

EXHIBIT B

IN THE CIRCUIT COURT OF RALEIGH COUNTY, WEST VIRGINIA

COPY

STATE OF WEST VIRGINIA,

Plaintiff,

v.

Criminal Action Nos. 12-F-470-K
12-F-471-K and 12-B-234

RONALD COLLINS, JR.,

Defendant.

MOTION TO DISMISS AND BOND REDUCTION
HEARING TRANSCRIPT

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Proceedings had in the above-styled action before the
HONORABLE H.L. KIRKPATRICK III, Judge of the Circuit
Court of Raleigh County, West Virginia, as reported by
Amanda J. Meadows, RPR, CCR on December 3rd, 2013.

A P P E A R A N C E S

KRISTEN L. KELLER: Raleigh County Prosecuting Attorney,
112 North Heber Street, Beckley, West Virginia, 25801.
Counsel for the State.

J.S. SHUMATE: Prosecutor's Assistant.

ROBERT P. DUNLAP: 310 Johnstown Road, Suite 4, Beckley,
West Virginia, 25801. Counsel for Defendant.

Defendant in person.

I N D E X

DEFENSE WITNESSES

Collins, Jr., Ronald

Direct Examination (Dunlap)	22
Examination (by the Court)	30
Cross-Examination (Keller)	35
Redirect Examination (Dunlap)	43

E X H I B I T S

STATE'S EXHIBITS

Marked Admitted

No. 1	Dr. Clayman's report	12	--
No. 2	Dr. Miller's report	12	--

1 PROCEEDINGS

2 THE COURT: The Court calls the case of
3 State of West Virginia versus Ronald Collins, Jr.

4 This case is numbered 12-F-470-K. I also
5 have Case Number 471.

6 The record should reflect that the State
7 appears by Kristen L. Keller who is the prosecuting
8 attorney for Raleigh County.

9 Jeff Shumate appears as the prosecutor's
10 assistant in this matter.

11 The defendant does appear in person and is
12 represented by Robert Dunlap.

13 We are here to take up several defense
14 motions. I believe one is a motion to reduce bond. Is
15 that right, Mr. Dunlap?

16 MR. DUNLAP: It is, Your Honor. And if the
17 Court may indulge me, I would like to address the first
18 motion we've noticed, specifically the child pornography
19 case, Your Honor. It was Case Number 12-F-470.
20 Specifically it's a -- and I hate to say, it's an
21 unclever regurgitation of the prior time we filed this
22 motion --

23 MS. KELLER: Your Honor, I don't mean to
24 interrupt, but Mr. Dunlap and I have discussed this

1 matter. The State does not dismiss -- object to the
2 dismissal of the child pornography charges. The report,
3 through no fault of the state police, was submitted late
4 to the Prosecuting Attorney's Office. And in the
5 meantime, the state police and federal authorities have
6 agreed that if it's going to be prosecuted that it would
7 be prosecuted by federal authorities. So we do not
8 object to the motion to dismiss.

9 THE COURT: All right. Let's make sure we
10 have the right number. I have another case 13-B-410-K.
11 Does that jive with anybody's records?

12 MS. KELLER: I believe -- that may be the
13 bound over number.

14 THE COURT: Okay.

15 MR. DUNLAP: Your Honor, that's correct.
16 The -- regretfully there's -- it gets very convoluted
17 with these bound over numbers. But I do have the docket
18 from the circuit court calling it 12-B-234 on this
19 matter.

20 THE COURT: Okay.

21 MR. DUNLAP: When Ms. Keller contacted me
22 this morning -- I'm sorry. So that's terrific news. I
23 guess that resolves the first matter if the State
24 intends to dismiss the child pornography.

1 THE COURT: It appears to. The State does
2 not object. I suppose it's dismissed on your motion.
3 So I'll ask you to prepare an appropriate order in that
4 case.

5 MR. DUNLAP: Yes, Your Honor.

6 Your Honor, secondarily, we've certainly
7 noticed to this Court to address the issue of a bond
8 reduction. The Court is I'm sure well aware of what
9 Mr. Collins has been alleged -- you've reviewed the
10 file. And, Your Honor, this is a bond that was set by
11 Magistrate Massie. Mr. Collins has had a lot of
12 dealings with this person, and he feels as if the bond
13 was biased and reflected a bias against him.

14 But that being said, what I understand from
15 the complaint and the warrant is that it references
16 videos that I believe I have reviewed most of. There's
17 one that has been taken down that I have not seen.

18 But I have pulled off quotes from both his
19 blog and his videos. And, Your Honor, it seems as if
20 every time that there has been a threat or some sort of
21 an expression of his discontent with the legal process,
22 as it's been waged against him, there's also been a
23 statement where he communicates that he believes these
24 are his rights under the U.S. Constitution under

1 different amendments to protect himself from a false
2 arrest and false -- illegal prosecution. And he uses
3 modifying language that it is not something for which he
4 is going to do, but he could do, he's capable of doing.

5 I understand the terroristic threat statute
6 makes that sort of moot as to the effect of these
7 statements being more important than the exact verbiage.
8 It's the motivation, although the statute clearly
9 negates the requirement of intent. We're specifically
10 referring to 61-6-24.

11 But this being said, I think when looking at
12 the totality of everything that Mr. Collins posts in the
13 way of his freedom of speech expression, he has made
14 great efforts to also communicate that this is not
15 something that he intends to do. This is something
16 within a person's reach as a citizen.

17 The other components of the *Gihz* test --
18 when we look at his prior criminal history, he has only
19 been convicted of three misdemeanor charges; vandalism,
20 delinquency of a minor. And then there was an assault
21 of a police officer where he and an officer did engage
22 in a physical struggle I think in magistrate court.
23 That being said, he does have three misdemeanor priors.
24 He does have extensive community ties. And he has never

1 ever missed an opportunity to be in front of this or any
2 of our other courts.

3 Based on these things, we feel as if a bond
4 at \$250,000 is exorbitant. And we would request the
5 Court look at the bond that was set in light of other
6 cases. I know I'm currently involved with this Court
7 with other cases where persons have actually shot
8 persons and carried out such threats and the bonds are
9 equal or less. So I would ask the Court to please
10 consider that whenever making -- through its
11 deliberations regarding what -- this bond is in fact
12 excessive. Thank you, Your Honor.

