

CITY OF MILLVILLE MUNICIPAL COURT
CUMBERLAND COUNTY, NEW JERSEY

IMO)
)
MUNICIPAL COURT) TRANSCRIPT
)
PROCEEDINGS) OF
)
) PROCEEDINGS
)

Place: Municipal Court
18 S. High Street
Millville, NJ 08332

Date: November 7, 2022

BEFORE:

THE HON. JASON D. WITCHER, J.M.C.

TRANSCRIPT ORDERED BY:

STEVEN BONVILLE, ESQ. (Administrative Office of the Courts)

Transcriber, Karen Watson
J&J COURT TRANSCRIBERS, INC.
268 Evergreen Avenue
Hamilton, NJ 08619
(609) 586-2311
FAX NO. (609) 587-3599
E-mail: jjcourt@jjcourt.com

Audio Recorded

I N D E X

	<u>PAGE</u>
<u>CASES</u>	
Call to Order	3
Naquan Adams	3
John Testa	4
Erik Andrasz	5
Zaliyah Zigler	6
Donta Baez	7
Chicanna Brown	8
Jeffrey Bryson	9
Norberto Chavez	9
Jacqueline Sullivan	9
Alayre Grace	10
Vincent Hart, Jr.	11
Jabril Mason	11
Rafael Morales Rodriguez	11
Claribel Ojeda	11
Michael N	12
Zachary Nellom Hargrove	12
Jeffrey Arroyo, Jr.	12
Richard Offei	12
Thomas Parker	13
Kevin Potts	13
William Ricci	13

I N D E X (CONT'D)

	<u>PAGE</u>
<u>CASES</u>	
R.D. Sorano	13
Luis Soto	13
Augusto Gomez	14
Eugene Maisonave	15
Claribel Ojeda	15
Connor Tiedman	16
Jose Vasquez, Jr.	17
Tynasia Brittingham	17
Isaias Morales	17
Edgar Dejesus Rios	19
Christine Barnett	19
Tonya Glenn	21
Tosheika Gaskins	22
Robin Martin	22
Richard Logan	22
Robin Martin	23
Jose Torres Pagan	23
Patrick Lolli	24
Ruben Perez	24
Carlton Collins	25
Ernestina Perez Alvez	26
Failures to Sign	26

I N D E X (CONT'D)

	<u>PAGE</u>
<u>CASES</u>	
Lamar Canty	26
Julia Thomas	27
45-day Administrative Dismissals	29
Travis Parker	29
Nizea Lopez	30
Rashoud Morris	30
Jesus Brown	33
Nayelly Morales Rodriguez	35
Nizea Lopez	42
Alonzo Forman	43
Devon Renshaw	44
Zahir Crossell	44
Michael Cisrow	45
Shantelle Heggs	46
Ernest Rosado	47
Donta Baez	47
Georgie Navarro, Jr.	48
James Watson	49
Connor Tiedman	49
Alayre Grace	50
Frank Scott	50
David Toddish	51

I N D E X

	<u>PAGE</u>
<u>CASES</u>	
Frank Scott	52
Jordan Tilden	53
Kevin Roman	53
Isaias Morales	54
Saleek Thomas	56
Devon Renshaw	57
Jaruis Pernell	59
Steven Chestnut	60
Timothy Cheeseman	64
Barry Giovanetti, Jr.	65
Rashanna Harper	65
James Johnson, Jr.	66
Christopher Lashley	66
Jose Prats, Jr.	66
Randy Reeves	67
Soleesa Robinson	67
Jakeya Sample	67
Daquan Walker	68
Brad Wilden	68
Louis Castelan	68
Quader Wilcox	69
Jose DePaula Chenery	70

I N D E X

	<u>PAGE</u>
<u>CASES</u>	
James Johnson	70
Session Brown	70
Stephanie Allen	70
Jakeya Sample	71
James Johnson	71
Barry Giovanetti	73
James Johnson	74
Christopher Lashley	75
Jose Prats, Jr.	75

1 THE CLERK: Millville Municipal Court will be
2 held in person. Today is November 7, 2022. The
3 Honorable Judge Jason Witcher, presiding prosecutor
4 Matt Rooney, public defender Brendan Kavanaugh.
5 Testing Judge, mic one. Testing prosecutor, mic two.
6 Testing defendant and public defender, mic four.

7 UNIDENTIFIED SPEAKER: Folks, everyone on
8 this side, the 9:30, you've already talked to the
9 prosecutor, right and you're just waiting for
10 paperwork?

11 Okay, thanks.

12 Folks, if you have a hat on, also, if you're
13 able to take it off, I'd appreciate it. Thank you.

14 THE CLERK: All rise.

15 THE COURT: Good morning, and be seated,
16 please.

17 Good morning. Today is November 7th. This
18 is Millville Municipal Court. My name is Judge
19 Witcher. I'll be presiding.

20 The first matter is Naquan Adams. Adams.

21 Mr. Adams, it looks like you have a driving
22 while suspended ticket. Is your license restorable?

23 MR. ADAMS: Yeah.

24 THE COURT: All right. Do you need time to
25 get that done?

1 MR. ADAMS: I've already restored it.

2 THE COURT: Already restored it.

3 All right. Why don't you go talk to the --
4 do you have your registration?

5 MR. ADAMS: I don't have it. It's getting
6 mailed.

7 THE COURT: Is it is your car?

8 MR. ADAMS: Yeah.

9 THE COURT: But you do have a registration?
10 All right. So I'm going to go ahead and downgrade this
11 ticket since you're restored now. It's just a document
12 violation. You comfortable with that?

13 MR. ADAMS: Yes.

14 THE COURT: All right. So I'll amend the
15 ticket to 39:3-29. Fine of 157, Court cost of 33,
16 dismissed the registration of Court costs. Just let me
17 check to make sure everything is good with your
18 driver's license first.

19 Just take a look and make sure everything
20 shows up good in there. I'm going to wait
21 (indiscernible) on that.

22 Is there a John Testa here?

23 Sir, your case has been dismissed so you're
24 free to go.

25 MR. TESTA: Okay.

1 THE COURT: Have a nice day.

2 All right. You're showing that they paid but
3 it's still showing a suspension so I'm going to still
4 downgrade the charge, but you should call motor vehicle
5 to see what it is. It's probably something minor.

6 MR. ADAMS: Okay.

7 THE COURT: All right. So if you drive, it's
8 going to still be showing suspension. Just call and
9 find out what it is. It's a minor thing. Stop at the
10 window on the way out, we'll set your payments up for
11 this at the window.

12 MR. ADAMS: All right.

13 THE COURT: Have a good day, sir.

14 MR. ADAMS: Thank you.

15 THE COURT: Erik Andrasz.

16 Did you get restored yet, sir?

17 did you give store good sir?

18 MR. ANDRASZ: No, actually. I just got all
19 of my information.

20 THE COURT: Do you need some more time?

21 MR. ANDRASZ: Yes, Your Honor.

22 THE COURT: I will give you some more time.
23 All right. See you back in a couple of months. You'll
24 be notified by mail for your next Court date.

25 MR. ANDRASZ: Okay.

1 THE COURT: It will be probably sometime in
2 January, probably.

3 MR. ANDRASZ: All right.

4 THE COURT: All right. Have a good day.
5 Zaliyah Zigler.

6 Need time to finish getting restored?

7 MS. ZIGLER: No. It should be restored. I
8 don't have the car no more.

9 THE COURT: All right. Let me take a look
10 and see what comes up on that.

11 MS. ZIGLER: She gave me this paper.

12 THE COURT: Yeah. Who gave you that?

13 MS. ZIGLER: The lady at motor vehicle.

14 THE COURT: Okay. Let's see what. They
15 should have took it out the system then for your
16 suspension. Let me just check and see what it says.

17 MS. ZIGLER: Because I don't have the vehicle
18 no more.

19 THE COURT: You were suspended for the
20 registration?

21 MS. ZIGLER: Yeah.

22 THE COURT: Did you pay a restoration fee?

23 MS. ZIGLER: She didn't ask for nothing.

24 THE COURT: She didn't ask for one.

25 Let me see what you have there.

1 THE COURT: We're still showing suspended
2 driver's license. Let me see what this is.

3 This is Delaware?

4 MS. ZIGLER: I took it to the -- up that way.
5 Deptford.

6 THE COURT: Where? You went to Deptford?

7 MS. ZIGLER: Yeah.

8 THE COURT: Okay. You should go back to
9 Deptford because they're still showing you suspended
10 and I don't know why, but you should go back because
11 otherwise you're going to be getting, you know, you're
12 going to have a problem.

13 All right. So I'll give you some more time
14 to finish it up, but definitely go back and explain to
15 them that you're still showing suspended. They may
16 have forgot to take it out of the system or small
17 thing, but it's still showing suspended.

18 MS. ZIGLER: Okay. Thank you.

19 THE COURT: Okay. Have a nice day.

20 Donta Baez. Baez.

21 Mr. Baez, this is a simple assault, domestic
22 violence case. First question is do you want to have a
23 lawyer for this? Or can you resolve the case on your
24 own?

25 MR. BAEZ: I'm trying to resolve it today. I

1 have my --

2 THE COURT: The other party here?

3 MR. BAEZ: Yes.

4 THE COURT: All right. What we're going to
5 do is I'm going to direct you back to the prosecutor,
6 you and the other party, to talk to the prosecutor.
7 After you've spoken to him, he'll send you back into
8 me.

9 MR. BAEZ: All right. Thank you.

10 THE COURT: Okay. You're welcome.

11 Chicanna Brown.

12 Ms. Brown, have you been able to get restored
13 yet?

14 MS. BROWN: No, not yet.

15 THE COURT: Are you working on it?

16 MS. BROWN: I ain't going to be able.

17 THE COURT: You're not going to be able to.
18 You just want to deal with the ticket?

19 MS. BROWN: Yes, because --

20 THE COURT: Okay.

21 I'll spare the jail time this go around.

22 MS. BROWN: Thank you.

23 THE COURT: 757 in court costs, 33, 6 month
24 suspension. I'm not going to impose the jail. Just go
25 around, but don't take that as a license. All right.

1 MS. BROWN: Yes.

2 THE COURT: Stop at the window, they'll give
3 you payment information.

4 MS. BROWN: Can I ask you a question?

5 THE COURT: Yes, ma'am.

6 MS. BROWN: The lady that post my bail,
7 she --

8 THE COURT: Yeah, she'll get her bail money
9 back.

10 MS. BROWN: She wanted know if she could come
11 here and pick it up because she's homeless.

12 THE COURT: Well, why don't you talk to
13 somebody at the window about the process. They can
14 talk with you there about all that. Okay.

