

STATE OF MAINE
vs
FRANK J MARSHALL
51 ROGERS RD
KITTERY ME 03904

SUPERIOR COURT
YORK, ss.
Docket No ALFSC-CR-1998-01170

DOCKET RECORD

DOB: 03/21/1975

Attorney: CHRISTOPHER NORTROP
UNIVERSITY OF MAINE SCHOOL OF LAW
246 DEERING AVENUE
PORTLAND ME 04102

State's Attorney: MICHAEL CANTARA

Filing Document: CRIMINAL COMPLAINT
Filing Date: 09/03/1998

Major Case Type: MISDEMEANOR (CLASS D,E)

Charge(s)

1 VIOLATING PROTECTIVE ORDER
Seq 805 19 769

05/22/1998 KITTERY

Class D

Docket Events:

09/15/1998 FILING DOCUMENT - CRIMINAL COMPLAINT FILED ON 09/03/1998

09/15/1998 Charge(s): 1
TRANSFER - TRANSFER FOR JURY TRIAL RECVD BY COURT ON 09/03/1998

YORK 98-01925

02/23/1999 Charge(s): 1
FINDING - DIS BY DA/AG-OTHER ENTERED ON 02/12/1999

DISMISSED IN VIEW OF PLEA TO CRIMINAL THREATENING 98-1169.

02/23/1999 Charge(s): 1
ABSTRACT - SBI ISSUED ON 02/23/1999

A TRUE COPY

ATTEST: _____

Clerk

STATE OF MAINE

SUPERIOR COURT

DISTRICT COURT

County _____

Location YORK

Docket No. _____

Docket No. _____

STATE OF MAINE v. FRANK J. MARSHALL, Defendant BAIL BOND

Defendant's mailing address 51 ROGERS RD KITTERY, ME 03907

Defendant's residence address (if different): _____

Date of Birth 3-21-75 Home telephone # 439-4513 Work telephone # _____

Date of Offense MAY 22, 1998 Location of Offense _____

Social Security # _____

For Title 29-A violations only, driver's license number _____ State _____

Reason for Arrest / Bail:

- Initial arrest, Failure to Appear at Arraignment, Failure to Appear at Hearing, Release after Arraignment,
- Failure to Pay Fine, Post-Conviction Other VIOLATION OF PA ORDER.

Offense, class of offense, law enforcement officer, agency and incident number: _____

I understand that I must obey the following conditions of my release so long as this Bail Bond remains in effect and that it is a CRIME for me to violate any of these conditions:

1. I will appear at the (District) (~~Superior~~) Court located at YORK, ME, in YORK (City/Town), YORK (County) Maine, Telephone number (207) 363-1230, on JULY 7th, 19 98, at 9:00 (a.m.) (~~p.m.~~) and on whatever other date and at whatever other time and in whatever other court the clerk of the court described above tells me to appear.
2. I will commit no criminal act.
3. I will immediately advise the court described above of any change in my address or telephone number.
4. I waive extradition to the State of Maine from any other State of the United States, from the District of Columbia, from any territory of the United States, and from any other jurisdiction whatsoever, for prosecution on the charge(s) above.
5. In addition to the four conditions above, the following apply if checked:

PERSONAL RECOGNIZANCE.

UNSECURED. I am not required to post any security for my release, but if I fail to appear as this Bail Bond requires I will owe the State of Maine \$ 500.00.

SECURED. To be released from custody the following property is being posted. The property is:

- Cash in the amount of \$ _____ OR See reverse for assignment.
- Real estate (or _____) with a value of \$ _____
- Bail Lien. (Within 1 working day after today) (Before I may be released), a lien on the real estate described must be recorded in the Registry of Deeds in the county where the real estate is located, and proof of such recording must be filed with the clerk of the court listed above. (Note: Registry and Clerk's Office may be in different counties.)

Additional conditions which I agree to obey are: I WILL NOT HAVE ~~ANY~~ CONTACT WITH ANY PERSON VICTIM. I BY TELEPHONE, MAIL OR THIRD PARTY I WILL ALSO REPORT TO KITTERY POLICE STATION EVERY NIGHT AT 8:30 P.M. UNTIL THIS COURT APPEARANCE HAS BEEN TAKEN CARE.

As a condition of my release, I shall comply with any condition(s) set forth on the CONDITIONS OF RELEASE form, which I have reviewed, understood and signed.

I understand all of my obligations under this bond.

Defendant: [Signature]

I have explained the Defendant's (and if applicable, the surety's) obligations under this bond on this date and will give a copy of this form to the Defendant and surety immediately after I sign it.