13 THE COURT: All right. Thank you,
14 Mr. Dunlap.

15 Let me hear from the State, please,
16 Ms. Keller.

17 MS. KELLER: Your Honor, I also relayed this
18 information to Mr. Dunlap this morning. The written
19 motion -- we were served with a notice of a bond
20 reduction, but the written motion did not arrive in my
21 office until this morning.

22 In the meantime, another judge in this
23 circuit was notified that the defendant was making
24 ongoing threats against, particularly Sergeant

1 Duckworth, and other public officials even while
2 incarcerated under the bond which followed his arrest
3 for the prior threats against Sergeant Duckworth in
4 particular.

5 As a result of that information, the
6 West Virginia State Police, with the consent of another
7 inmate, have now recorded hours of the defendant making
8 repeated threats confirming that he meant to make
9 threats, at one point even saying that, he, the
10 defendant, was bat shit crazy, end quote.

11 I relayed that information to Mr. Dunlap.
12 And in light of the prior psychiatric evaluations of
13 this defendant and his ongoing terrorist threats, it --
14 the State could have kept quiet and could have obtained
15 new warrants against the defendant. As I told
16 Mr. Dunlap, I think a more practical and constructive
17 solution, which would benefit the defendant as well as
18 society and perhaps put an end to this dangerous
19 nonsense, would be to have an additional psychiatric
20 evaluation of the defendant by his chosen psychiatrist,
21 which was Bobby Miller -- to have that evaluation and
22 have the Court have an opportunity to review the
23 evaluation before there's any decision made on the
24 motion to reduce bond.

1 As defense counsel recognized, the
2 terroristic threat statute provides, quote, any person
3 who knowingly and willfully threatens to commit a
4 terrorist act, which includes an act in retaliation
5 against government officials, quote, with or without the
6 intent to commit the act, is guilty of the felony.

7 The complaint resulting in the new terrorist
8 threat charges describe some of those threats, which
9 include, quote, I can go Christopher Dorner - who -- we
10 recall him - and I don't need to own a gun. I can stick
11 a sharp stick or a stone knife into some cop's throat.
12 He admits that he published Google Map's aerial
13 photographs of Sergeant Duckworth's residence. He
14 stated that he's always known where to find
15 Sergeant Duckworth, and at any time during the last
16 eight years he could have slipped through a window and
17 slit Sergeant Duckworth's throat with his wife lying
18 next to him. Or the defendant said, he could have been
19 waiting on Sergeant Duckworth at the residence and shot
20 Duckworth -- Sergeant Duckworth in half when he returned
21 home. The accused stated he didn't want to do any harm
22 to First Sergeant Duckworth, but wanted his name
23 cleared, and that just because he, quote, doesn't want
24 to do anything doesn't mean that he will not.

1 The defendant stated on August 22nd, 2013,
2 "I am nothing but a little guppy. But I have power
3 because no one will do anything about it. That's the
4 power of fear."

5 The defendant appears rather obsessed with a
6 very old case; *Bad Elk versus United States*, which,
7 quote, the defendant states, allows anyone to resist a
8 false arrest to the point of killing a police officer.
9 That's just a small summary of the information contained
10 in the complaint that resulted in the threats of
11 terrorist acts warrant.

12 I am -- I want to introduce for the record
13 in this proceeding -- because they were made a part of
14 the record in the prior proceeding. And I think they
15 are critical for the Court to consider before making any
16 decision regarding the bond reduction motion. First of
17 all, the forensic psychiatry report of Bobby Miller that
18 is dated December 31st, 2012, and then the follow-up
19 forensic evaluation - defense counsel has both - of
20 Clayman and Associates with the cover date of
21 April 2nd, 2013.

22 THE COURT: All right.

23 MS. KELLER: I will get a clean copy of this
24 first one. I guess Dr. Clayman's report will be 1, and

1 Dr. Miller's report would be Number 2.

2 (State's Exhibit Nos. 1 and 2 are marked for
3 identification.)

4 MS. KELLER: If I could approach the bench?

5 THE COURT: Very well. Thank you.

6 (Counsel approaches the bench.)

7 MS. KELLER: What I think is particularly
8 critical at this juncture, given the ongoing threats of
9 violence, particularly against State Police Sergeant
10 Duckworth, is that the defendant's own psychiatrist
11 concludes his report by stating that he believes that
12 the defendant should be under the constant supervision
13 of a psychiatrist.

14 The report of Dr. Miller confirms that the
15 defendant has been diagnosed with bipolar disorder,
16 intermittent explosive disorder and antisocial
17 personality disorder and has had multiple prior
18 psychiatric contact.

19 At page 12, the defendant's own psychiatrist
20 said, "Mr. Collins presented as such an unpleasant and
21 combative subject that a psychological explanation of
22 his attitude and demeanor seems necessary." And Dr.
23 Miller diagnoses the defendant as suffering from
24 malignant narcissism. At page 12, Dr. Miller describes

1 this condition as, quote, an extreme form of antisocial
2 personality disorder that is manifested in a person that
3 is pathologically grandiose, lacking in conscience and
4 behavioral regulations. He goes on and states,
5 "Malignant narcissism as a syndrome characterized by a
6 narcissistic personality disorder, antisocial features,
7 paranoid traits and egosyntonic aggression. Other
8 symptoms include an absence of conscience, a
9 psychological need for power and a sense of importance
10 or grandiosity."

11 At page 13, Dr. Miller goes on to state,
12 "Persons toward the most extreme end of the continuum of
13 a malignant narcissism represents some of our most
14 notable serial killers. However, Mr. Collins thus far"
15 -- and this was back in December of 2012 -- "thus far
16 has been more of a community nuisance."

17 Going on to Section D, the doctor says,
18 "This is not to say that Mr. Collins could not be
19 violent. But if he were violent, it would likely be
20 preannounced and associated with a quote, production,
21 end quote, to gain attention and notoriety."

