



KAREN D. McDONALD

Office of the Prosecuting Attorney, Oakland County Michigan

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David W. Williams, Chief Assistant Prosecutor

May 18, 2026

James Thom
1200 Gulf Blvd.
1012 Clearwater, FL 33767

VIA EMAIL: jamesgthom@gmail.com

Re: Admission of People's exhibit number two. Probation violation plea and sentencing before the Honorable Judge Hala Jarbou in the Circuit Court on Wednesday, May 15, 2019.

Dear Mr. Thom,

This letter is in response to your Freedom of Information request received by this Office via email on May 14, 2026.

Please be advised that, upon a diligent search of our files, we have found no records that meet the criteria of your request.

Should you have any questions, please feel free to contact me.

Sincerely,

KAREN D. MCDONALD
PROSECUTING ATTORNEY

Patricia Taratuta
Paralegal

Re: Your form "Prosecutor - FOIA Request Form" got a response

From: lindathom2013@yahoo.com (lindathom2013@yahoo.com)

To: ocpofoia@oakgov.com

Cc: jamesgthom@gmail.com

Date: Wednesday, May 20, 2026 at 03:12 PM EDT

Good afternoon Patricia,

I know for a fact that this documentation exists, that the previous prosecutor had these files in her possession, and that the records were admitted by the Court.

Please see the attached transcript excerpts carefully.

The record clearly shows that Assistant Prosecutor Beth Hand moved for the admission of a self-authenticating document related to Nicholas Remington's probation violation hearing before Judge Hala Jarbou on May 15, 2019.

Ms. Hand specifically stated:

"It is a probation violation plea and sentencing before the Honorable Judge Hala Jarbou... where the defendant did, in fact, make statements."

She further explained the purpose of the exhibit:

"I took offensive videos of someone. I dumped water on them..."

"Someone that was overdosing? Dying?"

"Yes, they died."

The Court then ruled: "Those objections are overruled and I'll admit the document."

This establishes that the documentation existed, was in the possession of the Oakland County Prosecutor's Office, and was formally admitted into evidence by the Court.

However, when I submitted my FOIA request, these materials including the second Snapchat records involving my child were not produced to me by the Oakland County Prosecutor's Office FOIA Department.

The transcript itself is proof that these records existed and were known to the prosecution.

I am therefore requesting that these documents be provided to me immediately. If they are not produced promptly, I will proceed with filing an appeal regarding the withholding of these records.

Thank you,
Linda Thom

STATE OF MICHIGAN
IN THE 52-1 DISTRICT COURT FOR THE CITY OF NOVI

STATE OF MICHIGAN,

v

Docket No. 19-0002619

NICHOLAS REMINGTON,
Defendant.

PRELIMINARY EXAMINATION

Volume I of II

BEFORE THE HONORABLE TRAVIS REEDS

Dearborn, Michigan - Friday, September 27, 2019

APPEARANCES:

For the People:

MS. BETH HAND P47057
1200 N. Telegraph Road
Pontiac, MI 48341
248-858-0656

For the Defendant:

MR. NEIL ROCKIND P48618
36400 Woodward Ave.
Suite 210
Bloomfield Hills, MI 48304
248-208-3800

MR. RANDALL LEWIS P46134
2000 Town Center
Southfield, MI 48075
248-263-6800

Recorded by:

MS. CAROL HUNT CER 7445
248-305-6502

Transcribed by:

MS. NICOLE R. OLSON CER 7173
313-943-4223

1 THE COURT: Sequestration?
2 MR. ROCKIND: Yes, please.
3 THE COURT: All right.
4 MR. ROCKIND: We move for sequestration, your
5 Honor.
6 THE COURT: All right, sequestration is ordered.
7 If you're not the officer or detective in charge, the
8 defendant or the first witness, please excuse yourself to
9 the hall until it's your turn to testify.
10 Any other preliminary matters?
11 MR. ROCKIND: No, your Honor.
12 THE COURT: Please call your first witness.
13 MS. HAND: Your Honor, before I call my first
14 witness I am going to move for admission of People's
15 exhibit number two. It is a self-authenticating document.
16 I have provided defense counsel a copy of it. It is a
17 probation violation plea and sentencing before the
18 Honorable Judge Hala Jarbou in the Circuit Court on
19 Wednesday, May 15, 2019, where the defendant did, in fact,
20 make statements. So I'm moving for its admission and I
21 believe it's self-authenticating, if I could approach?
22 THE COURT: Mr. Rockind?
23 MR. ROCKIND: I have objections as to relevance
24 and as to foundation, which I'm happy to make if the Court
25 wants me to make them now?

