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March 5, 2012

Via Certified Mail Return Receipt
First Class Mail
Gregory Fawkes
15 Sunset Rd
Ashland, MA 01721-1856

RE: NOTICE OF STAY AWAY / NO TRESPASS

Dear Mr. Fawkes;

As you are aware, I am counsel to the Town of Ashland. This letter shall constitute official notice pursuant to G.L. c. 266 §120 (attached) that, from this day forward, you shall be forbidden from entering into or upon the property of Board of Selectmen Chair, Mr. John Fetherston located at 98 Heritage Avenue, Ashland.

This Trespass Notice is necessitated by your inappropriate, threatening and confrontational telephone call to Chairman Fetherston on Friday, March 3, 2012.

Pursuant to the statute noted above, a copy of this Notice has been filed with the Town of Ashland Police Department. Should you violate this Trespass Notice you are subject to arrest.

Sincerely,


Lisa L. Mead

cc: Jon Fetherston, Chair
John Petrin, Town Manager
Scott Rhomer, Chief



PART IV CRIMES, PUNISHMENTS AND PROCEEDINGS IN CRIMINAL CASES
(Chapters 263 through 280)

TITLE I CRIMES AND PUNISHMENTS

CHAPTER 266 CRIMES AGAINST PROPERTY

Section 120 Entry upon private property after being forbidden as trespass; prima facie evidence; penalties; arrest; tenants or occupants excepted

Section 120. Whoever, without right enters or remains in or upon the dwelling house, buildings, boats or improved or enclosed land, wharf, or pier of another, or enters or remains in a school bus, as defined in section 1 of chapter 90, after having been forbidden so to do by the person who has lawful control of said premises, whether directly or by notice posted thereon, or in violation of a court order pursuant to section thirty-four B of chapter two hundred and eight or section three or four of chapter two hundred and nine A, shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than thirty days or both such fine and imprisonment. Proof that a court has given notice of such a court order to the alleged offender shall be prima facie evidence that the notice requirement of this section has been met. A person who is found committing such trespass may be arrested by a sheriff, deputy sheriff, constable or police officer and kept in custody in a convenient place, not more than twenty-four hours, Sunday excepted, until a complaint can be made against him for the offence, and he be taken upon a warrant issued upon such complaint.

This section shall not apply to tenants or occupants of residential premises who, having rightfully entered said premises at the commencement of the tenancy or occupancy, remain therein after such tenancy or occupancy has been or is alleged to have been terminated. The owner or landlord of said premises may recover possession thereof only through appropriate civil proceedings.

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- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Gregory Fawkes
 15 Sunset Road
 Ashland, MA 01721

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 Addressee

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