

PRB 2020-00, 2020-103
Cobb Exhibit

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Thu Feb 27 19:33:43 2020

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Vermont Superior Court

Windsor Criminal Division

Docket No. 561-6-19 Wrcr State vs. K████, M████ S. 561-6-19 Wrcr

Prosecutor: Heidi W. Remick Defendant: M████ S. █████
Motions pdg: DOB: 04/09/1974
Bail set: POB: St. Johnsbury, VT
Incarcerated: released Atty: David C. Sleight
Conditions:
Case Status: Aliases:
Active - Pretrial Address: 459 Irish Hill Road
Next Hearing: Lowell VT 05847

Dspt	Docket No.	Ct. Statute	F/M/O
1	561-6-19 Wrcr	1 13 2602	fel
	LEWD-LASCIVIOUS CONDUCT WITH CHILD		
2	561-6-19 Wrcr	2 13 3253(a)(8)	fel
	SEXUAL ASSAULT-AGG-VICTIM LESS THAN 13 YRS		

06/04/19 Defendant to be held without bail; No.14: not to have contact with ED or Sieirah Pettit; No.16: to appear in court on 6/5/19 at 12:00 PM.

06/05/19 Information and Affidavit filed on 2 disputes. Custody status: Northwest State Corr Facility (St.A).
Dispute 1 for Docket No. 561-6-19 Wrcr Count 1, LEWD-LASCIVIOUS CONDUCT WITH CHILD, Felony, 13 V.S.A. 2602. Alleged offense date: 01/01/16. Arrest/citation date: 06/04/19 VSP-Royalton.
Dispute 2 for Docket No. 561-6-19 Wrcr Count 2, SEXUAL ASSAULT-AGG-VICTIM LESS THAN 13 YRS, Felony, 13 V.S.A. 3253(a)(8). Alleged offense date: 01/01/16. Arrest/citation date: 06/04/19 VSP-Royalton.
Arraignment set for 06/05/19 at 11:00 AM. THIS CASE IS BEING HEARD IN FRANKLIN COUNTY TODAY @ 11:00 A.M. Meghan Place, Victim's Advocate, entered as party/participant 3.
Motion To Hold Without Bail filed by Attorney Heidi W. Remick for Plaintiff State on disputes 1-2. Motion To Hold Without Bail given to judge.
Probable Cause found by Judge Timothy B. Tomasi on disputes 1-2.
Arraignment held by A. Gregory Rainville. (CDVIDEO) SA Wheeler/Cobb for today/Dft present SA asks for HWOB DA argues for COR.
Entry Order: Dft over threshold for PD Application Court to assess highest copay in Caledon ia case. PD's assign in both.
Attorney assigned: Kevin W. Griffin.
Probable Cause found by Judge A. Gregory Rainville on disputes 1-2. Copy of Affidavit and Information given to defendant. 24 hour rule waived.
Reading of Information waived. Defendant pleads not guilty on disputes 1-2. Pre-trial discovery order issued.
Defendant to be held without bail.
Mittimus for Failure to Give Bail issued. Custody status: Northwest State Corr Facility (St.A). HOLD WITHOUT BAIL.
Entry Order: Defense to file a bail review motion. Court to set for a hearing once motion is filed.
Attorney Kevin W. Griffin withdraws.
Attorney assigned: Sandra A. Nelson.
Note: This case is a conflict for Marsicoveter e & Levine Law Firm.

06/18/19 Attorney Sandra A. Nelson withdraws.
Appearance entered by William W. Cobb.

Motion to Review Bail filed by Attorney William W. Cobb for Defendant Michael S. King on disputes 1-2. Motion to Review Bail given to judge.

Motion to Review Bail given to Judge Timothy B. Tomasi.

Motion 2 (to Review Bail) set for Hearing per by Timothy B. Tomasi.

Motion Hearing set for 06/21/19 at 01:00 PM.

06/21/19 Motion Hearing held by Timothy B. Tomasi. (CDVIDEO) SA David Cahill; defense attorney Wm. Cobb.

Conditions set by Timothy B. Tomasi on dispute 1-2. Bail Amount: 0.00 set. Condition[s] 1-2,4,11,14-15,31-32 imposed. No.4: released into the custody of Denise King and Nancy King; No.11: Curfew: 24 hour in residence at 459 Irish; No.14: not to have contact with S.P. or E.D; No.15: not to harass S.P. or E.D; Other conditions: You shall no contact with any females under the age of 16. You are allowed telephonic contact with your daughters Emma and Ella as allowed by Angel Emerson or by court order.