1 THE COURT: Okay, go ahead.

2 MR. ROCKIND: So, first, the --

3 THE COURT: Actually, before we get to the
4 relevance part, can you - can you tell me what you think
5 the - the purpose of the admission of the exhibit would
6 be?

7 MS. HAND: Judge, during this proceeding the
8 defendant indicated that - the judge was questioning him
9 relative to his violation of probation. She asked him
10 what he did, he said, "I took offensive videos of someone.
11 I dumped water on them and" - and then she said, "Someone
12 that was overdosing? Dying?" And the defendant said,
13 "Yes, they died." So, the purpose is to show his presence
14 during the taking of these videos.

15 THE COURT: I see, okay.

16 MR. ROCKIND: So number one, we've got - here's
17 my - my first objection is that Mr. Remington was in
18 custody at the time that the actual colloquy for, I guess,
19 argument purposes and foundation purposes begins a bit
20 sooner with the Court asking the following question on
21 page 14, "Tell me what you've done. Articulate that to me
22 and how you're going to improve." And at that time Mr.
23 Remington was in custody and was being questioned by the
24 Court.

25 Secondly, he pled no contest previously.

1 Third, he is - at the time this is a Holmes Youthful
2 - he was on Holmes Youthful Trainee status, which he still
3 is, so the record should be sealed. It's not a public
4 record.

5 And the fourth is if he was on Holmes Youthful
6 Trainee status for that offense and so that's a non-public
7 record and it should be sealed. And additionally the - by
8 way of further foundation you've got - the transcript
9 occurred on May - it was - possibly occurred May 15, 2019
10 and there is a two-month gap approximately between the
11 incident date, which was March 18 and March 19th. So, the
12 - whatever quote admissions unquote are that are contained
13 or that the People wish to admit within this document are
14 not contemporaneous with the event, that they are two
15 months later with much after acquired information. And --

16 THE COURT: Did he have Counsel present when
17 these statements were made?

18 MR. ROCKIND: What's that? He did, your Honor.

19 THE COURT: Did Mr. Remington have Counsel
20 present at the --

21 MR. ROCKIND: He did, your Honor.

22 THE COURT: - hearing in front of Judge Jarbou?

23 MR. ROCKIND: He did. And I - and they're not
24 relevant. Not relevant to whether or not Mr. Remington
25 actually - well, they're not relevant to whether a drug

1 was delivered, they're not relevant to whether a drug was
2 delivered by him to the decedent.

3 THE COURT: Okay. All right, thank you. Those
4 objections are overruled and I'll admit the document.

5 MS. HAND: May I admit, Judge.

6 THE COURT: Yes.

7 MS. HAND: And did you want People's exhibit
8 number one also, your Honor?

9 THE COURT: Sure. Thank you. Anything else?

10 MS. HAND: No, your Honor.

11 THE COURT: All right. Now let's call your
12 first witness.

13 MS. HAND: People call Officer Hashim.

14 THE COURT: Thank you. Officer, you've been
15 called as a witness. Please make your way up to the
16 witness chair. Watch your step on that little ramp. Get
17 yourself settled in the chair and I'll ask you to raise
18 your right hand and take an oath.

19 OFFICER HASHIM: Yes.

20 THE COURT: Do you solemnly swear or affirm that
21 the testimony you're about to provide shall be the truth,
22 the whole truth and nothing but the truth, so help you,
23 God?

24 OFFICER HASHIM: I do, your Honor.

25 THE COURT: Thank you very much. Please start



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David W. Williams, Chief Assistant Prosecutor

May 21, 2026

James Thom
1200 Gulf Blvd.
1012 Clearwater, FL 33767

VIA EMAIL: jamesgthom@gmail.com

Re: Admission of People's exhibit number two. Probation violation plea and sentencing before the Honorable Judge Hala Jarbou in the Circuit Court on Wednesday, May 15, 2019.

