
1-30-14 Transcript

1 STATE OF OHIO,)
2 COUNTY OF CUYAHOGA,) SS
3 CITY OF CLEVELAND.)

STOKES, A.R., J.

4 IN THE MUNICIPAL COURT

5
6 CITY OF CLEVELAND,)
7 Plaintiff,)
8 vs.) 2013CRB032808
9 ARIEL REIDENBACH,)
10 Defendant.)

11
12
13 Transcript of Digitally Recorded Proceedings had
14 before the Honorable Judge **ANGELA R. STOKES** on
15 Thursday, January 30, 2014 in Courtroom 15-C.

16
17 APPEARANCES:

18 On behalf of the plaintiff:
19 Victor R. Perez, Chief Police Prosecutor
20 By: Marco Tanudra, Assistant Police
Prosecutor.

21 On behalf of the defendant:
22 Linda Gonzalez, Esq.

23
24
25 Devonna Tucker

P R O C E E D I N G S

1
2 THE COURT: Is there anyone else
3 from the morning docket?

4 This lady right here (indicating), will
5 you step forward; what's your name, please?

6 THE DEFENDANT: Ariel Reidenbach.

7 THE COURT: Docket 59, for Ariel
8 Reidenbach.

9 - - -

10 (Thereupon, a phone conversation was had by the
11 Judge while on the bench and not on the record.)

12 - - -

13 (Back on the record.)

14 - - -

15 THE COURT: Are you ready to
16 proceed on Ms. Reidenbach's case?

17 MS. GONZALEZ: Yes, your Honor.

18 My client has indicated that she has no
19 prior record, and we're asking for an SIP
20 Screen.

21 Your Honor, my notes from 12-16 from --
22 I believe -- Attorney Heffernan indicates
23 that we were asking for an SIP Screen at
24 that time, but my client is indicating she
25 did not go downstairs for a screen.

1 THE COURT: Well, it's because they
2 were going to subpoena the witnesses and
3 have them here to see if they had any
4 objection, but then on the January 7th --
5 well, actually on December 16th, Prosecutor
6 Kinast was going to subpoena the witnesses
7 for January 7th, but that's the date that
8 the building was closed.

9 MR. TANUDRA: They were subpoenaed
10 for today, your Honor.

11 THE COURT: Oh, they were
12 subpoenaed again for today, right, so
13 anyway, that's fine.

14 I see that no one from Home Depot
15 appeared, but I remember that Attorney
16 Heffernan was going to ask Ms. Reidenbach if
17 she has any substance abuse problems.

18 THE DEFENDANT: No.

19 THE COURT: So what does that mean?
20 That means that you would not test positive
21 for any illegal substances today?

22 THE DEFENDANT: No, I wouldn't.

23 THE COURT: Does she have any
24 priors?

25 Because they -- the last two have had

1 priors.

2 THE DEFENDANT: Nothing. To be honest,
3 your Honor, no, I don't. This is the first
4 time I've ever been in trouble. I'm 23
5 years old. First time I've ever been in
6 trouble at all. Period.

7 My brother has been in trouble plenty of
8 times. He's probably been in front of you
9 or some other judge in this office building.
10 He's been in trouble more than I have. I've
11 learned from him not to like be in trouble.

12 THE COURT: So, you've never been
13 on probation to a judge before?

14 THE DEFENDANT: No.

15 THE COURT: And, other than this
16 case, have you ever been in a courtroom
17 before?

18 THE DEFENDANT: (Inaudible response.)

19 THE COURT: No? Do you have your
20 \$9 for your urinalysis test today?

21 THE DEFENDANT: No, I do not, your
22 Honor.

23 THE COURT: Well, the Court has
24 funds, but is it going to be positive? I
25 want to know to explain to you if you're

1 eligible and recommended it's not going to
2 be 90 days if you're testing positive for
3 any illegal substances. If the Court
4 permits it, you would have to be in longer
5 than 90 days. They want you in the program
6 for at least six months. That's what the
7 treatment agents -- but, I don't know what
8 the truth is.

9 THE DEFENDANT: Okay. Well, to be
10 honest, last night I did go out. I had me a
11 couple of beers. My kidneys were hurting
12 me.

13 I was in the hospital for a very bad
14 kidney infection when I was 18, and the
15 doctor told me that once I get over the age
16 of 21, if I have problems with my kidneys, a
17 beer is good for me to flush out my kidneys.

18 MS. GONZALEZ: What about anything
19 illegal? Any marijuana?

20 THE DEFENDANT: No. No drugs at all.
21 Just alcohol.

22 THE COURT: I don't believe a
23 doctor would tell someone to flush your
24 kidneys with beer.

25 THE DEFENDANT: One beer, he said,

1 would help with the kidneys is what he told
2 me.

3 MS. GONZALEZ: They're recommending
4 one beer a day for memory.

5 THE COURT: I beg your pardon.

6 MS. GONZALEZ: It's been on the news.
7 They recommend one beer a day for memory.

8 THE COURT: Well, there is no
9 beer --

10 MS. GONZALEZ: I don't agree with it,
11 Judge.

12 THE COURT: -- I'm saying there is
13 no beer consumption, if you're going to be
14 in this program, no alcohol consumption.

15 THE DEFENDANT: That's fine, your
16 Honor.

17 THE COURT: Huh?

18 THE DEFENDANT: That's fine. I
19 understand.

20 THE COURT: Well, all we can do is
21 give her a chance.

22 The city has no objection, correct?

23 MR. TANUDRA: Yes, your Honor.

24 THE COURT: You understand if
25 you're eligible and recommended, you have to

1 sign a waiver form whereby you give up your
2 right to bring a lawsuit against the city of
3 Cleveland, any of its employees, or officers
4 arising out of this incident; do you
5 understand?

6 THE DEFENDANT: (Inaudible response.)

7 THE COURT: Yeah?

8 And, if you do test positive, that may
9 be enough for me to say no, but if you are
10 positive and you're honest about it, that's
11 a different thing, because typically it's 90
12 days, but it could be longer if you're going
13 to be -- if you have any alcohol or
14 substance abuse issues; do you understand?

15 THE DEFENDANT: Yes.

16 THE COURT: So, \$9 -- so you're
17 sure it's going to be negative?

18 THE DEFENDANT: To be honest, no, I'm
19 not sure at all.

20 THE COURT: Okay. So, can you
21 please tell Attorney Gonzalez what's going
22 on here; do you want to walk outside the
23 courtroom and tell her the truth? You have
24 to tell the truth.

25 How about you, did you tell me the

1 truth? Okay.

2 MS. GONZALEZ: Your Honor, she is
3 indicating it might be positive. She wants
4 to be honest with the Court.

5 THE COURT: Okay.

6 MS. GONZALEZ: And, let the Court
7 know.

8 THE COURT: For what?

9 THE DEFENDANT: Cocaine, your Honor.

10 THE COURT: I don't know how that's
11 going to work in the SIP Program, but she's
12 got --

13 MS. GONZALEZ: I'm sorry, your Honor,
14 I did not hear you.

15 THE COURT: I don't know how that
16 would work in the SIP Program, if she has an
17 addiction.

18 Is this crack cocaine? Yeah.

19 THE DEFENDANT: But, it is not an
20 addiction, no. I've done it once, which was
21 two days ago. I was underneath a lot of
22 stress. I've been having so many family
23 issues and everything, and with me not
24 having a job, kind of tends to put more
25 pressure on me, so -- but, I do know for a

1 fact that I will pop positive for it.

2 MS. GONZALEZ: Your Honor, I don't
3 know how long that stays in a person's
4 system.

5 THE COURT: I think -- I'm not
6 positive -- it's like 48 to 72 hours. I
7 can't remember, but I think -- but, I'm
8 not -- I can't recall.

9

- - -

10 (Thereupon, a phone conversation was had by the
11 Judge while on the bench and not on the record.)

12

- - -

13

(Back on the record.)

14

- - -

15

THE COURT: Well, may I see the
16 attorneys at sidebar, please, and I have a
17 question.

18

- - -

19 (Thereupon, a conversation was held at sidebar
20 and on the record.)

21

- - -

22

THE COURT: (Inaudible) -- but I
23 think if we -- (inaudible) -- SIP, she has a
24 crack cocaine addiction, but I don't want
25 to -- (inaudible). I don't know -- to get

1 into a treatment program. I mean, she is
2 only -- (inaudible) -- what --
3 (inaudible) -- to SIP because she doesn't
4 have -- (inaudible) -- I'm not. I'm going
5 to sentence her. I'm going to order her
6 into a treatment program. Her problem is
7 she doesn't take it seriously. She would
8 have none of the days hanging over her head
9 as opposed to -- (inaudible) -- crack
10 cocaine there is nothing there to --
11 (inaudible) -- is -- (inaudible) -- except
12 crack cocaine addiction. They may have jail
13 time. I don't know. What do you do? What
14 do you do?

15 A VOICE: (Inaudible.)

16 THE COURT: She could still get a
17 seal. It takes a little bit longer. She
18 should go right down today.

19 - - -
20 (Thereupon, a phone conversation was had by the
21 Judge while on the bench and not on the record.)

22 - - -
23 (Thereupon, a conversation was had that was not
24 on the record.)

25 - - -

1 (Back on the record.)

2 - - -

3 MS. GONZALEZ: Your Honor, I have --

4 THE COURT: That's okay.

5 MS. GONZALEZ: -- your Honor, I've had
6 an opportunity to talk to my client. At
7 this time, no resolution is possible. We
8 would like to set this for a trial.

9 THE COURT: Okay. All right.

10 MS. GONZALEZ: Your Honor. I will say
11 that the prosecutor does have the video. He
12 needs to burn me a copy, and I would like to
13 review it prior to a trial date.

14 THE COURT: Okay.

15 Should I give you another pretrial date
16 then, or what did -- or, you're just saying
17 you want a long enough trial date to view
18 the video, I understand.

19 MS. GONZALEZ: Your Honor, thank you.

20 THE COURT: Okay.

21 So, continued at the defendant's
22 request. A bench trial?

23 MS. GONZALEZ: Bench trial, yes,
24 Judge.

25 THE COURT: Tell me this: What

1 date would you like? I know you have to
2 look at the video.

3 Whatever amount of time you would like
4 is fine.

5 MS. GONZALEZ: Your Honor, the
6 prosecutor usually needs two weeks to
7 subpoena a witness, and we just ask for one
8 extra week to make sure we have time to view
9 it, so three weeks, your Honor.

