

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN THE MATTER OF THE APPLICATION)
OF THE UNITED STATES OF AMERICA) MAGISTRATE JUDGE'S DOCKET
FOR AN ORDER AUTHORIZING) NO. 92-1227-B
INSTALLATION AND USE OF A PEN)
REGISTER DEVICE TO REGISTER NUMBERS))
DIALED OR PULSED TO OR FROM)
TELEPHONE NUMBER (617) 471-8754,)
SUBSCRIBED TO BY JOHN CATES)

ORDER

This matter having come before the Court pursuant to the Application of the United States of America, which Application requested that an Order be issued:

1. Extending for sixty (60) days the previous Order of this Court authorizing the installation, use and continued use of a device to register telephone numbers dialed or pulsed from telephone number (617) 471-8754, subscribed to by John Cates, and located at 133 Atlantic Avenue (Basement Apt.), Quincy, MA;

2. Extending for sixty (60) days the previous Order of this Court directing the New England Telephone Company, a communication common carrier as defined in Title 18, United States Code, Section 2510(10), to furnish Agents of the Bureau of Alcohol, Tobacco and Firearms and Detectives of the Boston Police Department, Homicide Squad, all information, facilities and technical assistance necessary to accomplish the installation and use of the registering device unobtrusively and with a minimum of interference with services that such carrier is presently according the persons whose communications are to be the subject of the registering device; and,

3. Sealing this Application and this Order;

IT APPEARING that the applicant has certified that the information likely to be obtained from the requested device is relevant to an ongoing criminal investigation being conducted by the Boston Police Department and the Bureau of Alcohol, Tobacco and Firearms into allegations of violations of Title 18, United States Code Sections 844 and 371 and use of the telephone to facilitate these offenses in violation of federal law, by Thomas L. Shay, Thomas A. Shay, Alfred Trenkler, and others as yet unknown;

IT IS ORDERED, pursuant to Title 18, United States Code, Section 3121, et. seq., that Agents of the Bureau of Alcohol, Tobacco and Firearms and/or Detectives of the Boston Police Department, Homicide Squad, and their lawful designees, are authorized to use and install the requested pen register device, so as to record the date and time of such pulsings and dialings, and to record the length of time the telephone receiver is off the hook for each incoming and outgoing call, on the aforementioned telephone; and,

IT IS FURTHER ORDERED, pursuant to Title 18, United States Code, Section 3123(b), that the New England Telephone Company provide Agents of the Bureau of Alcohol, Tobacco and Firearms and/or Detectives of the Boston Police Department, Homicide Squad, and their lawful designees, with all information, facilities and technical assistance necessary to accomplish the installation and use of the pen register device unobtrusively,

and with a minimum of interference to the service that such carrier is presently according the persons whose communications are to be the subject of the registering and tracing device; and,

IT IS FURTHER ORDERED, that the New England Telephone Company be compensated by the United States, at the prevailing rates, for reasonable expenses incurred in providing such facilities and assistance; and,

IT IS FURTHER ORDERED, that the normal operations of the New England Telephone Company should not be disrupted; and,

IT IS FURTHER ORDERED that this Order and the Application be sealed and that the New England Telephone Company, its agents, and its employees shall not disclose to the listed subscribers of the said telephone number, nor to any person, the existence of this Application or Order, or any previous Applications or Orders, or the existence of this investigation or of the device used to accomplish the aforementioned registering unless and until otherwise ordered by the Court.

This Order, unless sooner renewed, will automatically terminate 60 days from today.


Marianne B. Bowler
UNITED STATES MAGISTRATE JUDGE

DATED: May 13 , 1992
@ 11:45 A.M.