

MA man pleads guilty to civil-rights charges

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By Lisa Redmond, lredmond@lowellsun.com

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LOWELL

-- A 39-year-old Billerica man has pleaded guilty to civil-rights charges after he admitted shouting ethnic slurs during an assault on the Indian owner of a Billerica store when an ATM failed to dispense cash last year.

Joseph Fay was sentenced to 2 1/2 years in prison followed by two years probation after he pleaded guilty in Lowell Superior Court this week to civil-rights violation with injury, assault and battery, threats, annoying phone calls and intimidation of a witness.

Judge Paul Chernoff also sentenced Fay to two years probation with conditions that he seek drug and alcohol treatment, take his prescription medication and have no contact with the store owner of Stop and Go convenience store.

Prosecutors had alleged that on May 26, 2006, at 3 p.m., Fay, a regular customer of the convenience store, had tried to use the ATM in the store, but he had insufficient funds and the machine didn't

produce any cash. Fay was upset, but left the store.

During the next several hours, Fay repeatedly called the store speaking to the store owner, Raj Rekhi, a Sikh, claiming he had stolen his money and hurling ethnic slurs at him.

At 10 p.m., Fay returned to the store and confronted Rekhi about the theft of his money, again yelling racial and ethnic slurs. When Rekhi tried to remove Fay from the store, Fay turned and punched Rekhi in the jaw, prosecutors said.

When police found Fay at his home, he admitted to the ethnic slurs and to hitting Rekhi, but claimed Rekhi had hit him first.

Witnesses told police Rekhi never hit Fay.

While police were at the store speaking to Rekhi about the incident, Fay called again. Rekhi handed the phone to the officer, who heard Fay say that Rekhi would be sorry for contacting the police.

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