10 THE COURT: Do you think maybe
11 something like -- what do you think is best,
12 like February 18th at 2:00, or do you think
13 you need a little more time, last week in
14 February, I don't know?

15 MS. GONZALEZ: Your Honor, I think the
16 18th should be fine.

17 THE COURT: Okay.

18 MS. GONZALEZ: Or, if it's better for
19 the Court, we have no objection to the last
20 week in February.

21 THE COURT: I'll say
22 February 18th 2014 at two o'clock in the
23 afternoon. Set for a bench trial, okay.

24 - - -

25

C E R T I F I C A T E

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State of Ohio,)	
County of Cuyahoga,)	SS:
City of Cleveland.)	
City of Cleveland,)	
V.)	
Ariel Reidenbach.)	

I, Devonna Tucker, court reporter, do hereby certify that as a reporter employed by the Cleveland Municipal Court, I took down in stenotype all of the digitally recorded proceedings in the above-captioned case on the date set forth; that I have transcribed my said stenotype notes into typewritten form as appears in the foregoing transcript of the digitally recorded proceedings; that said transcript is a complete record of the digitally recorded proceedings had in the hearing of said case and constitutes a true and correct transcript of the digitally recorded proceedings had therein.

Dated this 10th day of November, 2014.



Devonna Tucker

2-18-14 Transcript

1 STATE OF OHIO,)
2 COUNTY OF CUYAHOGA,) SS STOKES, A.R., J.
3 CITY OF CLEVELAND.)

4 IN THE MUNICIPAL COURT

5 - - -
6 CITY OF CLEVELAND,)
7 Plaintiff,)
8 vs.) 2013CRB032808
9 ARIEL REIDENBACH,)
10 Defendant.)
11 - - -

12
13 Transcript of Digitally Recorded Proceedings had
14 before the Honorable Judge ANGELA R. STOKES on
15 Tuesday, February 18, 2014 in Courtroom 15-C.

16 - - -
17 APPEARANCES:

18 On behalf of the plaintiff:
19 Victor R. Perez, Chief Police Prosecutor
20 By: Marco Tanudra, Assistant Police
Prosecutor.

21 On behalf of the defendant:
22 Scott Hurley, Esq.

23
24
25 Devonna Tucker

P R O C E E D I N G S

1

2

THE COURT: Ariel Reidenbach. This is Docket Number 67. This matter is set for a bench trial, I think, Attorney Hurley.

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MR. HURLEY: It is, Judge. If we may approach briefly?

6

7

THE COURT: You may approach.

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- - -

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(Thereupon, a discussion was held at sidebar and on the record.)

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- - -

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MR. HURLEY: Obviously, I didn't set it for trial.

13

14

THE COURT: I know.

15

16

MR. HURLEY: Is there any middle ground here? She was originally talking this idea of having it -- (inaudible) -- it turned out she got progress second knew -- (inaudible) -- (inaudible) -- until last night.

17

18

19

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21

THE COURT: I'll place her on probation -- (inaudible) -- probation.

22

23

MR. HURLEY: Okay.

24

25

THE COURT: (Inaudible) -- I don't know if there are any restitution issues

1 regarding the \$159 for the power drill. She
2 has a substance abuse problem. She needs to
3 deal with that. There is a substance abuse
4 issue.

5 MR. HURLEY: You plan on referring
6 her for a formal --

7 THE COURT: I can -- I can pass.
8 I'll be happy to pass.

9 MR. HURLEY: I think -- (inaudible).

10 THE COURT: Sure. That's fine.

11 MR. HURLEY: I don't know if she has
12 \$9 to pay for a test today.

13 THE COURT: The Probation
14 Department will have it.

15 MR. HURLEY: She would likely
16 be positive anyways.

17 THE COURT: She told me positive.
18 I told her before -- (inaudible) response --
19 (inaudible) response --

20 MR. HURLEY: She was concerned
21 about that -- (inaudible).

22 THE COURT: I said, I will pass.

23 MR. HURLEY: Thank you.

24 THE COURT: You're welcome.

25

-- --

1 (Back on the record.)

2
3 THE COURT: Is Mr. Payne a
4 representative from Home Depot?

5 MR. PAYNE: Yes.

6 THE COURT: Thank you, sir.

7 MR. HURLEY: Judge, whenever you're
8 ready.

9 THE COURT: I'm ready.

10 MR. HURLEY: No contest.

11 THE COURT: Okay.

12 MR. HURLEY: To the charge.

13 THE COURT: Ms. Reidenbach, on
14 Docket 67, the Petty Theft charge is a First
15 Degree misdemeanor. It does carry a maximum
16 fine of \$1,000 and up to six months or up to
17 180 days in jail; do you understand?

18 THE DEFENDANT: Yes, ma'am.

19 THE COURT: The complaint is dated
20 October 7th 2013, and the Probable Cause
21 statement alleges that on October 7, 2013
22 at 2:50 p.m. that John Cook, the Lost
23 Prevention Officer for Steel Yard Home
24 Depot, located within the city of Cleveland,
25 Ohio, observed you enter the Hardware

1 Department and select a Rigid Power Drill
2 priced at \$159 from the display shelf.

3 It explains that -- says that -- alleges
4 that you exited the department with the
5 drill and you walked around the store with
6 it for several minutes.

7 At 3:04 p.m., you bypassed our registers
8 and ran out of the store with the unpaid
9 drill.

10 At that time, you were detained for
11 Theft outside of the store and escorted to
12 the back office.

13 Cleveland Police were notified. Officer
14 Tracy was notified and his partner -- they
15 took custody of you.

16 It says that Home Depot desires to
17 prosecute you for the theft incident.

18 Do you recall and understand the basis
19 for the Petty Theft charge?

20 THE DEFENDANT: Yes, ma'am, I do.

21 THE COURT: And, to that charge, is
22 it your desire to withdraw your not guilty
23 plea, enter a plea of no contest, and
24 consent to a finding of guilty?

25 THE DEFENDANT: Yes, ma'am.

1 THE COURT: By doing so, you are
2 waiving or giving up your right to have a
3 bench trial to the Judge or a jury trial to
4 eight jurors; do you understand?

5 THE DEFENDANT: Yes, ma'am, I do.

6 THE COURT: You are presumed,
7 considered to be, innocent until the city of
8 Cleveland proves your guilt beyond a
9 reasonable doubt, if your guilt is to be
10 proven at a trial; do you understand?

11 THE DEFENDANT: Yes, ma'am.

12 THE COURT: If you are to have a
13 trial, you have a right to remain silent at
14 a trial, no one can force you to testify or
15 to say anything at a trial; do you
16 understand?

17 THE DEFENDANT: Yes, your Honor.

18 THE COURT: You're also giving up
19 your right to subpoena witnesses who could
20 testify at a trial, if you were to have one;
21 do you understand?

22 THE DEFENDANT: Yes, your Honor.

23 THE COURT: And, you're giving up
24 your right to confront one of your accusers,
25 that's Mr. Anthony Payne from Home Depot

1 standing to your left; do you understand?
2 THE DEFENDANT: Yes, your Honor.
3 THE COURT: Have there been any
4 threats or promises made to force you to
5 change your plea to this charge?
6 THE DEFENDANT: No, your Honor.
7 THE COURT: Are you satisfied with
8 your attorney's representation?
9 THE DEFENDANT: Yes.
10 THE COURT: Do you have any
11 questions regarding the rights you are
12 giving up?
13 THE DEFENDANT: No.
14 THE COURT: Any questions regarding
15 the penalties that can be imposed by the
16 Court?
17 MR. HURLEY: Yes or no?
18 THE DEFENDANT: No.
19 THE COURT: Are you a citizen of
20 the United States?
21 THE DEFENDANT: Yes.
22 THE COURT: Do you have any
23 questions?
24 THE DEFENDANT: No.
25 THE COURT: I will accept your

1 change of plea to the Petty Theft charge.

2 Mr. Payne, is there a restitution issue?
3 Was the power drill returned back to Home
4 Depot? Are there any restitution issues
5 here?

6 MR. PAYNE: For the merchandise,
7 the amount of the merchandise.

8 THE COURT: Oh, the amount?

9 THE WITNESS: Yes.

10 THE COURT: Because --

11 THE WITNESS: Because, we sign it out
12 privately -- Home Depot.

13 THE COURT: Oh, okay, so you're
14 saying that restitution will be dealt with
15 by Home Depot?

16 THE WITNESS: Correct.

17 THE COURT: We shouldn't order it
18 on this case?

19 THE WITNESS: No.

20 THE COURT: Okay. I understand.
21 All right.

22 So, Attorney Hurley, you would like for
23 me to refer this matter to probation and
24 pass it for sentencing to receive a
25 presentencing investigative report?

1 MR. HURLEY: I would, your Honor.

2 THE COURT: Mr. Payne, is there
3 anything else you would like to say?

4 THE WITNESS: No, your Honor.

5 THE COURT: Okay. Do you have a
6 subpoena that I should stamp for today?

7 THE WITNESS: It was at the other
8 store -- (inaudible).

9 THE COURT: I'm sorry.

10 THE WITNESS: The subpoena was sent
11 to Steel Yard store. My store is a
12 different store -- (inaudible.)

13 THE COURT: Oh, there is a subpoena
14 here. Should I stamp this one, Prosecutor
15 Tanudra?

16 MR. TANUDRA: Yes, please.

17 THE COURT: If you can make a copy
18 of this one, I can stamp the subpoena.
19 Thank you.

20 All right. So, I will refer your case
21 to the Probation Department and pass for
22 sentencing at the defendant's request to
23 receive a presentencing investigation
24 report.

25 Did you take this item because of a

1 substance abuse problem, Miss Reidenbach?