Dated: MAY 22, 1998 at Kittery, Maine. Shirley K. Moulton

Bail Commissioner / Clerk / Judge

MAY 26 1998

STATE OF MAINE

SUPERIOR COURT

County _____

Docket No. _____

DISTRICT COURT *Pen York*

Location Pen York

Docket No. 98-1924

STATE OF MAINE v. Frank J Marshall, Defendant BAIL BOND 1925

Defendant's mailing address 51 Rogers Rd; Fryburg Me

Defendant's residence address (if different): _____

Date of Birth 3-21-75 Home telephone # 439-4515 Work telephone # _____

Date of Offense 5-22-98 Location of Offense Fryburg

Social Security # 023-56-9181

For Title 29-A violations only, driver's license number _____ State _____

Reason for Arrest / Bail:

- Initial arrest, Failure to Appear at Arraignment, Failure to Appear at Hearing, Release after Arraignment,
- Failure to Pay Fine, Post-Conviction Other _____

Offense, Class of offense, Title and Section, 17A-209 Crim Threatening & 19-769 Viol prot Abuse

Law enforcement officer and agency _____

Incident number: _____

I understand that I must obey the following conditions of my release so long as this Bail Bond remains in effect; that it is a CRIME for me to violate any of these conditions; and that if I violate any of these conditions I will be subject to immediate arrest, incarceration and a fine.

1. I will appear at the (District) (Superior) Court located at _____ in _____ (City/Town), _____ County) Maine. Telephone number (207) _____, on _____, at _____ (a.m.) (p.m.) and on whatever other date and at whatever other time and in whatever other court the clerk of the court described above tells me to appear.
2. I will commit no criminal act.
3. I will immediately advise the court described above of any change in my address or telephone number.
4. I waive extradition to the State of Maine from any other State of the United States, from the District of Columbia, from any territory of the United States, and from any other jurisdiction whatsoever, for prosecution on the charge(s) above.
5. I will not violate any pending protection from abuse order.
6. In addition to the five conditions above, the following apply if checked:

- PERSONAL RECOGNIZANCE.
- UNSECURED. I am not required to post any security for my release, but if I fail to appear as this Bail Bond requires I will owe the State of Maine \$ 500.
- SECURED. To be released from custody the following property is being posted. The property is:
 - Cash in the amount of \$ _____ OR See reverse for assignment.
 - Real estate (or _____) with a value of \$ _____
 - Bail Lien. (Within 1 working day after today) (Before I may be released), a lien on the real estate described must be recorded in the Registry of Deeds in the county where the real estate is located, and proof of such recording must be filed with the clerk of the court listed above. (Note: Registry and Clerk's Office may be in different counties.)

Additional conditions which I agree to obey are: See Bail Conditions - Schedule A.

As a condition of my release, I shall comply with any condition(s) set forth on the CONDITIONS OF RELEASE form, which I have reviewed and understand.

I understand all of my obligations under this bond. Defendant: [Signature]

I have explained the Defendant's (and if applicable, the surety's) obligations under this bond on this date and will give a copy of this form to the Defendant and surety immediately after I sign it.

Dated: 7-21-98 at 9:50 am (pm) at _____, Maine.

[Signature]
Asst Bail Commissioner / Clerk / Judge

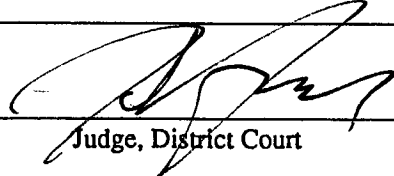
BAIL CONDITIONS

Defendant shall refrain from all criminal conduct and shall waive extradition.

In addition, Defendant shall strictly comply with the following checkmarked (✓) conditions:

- Defendant shall have no contact, direct or indirect, with the victim(s) named in the complaint.
- Defendant shall have no contact, direct or indirect, with _____.
- Defendant shall not contact or in any way associate with _____.
- Defendant shall not enter or go upon the premises at _____.
- Defendant shall not enter the Town(s) of _____.
- Defendant shall not use, consume or possess any alcohol illegal drugs dangerous weapons, including, but not limited to, firearms.
- Defendant shall submit to random testing and searches of Defendant's person residence vehicle(s) for the presence of alcohol illegal drugs dangerous weapons, including, but not limited to, firearms.
- Defendant shall report, in person, to W. J. P. D. to assure Defendant's presence in the area. Defendant shall report ~~between the hours of 9:00 a.m. and 4:00 p.m. on the following day(s) each week:~~
Every night at 8:30 p.m.
- Defendant shall reside at the following address: _____ and shall strictly observe a curfew by being in that residence during the following hours: _____.
- Defendant shall remain in the custody of _____.
- Defendant shall notify the Court of any changes of address or employment.
- Defendant shall maintain employment or, if unemployed, actively seek employment.
- Defendant shall maintain or commence an educational program.
- Defendant shall undergo medical psychiatric treatment as outpatient voluntary inpatient at the following institution: _____.
- Other: _____
- Other: _____

Date: 2/20/98



Judge, District Court

I HAVE RECEIVED A COPY OF THESE CONDITIONS, I ACCEPT THEM AS WRITTEN, AND I AGREE TO FOLLOW THEM.

