

Courtroom Minute Entry

Room: Bluefield
Caption: USA v. Ronald Collins

Case No.: 5:18-mj-00009
Judge: Aboulhosn

Type: Criminal

Started: 3/19/2018 2:22:43 PM

Ends: 3/19/2018 3:48:08 PM

Length: 01:25:26

Judge Omar Aboulhosn
Courtroom Deputy Tammy Davis
AUSA Miller Bushong
AFPD David Bungard
Defendant Ronald Collins
Senior USPO Brett Taylor
Court Reporter Lisa Cook

PRELIMINARY & DETENTION HEARING ON COMPLAINT

2:25:07 PM Judge Omar Aboulhosn called case, counsel noted their appearances for the record,
2:25:10 PM defendant present in the courtroom
2:25:24 PM We are here today for a Preliminary and Detention Hearing previously set by the Court.
2:25:32 PM Are we going to take evidence today or is the defendant prepared to waive?
2:25:43 PM AFPD David Bungard: The defendant does not wish to waive, we will go forward with the Preliminary Hearing, your honor.
2:26:05 PM Judge Aboulhosn: I would prefer the evidence come in all at once.
2:26:13 PM AUSA Miller Bushong
2:26:23 PM Calls witness Special Agent Laura Viup
2:27:22 PM Courtroom Deputy administered oath to witness
2:27:42 PM AUSA Miller Bushong
2:28:14 PM Direct examination of witness
2:29:31 PM Introduces government's Exhibit 1 – Firearms Transaction Record
2:30:20 PM Introduces government's Exhibit 3 - Federal Lawsuit for *Ronald Collins v. Kristen Keller*
2:32:37 PM Introduces government's Exhibit 2 - Order Finding Defendant Presently Incompetent to Stand Trial and Committing Him to William R. Sharpe Hospital - issued by Circuit Court of Raleigh County of WV executed by Judge Robert Burnside, Jr.
2:33:13 PM That is my evidence with respect to probable cause, your honor.
2:35:22 PM AFPD David Bungard
2:35:42 PM Cross examination of witness
2:38:55 PM Judge Omar Aboulhosn
2:39:19 PM Mr. Bushong, go ahead and proceed with detention
2:39:40 PM AUSA Miller Bushong
2:39:43 PM Proffers to the Court as to detention
2:39:58 PM Direct examination of witness (Special Agent Laura Viup) with regard to detention
2:41:14 PM Proceeds with evidence – introduces government's Exhibit 4 (on disc)
2:43:00 PM Introduces government's Exhibit 5 – Video (on disc)
2:45:52 PM Introduces government's Exhibit 6 – Video (on disc)
2:47:47 PM Introduces government's Exhibit 7 – Video (on disc)
2:55:57 PM Introduces government's Exhibit 8 – Video (on disc)
3:02:20 PM Introduces government's Exhibit 9 – Video (on disc)
3:07:46 PM Discusses search warrant issued in Greenbrier County
3:08:55 PM Witness outlines search warrant
3:09:55 PM Continued with direct examination of witness
3:11:22 PM Introduces government's Exhibit 10 - posted video blog (on disc)
3:12:51 PM Witness reads blog
3:14:22 PM Introduces government's Exhibit 11 - posted video blog (printed blog comments)
3:15:36 PM Witness discussed what the defendant said when arrested on the Criminal Complaint
3:16:47 PM AUSA Miller Bushong: I want to go back and time and discuss what led to the defendant being committed.
3:18:38 PM Continued with direct examination of witness
3:20:14 PM Introduces government's Exhibit 12 (transcript of recorded conversation)

3:21:17 PM Witness reads highlighted section of transcript
3:23:27 PM Introduces government's Exhibit 13 - Officer Safety Bulletin (on disc)
3:24:23 PM AFD David Bungard
3:24:26 PM Questions witness about when the safety bulletin was published?
3:24:45 PM Witness: I do not know
3:25:02 PM AUSA Miller Bushong
3:25:09 PM Discusses when safety bulletin was posted.
3:25:42 PM That is all the questions I have with respect to detention, your honor.
3:26:04 PM AFD David Bungard
3:26:08 PM Cross examination of witness
3:35:45 PM Judge Omar Aboulhosn
3:35:48 PM Excuses witness from stand
3:36:07 PM AFD David Bungard
3:36:10 PM No witnesses your honor, just proffer
3:36:14 PM AUSA Miller Bushong
3:36:25 PM Proffers to the Court
3:37:30 PM AFD David Bungard
3:37:33 PM Proffers to the Court
3:38:19 PM Judge Omar Aboulhosn
3:38:21 PM The United States has met probable cause – this matter will be bound over to the Grand Jury
3:38:42 PM AUSA Miller Bushong
3:38:46 PM Proffers to the Court
3:39:43 PM AFD David Bungard
3:39:45 PM Proffers to the Court
3:46:22 PM Judge Omar Aboulhosn
3:46:25 PM Any rebuttal, Mr. Bushong?
3:46:34 PM AUSA Miller Bushong
3:46:36 PM No, your honor.
3:46:39 PM Judge Omar Aboulhosn
3:46:49 PM The Court finds by a preponderance of the evidence that the defendant is a risk of flight
3:46:51 PM By clear and convincing evidence that he is a danger to others and the community.
3:46:53 PM Therefore, no conditions or combination of conditions exist that will reasonably assure his release.
3:46:55 PM Defendant is remanded to the custody of the United States Marshals pending action by the Grand Jury.
3:47:07 PM AUSA Miller Bushong
3:47:08 PM May I have a moment, your honor?
3:47:15 PM Judge Omar Aboulhosn
3:47:16 PM Sure
3:47:30 PM Judge Omar Aboulhosn
3:47:42 PM How long before this matter is presented to Grand Jury, Mr. Bushong?
3:47:51 PM AUSA Miller Bushong: Should be within 30 days your honor.
Hearing adjourned