2 THE DEFENDANT: Yes, your Honor.

3 THE COURT: And, so that is what
4 substance or substances? I don't know.

5 THE DEFENDANT: Cocaine.

6 THE COURT: I'm sorry?

7 THE DEFENDANT: Cocaine.

8 THE COURT: Any other substances,
9 because you're going to have a urinalysis
10 test in just a few moments?

11 THE DEFENDANT: No.

12 MR. HURLEY: Heroine?

13 THE COURT: Anything else?

14 THE DEFENDANT: No, your Honor.

15 THE COURT: If you could give this
16 to Prosecutor Tanudra, please? Thank you
17 for being present, sir.

18 I'll ask for the urinalysis test. Do
19 you have \$9 to pay for your urinalysis test
20 today?

21 THE DEFENDANT: No, ma'am, I don't.

22 THE COURT: The Probation
23 Department has \$9. They'll pay for it, and
24 as far as a sentencing date, I don't think
25 this can go as far as March, Attorney

1 Hurley.

2 MR. HURLEY: I understand. It's
3 whatever --

4 THE COURT: I mean, March --

5 MR. HURLEY: 12th?

6 THE COURT: -- 12th. I don't think
7 it can go that far. She has a cocaine
8 problem.

9 MR. HURLEY: I understand.
10 Bring it back on a date that you see
11 fit.

12 THE COURT: This has been going on
13 since November.

14 MR. HURLEY: Correct.

15 THE COURT: I'll pass until --

16 MR. HURLEY: Next week.

17 THE COURT: -- well, probation does
18 want ten business days to prepare a
19 probation report, so let's see -- one, two,
20 three, four -- what if I placed it on the
21 docket March 4th? Only because they asked
22 for ten business days.

23 MR. HURLEY: I understand.

24 THE COURT: But, she'll come back
25 to court, right?

1 THE DEFENDANT: Yes, ma'am.
2 MR. HURLEY: Two weeks from today.
3 THE COURT: You spent time in jail
4 didn't, you?
5 THE DEFENDANT: No, ma'am.
6 THE COURT: They didn't take you
7 into custody at all on this matter?
8 THE DEFENDANT: No. They gave me a
9 field release, the two officers that came to
10 Home Depot. They gave me a field release.
11 THE COURT: Okay. I think I told
12 you before -- when she was thinking about
13 changing her plea -- I wasn't going to send
14 her to jail. I want you to get help for
15 your substance abuse problem.
16 I'll look at everything on
17 March 24th [sic] 2014. Do you want an
18 afternoon on that date too?
19 MR. HURLEY: Did you just say
20 March 4th?
21 THE COURT: March 4th.
22 MR. HURLEY: Got it.
23 THE COURT: Is that okay?
24 MR. HURLEY: That's fine.
25 THE COURT: Oh, wait.

1 MR. HURLEY: Two weeks from today.
2 THE COURT: Right. It would have
3 to be a morning. Can't be in the afternoon.
4 MR. HURLEY: I understand.
5 THE COURT: March 4th 2014. Maybe
6 at 10:00 a.m. Is that okay?
7 THE DEFENDANT: That would be fine,
8 your Honor.
9 THE COURT: 10:00 a.m.
10 You'll go downstairs to probation, to
11 submit to the urinalysis test in just a
12 moment, so have a seat to your right?
13 MR. HURLEY: Thank you, Judge.
14 THE COURT: Thank you.

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C E R T I F I C A T E

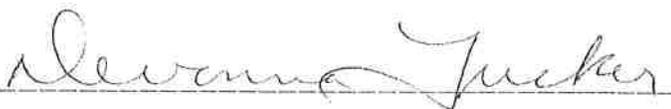
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State of Ohio,)
County of Cuyahoga,) SS:
City of Cleveland.)

City of Cleveland,)
 V.)
Ariel Reidenbach.)

I, Devonna Tucker, court reporter, do hereby certify that as a reporter employed by the Cleveland Municipal Court, I took down in stenotype all of the digitally recorded proceedings in the above-captioned case on the date set forth; that I have transcribed my said stenotype notes into typewritten form as appears in the foregoing transcript of the digitally recorded proceedings; that said transcript is a complete record of the digitally recorded proceedings had in the hearing of said case and constitutes a true and correct transcript of the digitally recorded proceedings had therein.

Dated this 10th day of November, 2014.



Devonna Tucker

3-4-14 Transcript

1 STATE OF OHIO,)
2 COUNTY OF CUYAHOGA,) SS STOKES, A. R., J.
3 CITY OF CLEVELAND.)

4 IN THE MUNICIPAL COURT

5 - - -
6 CITY OF CLEVELAND,)
7 Plaintiff,)
8 vs.) 2013CRB032808
9 ARIEL REIDENBACH,)
10 Defendant.)

11 - - -
12
13 Transcript of digitally recorded proceedings had
14 before the Honorable Judge Angela R. Stokes, on
15 Tuesday, March 4, 2014, in Courtroom 15-C.

16 - - -
17 APPEARANCES:
18 On behalf of the plaintiff:
19 Victor R. Perez, Chief Police Prosecutor
20 By: Marco Tanudra, Ass't Police Pros.
21 On behalf of the defendant:
22 Gary A. Potts, Esq.

23
24
25 Grace Evangelou, RPR

P R O C E E D I N G S

1
2 THE COURT: Is Reidenbach present?
3 Should I call that case, Attorney Potts?
4 MR. POTTS: Yes, your Honor.
5 THE COURT: Docket 40, Ariel
6 Reidenbach -- oh, Maureen was able to print
7 out everything for me. So you don't have
8 to. And you could let your colleague -- I
9 think he felt a little uncomfortable that I
10 was here by myself, but you can radio him
11 and tell him that you're back. I don't
12 know. What is his name?
13 A VOICE: Reddy (phonetic).
14 THE COURT: Reddy?(phonetic). He
15 went to take someone. Oh, that case the
16 lady goes in Judge Carr's courtroom. So he
17 took her to Judge Carr's courtroom. So
18 he'll be right back. So you let him know
19 that you're back. Thank you.
20 MR. POTTS: Do we have an
21 assessment for her, your Honor?
22 THE COURT: Let me see -- you just
23 have to maybe put it on vibrate.
24 A VOICE: I just shut it off.
25 THE COURT: Oh, okay.

1 MR. POTTS: How old are you?
2 THE DEFENDANT: Twenty-three.
3 MR. POTTS: Twenty-three?
4 (Inaudible).
5 THE DEFENDANT: On Brookpark.
6 (Inaudible).
7 MR. POTTS: Okay.
8 THE COURT: Attorney Potts, do you
9 need to see that she has not been referred
10 for an assessment. Miss Reidenbach did have
11 a urinalysis test, which I believe was
12 positive for cocaine.
13 THE DEFENDANT: Uh-hmn.
14 THE COURT: I think so.
15 MR. POTTS: May I approach for a
16 second, your Honor?
17 THE COURT: Sure.
18 - - -
19 (Thereupon, the following proceedings were
20 conducted at Sidebar.)
21 - - -
22 THE POTTS: She said she used crack
23 cocaine after that. So she wants treatment.
24 So she wants to set something up, judge.
25 THE COURT: (Inaudible).

1
2 MR. POTTS: I went through it this
3 morning but --
4 THE COURT: (Inaudible). There are
5 issues.
6 MR. POTTS: Oh, yeah, yeah.
7 THE COURT: This is pretty
8 horrible.
9 MR. POTTS: Yeah. I didn't take
10 notes, but I did (inaudible). So she needs
11 help. She wants help.
12 THE COURT: Well, what about Miss
13 Reidenbach, she comes to Court, maybe she
14 should (inaudible) I just (inaudible). If
15 (inaudible). I think she'll go.
16 MR. POTTS: Plus she just got a job
17 too.
18 THE COURT: Oh, this doesn't tell
19 me about that.
20 MR. POTTS: She just got a job.
21 I'd like to try that way, judge, try to
22 figure out -- try to get the treatment.
23 THE COURT: If our Probation
24 Department could set up everything
25 (inaudible). So I see (inaudible) is this a

1 first offense?

2 MR. POTTS: Yes. As far as my
3 notes say.

4 THE COURT: (Inaudible). I was
5 wondering about yesterday. (Inaudible). I
6 actually don't know (inaudible). She does
7 need some type of counseling (inaudible).

8 MR. POTTS: Maybe that would be
9 okay unless -- could we talk to the court
10 (inaudible). We can call --

11 THE COURT: I don't know. I just
12 want (inaudible) given her -- we need
13 someone who's going to help her (inaudible).
14 Yesterday (inaudible). But the counselor
15 who was here (inaudible) so mean to me.

16 MR. POTTS: Oh really?

17 THE COURT: I don't know how she
18 (inaudible). That wasn't the (inaudible).
19 But maybe she's better one on one with the
20 Court but whenever I have (inaudible).

21 MR. POTTS: Maybe Probation would
22 look into it and have her come back.

23 THE COURT: (Inaudible). But it's
24 a shame.

25 MR. POTTS: Yeah, it is.

1 THE COURT: I think to give her a
2 chance in the community, I most definitely
3 will.
4 MR. POTTS: All right.
5 THE COURT: Okay.
6 - - -
7 (Thereupon, proceedings were resumed in open
8 court:)
9 - - -
10 MR. POTTS: (Inaudible) counseling
11 treatment. Okay. Okay.
12 THE DEFENDANT: Okay.
13 THE COURT: Miss Reidenbach, who do
14 you live with?
15 THE DEFENDANT: Right now I am staying
16 with my mother. I'm just out here visiting
17 because of the fact that I moved down to
18 West Virginia about two years ago.
19 THE COURT: Okay. Just one second.
20 So your home is actually West Virginia?
21 THE DEFENDANT: Yeah.
22 THE COURT: And so you were here
23 just visiting --
24 THE DEFENDANT: Yes.
25 THE COURT: -- when this

1 occurred?

2 THE DEFENDANT: Yes.

3 THE COURT: So what's your desire?

4 Your desire is to return to West Virginia or

5 to just stay here now for awhile with your

6 mother?

7 THE DEFENDANT: Right now to try to

8 stay here for awhile with my mother, and

9 then yes eventually go home. Because right

10 now I'm trying to -- the reason why I went

11 and applied for the job, that I start this

12 week, is so I can save up enough money so

13 that I can get me a car to go home.

14 THE COURT: I see. And where's

15 your new job?

16 THE DEFENDANT: Over on Brookpark Road,

17 Fox's Den.

18 THE COURT: What's that?

19 THE DEFENDANT: It's a bar.

20 THE COURT: Oh, mercy. What are

21 you going to do at that bar?

22 THE DEFENDANT: Bar tend, waitress.

23 MR. POTTS: It's legal work, judge.

24 THE COURT: I didn't say it's not

25 legal. Is that what you're really going to

1 be doing?

2 THE DEFENDANT: Yeah. I'm not an
3 entertainer or anything like that. I'm just
4 bar tending and waitressing. That's all I'm
5 doing.

