

STATE OF MICHIGAN

52-1 DISTRICT COURT (CITY OF NOVI)

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff,

v

NICHOLAS MAXIMILLIAN REMINGTON,

Defendant.

[COPY]

File No. 19-002619FY

PRELIMINARY EXAM

BEFORE THE HONORABLE TRAVIS M. REEDS, DISTRICT JUDGE

Novi, Michigan - Monday, August 26th, 2019

APPEARANCES:

For the People:

MS. BETH M. HAND (P47056)
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For the Defendant:

MR. NEIL S. ROCKIND (P48618)
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APPEARANCES CONTINUED: MR. RANDALL M. LEWIS (P46134)
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TABLE OF CONTENTS

WITNESSES FOR THE PEOPLE:

PAGE

NONE

WITNESSES THE DEFENDANT:

NONE

EXHIBITS

MARKED

ADMITTED

1 Novi, Michigan

2 Monday, August 26, 2019 - 1:21 p.m.

3 THE COURT: People versus Nicholas Remington, 2019-
4 2619.

5 MS. HAND: Good afternoon, your Honor. Beth Hand
6 appearing on behalf of the People.

7 MR. ROCKIND: Neil Rockind co-counsel for Nicholas
8 Remington, your Honor. Good afternoon.

9 THE COURT: Good afternoon.

10 MR. LEWIS: Good afternoon, your Honor. My name is
11 Randy Lewis, and I am co-counsel for Mr. Remington.

12 THE COURT: All right. Good afternoon, sir. Would
13 you state your name for me and spell your last name for the
14 court recorder.

15 THE DEFENDANT: My name's Nicolas Remington, R-E-M-
16 I-N-G-T-O-N.

17 THE COURT: All right. Thank you. So, my clerk
18 indicated that there was an issue with the OIC (inaudible).

19 MS. HAND: Yes, your Honor. His mother passed away
20 this morning. I contacted Mr. Rockind by email late last
21 night around eleven thirty or twelve. I didn't want to call
22 him knowing that she's about to pass and she did pass this
23 morning. So, Judge, the People are asking for a short
24 adjournment in order to secure Detective Balog's presence as

1 my officer in charge. I'm informed by his superior officer
2 that he will be gone just this week.

3 THE COURT: And I understand, Mr. Rockind, obviously
4 you've never had any trouble speaking for yourself, but my
5 clerk told me that you were - you wanted to make a bond
6 argument.

7 MR. ROCKIND: That's correct, your Honor.

8 THE COURT: Okay.

9 MR. ROCKIND: We have - I don't - I don't think
10 under the circumstances that it would be appropriate under any
11 respect to raise any opposition to the Prosecutor's request to
12 adjourn.

13 THE COURT: I completely agree. I think it's just
14 professional to do so and I appreciate that. So, let's talk
15 about - before we get to the bond let's talk about our next
16 date.

17 MS. HAND: Uhm.

18 THE COURT: What would be good for both of you?

19 MS. HAND: Your Honor I'm --

20 THE COURT: And all three of you.

21 MS. HAND: -- available next - next week.

22 MR. ROCKIND: So, your Honor I think the challenge
23 is gonna be - well, I - I guess if we start throwing dates out
24 there, we can --

25 THE COURT: Okay.

1 MR. ROCKIND: -- I can - I guess I - I know I can
2 tell you I've got - I have trials well, I've just got --

3 THE COURT: How bout, I'm gonna start throwing them
4 out there and you both tell me? How bout September 9th?

5 MR. ROCKIND: I'm in trial, your Honor. Yep.

6 THE COURT: Ten?

7 MR. ROCKIND: I'm - I'm in trial that week, your
8 Honor.

9 THE COURT: That entire week?

10 MR. ROCKIND: Yes, sir.

11 THE COURT: Okay. Sixteenth?

12 MS. HAND: Works for me, your Honor.

13 MR. ROCKIND: I'm in trial that week too. Those 2 -
14 those 2 weeks are - are particularly bad for me, your Honor.
15 Unfortunately, the --