22 We are having the tapes transcribed that --
23 Trooper Marsh has listened to them. And those tapes
24 include the defendant's claim that after he assassinates

1 one of the other Raleigh County circuit judges, he is
2 going to have the courthouse blown up, and he boasts
3 that he will make national news, which is entirely
4 consistent with the precognitive report of Bobby Miller.

5 At the end of Section D at page 13,
6 Dr. Miller opines, "While persons such as Mr. Collins
7 traditionally do not do well in psychotherapy, the use
8 of medication can be beneficial. It is recommended that
9 Mr. Collins remain under the constant supervision of a
10 psychiatrist who understands his pathology."

11 The report and conclusions of Dr. Clayman
12 very much mirror the reports and the conclusions of the
13 defendant's own psychiatrist. And Dr. Miller's report
14 includes that the defendant during his interviews with
15 Dr. Clayman stated, "When asked questions regarding his
16 history, he expanded his responses to include any form
17 of personal accomplishment and spoke condescendingly as
18 if to educate them. He contended that he generally got
19 along with people, yet often spoke of, quote,
20 threatening several individuals that he would, quote,
21 shoot them in the face, end quote. He appeared to take
22 pride in his threatening and negative behaviors. When
23 asked about this pattern of threatening, he stated he
24 uses threats to, quote, up the ante, end quote. He

1 commented, quote, violence is a great deterrent to keep
2 things from happening. He contended that he could,
3 quote, easily kill a person."

4 Dr. Miller's report -- excuse me --
5 Dr. Clayman's report -- that was page 13. At page 14,
6 Dr. Clayman goes on to state, "His behavior is likely to
7 be reckless and disinhibited, and thus, he may entertain
8 certain risks that are potentially dangerous to himself
9 and those around him."

10 In regard to anger management, he described
11 himself as potentially prone to more extreme displays of
12 anger, including property damage and threats to assault
13 others. These outbursts may be unexpected and take
14 others by surprise. His disposition of agitation, lack
15 of empathy and his sense of being persecuted likely
16 increase his risk for aggressive behavior. In addition,
17 his results suggest an arrogant self worth, indifference
18 to the welfare of others and a tendency to charm and
19 exploit others. He may obtain gratification by
20 humiliating and dominating others and attempt to outwit
21 others in order to control and exploit them. As a
22 result, he likely exhibits a pattern of readiness to
23 engage in deception and fraud. His profile suggests
24 that he may tend to fabricate stories to enhance his

1 self worth and elicit others to support his excesses.

2 "Mr. Collins' self description included
3 significant suspiciousness and hostility. He is likely
4 to be hypervigilant and question and mistrust the
5 motives of others. He is extremely sensitive to
6 interactions with others and is quick to feel that he is
7 being treated unfairly. He likely tends to hold grudges
8 against others even if the perceived affront is
9 unintentional. A marked suspicion of those in authority
10 likely causes him to feel secure only when he is in
11 control."

12 And finally at page 16, Dr. Clayman in the
13 second paragraph noted that Mr. Collins, quote, spoke in
14 a sarcastic manner as to present himself as generally
15 superior to others and taking pride in using threatening
16 and aggressive behaviors to intimidate others, which of
17 course, is exactly the crime of threats of terrorist
18 acts.

19 I would suggest -- and the State's
20 suggestion would be that we have the defendant
21 reevaluated by Dr. Miller. And then that the Court hold
22 any decision on the motion for bond reduction in
23 abeyance. I'm particularly concerned because Dr. Miller
24 noted that at the time of the evaluation, at least as of

1 that point, the defendant was more of a community
2 nuisance than a serial killer. But it would appear
3 under all the circumstances, including the most recent
4 threats even while incarcerated, that he is moving
5 dangerously along that continuum.

6 THE COURT: All right. Mr. Dunlap?

7 MR. DUNLAP: Your Honor, while listening to
8 Ms. Keller's rendition of statements my client has made,
9 I continue to hear the word could. I continue to hear
10 the word could. Could, could, could slip into. Could
11 do this. Could do that.

12 Now, Your Honor, I think it's significant to
13 know that he has been on bond and/or in police custody
14 for over 2,000 days. There's all these things he could
15 have done, and yet, he has never done any of those
16 things. He has never exacted violence against any of
17 the persons. As Mr. Collins has told me repeatedly,
18 yes, protecting yourself from false arrests with force
19 may be one of your constitutional rights, but there are
20 all these wonderful ones before that. Like, for
21 instance, I'm allowed to use freedom of speech. And I'm
22 allowed to use the freedom of the press, et cetera, et
23 cetera. I can say whatever I want to the media. I can
24 say whatever I want to the general public. And he has

1 told me that it is his opinion that he is using those
2 freedoms liberally, to say the least, and previous (sic)
3 to ever exacting any type of a violent reaction.

4 My client -- and now, Your Honor, a side
5 note. Now that those two psychologicals have been
6 entered into the record, my client now has -- will have
7 access to them, he will be able to review them. And as
8 far as a psychological with Mr. Miller, my client has
9 met with him before and has stated to me that provided
10 he can review both of those psychologicals in totality,
11 he doesn't deliberately object to that. But he wants to
12 see both of them first, which he has not been afforded
13 the opportunity to do before this.

14 But, Your Honor, in closing I guess I would
15 say the following, this is about setting bond for
16 someone who has utilized their constitutional and
17 protected rights of free speech. When the Nazis speak,
18 when the Klansmen speak, we're disgusted by the things
19 they say. But as Americans, we revere the fact that
20 they're allowed to say them because they're speaking
21 their minds. I think one of my favorite TV actors once
22 released a song called, "Cop Killer." Amazingly enough,
23 he never killed anyone.

24 I understand Ms. Keller's position about it

1 being too important to risk. That being said, I think
2 when we consider how much time Mr. Collins has spent --
3 and the elephant in the room will be the charges it was
4 dismissed against -- excuse me -- he was acquitted in
5 front of a jury of his peers of. He has had a great
6 deal of the State's energies pursuing him for different
7 crimes, and yet still he hasn't exacted or reduced
8 himself to violence in any of those cases.