6 THE COURT: But that's not a good
7 job for her who's struggling with substance
8 abuse issues.

9 MR. POTTS: Well that's the best
10 she can do right now, judge. And she's just
11 losing money to --

12 THE COURT: Where else did you
13 apply?

14 THE DEFENDANT: I've applied at
15 McDonald's, Burger King. My stepfather is
16 here with me. He can tell you.

17 THE COURT: Where is he?

18 MR. POTTS: Your Honor, do you want
19 him to come up?

20 THE DEFENDANT: I have tried filling
21 out job applications. They will not higher
22 me nowhere else. This is the first job that
23 I applied at that they would hire me.

24 THE COURT: Do you think it's okay?
25 Have you been to Fox's Den? Have you?

1 THE FATHER: Yeah.

2 THE COURT: What do you think?

3 THE FATHER: It's a job right now,
4 your Honor.

5 THE COURT: Oh.

6 THE DEFENDANT: I am trying to
7 straighten up my life. I really am.

8 THE COURT: What did you say?

9 THE FATHER: I've been with the
10 company for nine years and we just got our
11 pink slips this morning.

12 THE COURT: Oh, my goodness. So
13 have you ever been in any type of counseling
14 to deal with the issues? I don't want to
15 say them in open court, but childhood
16 issues.

17 THE DEFENDANT: No.

18 THE COURT: Do you -- do you know
19 even where to go to get help? No? But you
20 would like to get some help, right? Yeah?

21 Can I ask you a question, Attorney
22 Potts, at sidebar? Mr. Tanudra may I --

23 MR. POTTS: Sidebar?

24 THE COURT: Uh-hmn.

25 - - -

1 (Thereupon, the following proceedings were
2 conducted at Sidebar.)

3 - - -
4 THE COURT: (Inaudible).
5 MR. POTTS: Sure. Okay.

6 - - -
7 (Thereupon, proceedings were resumed in open
8 court as follows:)

9 - - -
10 THE COURT: And Attorney Potts, in the
11 meantime I'm going to make a couple calls to
12 Probation to find out the best places.

13 Prosecutor Tanudra, I'm going to step in
14 the back just to make a call to Probation to
15 find out about the best places. But I'll be
16 right back.

17 - - -
18 (Thereupon, a recess was had.)

19 - - -
20 THE COURT: Attorney Potts.
21 MR. POTTS: Yes, judge.
22 THE COURT: Why are you smiling,
23 Miss Reidenbach? I'd like to know what the
24 two of you were talking about? You may
25 step -- uh-hmn -- maybe you'll tell Attorney

1 Potts. I don't know.

2 I'd like to recall Miss Reidenbach's
3 case. What's so funny?

4 THE DEFENDANT: No, I was just laughing
5 at how he like got up and just hurried up
6 and went back to his seat when you came back
7 in.

8 THE COURT: Yeah. What was he
9 staying, huh?

10 THE DEFENDANT: No, we were discussing
11 what was going on. And he was asking me
12 what was going on. And I was trying to
13 explain to him the best I could about what's
14 going on, because he left the room and he
15 didn't catch everything.

16 THE COURT: Oh, that's right, I
17 remember him walking out. That's right.
18 Okay. So Attorney Potts, shall I proceed?

19 MR. POTTS: Yes, your Honor.

20 THE COURT: Anything else you'd
21 like to say before I proceed? Okay I'm
22 going to give -- I need to write this out.
23 May I have a piece of white paper over
24 there? I'm going to write out the name of
25 an agency that Attorney Potts is going to

1 discuss with you about getting counseling
2 for the traumatic events in your life.
3 THE DEFENDANT: Okay.
4 THE COURT: Attorney Potts.
5 MR. POTTS: Yes, your Honor.
6 THE COURT: Here they are.
7 MR. POTTS: May I approach?
8 THE COURT: Yes, please. Thank
9 you. I didn't put down free bus passes. Do
10 you want me to write that down too?
11 MR. POTTS: Okay.
12 THE COURT: Okay. I think I have
13 everything here, Attorney Potts.
14 MR. POTTS: So you'll tell her
15 about probation and I'll talk to her.
16 THE COURT: Shall I tell her at
17 sidebar?
18 MR. POTTS: Yeah, I'll tell her.
19 No, you want to tell her at sidebar?
20 THE COURT: I'll tell her at
21 sidebar.
22 MR. POTTS: You want her now?
23 THE COURT: Uh-hmn, and then I'll
24 state what I can on the record, but I won't
25 put this part.

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- - -
(Thereupon, the following proceedings were
conducted at Sidebar.)

- - -
THE COURT: Miss Reidenbach, there
are agencies that you can go to. I don't
know what they all are, but one (inaudible).
And they will give you free counseling.
They won't charge you for counseling, for
the assessment or counseling. Do you
understand? But you'll have to take the
first step which is a phone call. So
Attorney Potts is saying (inaudible). While
he's talking to you (inaudible).

THE DEFENDANT: (Inaudible).

THE COURT: You'll have done an
assessment in person. They will give you
that assessment today when you go in person.
You talk to a person today. You call and
they'll get some general information.
They'll just talk to you to see, you know,
if you want their help. They'll give you a
date to come in for the formal assessment.

 If you don't have bus passes -- as long
as you get help, then I'll give you bus

1 passes. Everything is free. There's no
2 charge. (Inaudible). Once you have the
3 formal assessment and (inaudible) they will
4 link you up with counseling who can help
5 you. You have to think if you're willing to
6 do that.

7 THE DEFENDANT: All right.

8 THE COURT: I'll give you
9 permission to go to Probation, but you
10 contact them. And let's say you contact
11 them, and for some reason (inaudible) then
12 we need to have Probation help us find
13 another agency. This is one I think you
14 should start with because of the trauma that
15 you've been subjected to. Oh, yeah. Are you
16 (inaudible).

17 THE DEFENDANT: (Inaudible) came up
18 here with. And then my dad came up here
19 (inaudible).

20 THE COURT: (Inaudible). So then
21 today (inaudible) she's in a meeting now.
22 She gets out of that meeting, she would like
23 you to call her.

24 MR. POTTS: Between 11 and 12:30 or
25 between one and two.

1 THE COURT: She'll be at the phone.
2 If you would call, if you would (inaudible).
3 So even if I finish in a few moments you
4 could even go to that (inaudible). You
5 could call her and schedule your first
6 interview. They'll schedule your
7 assessment. So when you leave the courtroom
8 today, like if you call her at 11 you would
9 know when you go in for your assessment. I
10 should have asked her the hours that they do
11 assessments because you can't leave your job
12 interview for your assessment. When do you
13 start your job?
14 THE DEFENDANT: I start Friday.
15 THE COURT: Hopefully they'll have
16 to stress (inaudible) what you need, the
17 date for your assessment.
18 MR. POTTS: (Inaudible) this is
19 what the judge wrote for you. This is what
20 the judge wrote for you. She wrote it down
21 and that's the (inaudible) as to that.
22 THE DEFENDANT: Superior Avenue?
23 MR. POTTS: Uh-hmn.
24 THE COURT: That's probably when
25 you go, when you have to go for the

1 assessment. When you first call (inaudible)
2 well, the probation department when they
3 (inaudible) you, will also tell you what's
4 your substance abuse assessment date. Okay.
5 I don't know if this agency can do it too.
6 They may be able to handle everything.
7 THE DEFENDANT: Okay.
8 MR. POTTS: Probation will get to
9 that.
10 THE COURT: I'll ask them to please
11 make sure that services are not duplicated.
12 If this agency can do it all that will be
13 great.
14 MR. POTTS: Do you have questions
15 for the judge?
16 THE DEFENDANT: No. Yeah. The only
17 question I have is (inaudible) probation
18 (inaudible), and that we need to go home. I
19 need to and be able to come back out here
20 for my probation. (Inaudible).
21 THE COURT: Are you saying just
22 vacation trips that you want to take or when
23 do you want to go?
24 THE DEFENDANT: I was planning on
25 leaving towards the end of March.

1 THE COURT: To go to --
2 THE DEFENDANT: West Virginia.
3 THE COURT: What's your purpose for
4 going out there? Is it just to visit?
5 THE DEFENDANT: Yeah.
6 THE COURT: Or is it your desire to
7 leave for good?
8 THE DEFENDANT: No, it's to visit.
9 THE COURT: Well, I think if you're
10 complying with probation that you should be
11 able to go. Who's in West Virginia?
12 THE DEFENDANT: My fiance's father, he
13 has pancreatic cancer. It is in remission
14 but it just now recently came back out.
15 THE COURT: I think that you should
16 be able to travel.
17 MR. POTTS: Will you tell Probation
18 that she's (inaudible).
19 THE COURT: (Inaudible). That's
20 permissible.
21 MR. POTTS: This is for you.
22 THE COURT: Okay. So now I'll do
23 the sentencing part and now you've got to
24 keep your bargain with the Probation
25 Department. They'll send me a form like

1 this, tell me you didn't schedule your
2 appointment, you didn't do anything. But if
3 you don't do it they'll send me this form.
4 If you do do it, I won't get a form. Okay.
5 Do you think you can commit to that.
6 THE DEFENDANT: Yes.
7 THE SECURITY BAILIFF: (Inaudible) calling
8 about the warrant block. What did you
9 ant me to -- he's on the line.
10 THE COURT: (Inaudible). Were you
11 asking did he talk to Mr. Tabor?
12 THE SECURITY BAILIFF: Okay.
13 THE COURT: Mr. Tabor talked to
14 him.
15 THE SECURITY BAILIFF: Okay.
16 THE COURT: And then I think if he
17 did, Mr. Tabor is supposed to come to me and
18 tell me what needs to be done about the
19 warrant blocks. So tell him if he didn't
20 talk to Mr. Tabor, he was supposed to --
21 that he has a note for Mr. Tabor, I will
22 call Mr. Tabor again and ask him to please
23 call. Do you have his number?
24 THE SECURITY BAILIFF: No.
25 THE COURT: Well, give him 904.

1 He's in Florida.

2 A VOICE: Okay.

3 THE COURT: And I can always call
4 him later.

5 - - -

6 (Thereupon, proceedings were resumed in open
7 as follows:)

8 - - -

9 THE COURT: Miss Reidenbach, ready
10 to proceed?

11 THE DEFENDANT: Yes.

12 THE COURT: Anything else, Attorney
13 Potts?

14 MR. POTTS: Nothing further, your
15 Honor.

16 THE COURT: Anything else you'd
17 like to say?

18 THE DEFENDANT: No, your Honor.

19 THE COURT: The maximum fine is
20 \$1,000 and up to 180 days in jail. Did you
21 spend any time in jail in this matter?

