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Deputy Clerk to District Judge F. Dennis Saylor IV
Federal District Court District of Massachusetts
1 Court House Way
Boston, MA 02210

RE: Batty w. Albertelli
CA No. 1:15-CV-10238 FDS

Dear Deputy Clerk,

This letter is sent to notify the court and all counsel that Petition for Certiorari was filed in Middlesex Superior court in the Ogonowsky v. Town of Winchester case Civil Action No. 1681-CV-03113.

Respectfully submitted,
Ken Albertelli, Chief of Police
Town of Winchester
By his attorney

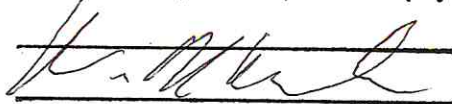

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Dated: November 16, 2016

CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the foregoing pleading on all parties by mailing same postage prepaid to all counsel of record. Signed under the pains and penalties of perjury.

Enc.



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COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS

SUPERIOR COURT NO.

1681-CV-03113

KRISTOPHER OGONOWSKY, Plaintiff/Petitioner

V.

PETER MACDONNELL,¹ in his capacity as Chief of Police for the Town of Winchester,
Defendant/Respondent

PETITION FOR CERTIORARI (Pursuant to G.L. c. 249, Section 4²) SEEKING REVERSAL OF (FORMER) WINCHESTER POLICE CHIEF'S DECISION TO ISSUE A RESTRICTED LICENSE TO CARRY (LTC) TO PETITIONER, BASED ON CHIEF'S FAILURE TO PROVIDE A SPECIFIC REASON FOR REFUSING TO ISSUE THE REQUESTED UNRESTRICTED LTC, AS REQUIRED BY LAW, COMBINED WITH THE LACK OF ANY WRITTEN REGULATIONS GUIDING THE CHIEF'S EXERCISE OF DISCRETION, MAKES SUCH A DECISION *PER SE* ARBITRARY AND CAPRICIOUS UNDER THE GOVERNING LAW, OR ALTERNATIVELY, SEEKING REMAND TO THE WOBURN DISTRICT COURT TO CONSIDER NEWLY DISCOVERED EVIDENCE CONCERNING THE (FORMER) WINCHESTER POLICE CHIEF'S ARBITRARY AND CAPRICIOUS DECISION MAKING PROCESS IN ISSUING LICENSES TO CARRY FIREARMS AS REVEALED IN JULY 2016 FILINGS IN A UNITED STATES DISTRICT (MASSACHUSETTS) COURT CASE AGAINST WINCHESTER, CHALLENGING THE CONSTITUTIONALITY OF WINCHESTER'S LTC PROCESS- BATTY ET.AL. V. ALBERTELLI ET.AL. UNITED STATES DISTRICT OF MASSACHUSETTS NO. 15-CV-10238

Background

The Second Amendment of the United States Constitution guarantees each citizen the right to bear arms. U.S. CONST. amend. II. In Massachusetts G.L. c. 140, §131 sets forth the process for residents to apply to their local police chief (or state police colonel) for a license to

¹ As noted in various pleadings and correspondence, most of the events discussed in this matter occurred prior to June 30, 2016, while Kenneth Albertelli was the Winchester Police Chief. Effective on or about June 30, 2016 MacDonnell replaced Albertelli. Hence, MacDonnell has been named the defendant/respondent in this Petition.

² For the convenience of the Court, copies of the (highlighted) relevant documents (and law) have been compiled into an Appendix submitted herewith referred to herein by "Ex." numbers. A copy of G.L.c. 249, Section 4 can be found at Ex.1 of the Appendix.