16 THE COURT: How bout the twenty-sixth?

17 MR. ROCKIND: I'm available --

18 THE COURT: That's a Thursday.

19 MS. HAND: That works for me, your Honor.

20 THE COURT: Twenty-six or twenty-seven?

21 MR. LEWIS: The twenty-sixth is fine.

22 THE COURT: That would have to be in the afternoon.

23 MS. HAND: That's better.

24 MR. LEWIS: The twenty-sixth in the afternoon is
25 okay with me --

1 THE COURT: And Mr. --
2 MR. LEWIS: -- if it's okay with co-counsel.
3 THE COURT: All day the twenty-seventh?
4 MR. ROCKIND: Yeah, the twenty-seventh I have an
5 exam in the 44th in the morning. I can do the afternoon on the
6 twenty-seventh.
7 THE COURT: Should we do the afternoon of the
8 twenty-sixth and the afternoon on the twenty-seventh --
9 MR. ROCKIND: The - my --
10 THE COURT: -- block them both off?
11 MR. ROCKIND: -- my concern for the twenty-sixth is
12 that I have - I have a RICO case that was a racketeering case
13 that was back it's - it is in St. Clair County and its up on
14 the twenty-sixth in the morning and its in St. Clair County
15 and I don't know how - so, my only concern is that I don't -
16 that I would even if I --
17 THE COURT: That's okay. What about the afternoon
18 of twenty-seventh?
19 MR. ROCKIND: The twenty-seventh in the afternoon
20 I'm fine, your Honor.
21 THE COURT: And I - we can start in the morning too
22 if one - unless --
23 MS. HAND: The morning would be better, Judge.
24 MR. ROCKIND: I - I have an exam that morning.
25 THE COURT: Oh, that morning too?

1 MR. ROCKIND: So, September's a bit - is a
2 unfortunately a - a rough month and the twenty-seventh I'm
3 available.

4 THE COURT: Would you like to start the twenty-
5 seventh and maybe continue on that - if we need to continue on
6 that Monday which would be the --

7 MR. ROCKIND: That Monday is - and Monday would be
8 the thirtieth. I believe that's the --

9 THE COURT: Yeah, the thirtieth.

10 MR. ROCKIND: -- first - that's Rosh Hashanah.

11 THE COURT: Oh.

12 MS. HAND: Your Honor, I know the Court sounded at
13 its inquiry. So, we're at - today we're at the twenty-sixth;
14 the Court started its inquiry I think at September 9th, is that
15 the first day you gave us?

16 THE COURT: Yes.

17 MS. HAND: All right. What about your Honor, is
18 there any chance that we could do it on the fourth, fifth or
19 sixth of September prior to the ninth?

20 THE COURT: Yes.

21 MR. ROCKIND: Your Honor, again I - I - I can't do
22 it the fourth, fifth or sixth so, I --

23 MR. LEWIS: I can't - I can't do it the fourth and -
24 -

1 MR. ROCKIND: I'm not trying to be difficult. I
2 just can't.

3 THE COURT: Okay. No, I'm - I'm not saying you are.
4 Is it - does anyone have any --

5 MR. LEWIS: And I can't do it on the fifth?

6 THE COURT: -- roughly approximation of the number
7 of witnesses and or the amount of time you think this exam
8 will probably take? Is this a one-day exam? Is it a two-day
9 exam?

10 MS. HAND: Judge, I - I --

11 MR. ROCKIND: I think --

12 MS. HAND: -- I am prepared to do it a half a day.

13 THE COURT: So, between a half day and a day sounds
14 - I won't hold anyone to it, but an approximation of the
15 amount of time we need to set aside?

16 MS. HAND: Yes, your Honor.

17 MR. LEWIS: Okay. If we need to --

18 THE COURT: Okay. Thank you.

19 MS. HAND: And I - Judge I - meant --

20 THE COURT: How bout - how bout October 1st, 2nd, 3rd
21 or 4th?

22 MR. ROCKIND: October 1st, your Honor is - is --

23 MR. LEWIS: How - how did we lose the twenty-seventh
24 or am I - I --

1 THE COURT: We can do the afternoon of twenty-
2 seventh?

3 MR. LEWIS: And maybe we knock it out that day.

4 THE COURT: Why don't we start it then? Does that
5 seem fair --

6 MR. ROCKIND: That's fine.

7 THE COURT: -- to everyone?

8 MR. ROCKIND: Yes.

9 THE COURT: So, the afternoon of September 27th, and
10 I'm also - I understand you have an exam that morning. Would
11 you like me to set it for twelve-thirty or one o'clock so we
12 can get started a little earlier or would you like one thirty?

13 MR. ROCKIND: No, one o'clock is fine.

14 THE COURT: One o'clock.

15 MR. ROCKIND: I'll try to talk to Judge Meinecke
16 about - about the scheduling of the exam.

17 THE COURT: All right and then we'll - we'll -
18 should we pick a continuation date now just so that everyone's
19 calendar doesn't book up just in case?