22 THE DEFENDANT: No. (Inaudible).

23 THE COURT: Okay. So 180 days will
24 be suspended. I'll say one year of active
25 probation. But this can always be made

1 shorter. Do you understand?

2 THE DEFENDANT: Yes.

3 THE COURT: You do need an alcohol
4 substance abuse assessment because of the
5 crack cocaine usage. So that will be
6 handled through the Probation Department.

7 THE DEFENDANT: Okay.

8 THE COURT: But you also -- I think
9 the root of this though stems back to the
10 abuse issues. Okay. But you're going to
11 call a certain agency today that we talked
12 about at sidebar, with your attorney's
13 permission, to call for that counseling.

14 Today you have to call for an intake,
15 which will be done over the phone, and they
16 will schedule you a date to actually go in
17 person for the formal assessment. And then
18 they'll link you with a counselor to help
19 you. So that's a condition of probation.

20 You have to follow the substance abuse
21 counseling and then the trauma counseling.
22 Okay. Of course, no more thefts and let's
23 see, well, you have to stay off of the
24 property of the Home Depot stores. Okay.
25 Okay.

1 THE DEFENDANT: My dad went to go to
2 Home Depot the other day and I'm like nope,
3 I'm not riding with you.

4 THE COURT: Attorney Potts, do I
5 still have the probation report or did I
6 give it back to you?

7 MR. POTTS: You have it, your
8 Honor.

9 THE COURT: I have it. What did I
10 do with it?

11 MR. POTTS: Did you take it into
12 your Chambers?

13 THE COURT: I don't think I did.
14 Oh. No, I don't think I did. What did I do
15 with it?

16 A VOICE: Should I check?

17 THE COURT: Well, sure. I think my
18 door is locked. Or maybe it's not locked.
19 I don't know. Well, maybe it isn't. I left
20 my keys. Oh, gosh, I probably left my keys
21 in the office. I don't think I would have
22 taken it.

23 Well, if you determine that this job is
24 not the best environment for you to be at,
25 find something else. There is something

1 else, okay.

2 THE DEFENDANT: I will.

3 THE COURT: I'm going to look up

4 that (inaudible).

5 THE DEFENDANT: Huh?

6 THE COURT: What are your hours at

7 that job?

8 THE DEFENDANT: Seven to two.

9 THE COURT: Seven at night till two

10 a.m? Guess what, I think I lost my keys.

11 You're going to have to call building

12 maintenance. Did you try both doors? Would

13 you call building maintenance? I must have

14 left my keys in the office. What's your

15 level of education?

16 THE DEFENDANT: Ninth grade.

17 THE COURT: Okay. So see that's an

18 important thing to enroll in GED classes.

19 I'm not going to violate you on probation if

20 you don't, but that's important.

21 THE DEFENDANT: I have somebody willing

22 to help me to start getting towards that

23 too, your Honor.

24 THE COURT: Who's that?

25 THE DEFENDANT: A friend of mine.

1 THE COURT: There's a really nice
2 program at TRI-C called Women in Transition.
3 You can go to that program because you'll be
4 working at seven at night and it's during
5 the day. In fact, Attorney Potts, they
6 start March 17th.

7 MR. POTTS: Would you like to try
8 the program at TRI-C for your high school
9 diploma? Is it GED or diploma?

10 THE COURT: It's the GED program.
11 And they will -- her name is Kindra. I just
12 talked to her yesterday for a lady in the
13 Project Hope program. It's a great thing.
14 How old are you?

15 THE DEFENDANT: Twenty-three.

16 THE COURT: You're going to be
17 working at the bar?

18 MR. POTTS: She'll be okay, judge.

19 THE DEFENDANT: I will be okay.
20 Actually I got to think to myself no, I'm
21 not allowed to have a beer. I'm not allowed
22 to have a shot. Can't do any of it.

23 THE COURT: Right. I just think
24 that atmosphere may not be the best for you.
25 But I know you want to work. But some

1 atmospheres are just not conducive to you
2 getting better. But Attorney Potts, any
3 Motions.
4 MR. POTTS: Need to waive costs,
5 your Honor.
6 THE COURT: Any objection?
7 Mr. TANUDRA: No, your Honor.
8 THE COURT: Court costs will be
9 suspended based upon a finding of indigency.
10 A VOICE: Did you find them?
11 A VOICE: (Inaudible).
12 THE COURT: Oh, okay. Thank you.
13 THE COURT: And so do friends just
14 give you this crack cocaine or do you have
15 to -- What do you do to get the crack
16 cocaine? Do you have to pay for it?
17 THE DEFENDANT: (Inaudible).
18 THE COURT: Well, how do you get
19 the money for that?
20 MR. POTTS: Be honest with her.
21 THE DEFENDANT: To be honest,) I do
22 little jobs here and there. Like I clean or
23 my stepfather can tell you, I go and I help
24 my grandmother clean her house. She gives
25 me a little bit of money here and there. I

1 used to do some Halloweening.

2 THE COURT: Shall I ask what kind.

3 THE DEFENDANT: Costumes. That's all.

4 THE COURT: Shall I ask what kind

5 of costumes? Probably not.

6 THE DEFENDANT: Just normal Halloween

7 costumes.

8 THE COURT: Attorney Potts.

9 MR. POTTS: Yes, your Honor.

10 THE COURT: Since -- I'll suspend

11 \$950 of the fine. I'm trying to decide if

12 that should be community work service or if

13 I should just in the near future suspend it

14 all, because I don't want her to be doing

15 anything inappropriate to try to pay that

16 \$50 fine.

17 MR. POTTS: Right now you have a

18 \$50 fine. Is that okay for you to work some

19 how to pay that off?

20 THE DEFENDANT: Yeah.

21 THE COURT: I might suspend it.

22 THE DEFENDANT: I should be able to

23 have it paid by Friday or Saturday morning

24 at the earliest because I start Friday.

25 MR. POTTS: I mean you waived that

1 \$150. She knows that's a good deal. She'd
2 just -- she'd rather just pay the 50, judge.
3 It may be a good thing for her to do that
4 anyway psychologically.

5 THE COURT: Okay. And Attorney
6 Potts, before she goes downstairs to
7 Probation, just down to Probation, there
8 will be a random breathalyzer -- urinalysis
9 testing. I know that you need time to get
10 into a treatment program and to get help.
11 The Court understands that. But I want to
12 make certain that you call Patty to make
13 your appointment at that particular
14 legitimate agency that the attorneys know
15 about, and you can make that call at 11
16 privately. Do you want to go in that room
17 at 11, so that I will know your assessment
18 date, so that Probation will know that you
19 have to attend on that assessment date. Is
20 that okay?

21 THE DEFENDANT: Yes, your Honor.

22 THE COURT: So that will be in
23 about 16 minutes. And then you can just go
24 in that room and make that phone call. And
25 then you could let me know -- you can tell

1 your attorney the assessment date. He'll
2 tell me. And I'll put it on the journal
3 entry and they'll make certain that you
4 follow through. Do you understand
5 everything?

6 THE DEFENDANT: Yes, your Honor.

7 THE COURT: So the assessment
8 today, you're going to call for. You're
9 going to do that intake over the phone.
10 They said it could take five minutes, it
11 could take 15 minutes, however much you have
12 to tell them today for the intake.

13 You're going to schedule a formal
14 assessment. You need the formal assessment
15 date. You'll do something similar for the
16 alcohol drug issues. And when you talk to
17 Patty on the phone, you could ask her do
18 they handle the substance abuse issues or
19 will they just focus on the trauma. I
20 forgot to ask her that question. Okay.
21 Because if you don't have to go to more than
22 one agency that's a good thing. Okay. All
23 right.

24 I'll recall the case maybe about --
25 whenever you finish talking to Patti. I

1 won't be able to call her and verify
2 everything. Probation will be, once you
3 sign the release for information. I will
4 never call them to check on you. All that
5 goes through Probation. I called today only
6 so that I would know the number you should
7 call to schedule your intake appointment.
8 Okay. All right.

9 THE DEFENDANT: Is it okay if I can go
10 out and have a quick cigarette with my
11 stepfather real quick?

12 THE COURT: He smokes too?

13 THE DEFENDANT: Cigarettes. We're
14 actually quitting. I went out and bought
15 electronic cigarettes for me and him.

16 THE COURT: I heard they're
17 expensive and they're even worse.

18 THE DEFENDANT: No, actually I got one
19 that's no nicotine in it.

20 THE COURT: Yeah, but it has other
21 chemicals in it.

22 THE FATHER: It's all water.

23 THE COURT: Wait a second. These
24 new electronic, they're all water?

25 THE DEFENDANT: Yeah. All it is is

1 water vapor. It has no nicotine in it.

2 THE COURT: No other chemicals? I

3 can't believe it. On the package it doesn't

4 have any other chemicals. But I just saw a

5 news report saying that they were dangerous.

6 No?

7 THE DEFENDANT: The blues, yes. Not

8 the ones that you go and buy that you throw

9 away. Those are just water vapor.

10 THE COURT: So you're asking

11 permission to go outside now to smoke the

12 new ones?

13 THE DEFENDANT: No.

14 THE COURT: Oh, the blue ones with

15 the chemical?

16 THE DEFENDANT: The cigarette, the --

17 THE COURT: Oh, a real cigarette?

18 THE DEFENDANT: Yeah, a real cigarette.

19 THE COURT: Nothing else in it?

20 Nothing laced?

21 THE DEFENDANT: Nothing else in it.

22 THE COURT: Sure.

23 THE DEFENDANT: Okay.

24 THE COURT: Not that I approve, but

25 you have 15 minutes before you have to come

1 back, so it's okay. Oh, my God. I don't
2 know. I don't know.

3 * * * * *

4 THE COURT: Miss Reidenbach, did you
5 get through? You got your appointment date?

6 THE DEFENDANT: Yeah.

7 THE COURT: Awesome. Attorney
8 Potts looks like I can recall Miss Ariel
9 Reidenbach's case.

10 Did you reach Patty at that --

11 THE DEFENDANT: Yes, I did.

12 THE COURT: What date is your
13 assessment date?

14 THE DEFENDANT: My assessment date is
15 Thursday this week at 12:30.

16 THE COURT: Great. Okay. I'm
17 going to --

18 THE DEFENDANT: And she did tell me
19 that they do have counselors there that do
20 help with drug abuse and --

21 THE COURT: Okay.

22 THE DEFENDANT: Also.

23 THE COURT: Do they do that
24 assessment there?

25 THE DEFENDANT: Yes.

1 THE COURT: They'll do -- okay.
2 Great. That's good. And so Attorney Potts,
3 this is what I'm going to do. Maybe this is
4 a better way for me to do this. I'm going
5 to suspend all of the fine. She can pay for
6 her random urinalysis test. It looks like
7 nine dollars.