9 I have spent countless hours talking with
10 Mr. Collins, watching his philosophies, reviewing his
11 diatribes on the internet. And I've always seen the
12 conditional language or a statement that although this
13 is something he could do, he doesn't intend to do. He
14 constantly maintains his purpose for airing as to
15 discredit the evidence against him for misconduct, et
16 cetera.

17 My client has disagreed with the -- I
18 disagree and agree with a great deal of Ms. Keller's
19 points. However, my client sees this vast organization
20 against him, and we don't share that opinion. We -- I
21 do see this as a neutral tribunal. And although the
22 things he may have said have been offensive,
23 provocative, disgusting, throwing over the word "could"
24 doesn't negate that it's a disgusting statement to make

1 about someone charged with protecting us. That being
2 said, as an American, he is allowed the opportunity to
3 use it.

4 My client has also asked for the opportunity
5 to be able to address this Court on -- regarding these
6 matters if the Court would be so inclined to hear him
7 speak directly.

8 THE COURT: I don't mind that. It's just
9 from your point of view, Mr. Dunlap, perhaps a little
10 risky.

11 MR. DUNLAP: And, Your Honor, I've advised
12 him against it. He feels as if there were points that
13 only he can address accurately. I have explained to him
14 that much like in entertaining a psychological, those
15 statements can be used against you, but as -- as we've
16 shown today. But that being said, the Court will have
17 to decide if I have covered everything adequately or if
18 opening him up to cross-examination, putting him on the
19 stand is in line. I know it's discretionary to the
20 Court.

21 THE COURT: Well, I think it would be best
22 for you to confer with your client --

23 MR. DUNLAP: If I may.

24 THE COURT: -- if you do present any

1 arguments he wishes rather than for him to speak at this
2 time.

3 MR. DUNLAP: Your Honor, I have discouraged
4 my client with every fiber of my being. But he feels as
5 if he can express to the Court why the bond is set
6 excessively and why he didn't -- why he has been
7 misperceived here based on the statements he made.

8 THE COURT: Go ahead, Mr. Collins.

9 MS. KELLER: Your Honor, could we have him
10 placed under oath if he is going to speak?

11 MR. DUNLAP: And, Your Honor, it may be
12 necessary for him to take the stand if Ms. Keller
13 obviously will need an opportunity to cross-examine.

14 THE COURT: All right. You've discussed the
15 dangers with your client?

16 MR. DUNLAP: Ad nauseam, Your Honor.

17 THE COURT: All right.

18 Raise your right hand, please.

19 RONALD COLLINS,
20 called as a witness, first being duly sworn by the
21 Honorable H.L. Kirkpatrick III, testified as follows, to
22 wit:

23 THE COURT: You may have a seat there.

24 DIRECT EXAMINATION

1 BY MR. DUNLAP:

2 Q. Sir, would you please state your name for the
3 record?

4 A. Ronald Collins, Jr.

5 Q. Mr. Collins, where do you live?

6 A. I am currently homeless.

7 Q. Mr. Collins, before you were incarcerated, did
8 you live in Raleigh County?

9 A. Yes, I did.

10 Q. How long have you resided in Raleigh County,
11 please?

12 A. Since 2005 when I got back from South Korea.

13 Q. Mr. Collins, you've heard me babble on today
14 about why we believe that setting a bond of a quarter of
15 a million dollars for some threats that you've made on
16 the internet allegedly is excessive. Is there anything
17 you would dovetail as to why that is an excessive amount
18 that I may have not touched on that will convince this
19 Court that that is excessive?

20 A. Well, it comes into certain factors with the
21 warrant.

22 Q. The warrant where you were arrested for these
23 alleged threats?

24 A. Yes. It also comes under certain factors when

1 dealing with the child pornography case, the
2 stalking/assault case before that, the delinquency case
3 before that.

4 The Court needs to understand certain elements of
5 the psychological reports are indeed correct. I am a
6 little bit of an ego -- having a little bit of an ego.
7 Little bit of an egotist. I am also extremely
8 well-trained both from the U.S. Army and infantry
9 school. I have also trained with U.S. Army Rangers, ROK
10 - Republic of Korea - Special Forces, U.S. Army Special
11 Forces, Navy Seals. The --

12 Q. Now, to hear that you have the apparatus and
13 knowledge to carry out threats wouldn't give the Court
14 confidence that you are not going to.

15 A. That -- actually that's kind of the point. Most
16 -- what most people don't realize is those high profile
17 units like Rangers, Seals, Green Berets, they don't use
18 any sort of special way of shooting a gun that's any
19 different from a regular soldier. They might be highly
20 qualified in basic infantry tactics, but they still fall
21 back on basic infantry backup. That's a non important
22 issue.

23 What is important, is that Special Forces, Navy
24 Seals, things like that, are a military intelligence.

1 Q. Okay.

2 A. So I have had some training in dealing with
3 military intelligence. I have -- also, there's a
4 picture of me on the internet back from 2010 when I was
5 in Florida. I also associated with Stoffel Van Vuuren
6 who trains the South African Special Forces. He is a
7 grand master in jiu jitsu. Frank Dux who used to work
8 for the CIA and of course is a grand master in jiu jitsu
9 and several others.

10 I also myself hold a six-degree black belt in jiu
11 jitsu. Which, despite what is popularly seen on TV is
12 not a martial art. It is actually ancient Japanese
13 espionage methods.

14 So when we get into this, you need to understand
15 that a lot of things that is said and done is done for
16 the purpose of gathering intelligence by me. Various
17 tactics and maneuvers I guess you would say,
18 psycho-political (sic) in nature.

19 Quite frankly, I never threatened anyone, not
20 with violence anyway. I did mention I believe 18
21 U.S.C. 241 and 242, which are federal criminal codes for
22 deprivation of civil rights under color of law, as well
23 as the Chapter 42 statutes.