15 MS. BROWN: Okay. Thank you.

16 THE COURT: You're welcome.

17 Jeffrey Bryson. Jeffrey Bryson.

18 Failed to appear.

19 Norberto Chavez. Norberto Chavez.

20 Bench warrant, 750.

21 Jacqueline Sullivan.

22 When you were here last time, you said you
23 were going to hire Mr. Andujar.

24 MS. SULLIVAN: Yeah. But I found out I can
25 get my license back. I'm just waiting on

1 (indiscernible) from one court.

2 THE COURT: From where?

3 MS. SULLIVAN: Vineland.

4 THE COURT: Vineland, and you're already
5 working on that?

6 MS. SULLIVAN: Yep.

7 THE COURT: I'll give you one more
8 postponement, okay.

9 MS. SULLIVAN: All right.

10 THE COURT: I'll see you back sometime in
11 January.

12 MS. SULLIVAN: Okay.

13 THE COURT: Have a good day.

14 MS. SULLIVAN: Thank you.

15 THE COURT: Alayre Grace. Grace.

16 What's the status of your restoration? Have
17 you got it restored yet?

18 MR. GRACE: It should be.

19 THE COURT: All right. Let's check to make
20 sure they got you settled in there.

21 MR. GRACE: Should have been restored on the
22 24th.

23 THE COURT: Okay. Let's check to make sure.
24 They've been some issues in here, stuff not coming out
25 the system. So let's see if they got you straight.

1 All right. So let's what you've got. Well,
2 you've got four tickets, so why don't you speak to the
3 prosecutor and resolve the other ones so you
4 can -- they're probably going to dismiss those but I
5 can't dismiss that many tickets.

6 All right. You'll come back in here as soon
7 as you're done.

8 Vincent Hart, Jr. Vincent Hart.

9 All right. Bench warrant Vincent Hart,
10 2,500.

11 Jabril Mason. Jabril Mason.

12 Bench Warrant, 1500.

13 Morales Rodriguez. Morales.

14 Rafael Morales Rodriguez.

15 Bench warrant, 750.

16 Claribel Ojeda.

17 All right. Looks like you've worked out a
18 plea. You have two tickets being reduced to not
19 documents and the other two have being dismissed. Is
20 that right?

21 Need an interpreter?

22 Is Ms. Dietrich (phonetic) here?

23 UNIDENTIFIED SPEAKER: Yes, she is.

24 THE COURT: One moment. I'm sorry.

25 Michael N. Last name is just N, just one

1 letter.

2 All right. Bench warrant Mr. N, 750.

3 Zachary Nellom Hargrove. Bench warrant, 750.

4 Jeffrey Arroyo, Jr.

5 Arroyo, I have a guilty plea for one count
6 and driving while suspended and notice you want to be
7 dismissed, correct?

8 MR. ARROYO: Yes, sir.

9 THE COURT: 757 plus court cross of 336
10 months suspension. Other tickets are dismissed. Stop
11 at the window on the way out, we'll set you up at the
12 window.

13 MR. ARROYO: All right.

14 THE COURT: Have a good day, sir.

15 Richard Offei. Come on up, sir.

16 All right. Are you trying to get your
17 driver's license?

18 MR. OFFEI: Yeah.

19 THE COURT: Or you need some more time?

20 MR. OFFEI: No. I went last week for
21 (indiscernible) but I cancelled.

22 THE COURT: I'll give you some more time so
23 you can work on it.

24 MR. OFFEI: All right.

25 THE COURT: Okay. So we'll see you back

1 sometime in January.

2 MR. OFFEI: All right.

3 THE COURT: All right. Have a good day sir.

4 Thomas Parker. Parker.

5 Driver's license. Are you working on getting
6 a driver's license? No.

7 MR. PARKER: I have to go to motor vehicles.
8 I'm restored and all of that but I just --

9 THE COURT: Okay.

10 MR. PARKER: -- don't have the money
11 (Indiscernible).

12 THE COURT: Okay. We can do that. So we'll
13 get you another date probably sometime in January.
14 Have a good day, sir.

15 MR. PARKER: You, too.

16 THE COURT: Kevin Potts. Kevin Potts.

17 Failed to appear.

18 William Ricci. William Ricci, R-I-C-C-I.

19 No. Bench warrant, 750.

20 R.D. Sorano. Sorano.

21 Bench warrant 750.

22 Luis Soto. Soto.

23 Bench warrant 750.

24 Are you an interpreter?

25 MS. DETRICK: Uh-huh.

1 THE COURT: Okay. One moment. Oh, here she
2 comes.

3 Hi, Ms. Detrick.

4 INTERPRETER SWORN

5 THE COURT: Your name for the record.

6 INTERPRETER: Linda Detrick.

7 THE COURT: This is Mr. Soto, correct?

8 MR. SOTO: Uh-huh.

9 THE COURT: All right. You've got a series
10 of very serious charges. Always recommended in this
11 case that you get a lawyer.

12 Are you interested in trying to hire your own
13 private attorney or would you like to apply for the
14 public defender?

15 MR. SOTO: Either one of them.

16 THE COURT: It's up to you. It's your
17 choice.

18 MR. SOTO: I'll try to get an attorney.

19 THE COURT: All right. So we're going to
20 postpone the case to give you chance to find an
21 attorney. We'll see you back probably sometime in
22 January.

23 Gomez, Augusto. Augusto Gomez.

24 Mr. Gomez, do you need some more time to take
25 the test for a motor vehicle for your license. Is that

1 right?

2 MR. GOMEZ: Yes.

3 THE COURT: Now, you were here before. Have
4 you taken a test before or this is the first time?

5 MR. GOMEZ: No. It's the first time.

6 THE COURT: Okay. So I'm going to postpone
7 the case to give you a chance to take the test. We'll
8 see you back probably sometime in January.

9 MR. GOMEZ: Okay. Thank you.

10 THE COURT: You're welcome.

11 Eugene Maisonave. If I mispronouncing your
12 name, I do apologize.

13 MR. MAISONAVE: Maisonave.

14 THE COURT: Yes. Sir, I have a note that
15 you're driving while suspended is in good standing and
16 the state's going to downgrade the charge, correct?

17 MR. MAISONAVE: Okay.

18 THE COURT: The fine is 157, Court costs of
19 33 on the amendment. If you stop at the window,
20 they'll get you all your payment information there.

21 MR. MAISONAVE: Okay. Thank you.

22 THE COURT: All right. Have a good day, sir.

23 Ojeda. Ojeda.

24 All right. Sir, you have four tickets in
25 total. Two are being dismissed. The remaining two for

1 no insurance have both been reduced to simply not
2 having the document. Is that your understanding?

3 MR. OJEDA: Uh-huh.

4 THE COURT: All right. The fine for both is
5 157 and 33 Court costs. The remaining tickets are
6 dismissed. If you'll can stop at the window on the way
7 out the window and they'll set you up at window for
8 payments.

9 Thank you.

10 MR. OJEDA: So at the window, can I tell them
11 I need a payment plan?

12 THE COURT: Yes. It'll be 50 a month.
13 They'll set you up there.

14 MR. OJEDA: Okay. That's fine. Thank you.

15 THE COURT: You're welcome.

16 Connor, is it Tiedman?

17 MR. TIEDMAN: (No audible response)

18 THE COURT: Okay. Sir, we got one speeding
19 ticket for 24 over. Do you want to have a lawyer for
20 this, or do you want to try to negotiate the case on
21 your own?

22 MR. TIEDMAN: I'll try to negotiate on my
23 own.

24 THE COURT: All right. Why don't you talk to
25 the prosecutor in the hall? (Indiscernible), talk to

1 him, see if he can work something out.

2 MR. TIEDMAN: Okay.

3 THE COURT: Okay.

4 Jose Vasquez, Jr.

5 MR. VASQUEZ: How are you doing?

6 THE COURT: Good. Mr. Vasquez, this is for
7 driving without a license. Are you trying to get your
8 driver's license or permit?

9 MR. VASQUEZ: Yeah, I got my permit.

10 THE COURT: Let me see your permit. Oh,
11 sorry.

12 MR. VASQUEZ: I got my license test on
13 February 3rd.

14 THE COURT: So I'm going to go ahead and read
15 the charge. Should not have a document in possession
16 on the dated of offense. It's 157 and 33. You don't
17 have to come back to Court for it. Stop at the window.
18 We'll set you up at the window.

19 MR. VASQUEZ: All right. Thank you.

20 THE COURT: Have a good day.

21 Tynasia Brittingham. Brittingham.

22 Brittingham? Bench Warrant. 1500.

23 Isaias Morales, Jr. Isaias Morales, Jr.

24 Do you have your documents today?

25 MR. MORALES: Uh, no. Because um, my car's

1 being mechanic.

2 THE COURT: All right. That's what you need
3 before you can get everything done. When's that going
4 to be all done?

5 MR. MORALES: Right now, it's right now in
6 the mechanic so it won't be like later soon. Cause it
7 is, the transmission is getting decreased.

8 THE COURT: So it won't be very soon. Like
9 what, two weeks?

10 MR. MORALES: Probably like a whole month.

11 THE COURT: A whole month?

12 MR. MORALES: Because they've still got to
13 look for the transmission.

14 THE COURT: All right. I'm going to give you
15 one more postponement for January. Okay. You've got
16 to make sure something's done by then.

17 MR. MORALES: Is it possible I could talk to
18 the prosecutor?

19 THE COURT: Yeah, but there's no insurance.
20 Like a year loss of license. Mandatory. One year and
21 loss of license plus like a thousand dollar fine.
22 Pretty serious. You can talk to them though if you
23 want to.

24 MR. MORALES: Okay.

25 THE COURT: All right. Walk down the hall.

1 Speak to the prosecutor.

2 MR. MORALES: All right.

3 THE COURT: Edgar Dejesus Rios. Dejesus
4 Rios.

5 Bench Warrant, 750, not in compliance, IDRC.

6 Barnett. Next one is Barnett.

7 Christine.

8 MS. BARNETT: Good afternoon, Your Honor.

9 THE COURT: Good morning. Let's see.

10 MS. BARNETT: Good morning.

11 THE COURT: So there's another person
12 involved, apparently, last name Keeper (phonetic) so
13 your matter is going to carry along with that matter --

14 MS. BARNETT: Yes.

15 THE COURT: So I had it postponed.

16 MS. BARNETT: Yes, sir.

17 THE COURT: And it might (indiscernible) some
18 time in January.

19 MS. BARNETT: Okay.

20 THE COURT: Were you going to have a lawyer
21 for this? Or are you going to take care of the case on
22 your own?

23 MS. BARNETT: Oh, I'm taking it on my own.

24 THE COURT: Got you. Fair enough. So we'll
25 see you back then. Okay.

1 MS. BARNETT: All right. Thank you.

2 THE COURT: Have a nice day. You're welcome.

3 Are you involved in that case?

4 UNIDENTIFIED SPEAKER: Yeah.

5 (Indiscernible).

