

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND

THE PEOPLE OF THE STATE OF MICHIGAN,

v

Case No. 2019-272593-FC

NICHOLAS MAXIMILLIAN REMINGTON,

Defendant./

STATUS CONFERENCE

BEFORE THE HONORABLE JAMES M. ALEXANDER, CIRCUIT JUDGE

Pontiac, Michigan - Thursday, June 18, 2020

APPEARANCES:

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WITNESSES

None

EXHIBITS

None offered.

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Pontiac, Michigan

Thursday, June 18, 2020 - 1:01 p.m.

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(hearing held via Zoom videoconferencing)

THE CLERK: Now calling People versus Nicholas Remington, case number 2019-272593-FC. And this video will be made public.

THE COURT: Your appearances, please?

MS. HAND: Good afternoon. Beth Hand appearing on behalf of the People.

MR. ROCKIND: Neil Rockind co-counsel on behalf of Nicholas Remington.

MR. LEWIS: Good afternoon. Randall Lewis, co-counsel for Nicholas Remington.

MR. ROCKIND: And we'll waive his appearance --

THE COURT: All right.

MR. ROCKIND: -- Your Honor. His presence for this hearing.

THE COURT: What are -- what are we doing today?

MS. HAND: Well, Your Honor, this is a status conference. So, we had originally had a -- numerous motions that Defense had filed --

THE COURT: Yep.

MS. HAND: And -- and the one motion that I had filed. And my understanding is that Defense is

1 requesting, uh, that the matters be heard in person rather
2 than, uh, by Zoom video. And because the Defendant's in
3 custody, I just wanted to make sure there was a record
4 that this delay is in fact attributable to the Defense
5 since they are unwilling to go forward with the motions on
6 --

7 MR. ROCKIND: They're attributable to us.

8 MS. HAND: -- on Zoom.

9 MR. ROCKIND: We accept the -- we accept the --
10 the delay. It's on us.

11 THE COURT: Okay. The other thing I'll say is
12 that I am now quoting Judge Denise Page Hood from the
13 federal court who in her order of March 13th closing the
14 courthouse indicated that the pandemic, uh, pardon the
15 expression, trumps the -- the Defendant's rights to speedy
16 trial. Uh, I -- I'm adopting that given the situation
17 that we're in right now. We are not allowed to hold
18 hearings. This is not an essential criminal matter, uh,
19 at this point. So, we can't do a live hearing. We hope
20 that we'll be back in the courtrooms in -- sometime in
21 mid-July but I can't promise that. They've got to do some
22 work in our courtrooms physically. And, uh, so, I think I
23 gave you guys a September date. Is that what it was?

24 MS. HAND: Uh, we don't really have a date. But
25 they would just need to re-praeceipe their motions at a

1 time when the court is open is my understanding. If there
2 is a date that's been picked, I'm unaware.

3 THE COURT: Uh, well, this is gonna be -- this
4 is hearing, right? So, I'm not --

5 MR. ROCKIND: Yes.

6 THE COURT: -- do it on a Weds -- Wednesday.
7 (to the clerk) You know, let's just --

8 MS. HAND: (indiscernible) --

9 THE COURT: -- just -- just to keep the case
10 moving, Colleen (ph), can you give us a date sometime in
11 late July, early August for a -- for an evidentiary
12 hearing?

13 MS. HAND: Your Honor, this is not an
14 evidentiary hearing. These are just arguments on motions.
15 No hearing's been granted at this point. It was just like
16 six motions. So, there's not any testimony that's gonna
17 be taken yet.

18 THE COURT: All right. Well, I don't want --

19 MS. HAND: (indiscernible) --

20 THE COURT: -- do it on -- okay. I don't want
21 to do it --

22 MR. ROCKIND: Uh --

23 THE COURT: -- on a Wednesday 'cause that's
24 gonna -- then we're gonna be so backed up; it's nuts.

25 MS. HAND: Right.

1 MR. ROCKIND: And we may have some visuals for
2 the Court to aid in some of the issues that are --
3 THE COURT: Are there --
4 MR. ROCKIND: -- (indiscernible).
5 THE COURT: -- videos that I need to, uh, view?
6 MS. HAND: Yes. Judge, I have attached -- I
7 attached and I think Mr. Rockind did, too, to our motions
8 which were filed before COVID occurred. So, they were
9 physically filed with the Court.
10 I -- Neil, when do you think? Like, back in
11 March? Or I don't even --
12 MR. ROCKIND: Yeah. I think so.
13 MS. HAND: -- remember. I think --
14 THE COURT: If you get --
15 MS. HAND: There was a lot of (indiscernible) --
16 THE COURT: If -- if you get those videos to --
17 (to the clerk) Colleen, can you get them to
18 Bobbie (ph) and he can -- he can upload them? I can look
19 at them on, uh -- go to My PC (ph)?
20 THE CLERK: Yep. (indiscernible) --
21 MR. ROCKIND: We have some other -- we have some
22 other things -- we'll -- that were -- some other visuals
23 in order to assist in one of our motions related to the
24 Snapchat, uh, records. But we'll put those together.
25 We'll send them off to Ms. Hand so that she can see what

1 we're gonna present as part of the argument and then we --
2 we'll also make those available to the Court. But they're
3 -- we were gonna bring them in live to show the Court how
4 the -- what the issue of our concerns about the Snapchat
5 records were. So, anyway that's putting the cart before
6 the horse. Nice background by the way. Is that --

7 THE COURT: Thank you.

8 MR. ROCKIND: -- Hawaii or Miami?

9 THE COURT: I have no idea. It's whatever, uh,
10 Zoom puts up as opposed to my courtroom.

11 MR. ROCKIND: Okay.

12 MS. HAND: But Judge, I just wanted to be clear
13 --

14 MR. ROCKIND: At least it's not a picture of
15 like the White House with, uh, you know --

16 THE COURT: Some -- I'll tell you, I -- somebody
17 had a -- a vi -- a background of the oval office.

18 MR. ROCKIND: Yes.

19 THE COURT: Uh, I seen that. And Judge Potts
20 has an art museum. Uh, a lot of people have their
21 courtrooms or have the courtroom background.