Dear Mr. Thom,

Thank you for your follow-up email. Because case 2017-264560-FH was suppressed pursuant to MCL 333.7411, any records related to that matter have been rendered non-public are not disclosable under FOIA. This is why your original FOIA request had to be denied. However, since it appears that you are correct that the transcript you are seeking was admitted as an exhibit in a non-suppressed case (2019-272593-FC), I think we have a good faith basis to claim that this record could be disclosable, despite the non-public status of the 2017 case. For that reason, we are granting your request and have attached a copy of this transcript to this email. Attached please find **24 pages of transcript in 1 PDF**.

The costs of production have been waived for this request only. Please let me know if you have any questions or concerns.

Sincerely,

KAREN D. MCDONALD
PROSECUTING ATTORNEY

Patricia Taratuta
Paralegal

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND

THE PEOPLE OF THE STATE OF MICHIGAN,

v

Case No. 2017-264560-FH

NICHOLAS REMINGTON,

Defendant./

PROBATION VIOLATION PLEA AND SENTENCING

BEFORE THE HONORABLE HALA JARBOU, CIRCUIT JUDGE

Pontiac, Michigan - Wednesday, May 15, 2019

APPEARANCES:

For the Plaintiff: MS. CYNTHIA BROWN (P57863)
Oakland County Prosecutor's Office
1200 North Telegraph, West Wing -
Building #14E
Pontiac, Michigan 48341
(248) 858-0656

For the Defendant: MR. RANDALL LEWIS (P46134)
MR. LOREN DICKSTEIN (P53508)
Lewis & Dickstein, PLLC
2000 Town Center, Suite 2350
Southfield, Michigan 48075
(248) 263-6800

Transcript Provided by: Accurate Transcription Services, LLC
Firm # 8493
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Transcribed by: Alison Joersz, CER #9320

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None

EXHIBITS

None offered.

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Pontiac, Michigan

Wednesday, May 15, 2019 - 2:32 p.m.

* * * * *

THE CLERK: All rise.

THE COURT: Thank you all. Please be seated.

THE CLERK: Now calling People versus Nicholas Remington, case number 17-264560-FH.

MS. BROWN: Cindy Brown on behalf of the People.

MR. LEWIS: Good afternoon, Your Honor. Uh, my name is Randall Lewis and I am one of Mr. Remington's attorneys and --

MR. DICKSTEIN: For the record, Loren Dickstein representing Mr. Remington as well.

THE COURT: Thank you. All right. This is time set -- dot (sic) -- date and time set for a hearing. Uh, but it's my understanding -- we had a discussion in the back about a potential resolution. Uh, I made some indications. No promises but in terms of what I was thinking, uh, and I also -- I was told that the Defendant is going to plead to some of the allegations; is that correct?

MR. DICKSTEIN: Yes, Your Honor. He's gonna admit -- and we've cleared this with probation -- no contest to Counts 2, 3, and 4 of the probation violation.

THE COURT: All right. And I was also -- all

1 the attorneys were in agreement that I can view the video
2 -- the Snapchat video since it would be presented as a
3 sentencing factor. Uh, no one had an objection to that;
4 correct?

5 MR. LEWIS: That's correct. I mean --

6 MS. BROWN: That's correct.

7 MR. LEWIS: Yeah. And I -- and I would state
8 for the record that the People, uh, were prepared to lay a
9 foundation and were going to play that anyways for the
10 Court in the event that there was not a resolution and
11 we've gone to a hearing.

12 THE COURT: All right. Let's swear him in.

13 THE CLERK: Please raise your right hand. Do
14 you swear or affirm under penalty of perjury that the
15 testimony you're about to give is the truth, the whole
16 truth, and nothing but the truth?

17 MR. REMINGTON: Yes.

18 THE COURT: And just for the record, too, the no
19 contest plea is civ -- potential civil liability?

20 MR. LEWIS: Yeah.

21 THE COURT: Or --

22 MR. DICKSTEIN: Both the civil and potential
23 criminal liability.

24 THE COURT: So --

25 MR. DICKSTEIN: Based on comments made to us

1 today.

2 THE COURT: Okay. All right. Can you state
3 your full name for the record?

4 MR. REMINGTON: Nicholas Remington.

5 THE COURT: How old are you?

6 MR. REMINGTON: 20 years old.

7 THE COURT: Uh, you're here on allegations that
8 you violated your probation. Those allegations include --
9 well, three of the allegations that you're gonna be
10 pleading to are possession of an alcoholic beverage or
11 intoxicants, uh, in possession of or with someone known to
12 possess a controlled substance, and engaging in
13 assaultive, abusive, threatening, or intimidating
14 behavior. You understand those allegations?