6 THE COURT: Yeah, you're free to go. Did you
7 speak to the state today?

8 UNIDENTIFIED SPEAKER: I did.

9 THE COURT: All right. So you're free to go.
10 It will be rescheduled along with this person and the
11 other party.

12 UNIDENTIFIED SPEAKER: Okay.

13 THE COURT: All right.

14 UNIDENTIFIED SPEAKER: All right. Thank you.

15 THE COURT: Thank you, sir.

16 UNIDENTIFIED SPEAKER: Quick question.

17 THE COURT: Yes.

18 UNIDENTIFIED SPEAKER: Can you call with the
19 new date? Will my kids have to come then?

20 THE COURT: Excuse me?

21 UNIDENTIFIED SPEAKER: My kids are part of
22 this complaint. So that's why (indiscernible). Will I
23 have to bring them again because we've already
24 (indiscernible).

25 THE COURT: I don't know the status of the

1 case, whether they're required or not.

2 UNIDENTIFIED SPEAKER: This is the third time
3 that we've been here because she didn't show up the
4 first two time.

5 THE COURT: (Indiscernible). I don't think I
6 remember. You had two sons?

7 UNIDENTIFIED SPEAKER: I have two sons. One
8 is in a wheelchair.

9 THE COURT: Yeah, I do remember you.

10 UNIDENTIFIED SPEAKER: And my niece is the
11 other witness and she can't come.

12 THE COURT: Have you talked to the prosecutor
13 about it and let the prosecutor know that to excuse
14 their appearances so the case doesn't somehow dismiss
15 or anything without them being here.

16 UNIDENTIFIED SPEAKER: Okay.

17 THE COURT: That way, we can make sure
18 there's not on an issue with that.

19 UNIDENTIFIED SPEAKER: Okay.

20 THE COURT: Just let them know on the way out
21 that that's the -- so he can make a note of it.

22 UNIDENTIFIED SPEAKER: Okay.

23 THE COURT: Okay. Thank you, sir.

24 Tonya Glenn.

25 Still working on restoration, Ms. Glenn?

1 MS. GLENN: Yes, sir.

2 THE COURT: You need one more shot. Do you
3 know what you have to do to get this finished?

4 MS. GLENN: Yeah.

5 THE COURT: All right. We'll get you one
6 more shot. January. Have it done by then though.

7 MS. GLENN: Thank you. Appreciate it.

8 THE COURT: Okay. Have a nice day.

9 Tosheika Gaskins (phonetic)

10 Ms. Gaskins, your case is dismissed ma'am, so
11 you're free to go.

12 MS. GASKINS: Thank you.

13 THE COURT: You're welcome.

14 Robin Martin.

15 Ms. Martin, your case also is dismissed.

16 You're free to go, ma'am.

17 MS. MARTIN: Thank you.

18 THE COURT: Richard Logan.

19 How are you doing, Mr. Logan? Let's see.

20 Do you have another matter on December 7th?

21 MR. LOGAN: Yes, sir.

22 THE COURT: You're trying to get everything
23 done in the same day? Restoration stuff.

24 MR. LOGAN: Yes, sir. So I can have time to
25 get an alternative program.

1 THE COURT: All right. So we'll set you up
2 on that. We'll see you back on that day. We can take
3 care of everything on December 7th.

4 MR. LOGAN: Yes, sir. Can you put a note for
5 that day, can I get (indiscernible)?

6 THE COURT: Stop at the window. That has to
7 be done by a letter because I've got to know how much
8 you have and what it's going to take to get back on a
9 payment plan --

10 MR. LOGAN: Yes, sir.

11 THE COURT: -- to get the restoration. Do
12 that before you leave today.

13 MR. LOGAN: Yes, sir. Thanks.

14 THE COURT: You're welcome.

15 Oh, you're free to go. You talked to the
16 prosecutor this morning, right? We didn't just let you
17 go. Have a good day.

18 THE COURT: Robin Martin. Robin. These
19 matters have been dismissed against Robin Martin. I
20 think I already did that already.

21 Mr. Torres. Jose Torres Pagan.

22 Are you scheduled to take the motor vehicle
23 test?

24 MR. PAGAN: Yes.

25 THE COURT: So we'll postpone the case and

1 get you to take the test. Good luck on the test.

2 We'll see you back in a few weeks.

3 MR. PAGAN: That's fine.

4 THE COURT: Patrick Lolli.

5 MR. PIROLI: Good morning, Your Honor.

6 THE COURT: Good morning.

7 MR. PIROLI: Michael Piroli for Mr. Lolli who
8 waives a formal reading of the complaint.

9 Judge, I've had the opportunity to discuss
10 this with prosecutor and he's agreed to the downgrade
11 of 39:3-29.

12 THE COURT: We'll go ahead and amend the
13 charge of 3-29. The fine is 157 and 33. You can stop
14 at the window and make payment at the window.

15 MR. PIROLI: Thank you, very much, sir.

16 THE COURT: Have a nice day.

17 UNIDENTIFIED SPEAKER: Thank you, Your Honor.

18 THE COURT: You're welcome.

19 Ruben Perez. Ruben Perez.

20 All right. Mr. Perez, you have a series of
21 very, very serious charges. It is advisable to have an
22 attorney for the case. Are you thinking about hiring
23 your own lawyer or possibly getting a public defender?

24 MR. PEREZ: I'm going to find my own
25 attorney.

1 THE COURT: All right. Postpone the case.
2 You can get a lawyer, but I would suggest when you have
3 a DUI case for driving under the influence of alcohol,
4 you don't come to Court with an Irish Scotch shirt on.

5 MR. PEREZ: Okay.

6 THE COURT: All right.

7 MR. PEREZ: Okay.

8 THE COURT: Have a good day, sir.

9 Carlton Collins.

10 All right. Mr. Collins, do you need time to
11 get your license still?

12 MR. COLLINS: Yes, sir.

13 THE COURT: You know what you have to do to
14 get this finished up?

15 MR. COLLINS: Fine. Not exactly.

16 THE COURT: Fine. Well, where's the fine out
17 of?

18 MR. COLLINS: Millville, I believe.

19 THE COURT: Yeah. Do you know how much it
20 is?

21 MR. COLLINS: I think it's about 280
22 something. (Indiscernible)

23 THE COURT: Yeah. You stop and check and see
24 how much it is so that you can get that taken care of
25 (indiscernible) restore before you come back. Okay.

1 All right. Have a good day, sir.

2 MR. COLLINS: You too. Thank you, sir.

3 THE COURT: I'm going to appoint the public
4 defendant for Ernestina Perez Alvez (phonetic) for a
5 \$50 fee. That case will be re-listed.

6 These are voided complaints for failure to
7 sign by the complainant: 20221620, 1625, 1604, 1597,
8 1603, and 1599.

9 Lamar Canty.

10 MR. CANTY: Good morning, Your Honor.

11 THE COURT: Mr. Canty, are you trying to get
12 restored still?

13 MR. CANTY: Yes.

14 THE COURT: Do you know what you have left to
15 do to get that done?

16 MR. CANTY: No.

17 THE COURT: All right. You've got to call
18 motor vehicles to find out what it is like ASAP. Okay.

19 MR. CANTY: All right.

20 THE COURT: And we'll see you back probably
21 sometime early January.

22 MR. CANTY: Early January?

23 THE COURT: Yeah.

24 MR. CANTY: All right.

25 THE COURT: Okay.

1 MR. CANTY: All right.

2 THE COURT: Have a good day, sir.

3 MR. CANTY: Thanks a lot.

4 THE COURT: You're welcome.

5 Julia Thomas. Thomas.

6 All right. Ms. Thomas's case. Was she here
7 before? (indiscernible) officer. All right. So I
8 guess they want to have a trial in the case. Is that
9 what you discussed with -- and the fact there was no --

10 MS. THOMAS: I guess so because I showed them
11 the picture (indiscernible) on there.

12 THE COURT: All right. So we'll have a
13 trial. Okay. We'll have a trial. This is a sweeper
14 ticket, so all they have to do is show some information
15 and a registration and yours and that will be it. If
16 they prove that, you could be found guilty of it. So
17 we'll have to have a trial scheduled so that the
18 officer can come in, or whatever evidence the state
19 wants to present, that this area was in fact assigned
20 for street sweeping on whatever day the offense
21 occurred.

22 MS. THOMAS: Even though there wasn't no sign
23 there.

24 THE COURT: They'll have to prove certain
25 facts in the case. I don't know what facts they're

1 going to present, but that's their obligation to do
2 that.

3 MS. THOMAS: Okay. Well, I --

4 THE COURT: All they have to prove is that
5 that was an area designated for street shipping on that
6 day and the vehicle was parked there on that particular
7 day. So if they confirm those two elements, you'll be
8 found guilty. If not, then you'll be found not guilty.
9 Okay.

10 MS. THOMAS: And I can talk. Okay. I just,
11 in the meantime, have to talk to my lawyer about it.

12 THE COURT: Sure, you can. I mean, it's a
13 \$39 ticket, but you can talk to the lawyer about it.
14 But we're going to give it a trial date.

15 MS. THOMAS: Okay.

16 THE COURT: All right. So we'll see you back
17 probably January.

18 MS. THOMAS: All right.

19 THE COURT: All right. Thank you, ma'am.

20 UNIDENTIFIED SPEAKER: Judge, the officer
21 involved in that last case is here.

22 THE COURT: Why couldn't we just do it today,
23 then? I would have done it right now. I wonder if
24 she's left the building.

25 UNIDENTIFIED SPEAKER: Do you want me to ask

1 them to check real quick.

2 THE COURT: Yeah, I need to have her come
3 back. Everybody's here to do it today.

4 THE COURT: Come on back up, ma'am. The
5 officer is in fact here. I didn't realize he was here.
6 So we can try the case today. Have you seen the
7 prosecutor today? Has she seen the prosecutor?

8 UNIDENTIFIED SPEAKER: Yes.

9 THE COURT: Okay. All right. So whenever
10 he's ready to come out and try it, everybody's here.
11 Okay. So just sit tight until he's ready and I will
12 let him know that the case is ready.

13 These are 45-day administrative dismissals.
14 They are the following numbers: SC2479, SC23338,
15 24523. They're all dismissed, 45-day (indiscernible).

