

STATE OF MICHIGAN

52-1 DISTRICT COURT (CITY OF NOVI)

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff,

v

File No. 19-002619FY

NICHOLAS MAXIMILLIAN REMINGTON,

Defendant.

ARRAIGNMENT

BEFORE THE HONORABLE ANDRA V. RICHARDSON, MAGISTRATE

Novi, Michigan - Wednesday, June 12, 2019

APPEARANCES:

For the People: NONE

For the Defendant: NONE

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WITNESSES FOR THE PEOPLE:

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NONE

WITNESSES THE DEFENDANT:

NONE

EXHIBITS

MARKED

ADMITTED

1 Novi, Michigan

2 Wednesday, June 12, 2019 - 10:30 a.m.

3 THE COURT: Your name, sir?

4 THE DEFENDANT: Nicholas Remington.

5 THE COURT: I'm sorry?

6 THE DEENDANT: Nicholas Remington.

7 THE COURT: All right. Calling the matter People
8 versus Nicholas Remington. This is case number 19-002619.

9 Sir, you are here to be arraigned on a felony offense of
10 delivery of controlled substance causing death. The complaint
11 and warrant reads that you did deliver three, four napo --
12 napodelaz methylphdimine in other words, MDMA and or MDA to
13 another person in violation of state law that was consumed by
14 Denis Preka and caused his death. This is contrary to state
15 law; it is punishable by up to life in prison or any term of
16 years. Do you understand what's been charged?

17 THE DEFENDANT: Yes.

18 THE COURT: Do you understand the possible
19 penalties?

20 THE DEFENDANT: Yes.

21 THE COURT: Before I go any further, sir I must
22 advise you of your rights because you're charged with a
23 felony. You have the right to remain silent. Anything you
24 say can and will be used against you in a court of law. You
25 have a right to an attorney. If you cannot afford one one

1 will be appointed. If you choose to answer any questions, sir
2 you have the right to cease the questioning process at any
3 time and request an attorney. Do you understand these rights?

4 THE DEFENDANT: Yes.

5 THE COURT: Being advised of these rights how do you
6 wish to plead not guilty or stand mute?

7 THE DEFENDANT: Not guilty.

8 THE COURT: The matter will be scheduled for a
9 probable cause conference as well as a preliminary
10 examination. You have a right to those hearings within 21
11 days. Are you retaining an attorney or will you need a court
12 appointed?

13 THE DEFENDANT: I believe I have an attorney.

14 THE COURT: Okay. Just so the record's clear I
15 think there was something about an attorney being retained.
16 However, we don't control the time for our arraignments.
17 Arraignments from Oakland County Circuit or Oakland County
18 Jail are scheduled for our court at 10:30 and there's no
19 attorney here so I will proceed with the arraignment.

20 With respect to bond, first I will hear from Oakland
21 County Pretrial Services and then I'm -- the Detective over
22 the case.

23 MS. KIDDER: Ellen Kidder, Oakland County Pretrial
24 Services. The decl -- the Defendant declined to be interviewed
25 at the Oakland County Jail requesting an attorney. He's 20

1 years old and jail records indicate he is single and resides
2 at 46640 Pinehurst in Northville. His employment status, his
3 use of drugs or alcohol and his physical and mental health
4 concerns are unknown at this time. Per the Detective the
5 Defendant is a student at the University of Michigan. It
6 appears that the Defendant does have a history of illegal
7 substance use or possession per JDW and court records. His
8 criminal history involves mostly drug and destructive related
9 charges. He's 20 years old and available records do not show
10 a previous juvenile history. He does not have any other
11 outstanding warrants or holds. The date of offense for this
12 matter is 3-18-19 and a complaint and warrant were issued
13 yesterday. The Defendant is currently in the custody of the
14 Oakland County Jail on a violation of probation for Sixth
15 Circuit Court suppressed case. Further details are listed in
16 his criminal history. He does have a scheduled release date
17 for that matter of 7-20-19. His probation officer or Agent
18 Lazarowski was contacted and stated that a violation of
19 probation will be submitted for the Defendant regarding this
20 matter. Also, per the Detective and the police report the
21 alleged deceased victim is Denis Preka. It appears that the
22 Defendant and the alleged victim were at a residential party
23 together at the time of this incident. Based on the limited
24 information available that he's on probation for a suppressed
25 matter and due to the serious nature of this offense we do

1 have concerns for public safety. So, we are not recommending
2 that he be released on his own recognize. If he is, he be
3 supervised by pretrial services, not using any drugs or
4 alcohol, participate in the substance abuse testing, not have
5 any firearms or dangerous weapons and have no contact with the
6 family of Denis Preka.

7 THE COURT: Thank you. Detective Mince.

8 DETECTIVE MINCE: Thank you, your Honor. Detective
9 Mince, City of Novi Police Department. Your Honor, we would
10 respectfully request a high cash bond in this matter per
11 Detective Balog the Detective assigned to this case the day
12 after this incident we are in fear for public safety where he
13 was already attempting to sell more of the same narcotics the
14 day after that this incident happened. Also, he was on --
15 making contact with other subjects that were at the party
16 telling all the subjects to keep their mouths shut, so the
17 witnesses are also in fear at this time.

