

**COMMONWEALTH OF MASSACHUSETTS**

**Bristol, SS**

**Superior Court  
Docket No. 06-1092-B**

Ernest Ortiz

*Plaintiff*

V.

Alan LeBovidge, Commissioner  
Massachusetts Department of Revenue  
(in his official capacity),  
Catherine J. Ortiz

*Defendants*

**Plaintiff's Notice of Appeal**

Notice is hereby given that Ernest Ortiz, the above-named Plaintiff, hereby appeals from the Judgment, entered by the Bristol County Superior Court (D. Lloyd Macdonald, J.), on March 23, 2007, which dismissed all of the Plaintiff's claims and the denial of the Plaintiff's Motion for Reconsideration entered by Judge Macdonald on May 3, 2007.

Specifically, the Plaintiff appeals the dismissal of the following claims against the Defendants:

- (1) Article X of the Declaration of Rights of the Massachusetts Constitution.
- (2) Article 106 of the Basic Rights of the Massachusetts Constitution.

(3) Article XXX of the Declaration of Rights of the  
Massachusetts Constitution.

Respectfully submitted  
Ernest Ortiz, pro se

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**Ernest Ortiz**  
**90 Weeden Road**  
**Fairhaven, MA 02719**  
**Dated: May 29, 2007**

## CERTIFICATE OF SERVICE

I, Ernest Ortiz the Plaintiff, hereby certify that the within **Plaintiff's Notice of Appeal** has been served upon the following as noted below, this **29<sup>th</sup>** day of **May, 2007**.

### **By Regular Mail:**

Alan LeBovidge, Commissioner  
Massachusetts Department of Revenue  
100 Cambridge Street  
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Attorney General Martha Coakley  
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One Ashburton Place  
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Ernest Ortiz  
dated: May 29, 2007