16 Travis Parker.

17 Your rescinding order, Mr. Parker.

18 MR. PARKER: It's at the house -- yeah, I
19 need a rescinding order for Millville and Vineland. I
20 can get my license restored.

21 THE COURT: All right. Stop.

22 MR. PARKER: I was trying to see if you'd
23 give me 30 days.

24 THE COURT: I can give you more than that
25 because it's scheduled, so it's probably not going to

1 be probably until sometime in January.

2 MR. PARKER: Oh, okay. I didn't know, Your
3 Honor.

4 THE COURT: So stop and get those rescinding
5 orders. Make sure you don't have it done. We'll see
6 you back sometime in January.

7 MR. PARKER: Okay.

8 THE COURT: Okay.

9 MR. PARKER: All right. Thank you, Your
10 Honor.

11 THE COURT: Have a good day, Mr. Parker.

12 MR. PARKER: All right.

13 THE COURT: Nizea Lopez.

14 Do you want the public defender?

15 MR. LOPEZ: Yes.

16 THE COURT: All right. Get an application
17 right there for me and fill it out.

18 Rashoud Morris. Morris.

19 All right. Mr. Morris, how are we doing here
20 with this thing?

21 MR. MORRIS: Say that again.

22 THE COURT: How are we making out with your
23 restoration?

24 MR. MORRIS: I was waiting on information on
25 DMV (indiscernible).

1 THE COURT: Let me take a look and see what's
2 in the system.

3 What have you done so far to get this
4 resolved because it's still showing suspended?

5 MR. MORRIS: Other than the Court
6 (indiscernible) some paper, how much my fines is.

7 THE COURT: What court?

8 MR. MORRIS: This Court and Vineland.

9 THE COURT: Did you request that?

10 MR. MORRIS: I seen it on DMV.

11 THE COURT: Nobody's going to just send you
12 the fine. You've got to contact the Court to find out
13 what it is.

14 MR. MORRIS: Well, she didn't tell me that.
15 She said she was going to send it. She said she was
16 going to send to me and --

17 THE COURT: Now, stop here. Get what you owe
18 here. Then, call Vineland and find out what you owe
19 there so you can get your rescinding order. All right.
20 Make sure you do that today here because you're here
21 and then call Vineland.

22 MR. MORRIS: At the window?

23 THE COURT: Yeah. At the window. Tell you
24 exactly what you need to do, how much money you have to
25 pay, whatever it is, we're get the order. Same thing

1 with Vineland. All right. Once you get the orders,
2 you can go to motor vehicles and get restored.

3 All right. So I'm going to postpone the
4 case, but you've got to jump on this thing right away
5 because this case is going back a long, long time. So
6 I don't have much room to give you too much time to do
7 it.

8 All right. So you have one shot to have this
9 all done. All right. So you're good to go. Stop at
10 the window on the way out and get that information you
11 need at the window.

12 MR. MORRIS: All right.

13 THE COURT: All right. So I know there's
14 going to be a trial. I'm waiting for the PD
15 application to bring that to me in the back when that's
16 done. But let me know when you have some more cases
17 because I have nothing else up here. Okay.

18 THE CLERK: Sure. All rise.

19 (Recess at 10:22 a.m./Resume at 10:27 a.m.)

20 THE COURT: Mr. Andujar, what do you have
21 this morning?

22 MR. ANDUJAR: Sorry that I had to pull you
23 out, Judge. I've got to be somewhere (indiscernible).

24 THE COURT: It's all right. It's okay.

25 MR. ANDUJAR: It's going to take me 30

1 minutes to get there.

2 THE COURT: It's okay. What do you have?

3 MR. ANDUJAR: Jesus Brown was here earlier
4 today, Judge. He was actually talking to the lady out
5 front. He's one of my clients. We still don't have
6 the discovery in connection with this case. I spoke to
7 Laura from Matt's office and she's sending the
8 discovery to me today. So I don't need a
9 (indiscernible) order, Judge. That's Jesus Brown.

10 THE COURT: Is there a reason why you are
11 here in person?

12 MR. ANDUJAR: I've been trying to ask your
13 staff to schedule me on virtual days as much as they
14 can and hopefully that's what they've started doing.
15 Maybe Your Honor can help me out.

16 THE COURT: Yeah, I don't see why you're
17 coming here for this.

18 MR. ANDUJAR: I don't either, Judge, but I
19 don't want to piss anybody off.

20 THE COURT: I know it pissed me off. It
21 doesn't make any sense. So I'll let them know to put
22 you on virtual.

23 MR. ANDUJAR: This other case we could have
24 done virtually --

25 THE COURT: Yes.

1 MR. ANDUJAR: (Indiscernible)

2 THE COURT: Come on up.

3 MR. ANDUJAR: I thank you for that, Judge.

4 THE COURT: Anything you can do to help me
5 out with respect to that.

6 Hold on. We've got a lot of noise in here.
7 I don't know what's going on.

8 MR. ANDUJAR: Thank you. This young lady is
9 telling me now that she's involved in the Jesus Brown
10 matter.

11 UNIDENTIFIED SPEAKER: I'm the complainant.

12 THE COURT: Okay.

13 MR. ANDUJAR: The last time the case was
14 scheduled, it was postponed for this same reason. I
15 still don't have the police reports in connection with
16 the case. I spoke -- yes -- in front of the Judge.

17 THE COURT: Yeah. So that's not
18 Mr. Andujar's fault. There's something going on with
19 the discovery (indiscernible) --

20 MR. ANDUJAR: I spoke to the person from the
21 prosecutor's office and she's sending it to me this
22 week. The next time the case is scheduled, it should
23 resolve. Okay. We should leave here like as early as
24 you can. I got here early. Sorry to inconvenience.
25 Okay.

1 UNIDENTIFIED SPEAKER: That's okay. I'm just
2 wondering why nobody called me. Is my number needed by
3 anybody?

4 THE COURT: They may not know to call you. I
5 don't know how that process would work. So there may
6 not be a phone call saying, hey, the (indiscernible)
7 here because it doesn't to me work quite that way.

8 MR. ANDUJAR: Okay.

9 THE COURT: All right.

10 MR. ANDUJAR: Sorry about the inconvenience.

11 UNIDENTIFIED SPEAKER: No problem.

12 THE COURT: Thank you, ma'am.

13 UNIDENTIFIED SPEAKER: You guys will notify
14 me?

15 MR. ANDUJAR: Yeah. You'll get another
16 notice.

17 UNIDENTIFIED SPEAKER: Thank you.

18 MR. ANDUJAR: Take it easy.

19 THE COURT: We have Nayelly Morales
20 Rodriguez.

21 MR. ANDUJAR: Yes, Your Honor. Carlos
22 Andujar, Jr., on her behalf waiving the formal reading.
23 Nayelly --

24 THE COURT: I know we've got a nice little
25 young lady in here. Beautiful. But the noise is

1 interfering with the record, so.

2 UNIDENTIFIED SPEAKER: They're exiting,
3 Judge.

4 THE COURT: Uh?

5 UNIDENTIFIED SPEAKER: They're exiting now.

6 THE COURT: Oh, okay.

7 All right.

8 MR. ANDUJAR: I still have my ears although
9 they were pulled a whole bunch of times for doing that
10 sort of thing in church together playing with my
11 brother.

12 So, Judge, she's going to enter a plea of
13 guilty to the DWI and the refusal from what occurred on
14 August 6, 2022. She is a citizen, so there are no
15 immigration issues. These are first defenses,
16 respectively. Prosecutors consenting to concurrent
17 sentences.

18 She's prepared to install the ignition
19 interlock tomorrow and to obviously comply with every
20 other aspect of the sentence. The prosecutor is moving
21 to dismiss the criminal charges inasmuch as he
22 realizes, based on a review of all of this, that that
23 stemmed from the alcohol that was involved in this
24 case. Happy to question her, Your Honor.

25 THE COURT: Raise your hand, please.

1 NAYELLY MORALES RODRIGUEZ, SWORN

2 THE COURT: Mr. Andujar, would you please?

3 MR. ANDUJAR: Have a seat, ma'am.

4 BY MR. ANDUJAR:

5 Q Your name is pronounced Nayelly.

6 A Yes.

7 Q All right. Nice name.

8 Nayelly, is it true that you were driving a
9 vehicle in the city of Millville on August 16, 2022?

10 A Yes.

11 Q All right. And prior to doing so, had you
12 consumed alcohol?

13 A Yes.

14 Q Specifically, what did you have to drink and
15 about how much?

16 A It was a mixture of wine and White Claw.

17 Q White Claw is like a seltzer mixed with
18 liquors and stuff like that?

19 A Yes.

20 Q Okay. Is it fair to say that you don't
21 really drink much often and that you know the
22 consumption of that alcohol rendered you unfit to
23 operate the vehicle that day?

24 A Yes.

25 Q So much so that at some point you were

1 driving the vehicle at an excessive speed. You were
2 pulled over for that infraction. A police officer came
3 to your vehicle, started to speak to you about that
4 traffic event, correct?

5 A Correct.

6 Q He smelled the odor of alcohol on your
7 breath?

8 A Yes.

9 Q All right. And as a result of that, he asked
10 you to exit the vehicle. You tried to perform a
11 physical examination that you were not successful at
12 completing and then he arrested you, right?

13 A Correct.

14 Q And at the police station, you decided not to
15 take a breath test, correct?

16 A Correct.

17 Q You refused after he told you that you had to
18 take that test, correct?

19 A Correct.

20 Q And you understood then that you were under
21 the influence of alcohol that day?

22 A Yes.

23 Q And so even though the Judge doesn't have a
24 scientific document or the result of the test
25 indicating your level of intoxication, you agree that

1 you were intoxicated and therefore unfit to operate the
2 vehicle, right?

3 A Right.

4 Q And so you're entering this plea of guilty
5 today freely and voluntarily?

6 A Yes.

7 Q You do understand that if we had a trial,
8 it's your opinion based on your information that I
9 shared with you and the information that we reviewed,
10 that the State would be able to prove these charges
11 beyond a reasonable doubt, correct?

12 A Correct?

13 Q All right. And you're asking the judge to
14 accept this plea and to sentence you to the mandatory
15 minimum because this is your first offense, correct?

16 A Correct.

17 Q You understand all of the other charges being
18 dismissed as part of this agreement?

19 A Yes.

20 Q All right. And today we are not under the
21 influence of anything that affects you ability to
22 understand what we're doing, right?