18 THE COURT: Okay. Thank you. Okay and just --
19 before I even get into that I did just see in the file there
20 was an appearance filed, sir by your attorney. So, you do
21 have an attorney in this matter, but he had recommended that
22 we do this in the afternoon and that's not possible. We do
23 our arraignments in the morning from the Oakland County Jail.

24 With respect to bond first of all I'll go over all of the
25 conditions of the bond. You're to have absolutely no contact

1 with the family of Denis Preka or any witnesses in this case.
2 You said it was a house party. Do you have the names of the
3 people who were at the house?

4 DETECTIVE MINCE: Should be on the -- on the witness
5 list. I don't have that with me here.

6 THE COURT: So, on the witness list I show a Connor
7 Gibaratz, an Andrew Hanosh, Paul Robert-Barreto Wiedmaier.
8 So, no contact with any of those individuals or any other
9 witnesses or parties who were at the home. Do you understand,
10 sir?

11 THE DEFENDANT: Yes, there was only Connor Gibaratz
12 and Paul Weidmaier. I don't know what those names you said
13 were.

14 THE COURT: Paul Robert-Baredo Wiedmaier, it's on
15 the witness list so I'm just --

16 THE DEFENDANT: Yes.

17 THE COURT: -- just gonna say not that person. If
18 you don't know any of them then it's no problem.

19 THE DEFENDANT: Yeah.

20 THE COURT: Okay. You're not to assault, beat,
21 molest or in any way verbally harass, intimidate or threaten
22 any witnesses. You must appear for any and all court
23 proceedings. Do not leave the state without the permission of
24 the court. Notify the court in writing of any change of
25 address or phone number. You're absolutely no drugs or

1 alcohol, or any marijuana, any illegal drugs, any non-
2 prescribed drugs of any kind. Do you understand?

3 THE DEFENDANT: Yes.

4 THE COURT: And you will be tested at four times a
5 week. No firearms or dangerous weapons, no new criminal
6 offenses. There will be pretrial supervision. With respect
7 to the amount of the bond, MCR 6.106(a) guides the court on
8 how to set a bond and what to look for when we set a bond and
9 the things that I must look to, sir under MCR 6.106 App, says
10 if your prior criminal record which you're out on bond or
11 whether you're on probation for, whether you're a flight risk,
12 is there a concern for appearance? I am concerned with
13 respect to that because this has -- is a life offense. Your
14 many history of substance abuse or addiction, which your prior
15 felony did deal with substance abuse and addiction. The
16 reputation for dangerous -- being dangerous. There's a
17 reputation for dangerous when we look at the fact that the
18 conduct allegedly was continued and you're on a probation for
19 a drug offense and now someone has died as result of these
20 drugs. The seriousness of the offense. That's another thing
21 I have to look at and looking at the seriousness of this
22 offense. It's just very serious it caused; it was -- it
23 caused death. It's the death of another person. For those
24 reasons, sir I do find you to be a flight risk. I do find you

1 to be a danger to our society and to safety of the public and
2 the bond is \$1,000,000 cash surety no 10 percent. Thank you.

3 DETECTIVE MINCE: Thank you, your Honor.

4 THE COURT: Your welcome.

5 DETECTIVE MINCE: Thank you, have a good rest of the
6 day.

7 THE COURT: Your welcome. Thank you. Oh, I need
8 the file. I'm sorry. While you're still on to -- Detective
9 Mince, if -- if he posts bond --

10 DETECTIVE MINCE: We would request a GPS tether if
11 he does post bond.

12 THE COURT: Would you? All right. Sir, I didn't
13 say that part. Are you employed?

14 THE DEFENDANT: No. I mean I just got a job at Five
15 Guys right before I came here.

16 THE COURT: Oh.

17 THE DEFENDANT: But, I'm mostly a student. I have -
18 - I don't -- I -- I didn't work at all there I just got
19 interviewed.

20 THE COURT: I'm gonna do a GPS tether prior to
21 release and it will be only to and from -- are you in school
22 for the summer?

23 THE DEFENDANT: Not currently. I haven't signed up
24 for any classes.

25 THE COURT: And you -- who do you live with?

1 THE DEFENDANT: I'm --

2 THE COURT: And who -- who do you live with? Who do
3 you live with?

4 THE DEFENDANT: My parents.

5 THE COURT: Okay. So, you can only go to and from
6 medical emergencies, court, testing, your attorney's office if
7 you posted bond. All right. Thank you. Now I'm done. You
8 can go away from the screen now. Thank you. I need the file
9 to look at the witnesses' names.

10 DETECTIVE MINCE: Thank you, your Honor.

11 THE COURT: Your welcome. Thank you, Detective
12 Mince.

13 (At 10:44 a.m., proceedings concluded)

14

I certify that this transcript, consisting of 11 pages, is a complete, true, and accurate record of the proceedings and testimony taken in this case as recorded on Wednesday, June 12, 2019.

Date: July 17, 2019

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52-1 District Court
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