

STATE OF MICHIGAN
55TH JUDICIAL DISTRICT (MASON, MICHIGAN)

PEOPLE OF THE STATE OF MICHIGAN,

v

File No. 15-05325

MATTHEW J. ANDERSON,

Defendant.

PRELIMINARY EXAMINATION
BEFORE THE HONORABLE THOMAS P. BOYD, DISTRICT JUDGE

Lansing, Michigan - [today's day and date]

For the People:

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TABLE OF CONTENTS

WITNESSES: PEOPLE PAGE

DARLENE MARIE WOODS

Direct Examination by Mr. O'Keefe	5
Cross-Examination by Ms. Tringl	8
Redirect Examination by Mr. O'Keefe	10

WITNESSES: DEFENDANT

None

EXHIBITS: MARKED ADMITTED

PX#1 Police report	10	11
PX#1 Photographs	10	11

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Lansing, Michigan

[Day, date, and time]

THE COURT: We are on the record with People versus Matthew J. Anderson. It's File N. 15-05235.

Are you Mr. Anderson?

MR. ANDERSON: Yes, sir.

THE COURT: Come sit next to your attorney.

MR. ANDERSON: Yes, sir.

THE COURT: This is the date and time scheduled for a preliminary examination on domestic violence case.

Counsel, please state your appearances for the record.

MR. O'KEEFE: Patrick O'Keefe for the People.

MS. TRINGL: Amanda Tringl, appearing on behalf of my client, Mr. Matthew Anderson.

THE COURT: Thank you. Do you have any preliminary matters, Mr. O'Keefe?

MR. O'KEEFE: No, your Honor.

THE COURT: Thank you. Do you have any preliminary matters, Miss Tringl?

MS. TINGL: No, your Honor.

THE COURT: Okay. Thank you. Do you want to call your first witness?

MR. O'KEEFE: Yes. The People call Darlene Woods.

THE COURT: Please come forward, ma'am, and raise your right hand. Do you swear to (sic) affirm the testimony that you're about to give shall be the truth, the whole truth, under penalty of perjury?

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MS. WOODS: I do.

DARLENE MARIE WOODS

(At 12:01 p.m., called by the People and sworn by the Court, testified as follows)

THE COURT: You can be seated in the witness box. I want you to speak in a loud voice so we can record and hear your testimony today. Will you do that for me?

THE WITNESS: Yes, your Honor.

THE COURT: Mr. O’Keefe.

MR. O’KEEFE: Thank you, your Honor.

DIRECT EXAMINATION

BY MR. O’KEEFE:

Q Can you please state your name and spell your last name.

A Darlene Marie Woods. W-o-o-d-s.

Q How old are you?

A Thirty-five.

Q Do you know the defendant in this matter, Matthew Anderson?

A Yes.

Q How do you know him?

A I’ve been friends with him for about 17 years.

Q Had you dated him or lived with him in the past?

A We were seeing each other in the past, yes.

Q All right. Is he in the courtroom today?

A Yes.

Q Can you tell us for the record what he’s wearing today?

A He’s wearing a jail jumpsuit.

1 MR. O'KEEFE: May the record reflect she has identified the defendant, your
2 Honor?

3 THE COURT: Any objection, Ms. Tringl?

4 MS. TINGL: No, your Honor.

5 THE COURT: The record will so reflect.

6 BY MR. O'KEEFE:

7 Q I want to take you back to February of last year. Were you living at 429 North Butler --

8 A Yes.

9 Q -- in the city of Lansing that day?

10 A Yes.

11 Q Please wait until I finish the question, Ms. Woods.

12 A I'm sorry. I'm nervous.

13 Q Was Mr. Anderson at the residence that day?

14 A Yes.

15 Q Tell me what happened.

16 A I went to his house to retrieve some of my things that I had there. When I got there, he was
17 very angry with me that I was there.

18 Q Did he say anything to you to make you form the opinion he was angry at you?

19 A Yes. He told me to leave.

20 Q What did you say?

21 A I asked him if I could get my things. I told him that I would leave immediately and would
22 never come back.

23 Q What happened then?

24 A He grabbed ahold of my arm and tried to throw me off the porch.

25 Q Did you say anything else at that point?

1 A Yes. I simply said, "Please give me my things and I will go."

2 Q What happened next?

3 A He again tried to push me off the porch. Then he ran upstairs.

4 Q How long was he upstairs?

5 A About ten minutes.

6 Q What did you do during that ten-minute period?

7 A I called the police. I walked back to my car because my friend Alexa came with me, and she
8 was in the car. I was waiting in my car until either he came back down or the police arrived.

9 Q What happened next?

10 A Matthew came down the stairs with some of my stuff, which he threw out in the yard. I
11 gathered up my stuff and put it in the car.

12 Q Did he make another trip upstairs?

13 A Yes. This happened three times. I put all my stuff in my car.

14 Q Let's go back to the porch incident. Can you describe what happened?

15 A Yes. I walked onto the porch, rang the doorbell, and then stepped back from the door. He
16 came out of the door and grabbed ahold of my arms. The porch was very slippery, and I got
17 one of my hands free to grab the railing of the porch so I wouldn't fall. Then I was able to
18 pull the other arm from him.

19 Q What happened next?

20 A I managed to move to the side of the porch against the railing. I didn't want him to push me
21 off the porch because I would have hit my head on the cement. He grabbed my arms again
22 and tried to push me off the porch. I got away from him and got off the porch.

