## UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS

JULIO RAMIREZ,	) )
Petitioner,	) C.A. No. 1:18-cv-12452-PBS
v.	)
STEVEN W. TOMPKINS,	)
Suffolk County Sheriff,	)
YOLANDA SMITH,	)
Superintendent of the South Bay House	)
of Correction,	)
TODD LYONS,	)
Immigration and Customs Enforcement,	)
Enforcement and Removal Operations,	)
Acting Field Office Director,	)
	)
Respondents.	)
	)

#### NOTICE OF RESOLUTION OF STATE COURT PROCEEDING

Petitioner Julio Ramirez respectfully reports that he was transported to Cambridge District Court for trial on December 5, 2018. The trial is now concluded. Mr. Ramirez was found not guilty of the charged crime of operating under the influence and was found not responsible for the civil infraction of failing to stop or yield. A copy of the docket sheet reflecting the findings of the Cambridge District Court is attached hereto as Exhibit A.

Dated: December 5, 2018 Respectfully submitted,

/s/ Jonathan E. Bard Christopher E. Hart (BBO #625031) Jonathan E. Bard (BBO #696819) Foley Hoag LLP 155 Seaport Blvd.

Boston, MA 02210 Tel: 617-832-1000 chart@foleyhoag.com ybard@foleyhoag.com

Matthew R. Segal (BBO #654489)
Adriana Lafaille (BBO #680210)
Daniel L. McFadden (BBO #676612)
American Civil Liberties Union
Foundation of Massachusetts, Inc.
211 Congress Street
Boston, MA 02110
617-482-3170
MSegal@aclum.org
alafaille@aclu.org
DmcFadden@aclum.org

Attorneys for Petitioner

#### **CERTIFICATE OF SERVICE**

I hereby certify that on this 5th day of December 2018, I electronically filed the foregoing document using the CM/ECF system, which will send notification of such filing to Respondents by electronically serving their counsel.

/s/ Jonathan E. Bard
Jonathan E. Bard

# **EXHIBIT A**

Case 1.10	3-CV-12452-PBS D	ocument	20-1 1110	-u 12/03/10	rage 2 01 3	
CRIMINAL DOCKET			. OF COUNTS	Trial Court of Massachusetts District Court Department		2 10 2
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Julio S Ramirez  Lexington, MA 02173-0003	DATE CO	1984 MPLAINT ISSUE	GENDER Male D	COURT NAME & ADDRESS Cambridge District Court 4040 Mystic Valley Parkway Medford, MA 02155  COURT NAME & ADDRESS ARREST		
Lexington, MA 02173-0003		08/03/2018 PRECOMPLAINT ARREST DATE INTERPRETER REQUIRED				
	***************************************				5	
FIRST FIVE OFFERING COLINIC				N 9-7-18		
COUNT CODE OFFENSE DESCRIPTION (requested by OFFENSE)					OFFENSE DATE	
	P/YIELD, FAIL TO * c89 §9	08/03/20 <sup>-</sup>			170 (1874) (b. 7577) (b. 1040) (b.	
2 69/9 310/	711ELD, FAIL 10 609 99					08/03/2018
Lauren Weitzen (10/25/18) PVT						
DEFENSE ATTORNEY		OFFENSE CITY/	TOWN	POLICE DEPA		
Charles Kiley 8		Cambridge	DATE A	Cambridge	FEES IMPOSED	
DATE & JUDGE	DOCKET ENTRY		DATE & JUDO	Councel Fee /		
83118 Attorney appoin	ted (SJC R. 3:10) eft. Advised per 211 D §2A		8 3 18			☐ WAIVED
☐ Waiver of Coun	sel found after colloquy		Barretto Counsel Contri		bution (211D § 2)	☐ WAIVED
Barretto T Terms of release	set: PR Bail	L 54"		t Fee (276 § 30¶1)	☐ WAIVED	
	☐ Held (276 §58A)	Docket for special condition  I (276 §58A)  Default Warran		nt Arrest Fee (276 § 30 ¶	2) 🔲 WAIVED	
Q 13 118 Arraigned and a					☐ WAIVED	
	to review (276 §58B)	il revocation (276 §58B)  Bail Order Forfeited				
Barremoil	ig exam (111E § 10)  Advised of right to jury trial:					
☐ Inquiry mad	e by Court under 276 § 56A	18 7.18				
Abuse Allegation	i: form filed by Commonwealth	H ( Does not waive				
	abuse under C276 § 56A found	Advised of trial rights as pro se (Dist Ct Supp R 4)			t. Supp.R.4)	
27553 1007	of abuse under C276 § 56A found		Advised of right of appeal to Appeals Ct. (M.R. Crim P.R.			. (M.R. Crim P.R. 28)
SCHEDULING HISTORY						
NO. SCHEDULED DATE E	VENT	RESULT JUDGE TAPE START STOP			TAPE START/ STOP	
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7		☐ Held ☐ Not Held but Event Resolved ☐ Contd MIDDLESEX SS				
8	☐ Held ☐ Not Held but Event Resolved ☐ Contact DEPARTMENT OF THE TRIAL COURT					
9		☐ Held ☐ Not Held but Event Resolved ☐ Cambridge Division ☐ Held ☐ Not Held but Event Resolved ☐ COPY OF A DOCUMENT IS ☐ Held ☐ Not Held but Event Resolved ☐ Confide CLERK-MAGISTRATE OF THE				
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APPROVED ABBREVIATIONS  ARR = Arraignment PTH = Pretrial hearing DCE = Discovery compliance & jury selection BTR = Bench trial JTR = Jury trial PCH = Probable cause hearing NOT = Motion hearing SRP Status review  SRP = Status review of payments FAT = First appearance in jury session SEN = Sentencing CWF = Continuance-without-finding scheduled to terminate PRO Probable 5, scheduled to terminate PRO Probabl						
DFTA = Defendant failed to appear & was defaulted V A TRUE COPY ATTEST: CLERK-MAG	VAR = Warrant Issued WARD = Default wa ISTRATE / ASST CLERK	arrant issued WR =	Warrant or default wa	rrant recalled PVH = proba	BRIANION PENING	AM

### Case 1:18-cv-12452-PBS Document 26-1 Filed 12/05/18 Page 3 of 5

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1 OUI-LIQUOR OR	.08% c90 §24(1)(a)(1)				2-5	5-18 +10	gar
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☐ Request of Commonwealth	☐ Request of Victim	□ Sufficient facts found but continued without a finding until: □ Defendant placed on probation until:					
☐ Request of Defendant	☐ Failure to prosecute				-1		
☐ Other:		☐ Risk/Need o	r OUI LI Administ	rative Supervi	sion		
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□ Nolle Prosequi							
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1330			osition revoked (see cont				
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DFTA = Defendant failed to appear 8	was defaulted WAR = Warrant Issued WARD = Default warrant issued WR = Warrant or default warrant recalled PVH = probation	revocation hearing.

CRIMINAL DOCKET	DEFENDANT NAME DOCKET NUMBER
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	THE CLERK-MAGISTRATE OF THIS COURT
	BRIAN V. Sullivan
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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 trial pretrial hearing DCE = Discovery compliance & jury selection BTR = Bench trial JTR = Jury trial PCH = Probable cause hearing MOT = Motion hearing trial pretrial pr