15 MR. REMINGTON: Yes.

16 THE COURT: Okay. Because of your underlying
17 offenses, you face a maximum penalty of two years as to
18 the possession analog and one year of the possession of
19 marijuana; you understand that?

20 MR. REMINGTON: Yes.

21 THE COURT: Okay. You're indicating to me that
22 you wish to waive your right to have the hearing and plead
23 guilty -- or, I'm sorry -- plead no contest to those three
24 allegations?

25 MR. REMINGTON: Yes.

1 THE COURT: Has anyone threatened you or
2 promised you anything to get you to plead?

3 MR. REMINGTON: No.

4 THE COURT: Is it your own choice to plead?

5 MR. REMINGTON: Yes.

6 THE COURT: All right. And in terms of a
7 factual basis?

8 MS. BROWN: Judge, I would stipulate to the use
9 of the probation department's report that was authored
10 underlying the, uh, violation of probation allegations in
11 addition to the video that the Court watched.

12 MR. LEWIS: So stipulated for purposes of the
13 Court finding by a preponderance of the evidence that he
14 violated his probation to those three counts.

15 THE COURT: All right.

16 MR. DICKSTEIN: Your Honor, my I just add one
17 thing --

18 THE COURT: Yes.

19 MR. DICKSTEIN: Just because the Court's using
20 this as a factual basis --

21 MR. LEWIS: (indiscernible)

22 MR. DICKSTEIN: We did have an opportunity to
23 talk before the Court took the bench and you didn't know
24 this. Uh, there was a representation that he tested
25 positive for benzodiazepine. Uh, that was a preliminary

1 test. It actually went to the lab and it came back
2 negative but dilute.

3 MR. LEWIS: It was a negative dilute, Your
4 Honor.

5 MR. DICKSTEIN: Just so the Court's aware. I
6 thought it was --

7 MR. LEWIS: Right.

8 MR. DICKSTEIN: -- important the Court know
9 that.

10 THE COURT: Okay.

11 MS. BROWN: Well, Judge, according to the
12 probation agent it was only dilute. It wasn't a negative.

13 PROBATION OFFICER: The first one was only
14 dilute. The second one was negative dilute.

15 MR. LEWIS: Okay. Okay. So -- so stipulated.

16 THE COURT: Okay. Uh, satisfied with the plea?

17 MS. BROWN: Satisfied, Judge.

18 MR. LEWIS: Satisfied, Your Honor.

19 THE COURT: The Court accepts the plea as
20 freely, voluntarily, understandingly made. As to
21 sentencing, I'll hear from Ms. Brown first and then --

22 MS. BROWN: Judge --

23 THE COURT: Or actually, I don't know --

24 MS. BROWN: Oh.

25 THE COURT: Mr. Lewis?

1 MR. LEWIS: Uh --

2 THE COURT: Whoever wants to --

3 MS. BROWN: I --

4 THE COURT: -- go first.

5 MS. BROWN: I --

6 MR. LEWIS: Go ahead.

7 MS. BROWN: I'll go first, Your Honor. I'm fine
8 with that. As the Court knows, the Defendant was here
9 before Your Honor back on May 7th, 2018 for his first
10 violation of probation. He plead guilty at that time and
11 the Court, uh, afforded the Defendant the ability to stay
12 on 7411 status and indicated it, uh -- that any more
13 violations the 7411 would be revoked, the Defendant would
14 go to jail.

15 Now here we are, uh, less than a year later be -
16 - before the additional allegations came forth and
17 included in that was the fact he didn't do anything as it
18 related to the sentence the Court imposed for the
19 violation of -- violation of probation. It wasn't until
20 Your Honor in essence, uh, scolded the Defendant -- for
21 lack of a better term -- back when we were here on April
22 11th that he then decided he should basically step up his
23 game and complete the community service the Court ordered
24 and do the other things that he should have been doing all
25 along.

1 Perhaps what is most, uh, compelling, offensive
2 -- I don't know what the word is -- is that video that the
3 Court watched. And when we were back meeting with Your
4 Honor I know Defense Counsel -- both of them --
5 represented it as basically, like, uh, just goofing
6 around. Boys being boys kind of thing. And I -- the
7 Court saw it and it speaks for itself in terms of the
8 vile, offensive, downright vulgar behavior of the
9 Defendant. That goes beyond anything I think the Court
10 could have predicted the Defendant would have done in
11 terms of a violation of probation that would warrant the
12 revocation of 7411 status.