23 A Correct.

24 Q All right. And you're satisfied with my
25 help?

1 A Yes.

2 Q All right.

3 MR. ANDUJAR: No further questions, Your
4 Honor.

5 THE COURT: All right. Thank you.

6 I'm satisfied there is an adequate factual
7 basis and no involuntary plea agreement. Defendant is
8 represented by counsel and has thus been advised.
9 Anything before I proceed to the sentence, Mr. Andujar?

10 MR. ANDUJAR: Fortunately, no accident. You
11 know, you can see by some of the language in the
12 complaints, there was, you know, obviously an effect on
13 her with respect to the alcohol, Judge. The young
14 lady, as you can see, presents well, should not have
15 been drinking as much as she did that day, but
16 fortunately, you know, nothing happened to her or
17 anybody else.

18 THE COURT: Yes. Thank you.

19 A little White Claw is some dangerous stuff,
20 by the way.

21 THE WITNESS: Yeah, they are.

22 THE COURT: So I'm going to accept the plea
23 on both of those two counts. The fines are both 307,
24 Court cost of 33, violent crime of 50, Safe
25 Neighborhood of 75. DWI is 225. There's a 12 hour

1 concurrent IDRC. There's a three-month ignition
2 interlock on the driving while suspended, a nine-month
3 concurrent interlock on refusal for a total of nine
4 months, not twelve. Everything else is going to be
5 dismissed, okay.

6 A couple of things that's very important.
7 One, don't drive until the interlock is installed and
8 certified. Okay. If you do that, it's going to be 10
9 days in jail.

10 You also have the right to have an appeal.
11 If you choose to file one for some reason, you have 20
12 days to make the decision or else you'll be left with
13 this decision today.

14 THE WITNESS: Okay.

15 THE COURT: Very important. I doubt that
16 we're ever going to be one, but if there is a future
17 offense or more serious consequences up to the maximum
18 and six months in the county jail.

19 THE WITNESS: (Indiscernible)

20 THE COURT: I'm sure it won't happen again.
21 Okay.

22 Terms a payment. Are you able to make
23 payment or do you need a payment schedule?

24 THE WITNESS: It would be better if I can do
25 a payment schedule.

1 THE COURT: Let's get you a payment plan.

2 THE WITNESS: Thank you.

3 THE COURT: Stop up the window. We'll set
4 things up for you there at window, then you are free to
5 go. Do you need a temporary license to get home to
6 drive?

7 THE WITNESS: No, I have a ride for today.

8 THE COURT: All right. Sounds good. Thank
9 you, ma'am.

10 THE WITNESS: Thank you, so much.

11 MR. ANDUJAR: Judge, thank you so much. Have
12 a good day Your Honor.

13 THE COURT: You, too.

14 Lopez. Nizea Lopez.

15 All right. Do you Ms. Detrick, the
16 interpreter?

17 MR. LOPEZ: No.

18 THE COURT: No. Okay. All right. So I'm
19 going to go ahead and grant the application for the
20 public defender, the \$50 fee for the public defender,
21 and we'll have you rescheduled for Court with
22 Mr. Kavanaugh.

23 MR. LOPEZ: You said you'll have him
24 rescheduled for what?

25 THE COURT: Mr. Kavanaugh will be your

1 attorney.

2 MR. LOPEZ: All right.

3 THE COURT: Mr. Kavanaugh, Bernie Kavanaugh.

4 So you'll be rescheduled for Court in the afternoon
5 with him.

6 MR. LOPEZ: All right.

7 THE COURT: The grants are good to go.

8 MR. LOPEZ: All right.

9 (Recess at 10:35 a.m./Reconvened at 10:55 a.m.)

10 THE COURT: You can all be seated, please.

11 Alonzo Forman.

12 MR. FORMAN: Yes.

13 THE COURT: All right. It's a City
14 Ordinance, Mr. Forman. Did you want to plead guilty,
15 not guilty, or talk to the prosecutor about it?

16 MR. FORMAN: I plead guilty.

17 THE COURT: It's a \$10 fine, Court cost of
18 \$10, minus fine. All right. Stop at the window.
19 We'll set things up for you there at the window.

20 MR. FORMAN: All right. Thank you, sir.

21 THE COURT: Have a nice day, sir. You're
22 welcome.

23 Devon Renshaw.

24 Another driver was supposed to be notified in
25 the case. Are you aware of whether that person was

1 notified or not? Did you speak to anybody yet today?

2 MR. RENSHAW: No.

3 THE COURT: All right. Why don't you go back
4 and check with the prosecutor to see if anybody showed
5 up on the case? I know you requested to be here in
6 person, so check with him to see if the other party's
7 here.

8 MR. RENSHAW: Okay.

9 THE COURT: Zahir Crossell.

10 Mr. Crossell is here. Looks like the charges
11 were reduced to just not having documents. Your
12 license is good. Have the ticket dismissed, correct?
13 The fine is 157, 33 Court cost, and your downgrade.
14 You can stop up the window, Mr. Crossell. They'll take
15 care of you there at the window.

16 MR. CROSSELL: One quick question. I think I
17 posted bail on this.

18 THE COURT: Let me see. You have 150, but
19 you have a small balance left over to pay, like 40
20 bucks.

21 MR. CROSSELL: Okay.

22 THE COURT: All right. Thank you.

23 Counsel, who do you have this morning?

24 MR. GARBER: Good morning, Your Honor. I
25 have Michael Cisrow.

1 THE COURT: Is that matter ready.

2 MR. GARBER: I have two matters. Cisrow and
3 Heggs.

4 THE COURT: All right. Let's take care of
5 each one.

6 MR. GARBER: Thank you, Your Honor.

7 THE COURT: You're welcome.

8 Who do you want to go? Who do you want to do
9 first?

10 MR. GARBER: I have Michael Cisrow here to
11 go. For the record, Steven Garber on his behalf.

12 THE COURT: You want to have the matter
13 listed for trial. Is that correct?

14 MR. GARBER: That's correct.

15 THE COURT: Nature of the case. We'll have
16 it in person because of the nature of the
17 (indiscernible) in person.

18 MR. GARBER: That's correct. We're going to
19 have Mr. Flannigan so maybe get his availability from
20 the Court.

21 THE COURT: All right. If you could, make
22 sure you advise us and come back before we schedule as
23 soon as possible so we can kind of schedule it around
24 that and give it a date whereas it is kind of an empty
25 list.

1 MR. GARBER: Certainly.

2 THE COURT: Okay. All right. So you're good
3 to go, sir. You'll be notified of your trial date.

4 MR. CISROW: All right. Thank you.

5 THE COURT: We have Heggs.

6 MR. GARBER: Shantelle Heggs, Judge.

7 For the record, Steven Garber on behalf of
8 Shantelle Heggs.

9 I believe this matter was last scheduled in
10 June, Judge. She's been in touch frequently with the
11 office, but she may have gotten a different phones, so
12 don't have any contact with her this morning,
13 unfortunately. But, we just ask Your Honor to --

14 THE COURT: Was it your request to be in
15 person on this?

16 MR. GARBER: I think the Court scheduled it
17 as in person because perhaps of the age of the cases.
18 But, I'll talk to them about that. I don't think
19 that's necessary. There's a lot of cases here this
20 morning that could be done virtual. Thank you, Judge.

21 THE COURT: All right. So we'll relist this
22 one to indicate that we'll have a virtual. Just make
23 sure you speak with your client that she's on a
24 virtual. Okay.

25 MR. GARBER: Certainly.

1 THE COURT: Have a good day.

2 MR. GARBER: Nice to see you, Judge. Take
3 care.

4 THE COURT: You as well.

5 Ernest Rosado. Ernest.

6 All right. What's happening here,
7 Mr. Rosado? You're supposed to come in and take care
8 of some funds.

9 MR. ROSADO: Yeah, I just got, Woolwich
10 Township out the way, upper townships and now I just
11 got Millville.

12 THE COURT: One more. I'll give you one more
13 shot to get it done. You'll be back probably in
14 January. You've got to get it all wrapped up by then.

15 MR. ROSADO: Yes, that's fine.

16 THE COURT: All right. We'll see you then.

17 Donta Baez.

18 Mr. Baez, that case is going to be dismissed,
19 so you're good to go.

20 MR. BAEZ: Okay. I was told by the
21 prosecutor to ask for expungement.

22 THE COURT: Yeah. I'll put that down. We'll
23 expunge. I don't know if a domestic can be done that
24 way. I don't think domestics can be done expedited.

25 MR. BAEZ: I mean, the lawyer told me,

1 because he bring it by the prosecutor because he's in
2 the process of doing my expungement.

3 THE COURT: I'll try and put it through. If
4 it doesn't, we'll let you know if it doesn't go
5 through.

6 MR. BAEZ: Okay.

7 THE COURT: Some cases have to go through
8 another process down in the superior court building in
9 question. But we'll try and see what happens.

10 MR. BAEZ: All right. Thank you.

11 THE COURT: All right. You're good. You're
12 very welcome.

13 Georgie Navarro, Jr.

14 Mr. Navarro, good morning. I have a
15 downgrade to just (indiscernible) your license is good
16 now, correct?

17 MR. NAVARRO: Correct.

18 THE COURT: Your license is good now,
19 correct?

20 MR. NAVARRO: Correct.

21 THE COURT: 39:3-29 is the statute number,
22 fine is 157, 33 Court costs. The second ticket is
23 going to be dismissed and you can stop at the window
24 and make arrangements at the window.

25 MR. NAVARRO: Okay. Thank you.

1 THE COURT: All right. Have a good day, sir.
2 James Watson.

3 Your case is going to be dismissed,
4 Mr. Watson, so you're free to go.

5 MR. WATSON: Thank you.

6 THE COURT: Have a good day.

7 UNIDENTIFIED SPEAKER: In the hallway with
8 the children. Can I just let them in, please?

9 THE COURT: Yes, please. Thank you.

10 Connor Tiedman.

11 All right, come on up, sir.

12 All right. Are you able to get the speed
13 reduced for a lesser speed to the lower nine miles over
14 the speed limit. That's you understanding?

15 MR. TIEDMAN: Yes.

16 THE COURT: Going down right back to the nine
17 mile over from the original 24 miles over. Respond to
18 be 57 court costs of 33. And you can stop with the
19 window and arrange payment at the window.

20 MR. TIEDMAN: All right.

21 THE COURT: All right. Thank you, sir.

22 MR. TIEDMAN: Thank you, sir.

23 THE COURT: Grace.

24 Mr. Grace, this is what I thought they were
25 going to do because all those other tickets are going

1 to be dismissed and the driving while suspended was
2 downgraded, correct?

3 MR. GRACE: Yes, sir.

4 THE COURT: 157, Court costs 33. Your
5 downgrade statute is probably 39:3-29, everything else
6 is dismissed. You can stop up the window on the way
7 out. We'll set you up at the window.

