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WITNESSES: PLAINTIFF

NONE

WITNESSES: DEFENDANT

NONE

EXHIBITS:

NONE

OFFERED

ADMITTED

STATE OF MICHIGAN
IN THE 22nd CIRCUIT COURT FOR THE COUNTY OF WASHTENAW

STATE OF MICHIGAN

Plaintiff,

v

MICHAEL DWAYNE THOMAS

Defendant.

File No. CRW-11-1027 FH

ARRAIGNMENT

BEFORE THE HONORABLE CAMILLE T. HORNE, MAGISTRATE
Ann Arbor, Michigan - Wednesday June 29, 2011

APPEARANCES:

For the Plaintiff:

IN PRO PER

For the Defendant:

IN PRO PER

RECORDED &
TRANSCRIBED BY:

JESSICA HOARD (CER 7922)
Certified Electronic Reporter
(734) 973-4580

LAWRENCE WESTERBAUM
COUNTY CLERK/REGISTRAR

2013 AUG -5 P 2:11

FILED
WASHTENAW COUNTY, MI.

Ann Arbor, Michigan

Wednesday June 29, 2011- at 1:32 p.m.

THE COURT: State of Michigan as to Michael Thomas, 11 1027. Name for the record?

THE DEFENDANT: Michael Thomas.

THE COURT: Date of birth?

THE DEFENDANT: 4-21-86.

THE COURT: All right Mr. Thomas you're before the Court today to be arraigned on a felony case. As

you're not here with an attorney you do have the right to remain silent, anything you say can and will be used against you in a court of law. The Court has before it a five count complaint indicating that on June 24 of this year in the city of Ann Arbor at 1500 East Medical Center Drive; count 1 alleges you did use a Taser and or stun gun a harmful electronic device and or electromagnetic device with intent to frighten, terrorize, intimidate, threaten, harass, injure or kill any person; commonly known as unlawful possession of harmful devices. It is a felony fifteen years and or ten thousand dollars. So do you understand count 1?

THE DEFENDANT: Yes.

THE COURT: Count 2 indicates you did make an assault and or an assault and battery upon Neil Galbreath (sic) with intent to do great bodily harm less than the

crime of murder. Felony ten years or five thousand dollars. Do you understand count 2?

THE DEFENDANT: Yes.

THE COURT: Count 3 states you did with intent to use the same unlawfully against the person of another go armed with a dangerous or deadly weapon or instrument; that being a Taser and or stun gun. Felony five years and, or two thousand five hundred dollars. Do you understand count 3?

THE DEFENDANT: Yes.

THE COURT: Count 4 states you did possess a portable device or weapon from which an electrical current impulse wave or beam designed to temporarily incapacitate injure or kill another may be directed; commonly known as possession of or sale of a Taser. It is a felony four years and or two thousand dollars. Do you understand count 4?

THE DEFENDANT: Yes.

THE COURT: Count 5 states that you did make an assault upon Neil Galbreath with a dangerous weapon that being a Taser or stun gun but without intending to commit the crime of murder or to inflict great bodily harm less than the crime of murder; commonly known as felonious assault. It is a felony four years and or two thousand dollars. Do you understand count 5?

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1 THE DEFENDANT: Yes.
2 THE COURT: You do have the right to remain
3 silent, you have the right to counsel. I can appoint an
4 attorney if you can't afford one and a conviction results
5 in more jail time. An attorney can be present at
6 arraignment, questioning you may agree to, hearing held in
7 this case. You will have a hearing Mr. Thomas, that's
8 called a preliminary exam. Your court date now is set for
9 July 6th at 1. Now do you want a public defender to assist
10 you when you go to court on that day?
11 THE DEFENDANT: Yes.
12 THE COURT: What is your current address?
13 THE DEFENDANT: 165 Russell Boulevard.
14 THE COURT: That's in Ypsilanti?
15 THE DEFENDANT: Yes.
16 THE COURT: Phone?
17 THE DEFENDANT: 313-397-
18 THE COURT: 313?
19 THE DEFENDANT: 397.
20 THE COURT: Mhm.
21 THE DEFENDANT: 5110.
22 THE COURT: Do you rent, own or live with
23 someone at that address?
24 THE DEFENDANT: Rent.
25 THE COURT: Are you single, married, divorced,

separated?