24 When I addressed *Bad Elk versus the United States*

1 -- which I understand to be a 113-year-old U.S. Supreme
2 Court case. The U.S. Supreme Court at the time said
3 that a false arrest is the same as assault and battery,
4 and that one has the right to resist a false arrest the
5 same that one would use as to an assault and battery,
6 including lethal force. That was the nature of the case
7 in which *John Bad Elk* was involved in a shootout with
8 police officers and killed one. He was found guilty of
9 first degree murder and later acquitted by the U.S.
10 Supreme Court. That ruling has never been overturned.
11 The only limitation to this was for something I pointed
12 out in my blog, comes from *Brady versus Ohio*, which is
13 the good faith/bad faith clause, the exclusionary rule.

14 Now, according to the good faith/bad faith clause
15 of the exclusionary rule --

16 MS. KELLER: Your Honor, I need to object at
17 this point. This has nothing to do with the bond
18 reduction, and I don't believe this Court needs the
19 defendant's --

20 THE WITNESS: This has --

21 MS. KELLER: -- interpretation of federal
22 law.

23 THE COURT: Well, let's get to the heart of
24 the matter, please, Mr. Collins. I'm familiar with some

1 of the cites you've mentioned, so let's get to the issue
2 of the bond.

3 THE WITNESS: Well, Your Honor, that's
4 somewhat my point. I'm wanting to make it perfectly
5 clear that I understood what I was doing, that there
6 wasn't any sort of rash or emotional appeal to it. The
7 language I used was used -- intended to be
8 confrontational. Quite frankly, we come into this. I
9 have gone through two psychological evaluations. And
10 June the 11th of this year, you gave the prosecutor ten
11 days to turn over discovery. We have yet to see that
12 discovery. In that discovery, includes a recording on
13 my cell phone of an argument between myself and
14 Thomas Keller. There was also a recording of myself and
15 Thomas Keller during an interrogatory for a civil case.

16 MS. KELLER: Your Honor, I need to object at
17 this point. That case -- and there's no relation
18 between Thomas Keller. That's the case that the State
19 just agreed to dismiss and let federal authorities
20 handle. So it has nothing to do with this bond.

21 THE WITNESS: It does if they're covering up
22 evidence.

23 THE COURT: I'm sorry. I didn't hear that.

24 THE WITNESS: It does if they're covering up

1 evidence, Your Honor.

2 THE COURT: Well, what I want to concentrate
3 on now is the bond situation. And I know there are
4 other issues that maybe we'll take up today and maybe
5 some other day. But what I want to focus on is the
6 bond.

7 THE WITNESS: Well, quite simply put, Your
8 Honor, the language I used was used in this fashion. I
9 also brought up the aspect of *Brady versus Ohio* for the
10 sole purpose of bringing up the good faith/bad faith
11 clause. I don't want it to be assumed that someone can
12 shoot a cop and say, oh, well, false arrest. There has
13 to be that element that the officer knows they're
14 dealing with false information.

15 In the stalking and assault case -- well,
16 actually, previously, the original search warrant that
17 took my computers was for terrorist threats. Those came
18 from Thomas Keller, my uncle. There is a recording on
19 my cell phone, which was not given in discovery and that
20 includes my uncle saying that he received special favors
21 from Kristen Keller, who is allegedly her cousin, and
22 him mentioning some sort of close association with
23 Deputy Jason Redden. Deputy Jason Redden did used to
24 date my cousin Jacqueline Keller (phonetic).

1 Now, when I filed complaints - because
2 Mingo Winters wasn't doing his job - with the state
3 police, I mentioned an abstract legal doctrine, which is
4 where they tried to go around it by going with the
5 second search warrant, which we still haven't seen. The
6 reason why was because there was evidence on my
7 computers that would have went back to the stalking and
8 assault case that showed that me and Ashley Redden had
9 contact and that she wasn't afraid of me and everything
10 else.

11 During the stalking and assault case,
12 Ms. Redden was prompted to give false testimony. She
13 was prompted to give false testimony because I had made
14 it publicly known on YouTube that one of my delinquency
15 charges in 2008 was dismissed on appeal and that we
16 needed to know why. We was not given a copy of the
17 transcript.

18 MS. KELLER: Your Honor, I have to -- we're
19 not scheduled to be here all day. The elements of bond
20 is the defendant's local community ties and the
21 likelihood that he will commit another offense if the
22 bond is reduced. So the State's motion would be that we
23 limit that to what we're here to argue today.

24 THE COURT: If you could, please,

1 Mr. Collins -- you're free to talk about your bonds to
2 the community and you're free to talk about whether or
3 not there's any propensity for you to either flee or
4 commit other crimes. And that's what we need to get
5 down to.

6 THE WITNESS: Well, certainly, Your Honor.
7 That's kind of the point I'm getting to. Every action
8 that has been taken has been a reaction to another
9 action I have taken to try to bring out other pieces of
10 evidence.

11 This goes back to a statement made by
12 Ashley Redden under oath that she was coerced by
13 Trooper Duckworth, her mother and the prosecutor's
14 office in 2008.

15 The fact of the matter is, if I wanted to
16 use any sort of violence, I have -- and I've calculated
17 this. I had roughly over 2,920 days to take some sort
18 of violent action. I'm trained by the military not to
19 let anyone know I'm going to take an action until I take
20 the action; shock and awe and surprise. I have no
21 intent of harming anyone. Before the child porn case
22 was brought up, I was teaching martial arts out of my
23 home. I was working with kids who had issues with drugs
24 and other problems, which I had to stop doing.

1 I've actually lost community ties because I
2 have had -- in one case I lost my apartment on
3 Hargrove Street because Trooper Palmateer came to my
4 apartment and made up stories about me. I have lost
5 community ties. I've had my good name drug through the
6 mud. It's been over 123 business days since you gave
7 the prosecutor ten days to give us discovery, which they
8 never did.

9 The issue is that even then they limited the
10 scope of what was used by a second search warrant that
11 no one has seen.

12 MS. KELLER: Your Honor, same objection. We
13 are veering off course again.

14 THE WITNESS: We're not veering off course.
15 The fact of the matter is I've lost community ties --

16 THE COURT: Let me just ask you a few
17 questions, Mr. Collins.

18 THE WITNESS: Certainly, Your Honor.

19 **EXAMINATION**

20 **BY THE COURT:**

21 Q. If you're released on bond, where would you go?

22 A. Well, Your Honor, that in and of itself becomes
23 an issue. I have friends and family that I can stay
24 with until I can get my finances straightened out.