8 MR. POTTS: Okay.

9 THE COURT: When you're with the
10 probation officer you have to pay the nine
11 dollars.

12 THE DEFENDANT: Okay.

13 THE COURT: Did Attorney Potts tell
14 me that she used yesterday? Okay. So we
15 know it's going to be positive for the same
16 substance, nothing else?

17 THE DEFENDANT: Yes.

18 THE COURT: Okay. So Attorney
19 Potts, I'll ask for an updated report and
20 give you time to get into your counseling.
21 That's my desire, to give you time.

22 I know that you're going to test
23 positive, but you've been through quite a
24 bit. So I'll have you come back on my
25 docket like in 30 days.

1 THE DEFENDANT: Okay.

2 THE COURT: I don't think I should
3 make it sooner than that, Attorney Potts.
4 We need to give her like 30 days. They may
5 be asking for urinalysis testing on a weekly
6 basis.

7 They'll let me know via blue form if
8 you're testing positive. But I'm going to
9 let them know that I'm trying to give you a
10 chance to get things in order. Okay.

11 So Attorney Potts, why don't I just have
12 it back on the docket -- today is the 4th,
13 maybe like on the 25th. If she's complying
14 and doing pretty well, then you don't need
15 to be present. But if it's being
16 consistently positive for cocaine, it's
17 going -- I'll have to set it for a probation
18 violation hearing.

19 MR. POTTS: So you're going to put
20 on the docket that she doesn't have to come.

21 THE COURT: If she's complying.

22 MR. POTTS: Okay. As long as you
23 do what you're supposed to in probation, you
24 don't have to come. We're just going to
25 look at the records ourselves. If you don't

1 comply, the judge will set down a probation
2 violation hearing.

3 THE DEFENDANT: Okay.

4 THE COURT: Do you have nine
5 dollars to pay for the urinalyses test
6 today?

7 THE DEFENDANT: Yes.

8 THE COURT: Okay. Well, we have to
9 have a record. So you pay your nine dollars
10 today. I know it's going to be positive.
11 But like in the next -- when they've been
12 testing for the next couple weeks, I'm
13 hoping it will be negative. But I'm trying
14 to give you a chance to get into your
15 treatment program. Okay.

16 Be very forthright and honest with them
17 when you're at that agency to let them know
18 that you're still using so they can help.
19 Okay.

20 This is going to be journalized in just
21 a few moments and then you'll go downstairs
22 to Probation and over to the drug lab.
23 Okay. All right. Give me like maybe five
24 minutes before you go downstairs, five to 10
25 minutes. Okay. That will be fine.

1 * * * *

2 THE COURT: Miss Reidenbach, were
3 you planning to take a trip to West Virginia
4 any time before the end of the month?

5 THE DEFENDANT: (Inaudible).

6 THE COURT: So it will be sometime
7 in April that you'll go? Okay. So when
8 this case comes back on the docket March
9 25th, 2014, at 10 a.m., at that time if
10 everything is in compliance, I will make a
11 note about the West Virginia travel to be
12 permitted. Because you're not trying to go
13 before March 25th, correct?

14 THE DEFENDANT: No.

15 THE COURT: Okay. So I'll set it
16 also for a Motion hearing to remind me
17 regarding travel to West Virginia when this
18 comes back on the docket on March 25th.

19 Right now you don't have permission to
20 go. Okay. Unless there's some type of
21 emergency, then your probation officer will
22 send me a blue form so I can act on it prior
23 to March 25th, okay? Do you understand
24 everything?

25 THE DEFENDANT: Yes, your Honor.

1 THE COURT: Okay.

2 * * * * *

3 THE COURT: It's going to be
4 journalized now. So in a few minutes you'll
5 go downstairs.

6 THE DEFENDANT: Okay.

7 THE COURT: Will you need the
8 Probation Department to give you like bus
9 tickets or anything today?

10 THE DEFENDANT: No.

11 THE COURT: Okay. All right.

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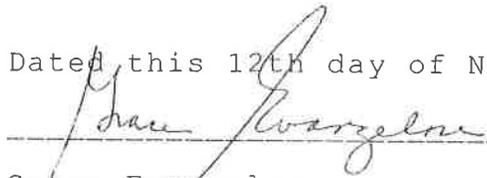
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State of Ohio,)
County of Cuyahoga,) SS:
City of Cleveland.)

City of Cleveland,)
vs.)
Ariel Reidenbach.)

I, Grace Evangelou, court reporter, do hereby certify that as a reporter employed by the Cleveland Municipal Court, I took down in stenotype all of the digitally recorded proceedings in the above-captioned case on the date set forth; that I have transcribed my said stenotype notes into typewritten form as appears in the foregoing transcript of the proceedings; that said transcript is a complete record of the digitally recorded proceedings had in the hearing of said case and constitutes a true and correct transcript of the taped proceedings had therein.

Dated this 12th day of November, 2014.


Grace Evangelou

3-25-14 Transcript

P R O C E E D I N G S

1
2 THE BAILIFF: Ariel Riedenbach.
3 THE COURT: Capias. New bond,
4 1,000.
5 THE BAILIFF: This is gonna be --
6 MS. WALSH: I'm not sure. For this
7 case -- was he already sentenced?
8 THE BAILIFF: Yeah. She's gonna be a
9 no bond.
10 MS. TAYLOR: So why was he here
11 today?
12 MR. TANUDRA: Ariel Reidenbach?
13 MS. TAYLOR: Yeah.
14 THE COURT: Probably probation
15 violation.
16 MS. TAYLOR: I believe that this was
17 just set for a review.
18 MR. TANUDRA: Post sentencing.
19 THE BAILIFF: Post sentencing.
20 MR. TANUDRA: Some form of post
21 sentencing.
22 THE BAILIFF: I'm not sure what kind.
23 THE COURT: Let me see that. Why
24 don't ya'll just give her a plain sheet of
25 paper and fix it. (Inaudible.)

1 MS. TAYLOR: I only asked because
2 our file is marked closed and it shows that
3 he was marked sentenced on the 4th and it
4 has all the -- so -- and I don't know
5 that --
6 THE COURT: Look at this.
7 THE BAILIFF: (Inaudible) Courtview,
8 something hearing, 3-25. Petty theft. I
9 have no idea.
10 MS. TAYLOR: I mean I would maybe
11 ask for at the very least a personal bond.
12 THE BAILIFF: We're gonna cape the
13 person because I'm not sure what this is.
14 MS. TAYLOR: I don't think it's set
15 for -- there's no alleged violation that I
16 saw because I took a look at that earlier.
17 THE BAILIFF: I've got a suggestion.
18 We can continue it till the 9th for a
19 probation violation.
20 THE COURT: Okay.
21 MS. TAYLOR: And I'll try and
22 contact --
23 THE BAILIFF: Yeah.
24 MS. TAYLOR: -- the person as well.
25 THE COURT: That's April 9th,

1 right?

2 THE BAILIFF: Yes.

3 THE COURT: Do you summons him or

4 --

5 THE BAILIFF: You c'an put defendant

6 --

7 THE COURT: -- how will he know?

8 THE BAILIFF: You can put defendant

9 to be summonsed and probation report update.

10 Kelsey will probably give him -- give her a

11 call too.

12 MS. TAYLOR: Yeah. I'll call.

13 MR. TANUDRA: Do you mind? This

14 might have been sent for her to -- check

15 with her. She was supposed to get

16 (inaudible).

17 THE COURT: And what -- what else?

18 MR. TANUDRA: -- court (inaudible).

19 The judge gave her (inaudible).

20 THE BAILIFF: -- probation. Refer to

21 probation.

22 MR. TANUDRA: The judge gave her

23 (inaudible). I think that might have been

24 (inaudible).

25 MS. TAYLOR: Yeah, yeah. Yeah.

1 THE COURT: You have to have an
2 unhinged mind to be able to decipher that.
3 Vivian know that?

4 THE BAILIFF: Yeah.

5 THE COURT: What's the point in all
6 this?

7 THE BAILIFF: Like I was telling the
8 judge, I think she writes all this stuff
9 down and she (inaudible).

10 THE COURT: Is this -- they
11 summonsed him for the 9th. Is that at 9:00?

12 THE BAILIFF: Yes.

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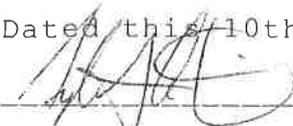
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State of Ohio,)
County of Cuyahoga,) SS:
City of Cleveland.)

City of Cleveland,)
vs.)
Ariel Reidenbach)

I, Sylvester A. White, court reporter, do hereby certify that as a reporter employed by the Cleveland Municipal Court, I took down in stenotype all of the digitally recorded proceedings in the above-captioned case on the date set forth; that I have transcribed my said stenotype notes into typewritten form as appears in the foregoing transcript of the proceedings; that said transcript is a complete record of the digitally recorded proceedings had in the hearing of said case and constitutes a true and correct transcript of the taped proceedings had therein.

Dated this 10th day of November, 2014.


Sylvester A. White

4-9-14 Transcript

1 STATE OF OHIO,)
COUNTY OF CUYAHOGA,) SS ADRINE, R. B., J.
2 CITY OF CLEVELAND.)

3
4 IN THE MUNICIPAL COURT

5 - - -
6 CITY OF CLEVELAND,)
7 Plaintiff,)
8 vs.) Case No.
9 ARIEL REIDENBACH,) 2013CRB032808
10 Defendant.)

11 - - -
12
13 Transcript of digitally recorded proceedings had
14 before the Honorable Judge Ronald B. Adrine on
15 Wednesday, April 9, 2014 in Courtroom 15-A.

16 - - -
17 APPEARANCES:

18 On behalf of the plaintiff:
19 Victor R. Perez, Chief Police Prosecutor
20 By: Brian Fritz, Assistant Police
21 Prosecutor.

22 On behalf of the defendant:
23 Kelsey Taylor, Esq.

24
25 Sylvester A. White

P R O C E E D I N G S

1
2 THE BAILIFF: Ariel Reidenbach.