8 MR. GRACE: Thank you.

9 THE COURT: All right. Thank you.

10 Frank Scott. I don't know why this has been
11 re-listed.

12 MR. SCOTT: The guy who's not showing up.

13 THE COURT: Huh?

14 MR. SCOTT: He's deceased.

15 THE COURT: George Moore is deceased?

16 MR. SCOTT: Yeah.

17 THE COURT: Sorry. We've got to confirm
18 that. I don't know how we do that. Can you just make
19 a note of that somewhere? Yeah. Try and look him up
20 and see.

21 MR. SCOTT: It's like the second time I've
22 been here.

23 THE COURT: Well, we're not going to leave.
24 The guy's name is George Moore is the victim, the
25 complainant, the other party involved.

1 Sit tight. We're going to stop and see if we
2 can look it up now that you're here and see if we
3 resolve this so you don't have to come back. Let's
4 just give it a shot.

5 David Toddish.

6 MR. TODDISH: Good morning.

7 THE COURT: Good morning. Let's see what
8 you've got here, Mr. Toddish.

9 This is the first offense of shoplifting
10 violation for what you're pleading guilty. Is that
11 correct?

12 MR. TODDISH: (No audible response)

13 THE COURT: Are you comfortable going ahead
14 with that without having an attorney representing you?

15 MR. TODDISH: Yes.

16 THE COURT: And the store in question was the
17 Walmart where the items were taken from?

18 MR. TODDISH: (No audible response)

19 THE COURT: Okay. All right. So we'll
20 accept the plea for that, sir. Excuse me. So Count 1
21 of the complaint, the fine is 350 is, plus 33 Court
22 costs, violent crime of 50, safe neighborhood of 75.
23 There's also ban from the location. You cannot return
24 back to that store. The second count is going to be
25 dismissed. You can stop up the window. We'll set

1 things up for you at the window.

2 MR. TODDISH: Thank you.

3 THE COURT: Have a good day, sir.

4 I don't know how we confirm that.

5 All right. Mr. Scott, come on back up. So
6 what I'm going to do is, I'm going to dismiss without
7 prejudice for six months so we can try to find out if
8 this man is really deceased. There's some evidence of
9 it in the computer? Okay. So there's some evidence
10 somewhere the man is deceased.

11 MR. SCOTT: He OD'd.

12 THE COURT: He Od'd on drugs?

13 MR. SCOTT: Yeah. It's still
14 (indiscernible).

15 THE COURT: All right. So I'm going to
16 dismiss it without prejudice. If you don't hear back
17 from us, don't worry about it. That means --

18 MR. SCOTT: (Indiscernible)

19 THE COURT: Okay. I'm sure you won't worry
20 about it. Have a good day. Enjoy your day, sir. All
21 right.

22 Without prejudice for six months.

23 Jordan Tilden.

24 All right. Hang on. So you had a couple
25 tickets. Let's see what you've got. Driving while

1 suspended. Three of those were reduced to no documents
2 and no insurance, dismissed and the moving violation
3 was reduced to no points. Is that correct?

4 MS. TILDEN: Yes.

5 THE COURT: All right. So all three of the
6 driving while suspended tickets are the same fine,
7 39:3-29 is the statute, fine is 157, plus 33 Court
8 costs for each of those. The no-point violation is
9 downgraded. The statute is 39:4-97.2, unsafe
10 operation. The fine is 107, Court costs are 33. One
11 time surcharge of 250. If you stop at the window,
12 they'll set things up for you there at the window about
13 payments.

14 MS. TILDEN: Okay.

15 THE COURT: Okay. Have a nice day.

16 MS. TILDEN: Thank you.

17 THE COURT: Kevin Roman.

18 Somebody should not be scheduled to be in
19 Court. This guy has no bench warrants. Did you
20 request to be here in person today?

21 MR. ROMAN: No. They notified me.

22 THE COURT: Okay. We've got to do better.
23 All right. So this matter is going to be amended to
24 just not having documents in possession from the
25 original charge. Is that your understanding of the

1 agreement?

2 MR. ROMAN: Yes.

3 THE COURT: All right. 157, Court costs of
4 33. Second charge is being dismissed.

5 All right. Stop at the window, sir, on the
6 way out. They'll set you up at the window.

7 MR. ROMAN: So this is my last Court?

8 THE COURT: Yes, it is.

9 MR. ROMAN: Thank you.

10 THE COURT: Have a nice day.

11 Isaiah Morales.

12 Do you need an interpreter?

13 MR. MORALES: No.

14 THE COURT: Mr. Morales, did you request to
15 be here in Court today?

16 MR. MORALES: No. I was (indiscernible).

17 THE COURT: Why are you here?

18 MR. MORALES: Well, for no insurance.

19 THE COURT: I mean, did you have a problem
20 logging in on the computer or something?

21 MR. MORALES: No. They never did virtual or
22 nothing like that.

23 THE COURT: We've got to stop this. This is
24 making me very upset.

25 All right. Your matter is going to be

1 postponed to provide some proof, correct?

2 MR. MORALES: Yeah. I came the first time,
3 and --

4 THE COURT: You were here in August. You
5 came to Court, right?

6 MR. MORALES: Uh-huh.

7 THE COURT: Yeah. I don't know why the
8 hell -- I'm sorry -- why you're here. So I'm going to
9 postpone you again. On video next time to provide
10 proof of your insurance and documents, okay?

11 MR. MORALES: All right.

12 THE COURT: Do you have a problem with video?

13 MR. MORALES: I have no problem.

14 THE COURT: Fair enough. See you on video.

15 MR. MORALES: Just a question.

16 THE COURT: Yes.

17 MR. MORALES: Is my license suspended or
18 something like that?

19 THE COURT: No. Not from us.

20 MR. MORALES: Because in my job, I'm required
21 to drive.

22 THE COURT: Let me check and make sure. Let
23 me check and make sure.

24 No, you're good. Okay.

25 MR. MORALES: All right.

1 THE COURT: So we'll see you back in a couple
2 weeks on video.

3 MR. MORALES: All right. Thank you very
4 much.

5 THE COURT: Have a good day. You're welcome.
6 Saleek Thomas.

7 Mr. Thomas, you were here in August, too,
8 right? In Court?

9 MR. THOMAS: Uh-huh.

10 THE COURT: Do you have a problem being on
11 video?

12 MR. THOMAS: No. They forced me to come
13 here.

14 THE COURT: Did you request to come here?

15 MR. THOMAS: No. Yeah. I'm angry. I'm very
16 angry. So, we're going to postpone you one more time,
17 okay, but for restoration, but you're going to be on
18 video.

19 MR. THOMAS: All right.

20 THE COURT: Okay. So you can either call in
21 or log in by video. But either way, we'll have it on
22 video.

23 MR. THOMAS: All right. Cool.

24 THE COURT: All right. Have a good day, sir.
25 I'm beyond angry. Furious.

1 Anybody here have an attorney you're waiting
2 for?

3 Waiting for your attorney?

4 UNIDENTIFIED SPEAKER: He ain't going to be
5 no time soon.

6 THE COURT: Who's your lawyer?

7 UNIDENTIFIED SPEAKER: Mr. Morris.

8 THE COURT: Mr. Morris. All right. We'll
9 reach out and see what's going on with Mr. Morris.
10 What's your name, again, sir.

11 MR. RENSHAW: Devon Renshaw.

12 THE COURT: Did you speak to the prosecutor?

13 MR. RENSHAW: Yeah. He said he is going to
14 postpone it again.

15 THE COURT: Oh, I've got it right here. I'm
16 sorry. Come on up.

17 Do I have Devon Renshaw over here somewhere?

18 Oh, it's right in front of me.

19 Is this your first time here?

20 MR. RENSHAW: I believe I saw -- it was on
21 video and then they made me come in person.

22 THE COURT: Is there a reason why you were
23 here?

24 MR. RENSHAW: No.

25 THE COURT: Did you have a problem logging in

1 in person?

2 MR. RENSHAW: No.

3 THE COURT: Yeah. I don't know what's -- I
4 am irate. I don't know who is scheduling these cases,
5 but we're going to have a meeting. This is ridiculous.

6 All right. You don't have a problem being on
7 video?

8 MR. RENSHAW: (No audible response)

9 THE COURT: We'll get you a video Court date
10 next time.

11 MR. RENSHAW: Okay.

12 THE COURT: Have a nice day.

13 MR. RENSHAW: You, too.

14 THE COURT: Could somebody maybe call
15 Mr. Morris's office and confirm that he's not going to
16 be here so late that whatever's going on.

17 This is Pernell, right?

18 UNIDENTIFIED SPEAKER: Yes.

19 THE COURT: Can you grab her file for me?

20 Jaruis Pernell.

21 We're going to check because you have a lot
22 of stuff we've got to get taken care of with
23 Mr. Morris. So we have --

24 UNIDENTIFIED SPEAKER: You can fire him. He
25 said he'll have an attorney (indiscernible).

1 THE COURT: Hold on. Let me grab a case
2 (indiscernible).

3 I don't know why you're here, either. I
4 don't know why you're scheduled to be here. I don't
5 understand what's going on.

6 Ms. Pernell?

7 MS. PERNELL: Yes.

8 THE COURT: I'm going to just have it
9 re-listed and find out why this case is scheduled to be
10 here. I have an in-Court trial, I mean virtual trial
11 note. I don't see any warrants that require you to be
12 here. So you're excused.

13 MS. PERNELL: Yeah, I had forwarded the
14 emails --

15 THE COURT: I don't know why you're here. I
16 apologize for the inconvenience. We'll have you
17 reschedule for video next time.

18 MS. PERNELL: Okay. Thank you.

19 THE COURT: What's your name sir?

20 MR. CHESTNUT: Steven Chestnut.

21 THE COURT: Come on up.

22 UNIDENTIFIED SPEAKER: Your Honor, the female
23 victim presented that she was a victim in the case. So
24 I sent her back to the prosecutor.

25 THE COURT: You're just waiting on that. All

1 right.

2 She's involved in this case?

3 UNIDENTIFIED SPEAKER: Yeah. She just went
4 back. What (indiscernible) said was just motor
5 vehicle, so I don't know how --

6 THE COURT: It could have been an accident.
7 I don't know. Just hold tight. We're checking on one
8 thing back there and I'll --

9 UNIDENTIFIED SPEAKER: This was about 2018.

10 THE COURT: Yeah, I know, but this case is
11 open. It's still here. Is your license restored?

12 MR. CHESTNUT: No.

13 THE COURT: No. Are you trying to get
14 restored?

15 MR. CHESTNUT: It's going to take a while.

16 THE COURT: Why don't you see if you can do
17 something with the case? I don't want to just postpone
18 for no reason unless you want to have all this stuff go
19 to trial.

