

Attorney Charles K Stephenson:

This is the letter Attorney Charles K Stephenson; the court appointed attorney originally appointed to determine the merit of me case.

In it, he acknowledges receipt and the determination of the BAR Association for him to change his decision from informing the court et al that David's case had no merit, to changing his "no merit" recommendation to the court to one of "the case of David John Robitaille does have merit and should be granted a hearing".

Remember, all of this foolishness of granting a hearing date on David's motions, then using a new/old "merit" law to affect a targeted block - effectively preventing David from being able to attend said hearing for his release from unlawful incarceration, which he had worked so hard to secure, was an attempt to prevent David from filing any type of civil action against the Commonwealth or its officers. When it failed, after David asked the BBO to intercede and they compelled Att. Stephenson to reverse his "no merit" decision, Att. Stephenson sent the letter you see here, to David in prison, with this cover letter.

CHARLES K. STEPHENSON

ATTORNEY AT LAW

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SOUTH HADLEY, MASSACHUSETTS 01075

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March 15, 1994

Mr. David Robitaille
12 Administration Road
Bridgewater, Massachusetts 02324

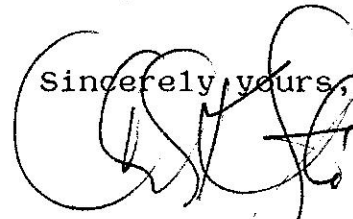
Dear Mr. Robitaille:

It was my understanding that you had been notified by the Committee for Public Counsel Services that you would be appointed counsel only in accordance with the analysis of your case I conveyed to Mr. Leahy in my letter of February 14, a copy of which was provided you. Have you not been so notified, please be informed that those are indeed the circumstances of my appointment.

Simply stated, with your permission, I will contact the District Attorney to solicit a waiver of the procedural bar to a Rule 29 motion to revoke and revise your sentence, and then file such a motion on your behalf. Because the judge's intent in structuring your sentence has so plainly failed, I would anticipate both the DA and she might be inclined to be sympathetic. In presenting the motion, I would take care to avoid prejudicing your ongoing Rule 30 proceedings in any fashion--although it was not necessary that you cite the ABA Ethics Standards to assure my cooperation in that regard.

In substance, although my analysis of the merits of your case remains unchanged, the Committee has authorized my appointment to intercede on your behalf to seek termination of your sentence. Such a procedure would not disadvantage you, and could have the obvious benefit of obtaining your release. Consider your alternatives; I will await your reply.

Sincerely yours,



Charles K. Stephenson

CKS/rm