1 Q. Who would that be?

2 A. My friend Ronnie Fink. I have an aunt. My
3 Aunt Vivian. I also have a few other friends of mine.
4 My friend, Marlo (phonetic) -- or my student Marlo
5 Jordan, his father Shawn (phonetic) Jordan, I would be
6 able to stay in Charleston with him. Just right off the
7 top of my head, those would be the main ones, Your
8 Honor.

9 Q. Can you refrain from continuing to post things
10 that you think you could do?

11 A. Well, Your Honor, in all fairness, this -- I'm
12 not sure how to put this any way but other than to blurt
13 it out, so if you'll please forgive me for doing so.
14 The steps I took were taken (sic) to draw out certain
15 things so that other things would be brought out. The
16 fact of the matter is - and this is essentially what it
17 comes down to - I'm done posting anything in that form
18 or fashion.

19 Now, you have to understand also, Your Honor,
20 that I am a U.S. Army veteran. I have been told that my
21 IQ was too high to go infantry, but I went infantry any
22 ways.

23 I love my country. My country is very unique to
24 every other country on the planet. We are the only

1 country where we have a Preamble to our Bill of Rights
2 that says that -- to protect against misconstruction and
3 abuse of government powers. We have certain rights;
4 freedom of speech, freedom of religion. We even have
5 the right to keep and bear arms to having these weapons.
6 I don't want to use weapons. I don't want to harm
7 anyone. I don't want to threaten to harm anyone. I
8 never did.

9 Q. Well, what assurance can you give to the Court
10 that you won't harm somebody?

11 A. I haven't done anything for 2,920 days, Your
12 Honor. I have no -- well, I can't say that I have no
13 means. I have a great deal of training and a great deal
14 of knowledge, but --

15 Q. Well, that's not very comforting to hear about
16 that.

17 A. That is true, Your Honor. But you can at least
18 take comfort in the fact that I'm being honest about
19 that. I'm not going to deny that I'm, you know, some
20 average Joe who doesn't know how to apply certain
21 tactics or certain understandings. I'm not going to
22 pretend that I'm not something that my country did not
23 train me to be. The fact of the matter is, if I wanted
24 to use violence, I could have used violence at any point

1 in time. I haven't done it yet. I have no intention of
2 using violence.

3 Like I said, Your Honor, I love my country. I
4 don't see the point of threatening my country. I don't
5 see the point of harming members of my country. I don't
6 want to see any damage done to my country.

7 Q. Well, how about to somebody like Trooper
8 Duckworth?

9 A. Your Honor, the only thing I want to see with
10 Trooper Duckworth and with the rest of the issues and
11 things that I have addressed; missing court records and
12 the falsification of evidence and everything I have
13 addressed on the internet is -- I want an investigation.
14 I want the judicial system to take its course. I have
15 tried and gone through a number of different steps to do
16 this. I have filed complaints to the governor's office.
17 I have gone through professional standards of the state
18 police. I have -- I've even filed complaints with the
19 feds, with the federal prosecutor. I have talked to the
20 FBI in D.C. and out of the head office in Pennsylvania.

21 But it -- nothing gets done because there's no
22 evidence that's been brought forward in court for any of
23 this to be examined. The whole point of me making the
24 statements I've made and in the tone that I've made them

1 was to -- was to bring that shock to everyone's
2 attention.

3 Along with that, Your Honor - and you'll have to
4 forgive me - was a recording of Pat Lamp telling you
5 that there was no second search warrant. It wasn't
6 mentioned in the arrest warrant. And there was a copy
7 of the arrest warrant I got out after June the 11th this
8 year posted with it showing that he lied in court. To
9 me, that right there shows enough for probable cause.

10 And bear in mind, I've spent a year with the
11 304th MP's out of Bluefield in the Reserves after being
12 in the U.S. Army to know enough about an investigation
13 to know that that right there lends probable cause to
14 look at the other things. The transcript of the
15 stalking and assault case will show that Ashley Redden
16 gave testimony --

17 MS. KELLER: Your Honor, same objection.
18 Way off course again.

19 THE COURT: Well, we are going off course.

20 I have to determine whether or not to reduce
21 your bond, Mr. Collins. And there are specific elements
22 that I must consider, and we've gone over those
23 elements. And I think I've heard enough at this time.

24 Let me ask, Ms. Keller, if you have any

1 questions.

2 MS. KELLER: Just a couple.

3 CROSS-EXAMINATION

4 BY MS. KELLER:

5 Q. Did you have an opportunity to review the
6 complaint that Trooper Haynes obtained charging you with
7 new counts of terrorist threats?

8 A. The new counts of terrorist threats?

9 Q. The terrorist threats -- well, not the newest.
10 There's no new charges being brought just yet. But that
11 would be 13-F-1026, threats of a terrorist act?

12 A. Yes, I did.

13 Q. Okay. And you -- I take it you do admit that the
14 blogs and the YouTube and the other statements contained
15 in that complaint are statements you made?

16 A. With false information, yes.

17 Q. Okay.

18 A. You lied about the initial search warrant.

19 Q. I'm asking you a question.

20 A. I know. And I'm answering it.

21 Q. The question is --

22 A. You also took --

23 MS. KELLER: Objection, Your Honor.

24 THE COURT: Mr. Collins, just answer the

1 question, please.

2 BY MS. KELLER:

3 Q. The question is, do you admit that the statements
4 attributed to you in your blogs or on YouTube in the
5 complaint resulting of the charge of terrorist threats
6 are statements you made? Yes or no?

7 A. No. They are taken out of context deliberately
8 to be misleading.

9 Q. Did you not make the statements that are
10 contained on the complaint that resulted in the warrant
11 for threats of terrorist acts?

12 A. Can you be specific?

13 Q. Okay. I'll give you a few examples. And I'll
14 ask you yes or no. Did you make the statement, quote, I
15 can go Christopher Dorner and I don't need to own a gun.
16 I can stick a sharp stick or a stone knife into some
17 cop's throat.

