METHOD <input type="checkbox"/> Guilty Plea or <input type="checkbox"/> Admission to Sufficient Facts accepted after colloquy and 278 §29D warning <input type="checkbox"/> Bench Trial <input type="checkbox"/> Jury Trial <input type="checkbox"/> Dismissed upon: <input type="checkbox"/> Request of Commonwealth <input type="checkbox"/> Request of Victim <input type="checkbox"/> Request of Defendant <input type="checkbox"/> Failure to prosecute <input type="checkbox"/> Other: <input type="checkbox"/> Filed with Defendant's consent <input type="checkbox"/> Nolle Prosequi <input type="checkbox"/> Decriminalized (277 §70 C)		FINE/ASSESSMENT	SURFINE	COSTS	OUI §24D FEE	OUI VICTIMS ASMT
		HEAD INJURY ASMT	RESTITUTION	V/W ASSESSMENT	BATTERER'S FEE	OTHER
		SENTENCE OR OTHER DISPOSITION <input type="checkbox"/> Sufficient facts found but continued without a finding until: <input type="checkbox"/> Defendant placed on probation until: <input type="checkbox"/> Risk/Need or OUI <input type="checkbox"/> Administrative Supervision <input type="checkbox"/> Defendant placed on pretrial probation (276 §87) until: <input type="checkbox"/> To be dismissed if court costs / restitution paid by:				
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COUNT / OFFENSE				DISPOSITION DATE AND JUDGE		
DISPOSITION METHOD <input type="checkbox"/> Guilty Plea or <input type="checkbox"/> Admission to Sufficient Facts accepted after colloquy and 278 §29D warning <input type="checkbox"/> Bench Trial <input type="checkbox"/> Jury Trial <input type="checkbox"/> Dismissed upon: <input type="checkbox"/> Request of Commonwealth <input type="checkbox"/> Request of Victim <input type="checkbox"/> Request of Defendant <input type="checkbox"/> Failure to prosecute <input type="checkbox"/> Other: <input type="checkbox"/> Filed with Defendant's consent <input type="checkbox"/> Nolle Prosequi <input type="checkbox"/> Decriminalized (277 §70 C)		FINE/ASSESSMENT	SURFINE	COSTS	OUI §24D FEE	OUI VICTIMS ASMT
		HEAD INJURY ASMT	RESTITUTION	V/W ASSESSMENT	BATTERER'S FEE	OTHER
		SENTENCE OR OTHER DISPOSITION <input type="checkbox"/> Sufficient facts found but continued without a finding until: <input type="checkbox"/> Defendant placed on probation until: <input type="checkbox"/> Risk/Need or OUI <input type="checkbox"/> Administrative Supervision <input type="checkbox"/> Defendant placed on pretrial probation (276 §87) until: <input type="checkbox"/> To be dismissed if court costs / restitution paid by:				
FINDING <input type="checkbox"/> Guilty <input type="checkbox"/> Not Guilty <input type="checkbox"/> Responsible <input type="checkbox"/> Not Responsible <input type="checkbox"/> Probable Cause <input type="checkbox"/> No Probable Cause		FINAL DISPOSITION <input type="checkbox"/> Dismissed on recommendation of Probation Dept. <input type="checkbox"/> Probation terminated: defendant discharged <input type="checkbox"/> Sentence or disposition revoked (see cont'd page)		JUDGE DATE		



CRIMINAL DOCKET DOCKET ENTRIES		DEFENDANT NAME Neil Burnett	DOCKET NUMBER 1447CR000064
DATE	DOCKET ENTRIES		
4-22-14	<p>(M) Production Evidence filed & allowed.</p> <p>(M) discovery filed & no action taken</p> <p>Case c. 7-9-14 (M). HAB to issue. Byrne J</p> <p>11:08-11:13</p>		
7/9/14	J. Singh. D Counsel waived D's appearance.		
8/4/14	J Pearson (12:43-?). (M) for Discovery allowed in part.		
9/10/14	J Singh. Case edu by D/C. Habe for 9/15/14		
	Cancelled. Case c. to 11/3/14 for (M)		
	Habe to Burt to MCI Cedar Junction. Request		
	for continuance. filed & allowed.		
10-30-14	D/C (M) adv. & cont. filed and allowed. Habe for		
	11/3/14 Cancelled. Case c. to 1/14/15 non-evid.		
	(M) to D/Rm. Habe to MCI Cedar Junction. (J. Byrne)		
1-12-15	(M) Adv. C. filed & allowed. Case c.		
	3-4-15 (M) phase cancel hab 1-14-15		
	and reissue hab to Cedar Junction		
	3-4-15.		
3-4-15	D/C unrav. case Case c. 3-23-15 (M)		
	HAB to MCI Cedar Junction. Singh J		
3-20-15	A Motion to advance & cont. filed &		
	allowed. Case c. 4-22-15 (M) Cancel		
	HAB for 3-23-15 & reissue for		
	4-22-15. Carley J		
3-25-15	A motion to dismiss filed		
4-14-15	D/C (M) adv. & cont. filed & allowed. Case c. 6-1-15 (M)		