20 MR. ROCKIND: Sure.

21 THE COURT: Okay. So, --

22 MR. ROCKIND: I think the thirtieth in the after -
23 the thirtieth in the afternoon is the first day of Rosh
24 Hashanah on the first and second are - are the two days.

25 MS. HAND: And just excuse me for --

1 THE COURT: Well --

2 MS. HAND: -- not understanding - knowing that a
3 Jewish holiday is in the afternoon on the thirtieth? Can we
4 do it in the - I don't know does it start - could we do the
5 morning on the thirtieth?

6 MR. ROCKIND: I think you can do - I think I can do
7 the morning - let me just look --

8 THE COURT: The only prob --

9 MR. ROCKIND: -- at the calendar because I have it
10 down for three days and usually that would mean the --

11 THE COURT: The only --

12 MR. ROCKIND: -- night before.

13 THE COURT: The only problem with the morning is if
14 - that's usually our - one of our busiest pretrial docket and
15 so --

16 MR. ROCKIND: Oh.

17 THE COURT: -- I --

18 MR. ROCKIND: Let me --

19 THE COURT: -- don't want you to be sitting around
20 waiting.

21 MR. ROCKIND: Well, let me tell you if it's up --

22 MR. LEWIS: You know what, Rosh Hashanah is over.

23 MR. ROCKIND: It's not.

24 MR. LEWIS: It's over at noon on the first.

25 MR. ROCKIND: It's over --

1 MR. LEWIS: We can come here --

2 MR. ROCKIND: -- not - not for me.

3 THE COURT: What about the seventh?

4 MR. ROCKIND: So, your Honor Rosh Hashanah starts
5 Sunday, September 29th, I'll - so the thirtieth I will not be
6 in.

7 THE COURT: Sure. I understand.

8 MR. ROCKIND: Arguably we could do it on the --

9 THE COURT: Third or fourth?

10 MR. ROCKIND: Arguably we could do it on the --

11 MS. HAND: We're available the third or fourth.

12 MR. ROCKIND: -- the second would not be Rosh
13 Hashanah. The second it would be - so, if it's the twenty-
14 ninth for the evening of then it's the thirtieth would be the
15 day one, October 1st would be day two then October 2nd would
16 not be Rosh Hashanah, so I'd be available on the second.

17 THE COURT: Okay. We can do the second in the
18 afternoon as our back-up day. How bout that?

19 MS. HAND: That's great.

20 THE COURT: Okay.

21 MR. LEWIS: That'll be great.

22 THE COURT: All right. So, now let's go through the
23 bond motion.

24 MR. ROCKIND: So, thank you.

25 THE COURT: You're welcome.

1 MR. ROCKIND: Your Honor, I - I made a - I'm just
2 gonna - I don't wanna go to - I don't really wanna get into
3 the facts of the case cause I think the Court's gonna
4 ultimately hear the facts of the case, but from our
5 perspective Nicolas is 20 years old. He's been in custody now
6 for 10 weeks and 5 days on this case. The Court set a - a - a
7 the original bond was set at \$1,000,000 and it - it - in my
8 estimation a \$1,000,000 bond is just the equivalent of no
9 bond. I'm confident that the Court can schedule or can set a
10 conditional release with some requirement of - of money paid
11 to the court with - with conditions and if those conditions
12 move to be sufficient to ensure Mr. Remington's appearance in
13 court and also to ensure the - the - the public's safety.

14 So, I can go through all of the specific conditions if
15 the Court wants, but I'll tell you he has family in the area.
16 He has no family outside the area. He has retained counsel.
17 He is as far as I know; and as far as I'm aware, he was a
18 college student. Of course, we'd love him to return to - to -
19 to - to school if the condition of the Court on release is
20 that he has to - to - to be on home confinement or he has to
21 do something similar to that. We're certainly amenable to -
22 to some alteration on what would ordinarily be his lifestyle
23 or his life even if it means home confinement. So, nobody
24 wants to be on tether but as far as we're concerned a tether
25 would be a suitable remedy, a suitable means for the Court to

1 at least monitor him while he's on - on the release status so
2 that the Court can ensure that he's in one place. That he's
3 abiding by the law. That he's not violating the law. I think
4 for example; there could be other issues, there could be other
5 obligations the Court could set. The Court could set a
6 condition that he not use social media of any sort. The Court
7 could use - could set conditions that he not consort with
8 anybody who's a known felon. The Court could also set
9 conditions that he would have to test or submit to regular or
10 other or random testing. I mean all those things are - are
11 suitable conditions to ensure that he is compliant. He is
12 still presumed innocent in this case as your Honor knows, and
13 I think that a million-dollar bond at this stage is simply an
14 excessive bond. It is the equivalent for my view of having no
15 bond at all. I will propose a \$100,000 cash surety ten
16 percent bond along with whatever other conditions the Court
17 sees fit to impose.