20 MR. CHESTNUT: Hold up, what?

21 THE COURT: You have like 15 tickets here.

22 MR. CHESTNUT: Motor vehicle tickets?

23 THE COURT: Motor vehicle tickets. Yeah.

24 MR. CHESTNUT: That's why I'm here?

25 THE COURT: That's why you're here. All I

1 have is motor vehicle tickets.

2 MR. CHESTNUT: I just paid \$3,500 for
3 warrants for something totally different.

4 THE COURT: Yeah. Well, I see where
5 Jacqueline Lindsey posted a warrant, 750 on this one,
6 and I have another one posted for 750 with Jacqueline
7 Lindsey, a different one, and another one for 1500.

8 Yeah. Do you want to see if you can work
9 this case down --

10 MR. CHESTNUT: No. I want it to be done
11 today.

12 THE COURT: All right. Talk to the
13 prosecutor. See if you can resolve it.

14 MR. CHESTNUT: So (indiscernible) got to be
15 here because she --

16 THE COURT: I have no idea who she is or what
17 she's here for.

18 UNIDENTIFIED SPEAKER: She's back there, too,
19 so why don't you go back --

20 THE COURT: Yeah. Go back there. We can
21 resolve it today and possibly get your bail money back.

22 All right. We're going to go off record.

23 (Off record from 11:16 a.m. until 11:33 a.m.)

24 THE COURT: All right. Mr. Chestnut, right?
25 What's that you've got. Three driving while

1 suspended; three driving while suspended tickets and
2 one insurance downgraded to not having documents.
3 Everything else is dismissed. Do you understand?

4 MR. CHESTNUT: Yeah.

5 THE COURT: All right.

6 Do you have multiple convictions already for
7 driving while suspended?

8 MR. CHESTNUT: (Indiscernible)

9 THE COURT: Have you been convicted before
10 driving while suspended?

11 MR. CHESTNUT: I went jail for it?

12 THE COURT: No. No. Just have you ever done
13 10 days for driving --

14 MR. CHESTNUT: Oh, yeah. Yeah, yeah, yeah.

15 THE COURT: Okay. So you're going to get
16 days. I'm going to apply -- are you eligible for a
17 program?

18 MR. CHESTNUT: Yeah, I am.

19 THE COURT: Let me check to see

20 (Indiscernible)

21 Let's walk through these things.

22 Driving while suspended on ticket E211643,
23 1007, Court costs of 33, 6 months suspension, 10 day
24 jail. Sentence concurrent. Six month sentence
25 concurrent.

1 Complaint SP614725, 1007, 33 Court costs, six
2 months suspension, concurrent, 10 day jail time.

3 Complaint E22878, driving while suspended,
4 1007, Court costs 33, 6 months concurrent, 10 days jail
5 concurrent.

6 Disorderly person is downgraded to -- I'm
7 sorry. Back that up.

8 No insurance, that was reduced down to
9 insurance card.

10 Complaint Number is E22881, fine is 157,
11 Court costs of 33. Everything else is being dismissed.

12 We gave it a commit date of December 7th.
13 You have until then to apply for the program.

14 MR. CHESTNUT: All right.

15 THE COURT: You've got to go down to the
16 Bridgeton Sheriff's department and apply for it there.

17 MR. CHESTNUT: All right. Cool.

18 THE COURT: All right. Stop at the window.
19 We'll set you up at the window.

20 MR. CHESTNUT: All right.

21 THE COURT: Have good day, sir.

22 MR. CHESTNUT: She can come with the bail
23 money?

24 THE COURT: Yeah. They'll explain it to you
25 at the window.

1 UNIDENTIFIED SPEAKER: Judge, did she have
2 another case for her? Another pending criminal case?
3 Or is that all included?

4 THE COURT: I don't have anything.

5 UNIDENTIFIED SPEAKER: It was all included?

6 THE COURT: Yeah. She was a victim. It was
7 dismissed.

8 THE COURT: Okay. Yes, thank you. Sorry,
9 Judge.

10 THE COURT: No it's no problem.

11 We're adjourned.

12 (Adjourned at 11:36 a.m./Reconvened at 1:35 p.m.)

13 MR. KAVANAUGH: I was the court-appointed
14 attorney on behalf of Mr. Cheeseman.

15 We requested discovery on this just about --
16 well, it's been two months but it's too early for a
17 (indiscernible) but we still don't have the discovery.

18 THE COURT: I'll just go ahead and put it
19 off. I'll put it off 60 days, and at that point, we
20 can have more serious conversations about it.

21 UNIDENTIFIED SPEAKER: Thank you, sir.

22 MR. KAVANAUGH: Barry Giovanetti, Jr., is
23 here.

24 Rashanna Harper.

25 MS. HARPER: Here.

1 MR. KAVANAUGH: Rashanna is here.

2 Michelle (indiscernible). Michelle
3 (indiscernible).

4 Ms. Harper, did you get your license
5 restored? I think that's why we first appointed last
6 time, right?

7 MS. HARPER: Yeah. I wasn't able to because
8 I've been working.

9 MR. KAVANAUGH: Do you want me to ask the
10 Court for additional time for you to do that?

11 MS. HARPER:

12 THE COURT: Come on up.

13 MR. KAVANAUGH: Your Honor, Brendan
14 Kavanaugh, court-appointed attorney on behalf of
15 Ms. Harper.

16 Your Honor, you've heard Ms. Harper. She
17 needs a little bit more time to get her licensed
18 restored. I think that would be helpful for her.

19 THE COURT: We can do that. Do you know what
20 you need to do to get it done?

21 MS. HARPER: Yes. I know what
22 (indiscernible).

23 THE COURT: I got you. All right. So we're
24 going to postpone this (indiscernible). The schedule
25 is getting tight so it might be 60 days. You might

1 have a little extra time to do it, but you'll get
2 notified by mail.

3 MS. HARPER: All right. Thank you.

4 THE COURT: All right. Are you okay having
5 your stuff on video.

6 MS. HARPER: Yeah.

7 THE COURT: Or you prefer coming in?

8 MR. HARPER: I'd like rather do it on video.

9 THE COURT: Got you. It'll be on video next
10 time.

11 MS. HARPER: All right. Thank you.

12 THE COURT: Thank you.

13 MR. KAVANAUGH: James Johnson, Jr.

14 Christopher Lashley.

15 MR. LASHLEY: Christopher is here.

16 MR. KAVANAUGH: Jose Prats, Jr.

17 MR. PRATS: Here.

18 MR. KAVANAUGH: Mr. Prats.

19 MR. PRATS: Yes.

20 MR. KAVANAUGH: Randy Reeves (phonetic).

21 Randy Reeves.

22 Soleesa Robinson. Soleesa.

23 Is it Jakeya Sample.

24 MS. SAMPLE: Here.

25 MR. KAVANAUGH: Ms. Sample, likewise with

1 you, I know you have a driving while suspended summons.

2 Are you're trying to get your license restored?

3 MS. SAMPLE: Yeah.

4 MR. KAVANAUGH: Have you done that?

5 MS. SAMPLE: Not yet, no.

6 THE COURT: Come on up.

7 MR. KAVANAUGH: Come on up and we'll see if
8 we can get it postponed for you so you can do that,
9 okay.

10 THE COURT: Do you know what you have to do,
11 ma'am, to finish getting your process completed?

12 MS. SAMPLE: No. No.

13 THE COURT: I would suggest you get to motor
14 vehicles ASAP because you've been here a couple times
15 now. All right. You keep postponing and you ain't
16 doing nothing, so.

17 MS. SAMPLE: All right.

18 THE COURT: You've got to get something done.

19 MR. KAVANAUGH: You've got to go there and
20 find out.

21 THE COURT: You've got to get it. I'm not
22 going to keep postponing.

23 MR. KAVANAUGH: Yeah. It means no time to do
24 that. And the Judge is not going to keep postponing
25 it.

1 MS. SAMPLE: All right.

2 THE COURT: So I'll give you one more shot.

3 MS. SAMPLE: Okay.

4 THE COURT: Okay. See you back in about 60
5 days.

6 MS. SAMPLE: Okay. Thank you.

7 MR. KAVANAUGH: Daquan Walker (phonetic).
8 Brad Wilden.

9 Okay. That's all I have.

10 THE COURT: All right.

11 Louis Castelan.

12 Louis Castelan, come on up.

13 Now this is for a failure to take your IDRC
14 class. So what's the problem.

15 MR. CASTELAN: I went to one. It was like 40
16 hours.

17 THE COURT: You did do the 48-hour class.
18 When did you do that?

19 MR. CASTELAN: No. It was 40 hours.

20 THE COURT: 40 hours. We have a note here
21 that says that they don't have you as completing the
22 program. So I'm going to send it back so they can get
23 all the documents over to us. So you might want to
24 give them a call and let them know that they didn't
25 send anything to the Court.

1 We need that. Okay.

2 MR. CASTELAN: The 40 hour class or the 48
3 hour class?

4 THE COURT: Well, whatever they require. I
5 don't know exactly what they will require. They need
6 to send us proof that you did that. So contact them
7 and have them send us the proof that you completed that
8 program.

9 MR. CASTELAN: Okay. And when do I bring it?

10 THE COURT: They can send it to us directly.
11 If they do that, you don't have to come back.

12 MR. CASTELAN: Is that everything?

13 THE COURT: Yes. Thank you, sir.

14 Wilcox. Quader Wilcox.

15 Bench warrant (indiscernible) 100.

16 Jose DePaula Chenery. Chenery. (phonetic).

17 Bench Warrant, 750.

18 James Johnson.

19 Bench warrant, 1,500.

20 Session Brown.

21 Let's see what you've got there, Mr. Brown.

22 MR. BROWN: My fiancé, she had the same
23 thing, but she got it in my car.

24 THE COURT: You guys are playing games.

25 MR. BROWN: I've got my paper. She's got

1 hers, too. But she left it in the car, so they took
2 the picture and sent it to your phone. The same thing
3 with that one.

4 THE COURT: Holy City Family Center, right?

5 MR. BROWN: Right. Yes.

6 THE COURT: And you'll be starting on
7 November 14th?

8 MR. BROWN: Yes.

9 THE COURT: Come on up, Ms. (indiscernible).
10 Can we get a copy?

11 You're doing the same thing --

12 MS. ALLEN: Yeah.

13 THE COURT: Same place, same time.

14 All right. Now, what I'm going to do is let
15 me make a copy of that ticket and stick it in this
16 file. All right. And then I'm going to contact --
17 you're going to contact us in about three months. All
18 right. Have them send us a letter over here that you
19 did what you're supposed to do.