Date: 2/21/98

SEP 3 10 48 AM '98

Defendant

vs

STATE OF MAINE
COUNTY OF YORK
CLERK'S OFFICE
RECORDED

Location York
Docket 98-01925

Frank J. Marshall
51 Rogers Road
Kittery, Me
03/21/75

SEP 3 10 49 AM '98

DOCKET RECORD

Page 1 of 1

CR. 98. 1170

Offense:Viol of Protection from Abuse
Title:19 **Section:**769
Class:D
Offense date:05/22/98
Location:Kittery
Officer:French / Kittery Police Department
Attorney:Christopher Northrop
Wells, ME

<u>DATE</u>	<u>ACTION</u>
05/26/98	Bail amount:\$ Unsecured
05/26/98	Bail Conditions: No contact with victim, shall report to KPD every night at 8:30 pm until court appearance has been taken care of.
06/12/98	Complaint filed
	Arraignment date set for 07/21/98
07/21/98	Arraignment held
	Plea entered - Not guilty
	Hearing date set for 09/01/98
07/21/98	Bail set at \$\$500.00 unsecured
07/21/98	Shall have no contact direct or indirect with victim
	Shall report to KPD in person every night at 8:30 P.M. to assure presence in area
	Shall notify court of changes of address or employment
09/01/98	Jury trial requested
09/01/98	Motion to Expand Time for Filing filed.
09/01/98	Granted by Judge Jon Levy.
09/01/98	Represented by attorney Christopher Northrop
09/01/98	Transferred to Superior Court
09/01/98	All original papers, along with attested copy of Docket Entries filed in York County Superior Court

Tape number:

A TRUE COPY.
ATTEST:

Nellie E. Bridges

(Deputy) District Court Clerk

State of Maine

v.

CRIMINAL COMPLAINT FOR VIOLATION OF

Frank J. Marshall T 19 M.R.S.A. § 769 (Class D)
Defendant (DOB 3-21-75)
(Residence Kittery, Maine) (Violation of Protection From Abuse Order)

Steve Furbish, being duly sworn, deposes and says
(upon information and belief), that on or about May 22, 1998
in the city/town of Kittery, YORK County, Maine,

the above named defendant did: **violate a Protection From Abuse Order issued in York County at York District Court, Docket # SA-98-33, in that he did threaten, harass or otherwise abuse Nicole M. Mitchell, namely, the Defendant did have direct and/or indirect contact with Nicole M. Mitchell, in violation of this said order, said defendant having prior actual notice of this said order.**

Kittery Complainant

Sworn to before me, July 20, 19 98

Nelle E. Bidder
Clerk, Complaint Justice, Judge

DATE		DATE	
<u>7/21/98</u> <u>DJL</u>	Advised of Rights: <input checked="" type="radio"/> Yes/ <input type="radio"/> No Arraigned: <input checked="" type="radio"/> Yes/ <input type="radio"/> No Reading: <input checked="" type="radio"/> Held/ <input type="radio"/> Waived Indigent: Yes/ <input type="radio"/> No Plea: <u>Guilty</u> / <input type="radio"/> Not Guilty State's Att'y _____ Def't's Att'y _____ Retained/Assigned/Waived _____ Trial Date <u>9/01/98 @ 8:30</u> Bail: \$ <u>2000.00 cash</u> Bail Conditions: see over/attached After N.G. plea and at Def's request, Ordered Transferred to S.C. _____ Plea changed to: Guilty/Nolo Trial Held: Yes/ <input type="radio"/> No Finding: Guilty/Not Guilty Sentence: _____		Appealed: _____ Appeal Bail: \$ _____ Bail Conditions: see over/attached Judge: _____ P.C. Hearing: Held/ <input type="radio"/> Waived P.C. Found: No/Yes-and bound over to _____ S.C. _____ County P.C. Bail: \$ _____ Bail Conditions: see over/attached Judge: _____

SEP 3 10 46 AM '98

Judge

RECEIVED
STATE OF MAINE
COUNTY OF YORK
CLERK'S OFFICE

SUPERIOR COURT
York, ss
Docket No. CR-98-1170

FEB 12 2 57 PM '99

DISTRICT COURT
Location
Docket No.

STATE OF MAINE

v.

DISMISSAL
(M.R.Crim.P. 48a)

FRANK J. MARSHALL

Pursuant to Rule 48(a) of the Maine Rules of Criminal Procedure the District Attorney for Prosecutorial District One hereby dismisses the COMPLAINT against the defendant for the following reasons:

- 1) Defendant has pled to other charges. IN VIEW OF PLEA TO CRIMINAL THREATENING IN CR-98-1169
- 2) Defendant has been indicted on this or a substituted charge.
- 3) Witness unavailable.
- 4) Insufficient evidence.
- 5) Defendant is a juvenile.
- 6) De Minimus.
- 7) Other:

Date: FEBRUARY 10, 1999


 ANNE MARIE LETOURNEAU-PAZAR BAR # 3968
 Assistant District Attorney

TO BE COMPLETED IF DISMISSED DURING TRIAL

I, _____, Defendant, consent to the filing of the foregoing dismissal.

Date: _____

Defendant