3 THE COURT: Ms. Taylor.

4 MS. TAYLOR: Yes, your Honor. I
5 believe my client is here today on an
6 allegation of probation violation that she
7 failed to report on a certain day. She
8 indicated to me that she acknowledges she
9 didn't report that day. She was ill. She
10 called and notified her probation officer of
11 that fact. And then on the followup date
12 there was some sort of miscommunication
13 about -- either miscommunication or just an
14 error on my client's part about the day that
15 she was set to report.

16 You know, we would acknowledge that
17 that's a violation of the probation, but
18 would ask to continue --

19 THE COURT: Why were you ordered to
20 undergo substance abuse assessment?

21 THE DEFENDANT: Because at the time I
22 was using heroin.

23 THE COURT: Did it have anything to
24 do with the theft?

25 THE DEFENDANT: At the time, yes. But I

1 am getting help for it. I am trying do
2 everything I possibly can.

3 THE COURT: And have you gone for a
4 substance abuse assessment or counselling?

5 THE DEFENDANT: Yes, I have.

6 THE COURT: This entry will read:
7 Probation violation hearing waived.

8 Defendant is found in violation of
9 probation. Sentence is re-suspended.

10 Probation will continue until the original
11 end date. No further judicial updates are
12 required absent of an allegation of
13 probation violation. Now, Ms. Reidenbach,
14 if you do what you're supposed to do as far
15 as the probation department is concerned
16 then I don't expect that the Court will have
17 to see you again. If, however, you violate
18 any term of your probation, that means that
19 you come back in front of me as a probation
20 violator. If you come back in front of me
21 as a probation violator, it means that you
22 go to jail for the maximum term that the
23 Court announced originally. Do you
24 understand?

25 THE DEFENDANT: Yes, your Honor.

1 THE COURT: Okay. How many court
2 appearances have you made already, ma'am?
3 THE BAILIFF: Five, six, seven,
4 eight.
5 MS. TAYLOR: I have one, two, three,
6 four, five.
7 THE DEFENDANT: About five, I think.
8 THE BAILIFF: I have seven.
9 MS. TAYLOR: I think this is the
10 7th, perhaps -- 7th or eighth.
11 THE BAILIFF: One, two, three, four,
12 five, six, seven. Today's the eighth.
13 MS. TAYLOR: That would make sense
14 because the first time we probably didn't
15 have a file. So --
16 THE COURT: And on those occasions,
17 ma'am, what was the average length of time
18 that you spent in court?
19 THE DEFENDANT: Pretty much the whole
20 day.
21 THE COURT: On each occasion?
22 THE DEFENDANT: On each occasion.
23 There was one time me and my stepfather did
24 not get out of the courtroom until 6:00 in
25 the evening.

1 THE COURT: From 8:30 in the
2 morning?
3 THE DEFENDANT: To six in the evening,
4 yes.
5 THE COURT: Okay.
6 MS. TAYLOR: Thank you, your Honor.
7 THE COURT: Thank you.

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State of Ohio,)
County of Cuyahoga,) SS:
City of Cleveland.)

City of Cleveland,)
vs.)
Ariel Reidenbach)

I, Sylvester A. White, court reporter, do hereby certify that as a reporter employed by the Cleveland Municipal Court, I took down in stenotype all of the digitally recorded proceedings in the above-captioned case on the date set forth; that I have transcribed my said stenotype notes into typewritten form as appears in the foregoing transcript of the proceedings; that said transcript is a complete record of the digitally recorded proceedings had in the hearing of said case and constitutes a true and correct transcript of the taped proceedings had therein.

Dated this 10th day of November, 2014.


Sylvester A. White

5-5-14 Transcript

1 STATE OF OHIO,)
2 COUNTY OF CUYAHOGA,) SS
3 CITY OF CLEVELAND.)

ADRINE, R. B., J.

4 IN THE MUNICIPAL COURT

5
6 CITY OF CLEVELAND,)
7 Plaintiff,)
8 vs.)
9 ARIEL REIDENBACH,)
10 Defendant.)

Case No.
2013CRB032808

11
12
13 Transcript of digitally recorded proceedings had
14 before the Honorable Judge Ronald B. Adrine on
15 Monday, May 5, 2014 in Courtroom 15-A.

16
17 APPEARANCES:

18 On behalf of the plaintiff:

19 Victor R. Perez, Chief Police Prosecutor
20 By: Katherine Maurath, Assistant Police
21 Prosecutor.

22 On behalf of the defendant:

23 Kelsey Taylor, Esq.

24
25 Sylvester A. White

P R O C E E D I N G S

1
2 THE BAILIFF: Ariel Reidenbach. PV,
3 judge.

4 THE COURT: Ms. Taylor.

5 MS. TAYLOR: Good morning, your
6 Honor. Kelsey Taylor on behalf of the
7 defendant. I had filed a motion in the last
8 week or two to transfer Ms. Reidenbach's
9 probation down to Fort Gay, West Virginia.
10 She was in court I think at the end of March
11 and she was found in violation of her
12 probation. Her probation was ordered to
13 continue.

14 After speaking with Ms. Reidenbach and
15 several members of her family, it appears
16 that the -- the original incident stemmed
17 from addiction issues that she is facing.
18 And she and her family feel that if she's
19 allowed to complete the terms of probation
20 in West Virginia, she'll be removed from
21 some of the forces that have kept her sort
22 of in the holds of her addiction. We
23 understand this isn't a usual request, but
24 if this Court would be inclined to grant it,
25 Ms. Reidenbach could go down to probation,

1 work out the details with them.

2 THE COURT: Ma'am, when were you
3 originally -- when did you originally come
4 to court?

5 THE DEFENDANT: The original date that
6 I came to court the first time was --

7 MS. TAYLOR: It was back in October
8 of 2013, I believe.

9 THE COURT: And between October of
10 2013 and today how many court appearances
11 have you been required to make?

12 THE DEFENDANT: Altogether about six
13 (inaudible).

14 MS. TAYLOR: I count seven, your
15 Honor. I'm just flipping through the docket
16 really quickly, so my calculation could be
17 off. And several of those, I believe, were
18 sort of check-in dates -- Judge Stokes.

19 THE COURT: Compliance dates?

20 MS. TAYLOR: Correct.

21 THE COURT: What do you think about
22 this?

23 THE DEFENDANT: To be honest, your
24 Honor, I live actually out in West Virginia.
25 I do not live out here. I just came out

1 here visiting and then when I got into
2 trouble. Everything that has been going on
3 has been keeping me out here. I am better
4 off going back down to West Virginia where I
5 originally stay at to finish out my
6 probation out there.

7 THE COURT: Ms. Reidenbach, you
8 know, I'm looking at this and it seems to me
9 that what's going on with you extends
10 well-beyond what we can do or maybe even
11 what the probation department in West
12 Virginia, whoever the heck that's gonna be,
13 to help you, really extends to what you're
14 willing to do for yourself. The question is
15 really, seriously, at this point what are
16 you ready to do for yourself.

17 THE DEFENDANT: To be honest, your
18 Honor, I was clean when I was out in West
19 Virginia. I had an addiction problem before
20 when I first was out here in Cleveland
21 before I moved out there. When I moved out
22 there I ended up getting better. My mom
23 came out there to visit me. I was clean.
24 But when I came back out here it was a
25 different story, and I ended up using again

1 and --

2 THE COURT: You're currently
3 residing in West Virginia?

4 THE DEFENDANT: Yes. I am currently
5 living in West Virginia, yes.

6 MS. TAYLOR: I've spoken with family
7 members before that basically confirm that
8 exact version of events, your Honor.

9 THE COURT: This entry is gonna
10 read probation violation hearing is waived
11 defendant's found in violation of probation.
12 Sentence is re-suspended. Probation will be
13 terminated. Good luck to you, ma'am.

14 MS. TAYLOR: Does she need to wait
15 for any paperwork, your Honor, or is she
16 just done?

17 THE COURT: She's done. Good luck
18 to you, ma'am.

19 MS. TAYLOR: Thank you very much,
20 your Honor.

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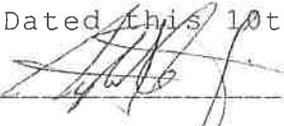
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State of Ohio,)
County of Cuyahoga,) SS:
City of Cleveland.)

City of Cleveland,)
)
 vs.)
)
 Ariel Reidenbach)

I, Sylvester A. White, court reporter, do hereby certify that as a reporter employed by the Cleveland Municipal Court, I took down in stenotype all of the digitally recorded proceedings in the above-captioned case on the date set forth; that I have transcribed my said stenotype notes into typewritten form as appears in the foregoing transcript of the proceedings; that said transcript is a complete record of the digitally recorded proceedings had in the hearing of said case and constitutes a true and correct transcript of the taped proceedings had therein.

Dated ~~this~~ 10th day of November, 2014.


Sylvester A. White

11-26-14 Transcript

1 STATE OF OHIO,)
2 COUNTY OF CUYAHOGA,) SS: STOKES, A.R., J.
3 CITY OF CLEVELAND.)

4 IN THE MUNICIPAL COURT

5 - - -
6 CITY OF CLEVELAND,)
7 Plaintiff,)
8 vs.) 2013 CRB 032808
9 ARIEL REIDENBACH,)
10 Defendant.)

11 - - -
12
13 Transcript of digitally recorded proceedings had
14 Before the Honorable Judge Angela R. Stokes on
15 Tuesday, November 26, 2013 in Courtroom 15C.

16 - - -
17 APPEARANCES:

18 On behalf of the plaintiff:
19 Victor R. Perez, Chief Police Prosecutor
20 By: Aric Kinast, Asst. Police Pros.

21 On behalf of the defendant:
22 (None present)

23
24
25 MARVA M. WILSON

P R O C E E D I N G S

1
2 THE COURT: Who else is not
3 represented by a public defender or a
4 private attorney?

5 This lady right here; if you will step
6 forward, please. In the second row, yes.
7 Will step forward. What is your name
8 please? May I have your name?

9 THE DEFENDANT: Ariel Reidenbach.

10 THE COURT: Ms. Reidenbach, the
11 Petty Theft charge is a first degree
12 misdemeanor, which carries a maximum fine of
13 one thousand dollars and up to six months or
14 up to 180 days in jail. You certainly have
15 a right to be represented by an attorney.
16 Would you like to have a continuance so that
17 you can have an attorney assist you on this
18 case?