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2 THE DEFENDANT: Single.
3 THE COURT: Do you have any minor children?
4 THE DEFENDANT: No.
5 THE COURT: Are you working?
6 THE DEFENDANT: In school.
7 THE COURT: Do you own your own car?
8 THE DEFENDANT: Yes.
9 THE COURT: What year?
10 THE DEFENDANT: 2000.
11 THE COURT: Model?
12 THE DEFENDANT: Malibu.
13 THE COURT: What kind of car?
14 THE DEFENDANT: 2000 Malibu.
15 THE COURT: Thank you. With that infor,
16 information the Court has appointed an attorney, I'll
17 indicate you stand mute, I've entered a plea of not
18 guilty. The court date on the 6th will be a probable cause
19 hearing to see if probable cause exists for the
20 allegations as read and if there's probable cause to show
21 you committed the offense. As it relates to bond in this
22 case, anything you want the Court to know?
23 THE DEFENDANT: Um I don't know. I'm not a flight
24 risk. I go to school. I maintain good grades. That's all.
25 THE COURT: All right. Anyone else wish to

1 address issues of bond in this matter?
2 DETECTIVE CAVANAUGH: Uh yes Your Honor.
3 Detective Ryan Cavanaugh, University of Michigan Police
4 Department.
5 THE COURT: You may, all right you may proceed.
6 DETECTIVE CAVANAUGH: At this time we would just
7 request an appropriate bond for the violent charges that
8 Mr. Thomas has been charged with today.
9 THE COURT: From your investigation would it
10 demonstrate he'd have any reason to have contact with Neil
11 Galbreath?
12 DETECTIVE CAVANAUGH: No Your Honor.
13 THE COURT: All right the reference address of
14 1500 East Medical Center drive, does the Defendant work
15 or?
16 DETECTIVE CAVANAUGH: He's an ex employee, had
17 knowledge of, of the victim and of the private location of
18 where the incident occurred.
19 THE COURT: So do I take it that unless he's
20 receiving medical or emergency treatment there'd be no
21 reason for him to have contact with that location?
22 DETECTIVE CAVANAUGH: That is correct Your Honor.
23 THE COURT: Anything else you'd like to add as
24 to bond Detective?
25 DETECTIVE CAVANAUGH: No.

1 THE COURT: Mr. Thomas certainly you don't have
2 to respond but is there anything additional you want the
3 Court to know regarding bond if you choose.
4 THE DEFENDANT: Could you say that one more time?
5 THE COURT: I said you don't have to respond to
6 the comments made but if you'd like to add something as to
7 bond you may do so.
8 THE DEFENDANT: No not at all.
9 THE COURT: All right the Court will set
10 conditions as to bond as follows; no contact with Neil
11 Galbreath, no assaultive behavior as to that individual or
12 anyone else. No going to 1500 East Medical Center drive
13 unless receiving emergency or medical treatment. No
14 possession or purchase of a firearm, ammunition or other
15 dangerous weapon. No use or possession of alcohol or
16 illegal drugs.
17 THE DEFENDANT: You said no possession of
18 alcohol.
19 THE COURT: Or illegal drugs.
20 THE DEFENDANT: Okay.
21 THE COURT: With those conditions set reviewing
22 this matter, the nature of the offense. Taking into
23 account law enforcement's recommendation as to bond as
24 well as the Court's concern regarding victim impact in
25 this case, bond is set here at one hundred thousand cash

1 surety with the conditions noted. I'll provide your
2 paperwork to you in the back. You can have a seat.

3 DETECTIVE CAVANAUGH: Thank you Your Honor.

4 THE COURT: Thank you.

5 (At 1:37 p.m., proceedings concluded)

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COUNTY OF WASHTENAW)
STATE OF MICHIGAN)

I certify that that this transcript, consisting of 10
pages, is a complete, true, and correct record of the
proceedings and testimony taken in this case on Wednesday June

29, 2011 before the Honorable Camille T. Horne.

July 26, 2013



Jessica Hoard, CER 7922

14th District Court

415 W. Michigan Avenue

Ypsilanti, Michigan 48197

734-484-6690