18 THE COURT: Response?

19 MS. HAND: Your Honor, first of all, I don't think
20 that the Court should at this point take into - into
21 consideration the amount of time that the Defendant has been
22 incarcerated on this case for the following reason, Judge. We
23 were here back on June 19th and at that time, your Honor the
24 People were ready to proceed to a preliminary examination
25 within the 21 days that is you know, prescribed by the court

1 rule. It was Counsel that asked for the - the - even a
2 further date out than today's date of August 26th.
3 Unfortunately, as the Court is aware, life does occur and in
4 this case, there was a passing of - of - of a very - a family
5 member of a - of a necessary witness. So, I don't think that
6 the Court should say, oh well, he's been locked up for X
7 amount of time given the fact that that amount of time was at
8 the request of his own attorney. And - and again, Judge we're
9 ready to proceed next week if - if - if the - and I understand
10 Mr. Rockind has a schedule, but this case is a priority for
11 the People. I'm sure it's a priority for him, but I don't
12 think that his schedule should dictate the Court's
13 determination of an appropriate bond. That being said,
14 nothing has changed since the time that we were here on June
15 19th when the Court denied the request to reduce to bond other
16 than the fact that now Detective Balog has had - had a death
17 in the family, but all of the other facts and circumstances
18 have remained the same.

19 So, there was no abuse of discretion at the time that the
20 bond was set and there was no abuse of discretion at your
21 denial on June 19th. Mr. Rockind says, "well you can put in
22 con - into place conditions that would satisfy the Court." I
23 disagree. The Defendant was on probation at the time this
24 offense occurred, so he was on probation to another court
25 clearly court orders don't seem to impact the Defendant to

1 such a - a degree that he is willing to abide by them. In the
2 interim he has - he has plead guilty to that probation
3 violation in front of Judge Jarbou, and he was also on
4 probation to another court. So, to say that you can fashion a
5 bond that would ensure the safety of the community; I couldn't
6 disagree more because being on probation certainly didn't
7 ensure the safety of the community, in this case the - the
8 life of Dennis Preka.

9 THE COURT: May - may I ask a question?

10 MS. HAND: Uh-hum.

11 THE COURT: Did the plea in front of Judge Jarbou
12 happen after our last time in court on this file?

13 MS. HAND: I have a date.

14 THE COURT: In other words --

15 MS. HAND: Actually, I have the case.

16 THE COURT: -- is he serving a sentence?

17 MR. LEWIS: No.

18 MR. ROCKIND: No. No, it happened before, and Judge
19 Jarbou continued him on probation. He's still on a 7411
20 status before Judge Jarbou.

21 THE COURT: Okay.

22 MR. LEWIS: With added conditions, your Honor.

23 THE COURT: Thank you. I didn't mean to interrupt
24 your flow.

25 MS. HAND: That's okay.

1 THE COURT: Go ahead.

2 MS. HAND: Your Honor, I didn't - sorry --

3 THE COURT: I said, please continue --

4 MS. HAND: Thank you.

5 THE COURT: -- Ms. Hand. I didn't mean to interrupt
6 you.

7 MS. HAND: Yes, that plea was on before, Judge May
8 15th.

9 THE COURT: Okay.

10 MS. HAND: Judge, and while the Court has to presume
11 the Defendant innocent at this point; the Court can and take
12 into consideration the seriousness of the offense, the
13 potential penalties which is - in this case will be in excess
14 of 10 years if convicted as well as the probability of
15 conviction. On the Court - those are three things under the
16 court rules that the Court can take into consideration. I
17 don't think there is more - you know, a life was lost in this
18 case. This is an up to life sentence that the Court can
19 impose and the probability of conviction. I know counsel
20 doesn't wanna get into the facts and that's his prerogative,
21 but the probability of conviction in this case is extremely
22 high. The - their - the - a medical examiner is going to
23 testify as to the cause of death, and I have a statement by
24 the Defendant indicating that he provided the drugs that
25 caused the death. It's a pretty straight forward case from

1 the People's point of view; and like I said I don't think
2 anything has changed other than the People's request for a
3 short adjournment that should modify this Court's decision in
4 waiting to hear the facts at the preliminary examination and
5 if counsel wants to have the preliminary examination sooner so
6 that the Court could hear those facts the People will make
7 themselves available.