19 THE DEFENDANT: I wanted to plead no
20 contest.

21 THE COURT: Do you understand that
22 it carries a maximum fine of one thousand
23 dollars and up to six months in jail?

24 THE DEFENDANT: I had no idea.

25 THE COURT: Why don't you want to

1 seek legal counsel? Why don't you want an
2 attorney to help you?

3 THE DEFENDANT: Because of the fact
4 that I made a dumb mistake and I am willing
5 to accept the consequences for it.

6 THE COURT: Do you have a job?

7 THE DEFENDANT: Yes, I do.

8 THE COURT: Okay. So are you sure
9 you wouldn't like to have a continuance to
10 go talk to the Public Defender's Office?

11 MR. LONDON: (Inaudible).

12 THE DEFENDANT: I guess so.

13 THE COURT: Okay. Okay.

14 Ms. Reidenbach's case will be continued at
15 the defendant's request, set for a pretrial
16 so that you may seek legal counsel. The
17 Public Defender's Office is open Mondays
18 through Fridays, from 12 o'clock noon until
19 four p.m. At one they start the interviews
20 but a person can actually sign up at noon.
21 First come, first serve; you understand?

22 THE DEFENDANT: Yes.

23 THE COURT: So the earlier you sign
24 up, starting at noon, you'll get served
25 earlier. And we will give you their address.

1 And you have to go in person. They won't
2 discuss your case over the phone, okay.

3 Ms. Reidenbach's case will be continued
4 at the defendant's request, set for a
5 pretrial so that she may go to the Public
6 Defender's Office.

7 THE DEFENDANT: I might not be able to
8 do it until like Friday.

9 THE COURT: That's okay. Why don't
10 we give you a continued date of -- what
11 about December the 11th?

12 THE DEFENANT: (Inaudible).

13 THE COURT: That's a Wednesday. It
14 can be in the afternoon like at 3 o'clock.
15 Would you prefer that?

16 THE DEFENDANT: Yes.

17 THE COURT: Okay. So your
18 continued date will be December the 11th,
19 2013, 3 o'clock in the afternoon is okay.

20 THE DEFENDANT: Yes.

21 THE COURT: At 3 p.m. The deputy
22 bailiff is going to give you a reminder slip
23 which has the address of the Public
24 Defender's Office. Please make certain you
25 go there before you come back, okay.

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THE DEFENDANT: Okay.
THE COURT: All right.
THE DEFENDANT: Thank you.
THE COURT: You're welcome.

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State of Ohio,)
County of Cuyahoga,) SS:
City of Cleveland.)

City of Cleveland,)
V.)
Ariel Reidenbach.)

I, Marva M. Wilson, court reporter, do hereby certify that as a reporter employed by the Cleveland Municipal Court, I took down in stenotype all of the digitally recorded proceedings in the above-captioned case on the date set forth; that I have transcribed my said stenotype notes into typewritten form as appears in the foregoing transcript of the proceedings; that said transcript is a complete record of the digitally recorded proceedings had in the hearing of said case and constitutes a true and correct transcript of the digitally recorded proceedings had therein.

Dated this 7th day of November, 2014.



Marva M. Wilson

12-11-14 Transcript

1 STATE OF OHIO,)
COUNTY OF CUYAHOGA,) SS STOKES, A.R., J.
2 CITY OF CLEVELAND.)

3
4 IN THE MUNICIPAL COURT

5 - - -
6 CITY OF CLEVELAND,)
7 Plaintiff,)
8 vs.) 2012CRB032808
9 ARIEL REIDENBACH,)
10 Defendant.)
11 - - -

12
13 Transcript of Digitally Recorded Proceedings had
14 before the Honorable Judge **ANGELA R. STOKES**, on
15 Wednesday, December 11, 2013 in Courtroom 15-C.

16 - - -
17 APPEARANCES:

18 On behalf of the plaintiff:
19 Victor R. Perez, Chief Police Prosecutor
20 By: Aric Kinast, Assistant Police
Prosecutor.

21 On behalf of the defendant:
22 Pro se.

23
24
25 Devonna Tucker

P R O C E E D I N G S

1
2 THE COURT: Is there an Ariel
3 Reidenbach? Docket 83. Docket 83.

4 Attorney London, I have to move on to
5 the next case, please.

6 This is Docket 83 for Miss Ariel
7 Reidenbach. Do you represent
8 Ms. Reidenbach?

9 MR. LONDON: No.

10 THE COURT: Did you go to Public
11 Defender's Office, ma'am?

12 THE DEFENDANT: No, ma'am, I didn't. I
13 didn't have a chance to. I had to leave out
14 of town for an emergency.

15 THE COURT: Well, see you on
16 Monday. Continued at defendant's request.
17 Set for a pretrial. December 16th 2013 at
18 2:00 p.m. The address to the Public
19 Defender's Office -- if you don't want to
20 seek legal representation, you can represent
21 yourself on a charge that carries a fine up
22 to \$1,000 and up to six months in jail.

23 You've had ample opportunity to seek
24 legal counsel. It is your responsibility.
25 If you want legal counsel, you have to be

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responsible and go there; do you understand?

THE DEFENDANT: Yes, ma'am, I do.

THE COURT: Okay. I'll see you
Monday at 2:00 p.m.

THE DEFENDANT: All right.

- - -

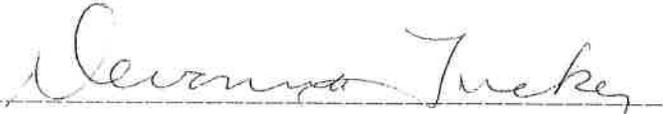
C E R T I F I C A T E

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State of Ohio,)	
County of Cuyahoga,)	SS:
City of Cleveland.)	
City of Cleveland,)	
v.)	
Ariel Reidenbach.)	

I, Devonna Tucker, court reporter, do hereby certify that as a reporter employed by the Cleveland Municipal Court, I took down in stenotype all of the digitally recorded proceedings in the above-captioned case on the date set forth; that I have transcribed my said stenotype notes into typewritten form as appears in the foregoing transcript of the digitally recorded proceedings; that said transcript is a complete record of the digitally recorded proceedings had in the hearing of said case and constitutes a true and correct transcript of the digitally recorded proceedings had therein.

Dated this 7th day of November, 2014.



Devonna Tucker

12-16-14 Transcript

1 STATE OF OHIO,)
2 COUNTY OF CUYAHOGA,) SS STOKES, A.R., J.
3 CITY OF CLEVELAND.)

4 IN THE MUNICIPAL COURT

5 - - -
6 CITY OF CLEVELAND,)
7 Plaintiff,)
8 vs.) 2013CRB032808
9 ARIEL REIDENBACH,)
10 Defendant.)

11 - - -
12
13 Transcript of Digitally Recorded Proceedings had
14 before the Honorable Judge **ANGELA R. STOKES** on
15 Monday, December 16, 2013 in Courtroom 15-C.

16 - - -
17 APPEARANCES:

18 On behalf of the plaintiff:
19 Victor R. Perez, Chief Police Prosecutor
20 By: Aric Kinast, Assistant Police
Prosecutor.

21 On behalf of the defendant:
22 Michael Heffernan, Esq.

23
24
25 Devonna Tucker

P R O C E E D I N G S

1
2 THE COURT: Docket 50, Ariel
3 Reidenbach's case. Ariel Reidenbach is not
4 present. It's a capias. Ariel Reidenbach,
5 step forward to the podium, please?

6 Attorney Heffernan, do you represent
7 Ms. Reidenbach?

8 MR. HEFFERNAN: We do, Judge.

9 THE COURT: Have you had a chance
10 to pretry?

11 MR. HEFFERNAN: I talked to Mr. Kinast
12 about the possibility of her being referred
13 to SIP. I don't know what the Court's
14 position is on that. She has no prior
15 record, to my knowledge. I understand there
16 would be an additional pretrial involved
17 with the parties being subpoenaed from Home
18 Depot about the incident that allegedly took
19 place at Steel Yard Commons.

20 I think she would be a good candidate
21 for SIP. I don't know what the Court's
22 position is on it.

23 THE COURT: Well, did you say that
24 Mr. Kinast is going to subpoena the
25 witnesses to be present?

1 MR. KINAST: I can, if you would
2 like.

3 THE COURT: Yes, and if she has
4 substance abuse issues, the Court is not
5 going to make a referral, but you would have
6 to check with her, because that cannot be
7 handled in a 90 day place -- program in the
8 Probation Department.

9 MR. HEFFERNAN: I don't know that there
10 has been a substance abuse allegation, your
11 Honor. I think it's --

12 THE COURT: She will have to submit
13 to a urinalysis test, and if she -- if
14 her -- if this theft was related to
15 substance abuse, I don't know. It may not
16 have been, but she cannot address that in a
17 90 day program.

18 MR. HEFFERNAN: All right. If she comes
19 up clean, then she comes up clean. If
20 not --

21 THE COURT: Then I'm not making the
22 referral, so you would have to inquire.
23 There is no point in us going through this
24 if that's the case, but I don't know. She
25 would be able to let you know.

1 THE DEFENDANT: Your Honor, I don't use
2 nothing at all. The only thing I smoke is
3 my cigarettes, so --

4 THE COURT: You can subpoena the
5 witnesses, and we'll see what happens on the
6 next court date.

7 Continued at the defendant's request.
8 Set for a pretrial.

9 Do you have a particular date in mind;
10 do you want the January date; is it better
11 to subpoena witnesses for January?

12 MR. HEFFERNAN: Great.

13 THE COURT: Is that okay?
14 January 7th 2014.

15 Is an afternoon better for you,
16 Ms. Reidenbach?

17 THE DEFENDANT: Yes, more likely.

18 THE COURT: Do you want a morning
19 or afternoon?

20 THE DEFENDANT: Afternoon.

21 THE COURT: It's at 2:00 p.m. I'll
22 note that you'll subpoena the witnesses.

23 THE DEFENDANT: Did you say 10:00 p.m.?

24 THE BAILIFF: 2:00.

25 THE DEFENDANT: 2:00 p.m.

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THE BAILIFF: Here is your reminder.

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C E R T I F I C A T E

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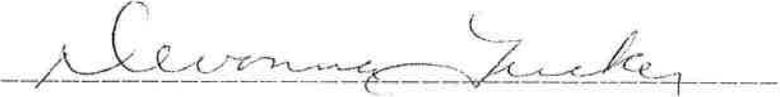
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Devonna Tucker