20 MR. BROWN: Okay.

21 THE COURT: As long as you've done that, no
22 problem.

23 MS. ALLEN: How many hours is it?

24 THE COURT: You 150 hours.

25 I'm sorry. Stephanie, right?

1 MS. ALLEN: Yes.

2 THE COURT: Sixty. You owe 150.

3 MR. BROWN: All right.

4 THE COURT: Let me get a copy of that. We'll
5 bring the original back to you.

6 MS. ALLEN: Okay.

7 THE COURT: Okay.

8 Jakeya Sample.

9 Jakeya Sample.

10 She's like applied to IDRC. She's done
11 everything, so there's nothing you can do with
12 Ms. Sample's case.

13 All right.

14 James Johnson.

15 Mr. Johnson, I've got two sets of complaints
16 here. One is for a simple assault charge. The other
17 one is for failure to surrender a narcotic
18 (indiscernible). Do you want have a lawyer for this?
19 Or would you like to resolve it on your own?

20 MR. JOHNSON: I'd rather try to resolve that
21 one on my own.

22 THE COURT: Why don't you go talk to the
23 prosecutor, okay.

24 MR. JOHNSON: All right.

25 THE COURT: Thank you. You can probably work

1 something out.

2 MR. JOHNSON: All right.

3 THE COURT: Right down the hall, make a left.

4 Are all of these Mr. Kavanaugh's cases?

5 THE CLERK: I believe so, Your Honor. I'm
6 not sure about the gentleman in the back.

7 Are you hear for Mr. Kavanaugh, the public
8 defender?

9 UNIDENTIFIED SPEAKER: (No audible response)

10 THE CLERK: Okay.

11 THE COURT: All right. Mr. Brown is done.
12 Now, you're done.

13 You can leave, Mr. Brown. I've got
14 everything. You can go and I'll see you back in about
15 three or four months. Make sure you get all your stuff
16 done. All right.

17 MR. BROWN: Thank you.

18 THE COURT: All right. Thank you. Have a
19 nice day.

20 All right.

21 (Recess taken at 1:45 p.m./Reconvened at 2:18 p.m.)

22 THE COURT: You can all be seated, please.

23 Mr. Kavanaugh, would you like to go?

24 MR. KAVANAUGH: Yes, we could do Barry
25 Giovanetti.

1 THE COURT: Mr. Giovanetti.

2 MR. KAVANAUGH: Your Honor, Bernard
3 Kavanaugh, court-appointed attorney on behalf of
4 Mr. Giovanetti.

5 That matter needs to be postponed, Your
6 Honor. The discovery on the DUI is incomplete.

7 THE COURT: So we'll see you back, sir, I
8 would think some time in January. The Court's kind of
9 packed up (indiscernible). But you'll get notified to
10 come back to Court. Are you okay if it's all on video.

11 MR. GIOVANETTI: Yeah. If that's possible.

12 THE COURT: We'll do it on video next time,
13 okay.

14 MR. GIOVANETTI: Okay.

15 THE COURT: Have a good day.

16 MR. GIOVANETTI: Am I able to get a note for
17 work?

18 THE COURT: Sure. Stop at the window.

19 MR. GIOVANETTI: All right. Thank you very
20 much.

21 MR. KAVANAUGH: Judge, we call the Johnson
22 matter, James Johnson.

23 There's no slip for that. (Indiscernible).

24 MR. KAVANAUGH: First of all, Brendan
25 Kavanaugh, court-appointed attorney for James Johnson.

1 Mr. Johnson has matters on the
2 (indiscernible) list that I was handling, but we saw
3 that he also has two matters on the 1:00 p.m. list and
4 the victim of that matter we believe was not noticed.
5 I want to keep everything together and postpone it.

6 THE COURT: I'm going to appoint
7 Mr. Kavanaugh on the other set of charges you have just
8 to keep it all clean together and we'll have it all
9 postponed so they can do proper notification. All
10 right.

11 Okay. Your address (indiscernible)?

12 MR. JOHNSON: Yeah.

13 THE COURT: Got you. Have a good day.

14 MR. KAVANAUGH: Do you have any way of
15 getting there? (Indiscernible) Okay. All right.

16 And the Christopher Lashley matter.
17 Mr. Lashley -- Your Honor, Brendan Kavanaugh as court-
18 appointed attorney on behalf of Mr. Lashley.

19 Mr. Lashley wants the opportunity to discuss
20 the discovery packet from my office and go over it,
21 review it, and decide what his options are. He is
22 facing a second offense (indiscernible). So we would
23 ask for a postponement in order to resolve that.

24 THE COURT: I agree.

25 So we're going to go ahead and have it

1 re-listed, which is probably going to be in January
2 just because the Court calendar is (indiscernible).
3 We'll get you back and notified of the next Court date.

4 MR. LASHLEY: Thank you, Your Honor.

5 THE COURT: All right. Have a nice day.

6 MR. KAVANAUGH: Take care.

7 Judge, that leaves us with Mr. Jose Prats,
8 Jr. If the Court please, Your Honor, Brendan Kavanaugh
9 as court-appointed attorney on behalf Jose Prats, Jr.
10 This is going to be a plea of guilty for a fourth
11 offense DUI. The State is going to dismiss the balance
12 of the charges in light of my client's willingness to
13 accept responsibility (indiscernible).

14 THE COURT: Let's go through this carefully.

15 Could you raise your right hand please, sir?

16 JOSE PRATS, JR. SWORN

17 THE COURT: All right. Mr. Kavanaugh, if you
18 would, walk us through the (indiscernible).

19 MR. KAVANAUGH: I will.

20 BY MR. KAVANAUGH:

21 Q Mr. Prats, I'm going to take you back to the
22 evening of February 2nd of this year. On that date,
23 were you operating a motor vehicle within the confines
24 of the City of Noble?

25 A Yes, sir.

1 Q And while operating that motor vehicle, were
2 you exceeding the speed limit by 44 miles per hour?

3 A Yes, sir.

4 Q Prior to operating that motor vehicle, did
5 you in fact consume at least a dozen 12 ounce beers?

6 A Yes, sir.

7 Q As a result of the consumption of that
8 alcohol, was your ability to operate a motor vehicle
9 impaired on that date at that time.

10 A Yes, sir.

11 Q Therefore, you're waiving the right to a
12 trial in this matter and a plea guilty, knowingly, and
13 voluntarily. Is that correct?

14 A Yes, sir.

15 Q You understand if you're reading this matter,
16 what we call the blood alcohol concentration of the DAC
17 was 0.23. Do you have any reason to dispute that
18 reading?

19 A No, sir.

20 Q Do you have any questions for either myself
21 or the Court?

22 A No, sir.

23 Q And I understand you understand the penalties
24 that you're facing in the light of a fourth offense
25 guilty plea to a DUI. Did I explain those to you, to

1 your satisfaction?

2 A Yes. Yes, sir.

3 Q You know, it includes at least six months in
4 the county -- or six months in the county jail and
5 eight years at a minimum of suspension of your driving
6 privileges.

7 A Yes, sir.

8 Q And you're still willing to enter a guilty
9 plea at this time and waive your right to a trial.

10 A Yes, sir.

11 Q All right. Are you under any influence of
12 any alcohol, drugs, or medication that might impair
13 your ability --

14 A My neck. But I ain't even bring any here.

15 Q But are you thinking clearly today --

16 A Yeah, I am.

17 Q -- is what we need to know.

18 A Yeah, I am.

19 Q Okay. Very good, sir.

20 MR. KAVANAUGH: Nothing further, Your Honor.

21 THE COURT: All right. I'm satisfied. It is
22 a fourth offense, so there's no discretion of the Court
23 in terms of some areas of sentencing. I do find
24 there's an actual factual basis. It is a known and
25 voluntary plea. A .23 reading in evidence without

1 objection (Indiscernible) acceptable tolerance. Impose
2 the following fines of penalty, (indiscernible), Court
3 costs of 33, violent crime of 50, safe neighborhood of
4 75, DWI of 225, 8 year loss of license, 48 hour IDRC,
5 two year interlocking imposition, 180 days County jail
6 or main charges are going to be dismissed.

7 A couple things I still have to tell you.
8 One, obviously, you won't be driving today. But if you
9 do drive during that eight-year period, you're facing
10 state prison time. Now, with a felony, you'll be given
11 18 months state prison if you get driving a car over at
12 suspension, period.

13 You have a right to have an appeal. If you
14 choose to file an appeal, you have 20 days if you chose
15 to do that. If you don't do it within that time
16 period, you probably lose your right to have the
17 appeal.

18 And as already know, if you're convicted
19 again, each time going forward is going to result in
20 the same penalty of eight years, six months of the
21 county. Yes sir. Okay.

22 Our remain charges are being dismissed. You
23 won't have payments commence until several months after
24 you're released from the county jail. All right.

25 Just have a seat. Someone is going to come

1 get you processed and take you over to the county jail.

2 All right. I think we're going to limit some
3 of our in-person stuff.

4 MR. KAVANAUGH: You're going to limit some of
5 it.

6 THE COURT: Yeah. We're going to eliminate
7 quite a bit of unnecessary --

8 MR. KAVANAUGH: Okay.

9 THE COURT: All right. Have a good one.
10 What else do we have left here?

11 We just have one case, I believe one case
12 left if we would like -- counsel and I'd like to count
13 (indiscernible).

14 UNIDENTIFIED SPEAKER: Sure.

15 THE COURT: Let me just mark these up and
16 I'll swing back there and get things going.

17 UNIDENTIFIED SPEAKER: You want us to go
18 around the other way, Judge?

19 THE COURT: No. You can go through right
20 here. That's fine.

21 UNIDENTIFIED SPEAKER: Thank you.

22 UNIDENTIFIED SPEAKER: Thank you, Judge.

23 UNIDENTIFIED SPEAKER: What's that? Maybe
24 the officer, yeah, will let you on your way out. We'll
25 see what he says.

* * * * *

C E R T I F I C A T I O N

I, KAREN K. WATSON, the assigned transcriber, do hereby certify the foregoing transcript of proceedings on tape number, index number from 9:42 a.m. until 2:24 p.m., is prepared in full compliance with the current Transcript Format for Judicial Proceedings and is a true and accurate non-compressed transcript of the proceedings as recorded, and to the best of my ability.

/s/ Karen K. Watson

KAREN K. WATSON, AOC #055-AAERT

J&J COURT TRANSCRIBERS, INC. DATE: January 24, 2023