13 Given the fact that we're here on a second
14 violation of probation -- I know his guidelines are only
15 zero to three -- but I'm asking the Court to, uh, sentence
16 the Defendant to six months in the Oakland County Jail and
17 revoke 7411 status. Thank you.

18 THE COURT: Mr. Lewis?

19 MR. LEWIS: Yes. Uh, we had an opportunity when
20 we were in chambers to present the Court with a lot of
21 things that were not known to probation at the time that
22 this violation was filed. First of all, he's now in it --
23 he started his substance abuse counseling in December.
24 Uh, that has been verified. In addition to that, he went
25 to get another assessment by a Ms. Julie Dupont-Moschet.

1 I showed the Court proof of that when we were in cha --
2 uh, in the jury room. She has referred him for
3 psychological, uh, therapy and mental health treatment
4 because her interpretation was that he needs some of that
5 also. He's a very immature 20-year-old young adult. And
6 I would respectfully point out to the Court that he has
7 made a lot of, uh -- he's taken a lot of steps going
8 forward to show the Court that he finally gets it.

9 When we were here last, he was behind on his
10 community service. Now he has well over the 100 hours
11 that the Courter (sic) -- the Court ordered him to do. In
12 fact, he has 125 hours. Uh, I know that that does not
13 alleviate these other concerns and his other conduct but
14 it shows that he's going in the right direction and I
15 point that out to the Court.

16 We had an opportunity also to tell the Court
17 about his, uh -- he finished his semester at U. of M. and
18 he's -- as soon as, uh, he's able to -- hopefully he will
19 be after today but if he's not because the Court
20 determines that, uh, some incarceration sanction is
21 appropriate here -- he's gonna go back to school as soon
22 as he's able to.

23 What important to him -- and his parents in
24 speaking with them -- is that you not revoke the 7411.
25 Uh, he had -- he aspires to continue with his education

1 beyond just college at U. of M. Uh, go to graduate
2 school. Uh, he wants to turn his life around and not put
3 himself in these stupid situations that he puts himself
4 into. I mean, look, the Court knows that -- and we've
5 represented -- he vehemently denies that he gave any
6 controlled substances to this unfortunate individual that
7 is now deceased. I stood here and told the Court that
8 when we were here on April 11th and I'm telling the Court
9 that again.

10 But, that doesn't alleviate the fact that what
11 was he even doing in that house? With these other
12 individuals? I mean, these are people that are known to
13 consume alcohol. These are people that are known to, you
14 know, maybe use other types of, uh, substances. He
15 shouldn't of been there to begin with. And that is what's
16 alarming to his parents. That is what we've been trying
17 to get through to him. Is putting himself in these
18 situations. He doesn't think. And that, I think, is why
19 Julie Dupont-Moschet felt it is appropriate that -- she
20 believes that he also needs some mental health treatment.
21 Is it just immaturity? Or is there something else going
22 on? And we are trying to assist him and his family in
23 getting to the bottom of that to find that out.

24 Also, there's been a lot of tests that he's been
25 negative for, uh, during the course of his testing over --

1 and he was, uh -- uh, monitored by a probation agent in
2 Washtenaw County. Now he's been transferred back here.
3 He's gonna remain in Oakland County. We're hoping that
4 the Court does not just revoke, uh, his community
5 supervision and gives him a chance to prove these things
6 that I'm advocating on his behalf for. I want the Court
7 to note that he even got a job recently. It's not a great
8 job but he's just finished his first year of school. He's
9 working at Five Guys and he's working, I think -- how many
10 hours a week?

11 MR. REMINGTON: Uh, 20 as a shift leader.

12 MR. LEWIS: I'm sorry?

13 MR. REMINGTON: Uh, part-time as a shift leader.

14 MR. LEWIS: He -- he - and he's a shift leader
15 so it's part-time. 20-something hours a week. And, you
16 know, that -- again, that's something that he's gonna
17 continue. He doesn't just -- he wants to help support
18 himself and pay for some of his education. His parents
19 are here in the courtroom. Uh, and I -- I'm asserting to
20 the Court that this is somebody that -- the old thing,
21 better late than never. And stop putting himself in these
22 stupid situations and get himself together. Uh, I -- I
23 would only --

24 He is still a student at U. of M. and he hopes
25 to continue there. If the Court determines that some

1 incarceration is appropriate here, uh, I would
2 respectfully ask the Court to maybe consider a term of
3 incarceration with the suspension into the zero tolerance
4 program or, uh, ask the Court to, uh, maybe consider when
5 he's not working or going to school some type of home
6 confinement. And beyond that, uh, I do thank the Court
7 for taking the time to meet with us in chambers.

