

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 # 439-4515 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 7<sup>th</sup>, 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.

[Signature]  
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

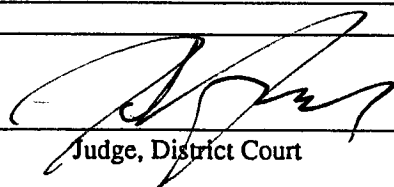
**BAIL CONDITIONS**

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

Nellie 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/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 40 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