18 Did you make that statement?

19 A. Can I see how that's addressed on the warrant,
20 please?

21 MS. KELLER: I think I have an extra copy,
22 which I can hand to the witness.

23 THE COURT: All right. Would the bailiff
24 assist?

1 MR. DUNLAP: Your Honor, if I may, I can
2 approach with my copy.

3 THE COURT: All right.

4 MS. KELLER: That's fine.

5 BY MS. KELLER:

6 Q. We're on page 1 under action taken. It's right
7 there in the -- close to the bottom. "I can go
8 Christopher Dorner and I don't need to own a gun. I can
9 stick a sharp stick or a stone knife into some cop's
10 throat and take his."

11 A. Yes, I did.

12 Q. Yes, you did make that statement?

13 A. I did. But that's not the complete statement.

14 Q. And you earlier stated under direct examination
15 that the statements you made were, quote, intended to be
16 confrontational; is that right?

17 A. They were intended to draw attention, not to be
18 confrontational.

19 Q. Did you not just testify a couple minutes ago
20 that the statements you made were, quote, intended to be
21 confrontational?

22 A. I do not believe I used that word. I don't know
23 if I used the word confrontational.

24 Q. Did you also say they were used for the purposes

1 of causing shock and awe?

2 A. I did.

3 Q. Turning to the next page, you did in fact Google
4 aerial photographs or you Googled maps of First Sergeant
5 Duckworth's residence; is that right?

6 A. Yes, I did.

7 Q. And your purpose -- that was intentional, wasn't
8 it?

9 A. Yes, it was.

10 Q. And then you stated that you know where
11 Sergeant Duckworth lives. You've always known where to
12 find him and that you could have slipped through a
13 window and slit his throat with his wife laying next to
14 him.

15 Did you also make that statement?

16 A. Hold on. Actually, I don't see any quotations,
17 so I don't believe I did.

18 Q. You're denying you made that statement?

19 A. Not in the context it's made in here. There's no
20 quotation marks, so I don't want to make a -- I don't
21 remember. I've been in jail for three months, ma'am.

22 Q. Can you recall whether or not you ever made the
23 statement that you could slit Sergeant Duckworth's
24 throat?

1 A. I said that if I wanted to use violence, I've had
2 plenty of time to do so, yes.

3 Q. And did you make a statement that you could slit
4 Sergeant Duckworth's throat?

5 A. I believe I did, yes.

6 Q. Did you also make the statement you could have
7 been waiting at his residence and shot him - Sergeant
8 Duckworth - when he returned home?

9 A. Yes.

10 Q. Did you make the statement you didn't want to
11 cause him harm, but just because you didn't want to
12 didn't mean that you would not?

13 A. Within the context of self defense, yes, ma'am.

14 Q. And were those also intended to create shock and
15 awe?

16 A. Well, actually, no. They were intended to get
17 you to get an arrest warrant for me admitting that that
18 was Trooper Duckworth's address.

19 Q. So you did want the law enforcement to obtain a
20 warrant against you in response to the statements that
21 we just discussed?

22 A. Yes, ma'am.

23 Q. What would that warrant have been for in your
24 mind?

1 A. Well, ma'am, quite frankly, the warrant in and of
2 itself has several critical issues --

3 MS. KELLER: Objection, Your Honor. Let me
4 rephrase.

5 THE WITNESS: The point was to make you lie,
6 which you did.

7 BY MS. KELLER:

8 Q. And to get a warrant -- for the police to get a
9 warrant against you for making terrorist threats; is
10 that right?

11 A. No. Actually, I figured they'd probably go with
12 assaulting a police officer since --

13 MS. KELLER: Objection, Your Honor.

14 THE COURT: All right. Just answer the
15 questions, please.

16 THE WITNESS: Well, Your Honor --

17 BY MS. KELLER:

18 Q. Did you also make a statement, quote, I'm nothing
19 but a little guppy. But I have power because no one
20 will do anything about it. That's the power of fear,
21 end quote?

22 A. Yes, ma'am. I also said that it's not the fear
23 of violent action, but the fear of having criminality
24 exposed.

1 Q. Did you also make the statement referring to the
2 *Bad Elk* case in which you stated that your
3 interpretation was that that case stands for the
4 proposition that allows anyone to resist a false arrest
5 to the point of killing a police officer?

6 A. That is what a U.S. Supreme Court Justice --

7 Q. Did you make that statement? Yes or no?

8 A. I quoted a U.S. Supreme Court Justice, yes,
9 ma'am.

10 Q. And your testimony now is that you've lost your
11 community ties; is that right?

12 A. I have lost many of them. Not all of them.

13 Q. You're homeless you testified, correct?

14 A. Yes, ma'am.

15 Q. Is Ronnie Fink here?

16 A. No, he's not, ma'am.

17 Q. Do you know his social security and date of
18 birth?

19 A. I have no idea. Actually, I know his date of
20 birth, but I don't know his social security.

21 Q. Is your aunt here?

22 A. No, ma'am.

23 Q. And what's her name?

24 A. Vivian Helmondollar.

1 Q. And where does she live?

2 A. I don't know the street address. It's in
3 Sprague.

4 Q. And those would be the two people that you would
5 propose staying with since you are presently homeless.
6 Have they both given you permission to come live with
7 them?

8 A. Actually I have been staying with Ronnie Fink. I
9 addressed that in the blog as well.

10 Q. Has Ronnie Fink -- have you confirmed with
11 Ronnie Fink that -- let's say if you're released on home
12 incarceration, that he would allow you to come stay at
13 his residence? Where does he live again?

14 A. In Sprague, ma'am.

15 Q. Where?

16 A. In Sprague.

17 Q. You don't know where?

18 A. I don't know the street address.

19 Q. Okay. And have you discussed with your aunt and
20 gotten her confirmation that you agree to have a
21 criminal history run, and let's say if you were released
22 on home incarceration, that you could be hooked up at
23 her residence?