8 Uh, and the last thing I want to say to the
9 Court is, I know that the People, uh, watch the video in
10 this case and -- and -- and they're -- and they advocated
11 from one perspective and I'm not minimizing it. I mean,
12 you know, look. It's offensive. I mean, let's just call
13 it what it is but he -- his intent was not to assault or
14 to, uh, commit any type of a battery on somebody. Uh, he,
15 in his mind, was in a -- was -- was -- I know it looks
16 horrible because we all know the demise that that person
17 ended up suffering but he would -- in his mind, he was
18 horsing around. He knows it was inappropriate. He knows
19 it was offensive. He knows he put himself in a -- a
20 situation where he shouldn't of been but there is another
21 interpretation to that. I just wanted to tell the Court
22 that. Thank you.

23 THE COURT: Mr. Remington, anything you wish to
24 say prior to sentencing?

25 MR. REMINGTON: That I understand what I've

1 done. And I understand how I can change and be different
2 now and I can prove it to you and I'm confident in it and
3 I just want to make my parents proud.

4 THE COURT: Tell me what you've done.
5 Articulate that to me? And how you're going to improve.

6 MR. REMINGTON: I've done a lot --

7 THE COURT: What did you do? What is it that --

8 MR. REMINGTON: Uh --

9 THE COURT: When you say, "I understand what
10 I've done." What have you done?

11 MR. REMINGTON: Offensive behavior.

12 THE COURT: What is it? What you -- what -- you
13 tell me in detail what it is that you did?

14 MR. REMINGTON: I -- I took offensive videos of
15 someone. I dumped water on them. And --

16 THE COURT: Someone that was overdosing. Dying.

17 MR. REMINGTON: Yes. They died.

18 THE COURT: And -- and what -- why is this gonna
19 change things? Because you've been under my supervision
20 for almost a year and a half. I haven't seen any of that
21 kind of change.

22 MR. REMINGTON: I'm completely around different
23 people. I -- I have -- I have basically see mostly just
24 one friend. It's a new friend. He's gonna be a doctor.
25 He's not around any drugs or nothing. And I don't want

1 any bad influences around me because that gets me to --
2 and it makes me feel like that kind of stuff is normal
3 behavior. But it's really not in other communities which
4 is the new communities I'm trying to surround myself in.

5 THE COURT: Listen, uh --

6 MR. LEWIS: The more (indiscernible).

7 THE COURT: -- a lot of people looking at this
8 history and looking at that video would think you're the
9 bad influence.

10 MR. REMINGTON: I understand.

11 THE COURT: What else? Anything else you want
12 to tell me?

13 MR. LEWIS: You're not gonna vape anymore?

14 MR. REMINGTON: No vaping. No nicotine. No
15 nothing.

16 MR. LEWIS: No nicotine?

17 MR. REMINGTON: Yeah.

18 MR. LEWIS: You're gonna continue with your
19 substance abuse counseling?

20 MR. REMINGTON: Yes.

21 MR. LEWIS: You're gonna follow the direction
22 for the mental health treatment?

23 MR. REMINGTON: Yeah. All I plan on doing is
24 school, work, community service, come home at night, work
25 on my sound system that I'm interested in as my hobby, and

1 that's all I do. That's all I like to do. And it's been
2 working.

3 THE COURT: All right. Anything else? No. Mr.
4 Kramer?

5 PROBATION OFFICER: Your Honor, he has three
6 days' jail credit and then I'm also asking that you add a
7 condition that he provide a verification monthly of any
8 treatment he's involved in. There's been some, uh,
9 indication that the agent doesn't receive the verification
10 regularly. So --

11 MR. LEWIS: Do you understand what they're
12 requesting here? I wanna make sure you understand it?
13 They're saying that this treatment that you're out there
14 and that you're seeking and that you're going through,
15 whether it's substance abuse or mental health, you have to
16 make sure that these people send -- send that to your
17 probation agent.