06/24/19 Status Conference set for 08/19/19 at 02:00 PM.

08/19/19 1 document filed by Attorney William W. Cobb for parties 1-2: Felony Scheduling Order.

Status Conference scheduled for 08/19/19 cancelled.

08/20/19 Entry Order: Defense Discovery; depos. by 11/15/19; motions to suppress by 12/15/19; motion to dismiss by 12/31/19; State discovery; defense witness list to be provided by 11/1/19; expert witnesses to be disclose by 11/1/19; depos. by 12/1/19; request for special questionnaires due by 12/15/19; trial ready by 2/1/20; 2 days for trial.

Pre Trial Conference set for 02/06/20 at 02:00 PM.

Jury Drawing set for 02/13/20 at 09:00 AM.

09/20/19 Jury Drawing scheduled for 02/13/20 cancelled.

Jury Drawing set for 02/13/20 at 08:30 AM. PLEASE NOTE TIME CHANGE.

11/13/19 Motion Request To Schedule Status Conference filed by Attorney Heidi W. Remick for Plaintiff State on disputes 1-2. Motion Request To Schedule Status Conference given to judge.

Motion Request To Schedule Status Conference given to Judge Elizabeth Mann.

11/15/19 Motion 3 (Request To Schedule Status Conference) order issued by by Elizabeth Mann. This matter will be placed on the Feb. 2020 pre-trial calendar in accord with stipulated/ordered felony schedule.

01/28/20 Attorney William W. Cobb withdraws.

Appearance entered by David C. Sleight.

01/29/20 Motion to Continue filed by Attorney David C. Sleight for Defendant Michael S. King on disputes 1-2. Motion to Continue given to judge.

Motion to Continue given to Judge Elizabeth Mann.

01/30/20 Motion 4 (to Continue) granted by Elizabeth Mann.

Pre Trial Conference scheduled for 02/06/20 continued.

Jury Drawing scheduled for 02/13/20 continued.

Status Conference set for 02/25/20 at 02:00 PM. AMENDED FELONY STIPULATION TO BE FILED BY THIS DATE OR PARTIES ARE EXPECTED TO BE PRESENT AT COURT.

2 documents filed by Attorney David C. Sleight for party 1: Waiver of Appr; Discovery Certificate.

Motion to Participate by Phone filed by Attorney David C. Sleight for Defendant Michael S. King on disputes 1-2. Motion to Participate by Phone given to judge.

Motion to Participate by Phone given to Judge Elizabeth Mann.

02/05/20 Motion 5 (to Participate by Phone) granted/denied in part by Elizabeth Mann. The motion is GRANTED IN PART and DENIED in part. Counsel may participate in the February 25, 2020 hearing by telephone. The court declines to grant blanket approval to appear for all matters by telephone.

Entry Order: On January 30, 2020, defendant filed a Waiver of Appearance. The defendant's waiver is accepted with respect to status conference scheduled for Feb. 25, 2020 but the Court declines to

grant a blanket waiver of all future appearances for defendant at this time. Moreover, for proceedings other than a status conference, a request to waive appearance of the defendant should be made with specificity as to such proceedings.

02/10/20 Motion to Amend conditions of release filed by Attorney David C. Sleight for Defendant Michael S. King on disputes 1-2. Motion to Amend conditions of release given to judge.

02/11/20 Motion Hearing set for 02/19/20 at 10:00 AM.

02/19/20 Motion Hearing held by Elizabeth Mann. (CDVIDEO).
Conditions set by Elizabeth Mann on dispute 1-2. Bail Amount: 0.00 amend. Condition[s] 1-2,4,11,14-15,31-33 imposed. No.4: released into the custody of Denise King and Nancy King; No.11: Curfew: 24 hour in residence at 459 Irish; No.14: not to have contact with S.P. or E.D; No.15: not to harass S.P. or E.D; Other conditions: You shall no contact with any females under the age of 16 except for Emma and Ella as provided for in condition 32. You are allowed telephonic contact with your daughters Emma and Ella as allowed by Angel Emerson or by court order and also in person contact with your daughter with eyes on supervision agreed upon by Angel Emerson. You shall provide prior written verification of any job interviews with written notice of date and time provided the State.

Status Conference scheduled for 02/25/20 cancelled.

1 document filed by Attorney Heidi W. Remick for party 2: Proposed Fel. Stip.