8 MR. ROCKIND: So, Judge let - let me respond to
9 that.

10 THE COURT: Sure.

11 MR. ROCKIND: Cause I think - I think - I think it
12 merits a response. First of all, no matter what happened
13 today whether we were Mr. Lewis, Mr. Bondy, Mr. Remington
14 whether we were gentlemen and whether we identified the - the
15 - that in the end we all have a role to play and that there's
16 a human component to this and that one of the people involved
17 whether we agree or disagree with their assessment of the case
18 or we agree or disagree with who there conduct in the case.
19 The fact of the matter is that when someone suffers a personal
20 tragedy, and they have to attend to it that it is our job to
21 put aside the case for a moment and to actually be human and
22 to express compassion and sympathy which I have to Ms. Hand
23 and which I do to Detective Balog.

24 So, the fact of the matter is that no matter what
25 happened. Whether we came here and we were jerks and

1 insensitive and then tried to insist upon proceeding; whether
2 we try to insist proceeding with one witness which would be a
3 complete waste of the Court's time or rather we were actually
4 gentlemanly about it and we actually expressed the - an
5 interest in - in - in - or an agreement to adjourn, we just
6 didn't oppose it. I can tell you it was always my intention,
7 it was my express intention when I was here last time to stand
8 before you no matter what happened today. What witness - 5,
9 20, 1 exhibit, 20 exhibits, a 100 exhibits was always my
10 intention to stand here and seek to you a modification of the
11 bond because in my estimation a \$1,000,000 bond is the
12 equivalent to no bond. It is the equivalent of - we're not
13 arguing over whether or not there should be a bond, we're
14 arguing over whether or not a \$1,000,000 bond is warranted in
15 a case of a 20-year-old and in this case I understand the
16 allegation and I should - I agree that it is serious. I
17 disagree with the People about whether or not that - that -
18 that the case is, how did she put it? That the likelihood of
19 conviction is - is - is - is strong and that she suggests she
20 has a statement that she's got an officer that was gonna
21 testify that my client made a confession or some statement
22 that he confessed to the delivery of the drug that actually -
23 the - that caused a death of Mr. Preka then bring that witness
24 in and I'll be - your Honor, when you hear that testimony you
25 can decide to revisit the issue of bond. I suggest to the

1 Court that you're not gonna hear at any point and time; a) an
2 eyewitness come in here and say that Mr. Remington confessed
3 to me. I am virtually certain of that.

4 Now, I'm not gonna get into the - a discussion about the
5 facts of the case because the Court hasn't heard them yet.
6 What I'm talking about is that I always believed that a
7 \$1,000,000 bond was an excessive bond. I suggested to the
8 Court that it today again a \$1,000,000 is an excessive bond.
9 There are - to suggest that the conditions or the
10 circumstances for Mr. Remington now when he's facing this case
11 that somehow are the same as when he was on probation. People
12 do and engage and - and - and do immature things. He violated
13 his probation. He suffered a penalty for that. That penalty
14 was he served a portion of a jail sentence, but the judge in
15 the Oakland County Circuit Judge continued him on probation.
16 I would suggest to the Court that the - that the
17 circumstances, that the conditions, that the environment
18 surrounding this case are even more compelling and would
19 compel the Court to look and think that he has everything
20 riding on this case. He has his entire life riding on the -
21 the - the litigation and the outcome of this case. He has no
22 interest in compromising whatever defense Mr. Lewis and I are
23 putting forward on his behalf; and most assuredly some
24 intentional bond violations would do that.