18 MR. REMINGTON: Yes.

19 MR. LEWIS: They're not gonna go looking for it
20 and ask you who it is and they're not gonna contact them
21 and say, hey, can you provide that to me? You gotta make
22 sure that it -- it is sent by these people.

23 MR. REMINGTON: Definitely my responsibility.

24 MR. LEWIS: Correct.

25 THE COURT: He -- he's testing through the

1 county or through Pretrial Services -- or not Pretrial
2 Services -- through probation; right?

3 PROBATION OFFICER: He's trusting an outside
4 agency with the Court -- we -- we've -- yeah.

5 THE COURT: Okay. All right. So it's mental
6 health that you were asking for?

7 PROBATION OFFICER: It -- any -- any --

8 THE COURT: Or any --

9 PROBATION OFFICER: -- any treatment he's
10 provided, Judge.

11 THE COURT: -- treatments. Okay. All right.
12 So substance abuse or mental -- or, mental health.

13 PROBATION OFFICER: Yes, Your Honor.

14 THE COURT: All right.

15 MR. LEWIS: He understands not to vape anymore
16 either. That the Court doesn't want that.

17 THE COURT: Mr. Remington, I -- I -- you know,
18 and I think the Prosecutor said -- I forget the term that
19 she used in terms of my admonishment of you. The -- the
20 times that you've been in front of me. But I -- I don't
21 know now I can say it in any stronger terms: You better
22 snap into shape or I will send you to prison. It's a two-
23 year max. Guess what? I can still send you to prison.
24 And I will gladly do it. Because your behavior up until
25 this point, nothing has clicked. So you can for -- you

1 can talk about U. of M. and being in Ann Arbor. You'll be
2 in Michigan Department of Corrections. And then tell me
3 if -- if the University of Michigan will take you back
4 and/or any employer will take you after you spent some
5 time in prison and have a felony on your record. Because
6 up until now, you haven't understood me when I've told you
7 the importance of not having a felony on your record.
8 When I've admonished you, uh, even after you violated my
9 probation once and still kept you on 7411 status.

10 Now, I can tell you that -- the -- the video
11 that I saw, it's beyond vile. It's beyond offensive. And
12 if your parents haven't seen it. I wish I could sentence
13 them to see that video. Because I guarantee you, that is
14 not the kid that they raised. That is no one's kid. The
15 behavior that you exhibited was reckless. It was
16 dangerous. No compassion whatsoever for someone who was
17 dying. And guess what? If you continue in this type of
18 behavior, it's gonna be you next time. You're gonna be
19 the one that'll be overdosing and/or dying. This wasn't
20 horse-play. This wasn't joking around. This individual
21 was visibly affected. There were some serious things
22 going on. And for you to -- to -- to record it. To have
23 commentary. There was no compassion whatsoever. You and
24 everyone else there should have been helping that
25 individual. Not watching him die.

1 So, I have -- let me be very clear -- I have no
2 compassion for you. None. And I've given you chance
3 after chance. You're engaging in behavior that's gonna
4 end up -- if you continue -- with someone else dying or
5 with you dying. It -- it's not even just senseless. It's
6 stupid. I don't know how you got accepted to the
7 University of Michigan because your behavior, everything
8 you've exhibited, is pure stupidity. And if I was the
9 University of Michigan, I'd yank that admission from you.

10 I'm gonna keep you on 7411 status. Not because
11 you deserve it. Because you do not. You haven't earned
12 it. You don't deserve to stay on it. But I know what the
13 consequences of that means if I yank it. But let me be
14 very clear, I know I keep saying this and this is the end
15 of it: If you come back to me on anything, however minor -
16 - and your probation agent is here -- I want you back on
17 any violation, however minor. If she tells you to appear
18 at 10 a.m. and you're there at 10:05, you're back in front
19 of me on a violation of probation; understood?

20 MR. REMINGTON: I understand. And I feel in
21 control now. So I am confident.

22 THE COURT: You haven't up until this point,
23 taken your probation seriously. But if you keep down this
24 road, and you don't want to take it seriously, I will
25 gladly send you to Michigan Department of Corrections.