22 MR. ROCKIND: Yes, sir.

23 THE COURT: Uh --

24 MR. ROCKIND: I saw that --

25 THE COURT: -- Ms. Hand, do you have something

1 to say?

2 MS. HAND: Uh, I did. I just wanted to -- if we

3 could ask your clerk uh, I don't think -- do we need to

4 resubmit the videos because I think the Court should have

5 a hard copy in its file.

6 THE COURT: (to the clerk) You can check with --

7 MS. HAND: We already --

8 THE COURT: Colleen, will you check the file and

9 see if the videos are in there? If they are --

10 THE CLERK: Yeah.

11 THE COURT: -- we'll deal with it. If not,

12 we'll call you and let you --

13 MS. HAND: Okay. I -- all right.

14 THE CLERK: Yeah.

15 MS. HAND: I just wanted to make sure you get

16 them.

17 THE COURT: Okay.

18 THE CLERK: Yep. I'll check.

19 THE COURT: What's the hearing date?

20 THE CLERK: Uh, would July 30th work?

21 MS. HAND: Uh, can I check my calendar, please?

22 THE COURT: Yeah. Something is sticking in my

23 mind.

24 MR. ROCKIND: Mr. Lewis is not available on the

25 30th.

1 THE CLERK: Okay. Uh --

2 MR. ROCKIND: How about the --

3 THE CLERK: -- 31st or would you like to go into

4 August, Judge?

5 MR. ROCKIND: I'm -- I'm fine the --

6 THE COURT: Uh --

7 MR. ROCKIND: -- 31st, too --

8 THE COURT: The 31st work for everybody?

9 MR. ROCKIND: You good?

10 MS. HAND: In the morning?

11 THE COURT: Yeah. 10 o'clock.

12 MS. HAND: Yeah. That works for me.

13 MR. LEWIS: It works.

14 THE COURT: All right. Uh, Ms. Hand, will you

15 do an order arising out of this indicating that, uh, the

16 People -- or that the Defendant has acknowledged that any

17 delay is attributable to the Defendant's request for a

18 live hearing?

19 MS. HAND: Yes, Your Honor.

20 THE COURT: Setting the matter for a hearing on

21 July 31st at 10 a.m.

22 MR. ROCKIND: Thank you very much.

23 MS. HAND: Okay. I'll -- I will do that.

24 MR. LEWIS: Thank you.

25 MS. HAND: I'll forward it to Neil so you can

1 approve for signature. Okay?

2 MR. ROCKIND: Yes. You don't need -- if you want

3 me to --

4 MS. HAND: Okay.

5 MR. ROCKIND: -- see it before then that's fine.

6 But I -- it's just gonna --

7 MS. HAND: (indiscernible) --

8 MR. ROCKIND: -- say that -- that the --

9 MS. HAND: Right.

10 MR. ROCKIND: What's that?

11 MS. HAND: You trust me?

12 MR. ROCKIND: Do I trust you? Do I have to go

13 on the record and say that? No.

14 MS. HAND: All right. I'll (indiscernible) --

15 MR. ROCKIND: I trust you -- I trust you enough

16 to prepare an order saying that the delay is attributable

17 to me. You can sign our name to it. Okay?

18 MS. HAND: All right. Thank you.

19 MR. ROCKIND: No issue.

20 MS. HAND: Thanks, Judge.

21 THE COURT: Okay. Anything else I can do for

22 you all this afternoon?

23 MR. ROCKIND: Nope. Thank you.

24 MR. LEWIS: Thank you, Your Honor.

25 THE COURT: Good to see everybody --

1 MS. HAND: (indiscernible) --
2 THE COURT: Stay well.
3 MR. ROCKIND: All right.
4 THE COURT: Uh --
5 MR. LEWIS: (indiscernible) --
6 THE COURT: -- would you drop Mr. Rockind, stop
7 the video, and then I need to talk to Ms. Hand for a
8 minute.
9 THE CLERK: Yep.
10 MR. ROCKIND: Yes.
11 THE COURT: It's on another case --
12 MR. ROCKIND: Do you want me to -- do want us to
13 --
14 THE COURT: -- Neil. So, don't worry about --
15 MR. ROCKIND: -- still leave and then, uh --
16 THE COURT: -- it.
17 MR. ROCKIND: We'll leave the video and then
18 we'll -- we're gonna leave right now. That's all we --
19 THE CLERK: Yeah. Okay.
20 THE COURT: Yeah. And I'm -- I'm just -- just
21 so you -- before we go --
22 MR. ROCKIND: Yep.
23 THE COURT: -- uh, this is on another case not
24 one that you're involved with.
25 MR. ROCKIND: Yes, sir. Thank you. Everybody

1 be (indiscernible) --

2 THE COURT: Good to see you guys. Take care.

3 MR. ROCKIND: -- well. Thank you.

4 MR. LEWIS: Take care.

5 MR. ROCKIND: Thank you. Take care. Bye.

6 (At 3:08 p.m., proceeding concluded)

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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 James M. Alexander, as recorded by the clerk.

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Dated: December 26, 2023

/s/ Alison Joersz
Alison Joersz, CER #9320