1 I would suggest to the Court something else. When we're
2 talking about an amount of - of - of money. We're not talking
3 about a money - an amount of money when one is talking about
4 an amount of bond or amount of bail to have a number that we
5 can splash up there and look at and say that's a big number.
6 The amount of the bond doesn't equal the significance of the
7 case or - or its seriousness. Many defendants, as your Honor
8 knows from your days of practicing in federal court face
9 mandatory minimum sentences of 5, 10 some 15 years in prison.
10 Some face 25 - 25 count indictments and they receive \$10,000
11 unsecured bonds. I - I would suggest to the Court, and I'm
12 not asking for an unsecured bond which is your Honor, knows
13 it's the equivalent of a personal bond. The amount - the
14 monetary amount of a bond is designed to say how much money,
15 if it were posted would cause the Defendant to suffer or to
16 think about suffering such a financial loss that it is the
17 essentially some assurance that he will comply with the
18 conditions set. A \$100,000 cash surety ten percent bond. I
19 could just stand here and ask you for \$10,000 and a \$10,000
20 bond but I'm not trying to offend the Court. I believe that
21 \$100,000 cash surety ten percent bond with conditions is
22 enough financial incentive that it would cause enough
23 financial ruin for he or his family that it has the effect of
24 - of ensuring compliance. It will ensure compliance with the
25 Court's - with the conditions of bond that you set. It will

1 ensure that he is law abiding and I think that there are other
2 conditions that your Honor can set given the stakes that
3 should, I think, warrant a reduction.

4 Like I said, a tether is certainly something nobody wants
5 a tether, but I think a tether is perfectly appropriate in
6 this case if the Court were to decide to - to add one or - or
7 to - make that a future of - of any pretrial release. A
8 tether would ensure that he is monitored. That everybody
9 knows where he is, what he's doing. If the Court wants it can
10 be home confinement and you can set whatever conditions you
11 want and I'm confident that those conditions will suffice.
12 Thank you, your Honor.

13 THE COURT: All right. Thank you very much. So,
14 last time when you made your bond argument there were a couple
15 things that stood out. Number 1 was the fact that he was on
16 probation for I believe it's a drug offense isn't it with
17 Judge Jarbou?

18 MS. HAND: Yes, as well as a diff - another court
19 matter.

20 THE COURT: And Ms. Hand when she made her argument
21 it seemed fairly well, you seem visibly emotional about the
22 videos. You mentioned the videos and how heinous they were,
23 and I then took that into account thinking one of the things
24 I'm supposed to look at in the court rule is the likelihood of
25 conviction. I don't have enough information at this point to

1 make that call. I - I - I've decided last time I wanted to
2 hear the evidence first before I made the final decision on
3 bond. I'm gonna stick with that. I wanna hear what at least
4 the preliminary exam proofs show me and then I can make the
5 decision in an informed way.

6 MS. HAND: Thank you, Judge.

7 THE COURT: So, at this point I'm going to continue

8 --

9 MR. ROCKIND: Judge, I just --

10 THE COURT: -- the bond.

11 MR. ROCKIND: -- I just - I just wanna say one thing
12 if I could, your Honor. If you don't mind?

13 THE COURT: Of course.

14 MR. ROCKIND: I - it's clear that something that
15 something that Ms. Hand said resonated with the Court the last
16 time we were here about the - the videos. And I - I just - I
17 can't help, I know the Court's gonna think about the - this
18 case in some way shape or form because you obviously have.
19 The videos don't show Mr. Remington killing anybody.
20 Delivering drugs to anybody. Providing drugs to anyone. They
21 don't even identify him by name. I understand the videos are
22 troubling from - from a - a you know, visual aspect, but I -
23 I'm not suggesting the Court's gonna change your decision
24 about the bond because of that, but I don't want you to leave
25 - I don't wanna walk out of the courtroom and think that

1 there's a video showing Nicolas handling - handing drugs to
2 somebody and that person end up taking the drugs and dying.
3 Because I - I feel like somehow if that - if those videos -
4 the videos are - are - are - are bothersome and we will
5 address them. They're troubling, but we will address them.
6 But they don't show the commission of crime and if I didn't
7 say that now and I walked out, and the Court's still had that
8 in his mind I think that I would feel very disappointed in
9 myself for not having to have said that.

10 THE COURT: Okay. Thank you.

11 MS. HAND: Thank you, Judge.

12 THE COURT: We'll see you on the exam date.

13 MS. HAND: Okay.

14 MR. LEWIS: Thank you, your Honor.

15 THE COURT: You're welcome.

16 (At 1:43 p.m., the proceedings concluded)

1 I certify that this transcript, consisting of 25 pages, is a
2 complete, true, and accurate record of the proceedings and
3 testimony taken in this case as recorded on Monday, August 26,
4 2019.

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7

8 Date: January 8, 2024

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12

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