1 And I won't -- I -- I -- and I won't lose any sleep over
2 it. Not even a minute.

3 I know that your parents are good parents. But
4 you're -- you've gone beyond disappointing them. It's
5 gonna take you years to make up for this. And I swear to
6 you, if they were to look at this video, they would
7 sentence you to a prison sentence. That's how vile and
8 offensive that video is. And this was behavior, by the
9 way, that you were engaging in while you were on probation
10 to me. After I had already -- after you had already
11 committed a violation of probation. That's what makes it
12 even worse. So any other judge, uh -- myself -- there
13 should be no question that your 7411 should be revoked.
14 But I'm giving you one last opportunity.

15 And you're gonna be on probation to me for a
16 period of time. So, like I said, any minor violation,
17 you're going to prison. And your 7411 is gone. And
18 you're University of Michigan degree is gone. And
19 anything else that you foresee in your future is gone.
20 Your parents can only hold your hand for so long. It's
21 time to grow up. And if watching someone die in front of
22 your eyes doesn't -- doesn't wake you up and if that
23 doesn't cause you to grow up, I don't know what will.

24 The Court having reviewed the probation
25 department's report, recommendation, recognizing its

1 discretion, recognizing the advisory nature of the
2 guidelines, on Count 1, on the violation of probation,
3 possession analog, I'm extending your probation to
4 December 18th, 2021. You sentenced to the county jail for
5 90 days. You have 3 days' jail credit. Count 2,
6 possession of marijuana, your probation is continuing,
7 sentenced to 90 days' jail, 3 days' jail credit. I will,
8 for now, keep you on 7411 status. I'll continue that.
9 You'll pay court costs in the amount of \$100 which
10 represents the average cost of adjudicating this violation
11 in this court. Uh, you are retained; correct?

12 MR. LEWIS: Yes, Your Honor.

13 THE COURT: You must perform a hundred
14 additional hours of community service work.

15 MR. REMINGTON: Okay.

16 MR. LEWIS: A hundred beyond the previous
17 hundred --

18 THE COURT: Correct.

19 MR. LEWIS: -- that was ordered?

20 THE COURT: Correct. A hundred additional. And
21 you will provide monthly verification of any sort of
22 treatment that you're undergoing, substance abuse and/or
23 mental health. Don't write me from the jail. You're not
24 getting a time cut. You're gonna serve your time.
25 Understand?

1 MR. REMINGTON: I understand.

2 THE COURT: Acknowledge ap --

3 PROBATION OFFICER: Yeah. They don't --

4 THE COURT: Acknowledge --

5 PROBATION OFFICER: -- the Court (indiscernible)
6 doesn't have (indiscernible) --

7 THE COURT: -- appellate rights? Someone?

8 MR. DICKSTEIN: Yes, Your Honor. We acknowledge
9 --

10 THE COURT: Acknowledge appellate rights?

11 MR. DICKSTEIN: -- to the appellate rights and
12 are tending -- tendering it to our client.

13 MR. LEWIS: Thank you, Your Honor.

14 THE COURT: Thank you. I better not see you
15 here again on a violation because you know what that will
16 mean.

17 MR. DICKSTEIN: Thank you for your time, Your
18 Honor.

19 THE COURT: Thank you.

20 MS. BROWN: Thank you.

21 MR. LEWIS: Thank you.

22 THE COURT: Mr. Stammel (ph), Mr. Hatch -- are
23 you guys ready?

24 UNIDENTIFIED SPEAKER: Uh, no, Your Honor.
25 We're waiting on the (indiscernible) check.

1 THE COURT: And I do want him back on any
2 violation --

3 PROBATION OFFICER: Yes, Your Honor.

4 THE COURT: -- as I indicated.

5 All right. Thank you, everyone.

6 MS. BROWN: Thank you.

7 THE CLERK: All rise.

8 (At 2:55 p.m., proceeding concluded)

9 * * * * *

STATE OF MICHIGAN)
COUNTY OF OAKLAND)ss.

I certify that this transcript is a true and accurate transcription to the best of my ability of the proceeding in this case before the Honorable Hala Jarbou, as recorded by the clerk.

Proceedings were recorded and provided to this transcriptionist by the Circuit Court and this certified reporter accepts no responsibility for any events that occurred during the above proceedings, for any inaudible and/or indiscernible responses by any person or party involved in the proceeding or for the content of the recording provided.

Dated: July 10, 2019

 /s/ Alison Joersz

Alison Joersz, CER #9320