23 Q And then what happened?

24 A I picked up my stuff that he had thrown on the lawn. My friend helped me. We put all my
25 stuff in the trunk of the car. We didn't wait for the police. We left.

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MR. O’KEEFE: Okay. I have nothing further.

THE COURT: Mr. Engle (sic), do you wish to cross-examine this witness?

MS. TRINGL: Yes, your Honor.

THE COURT: With apologies to both the witness and counsel, I must make a brief recess to deal with another matter unrelated to this case. Ms. Tringl, you may begin your cross-examination when we resume.

We are off the record.

(At 12:04 p.m., off the record)

(At 12:17 p.m., back on the record)

THE COURT: Okay. We are back on the record. I would like to remind the witness that you are still under oath. Ms. Tringl, you may begin your cross-examination.

MS. TRINGL: Thank you, your Honor.

CROSS-EXAMINATION

BY MS. TRINGL:

Q You stated that you called the police to report this incident, correct?

A That’s correct.

Q Are you aware that Mr. Anderson also called the police to report this incident?

A No.

Q You were at 429 Butler, correct?

A Yes.

Q And do you live there?

A No.

Q Have you ever lived there?

A No.

Q Mr. Anderson does live there, doesn’t he?

1 A Yes.

2 Q You testified that you came by to get some property that you left there. Is that correct?

3 A Yes.

4 Q You had previously left a message for Mr. Anderson that you would stop by the house by
5 Wednesday, February 13th. Is that correct?

6 A Yes.

7 Q But instead you came early on Sunday, February 10th. Is that correct?

8 A Yes.

9 Q You came unannounced? He wasn't expecting you?

10 A No.

11 Q When you arrived and went to the front door, Mr. Anderson asked you to leave, didn't he?

12 A Yes.

13 Q You pushed him?

14 A No.

15 Q You didn't push him. Okay. Are you aware that you're under oath?

16 A Yes.

17 Q As a result of this incident, did you suffer any injuries?

18 A I had bruises on my arms but nothing I had to go to the doctor for.

19 Q So you had ecchymosis?

20 A I had bruises.

21 Q You had contusions?

22 A I had bruises.

23 Q You had --

24 MR. O'KEEFE: Objection, your Honor. The question has been asked and
25 answered.

1 THE COURT: I agree. Move forward, Ms. Tringl.

2 MS. TRINGLE: Yes, your Honor.

3 BY MS. TRINGL:

4 Q Did you tell the police officer you weren't injured?

5 A I honestly don't remember.

6 Q Did you seek medical treatment as a result of this incident?

7 A No.

8 Q Was Mr. Anderson your boyfriend at one time?

9 A Yes.

10 MS. TRINGLE: That's all I have.

11 THE COURT: Anything further, Mr. O'Keefe?

12 MR. O'KEEFE: Just a couple of questions, your Honor.

13 REDIRECT EXAMINATION

14 BY MR. O'KEEFE:

15 Q Ms. Woods, did you wait at Mr. Anderson's house for the police to arrive?

16 A No. We got to the end of the block and saw the police car. I stopped my car and got out and
17 flagged them down.

18 Q Did the officers make a report?

19 A Yes, they did.

20 Q Did the officers see the black and blue marks on your arms?

21 A I showed them, but they weren't black and blue until the next day.

22 Q Did you subsequently pick up a copy of the police report the next day?

23 A Yes, I did.

24 Q And did the officers take a picture of your arms that day?

25 A Yes, they did.

1 MR. O'KEEFE: Could I please have these marked as People's Exhibits 1
2 and 2.

3 THE COURT: Yes, you may. The court recorder will mark them for you.
4 (At 12:19 p.m., PX#1 and 2 marked)

5 BY MR. O'KEEFE:

6 Q I show you what has been marked as People's Exhibit No. 1. Do you recognize that
7 document?

8 A Yes. It's the police report about this incident.

9 Q How about People's Exhibit No. 2?

10 A That's a photograph of my arms that the police took the day after the incident.

11 MR. O'KEEFE: Thank you, Ms. Woods. That's all the questions I have for
12 you.

13 THE COURT: Anything further, Ms. Tringl?

14 MS. TRINGL: No, your Honor.

15 THE COURT: Mr. O'Keefe?

16 MR. O'KEEFE: I would offer People's Exhibits 1 and 2 into evidence, your
17 Honor.

18 THE COURT: Ms. Tringl, do you have further questions of this witness?

19 MS. TRINGL: No, your Honor.

20 THE COURT: All right, Ms. Woods. You may be excused.

21 (At 12:20 p.m., witness excused)

22 THE COURT: Do you have further witnesses?

23 MR. O'KEEFE: Yes, your Honor.

24 MS. TRINGL: We do too, your Honor.

25 THE COURT: All right. I'd like to conclude testimony for today. Please be

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ready to call your remaining witnesses when trial resumes tomorrow.

MR. O’KEEFE: Yes, your Honor.

MS. TRINGL: That’s fine, your Honor.

THE COURT: Okay. Court is in recess.

(At 12:20 p.m., recess.)

I certify that this transcript, consisting of 12 pages, is a complete, true, and correct transcript of the People of the State of Michigan versus Matthew J. Anderson and testimony taken in this case as recorded on [today's date].

Date:

[your name and CER number]
[your business address]
[city, state, and zip]