APPROVED ABBREVIATIONS

ARR = Arraignment PTH = Pretrial hearing DCE = Discovery compliance & jury selection BTR = Bench trial JTR = Jury trial PCH = Probable cause hearing MOT = Motion hearing SRE = Status review
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 DFTA = Defendant failed to appear & was defaulted WAR = Warrant issued WARD = Default warrant issued WR = Warrant or default warrant recalled PVH = Probation revocation hearing



Cancel HAB for 4-22-15 & reissue for
 6-1-15 for MCI Walpole. Singh J



MARTHA COAKLEY
ATTORNEY GENERAL

THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE ATTORNEY GENERAL

ONE ASHBURTON PLACE
BOSTON, MASSACHUSETTS 02108

(617) 727-2200
www.mass.gov/ago

April 11, 2014

Nancy A. White
General Counsel
Department of Correction
70 Franklin Street, Suite 600
Boston, MA 02110-1300

Re:	Claim of:	Kneyle "Neil" L.X. Burnette #W34381
	Presentment Letter Dated:	November 11, 2013
	Date of Incident:	November 10, 2013

Dear Attorney White:

I am enclosing the presentment letter referenced above which we received in this Office on February 24, 2014.

Would you please investigate this claim and notice this Office of the results in accordance with the Attorney General's Presentment Procedures for Agencies of the Commonwealth. (June 30, 2001). Thank you for your cooperation in this matter.

Sincerely,

Kaitlyn Dwyer
Presentment Coordinator
(617) 963-2549

Enclosure

cc: Kneyle "Neil" L.X. Burnette #W34381

(All further inquiries regarding this claim should be made to the Department of Correction, Nancy A. White at (617) 727-3300 ext.124)



MARTHA COAKLEY
ATTORNEY GENERAL

THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE ATTORNEY GENERAL

ONE ASHBURTON PLACE
BOSTON, MASSACHUSETTS 02108

(617) 727-2200
www.mass.gov/ago

May 14, 2014

Nancy A. White
General Counsel
Department of Correction
70 Franklin Street, Suite 600
Boston, MA 02110-1300

Re: Claim of:
Presentment Letter Dated:
Date of Incident:

Kneyl Neil LX. Burnette, W34381
April 16, 2014
November 10, 2013

Dear Attorney White:

Enclosed please find additional documents we received in this office regarding the above-referenced presentment claim, which we have already forwarded. Please add these documents to your file.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kaitlyn Dwyer".

Kaitlyn Dwyer
Presentment Coordinator
(617) 963-2549

Enclosures

cc: Kneyl Neil LX. Burnette, W34381

(All further inquiries regarding this claim should be made to the Department of Correction, Nancy A. white at (617) 727-3300 ext. 124)



MARTHA COAKLEY
ATTORNEY GENERAL

THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE ATTORNEY GENERAL

ONE ASHBURTON PLACE
BOSTON, MASSACHUSETTS 02108

(617) 727-2200
www.mass.gov/ago

November 4, 2014

Nancy A. White
General Counsel
Department of Correction
70 Franklin Street, Suite 600
Boston, MA 02110-1300

Re: Claim of:
Presentment Letter Dated:
Date of Incident:

Kneyl Neil LX Burnette W34381
October 13, 2014
November 11, 2013

Dear Attorney White:

Enclosed please find additional documents we received in this office regarding the above-referenced presentment claim, which we have already forwarded. Please add these documents to your file.

Sincerely,


Kaitlyn Dwyer
Presentment Coordinator
(617) 963-2549

cc: Kneyl Neil LX Brunette