24 A. No, ma'am.

1 Q. Okay.

2 MS. KELLER: No further questions. Thank
3 you.

4 THE COURT: Mr. Dunlap?

5 REDIRECT EXAMINATION

6 BY MR. DUNLAP:

7 Q. In one sentence, Ron, please. Ron, you have
8 expressed in detail all of the things you feel which
9 should have been executed against you. Why are you not
10 a danger and why should this Court consider a reduction
11 of the bond that's been set? In one sentence.

12 A. I don't think I can easily state it in a sentence
13 -- actually, yes, I can. The sentence is this: If I
14 was remotely guilty of the things of which they have
15 accused me of, they would not have to have lied on a
16 warrant. The -- this warrant lies about the initial
17 search warrant for terrorist threats which came from
18 Thomas Keller --

19 MS. KELLER: Objection, Your Honor. That
20 was to be one sentence and we're on the third and we're
21 on another case.

22 THE WITNESS: We're not on the third, ma'am.
23 There's a preface in there.

24 THE COURT: All right. All right. Let's

1 don't argue, please.

2 Go ahead and answer the question as best as
3 you can, Mr. Collins.

4 THE WITNESS: Well, I'm trying to --

5 MR. DUNLAP: Let me rephrase the question.

6 BY MR. DUNLAP:

7 Q. So it's fair to say that in the face of
8 everything you've been subjected, you have just now
9 shown you can keep your composure, not lose your temper,
10 is that not in fact the case?

11 A. Yes.

12 MR. DUNLAP: Your Honor, I have nothing
13 further.

14 THE COURT: Anything further, Ms. Keller?

15 MS. KELLER: No, Your Honor.

16 THE COURT: All right, sir. You may step
17 down.

18 Anything further to present, Mr. Dunlap?

19 MR. DUNLAP: I apologize, Your Honor. I'm
20 sorry.

21 THE COURT: Anything further to present?

22 MR. DUNLAP: Your Honor, the only thing that
23 we would present that has not come into evidence today
24 would be that Mr. Collins' mother is in fact in

1 attendance. Mr. Collins has stayed with her before.
2 She is regretfully not with a permanent residence now,
3 but that situation may change should the Court choose to
4 make some home incarceration option available with an
5 approved home within an agreed order later to come from
6 Ms. Keller and myself. There is an opportunity for
7 other persons to take him into home confinement if it is
8 a choice.

9 Your Honor, if I may.

10 (There is an off-the-record discussion.)

11 MR. DUNLAP: But of course being that our
12 first preference would be a reasonable bond to be set as
13 the statute in the case law, I propose this would be
14 fair in this circumstance.

15 THE COURT: All right. Here's the
16 situation. If the Court would reduce the bond, I would
17 insist on some form of home incarceration, preferably
18 GPS monitoring. This means that the defendant would
19 have to secure a proper residence with a relative or
20 perhaps a friend so that the home incarceration could be
21 accommodated. I'll need that information to consider.

22 I'll also want to read these reports very
23 carefully. They are lengthy. The Court is unaware of
24 the contents as of the present. I want to have an

1 opportunity to review them in full.

2 I'll review anything else that is submitted
3 on behalf of the State or the defendant.

4 The Court will take this matter under
5 advisement, and I'll issue a ruling as soon as possible.

6 MR. DUNLAP: Thank you, Your Honor.

7 MS. KELLER: Your Honor, since there was no
8 defense objection, in an abundance of caution, could we
9 also include in this order that Dr. Miller perform a
10 supplemental evaluation?

11 MR. DUNLAP: And, Your Honor, my client
12 doesn't object to that provided we can get copies of
13 today's exhibits.

14 THE COURT: All right. You certainly can
15 get copies of today's exhibits that were marked for our
16 purpose here today.

17 The Court will order that the defendant be
18 examined further by Dr. Miller for an update and for
19 additional information to be provided.

20 What further do we need to discuss?

21 MS. KELLER: We have nothing further. And
22 just to save paperwork, if that's okay with everyone,
23 I'll include the dismissal of the child pornography in a
24 diary order.

1 MR. DUNLAP: If Your Honor is fine with it,
2 that will be terrific.

3 THE COURT: That's fine with the Court.
4 Thank you. We are concluded.

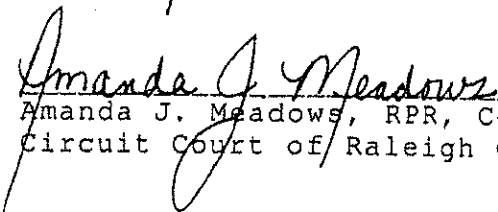
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1 STATE OF WEST VIRGINIA,
2 COUNTY OF RALEIGH, to-wit:
3

4 I, Amanda J. Meadows, Official Court Reporter of
5 the Circuit Court of Raleigh County, West Virginia, do
6 hereby certify that the foregoing transcript is a true
7 and correct transcript of the proceedings had in the
8 matter of: STATE OF WEST VIRGINIA, PLAINTIFF V.
9 RONALD COLLINS, JR., DEFENDANT, CRIMINAL ACTION
10 NOS. 12-F-470-K, 12-F-471-K and 12-B-234, conducted on
11 December 3rd, 2013, as reported by me in Stenotype
12 shorthand.

13 I hereby further certify that the transcript
14 within meets requirements of the Code of the State of
15 West Virginia, 51-7-4, and all rules pertaining thereto
16 as promulgated by the Supreme Court of Appeals.

17 Given under my hand this 27th day of December 2013.
18

19 
20 Amanda J. Meadows, RPR, CCR
21 Circuit Court of Raleigh County
22
23
24

1 STATE OF WEST VIRGINIA,

2 COUNTY OF RALEIGH, SS:

3
4
5 I, H.L. Kirkpatrick III, Judge of the Circuit
6 Court of Raleigh County, West Virginia, hereby certify
7 that the foregoing transcript in the action of:
8 STATE OF WEST VIRGINIA, PLAINTIFF V. RONALD COLLINS,
9 JR., DEFENDANT, CRIMINAL ACTION NOS. 12-F-470-K,
10 12-F-471-K and 12-B-234, contains all the proceedings
11 reported in the hearing of the above-styled action on
12 the date(s) set forth herein.

13 TESTE: This 27th day of December 2013.

14
15
16 
17 H.L. Kirkpatrick III, Judge
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