

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION
CASE NUMBER 12-CR-60049-KMW

UNITED STATES OF AMERICA

vs.

ROGERIO CHAVES SCOTTON,
Defendant

- - -

HEARING HELD 5-29-2012
BEFORE THE HONORABLE KATHLEEN M. WILLIAMS
UNITED STATES DISTRICT COURT JUDGE

APPEARANCES:

FOR THE GOVERNMENT: ANA MARTINEZ, AUSA
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FOR THE DEFENDANT: JONATHAN S. FRIEDMAN, ESQ.
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1 THE COURT: United States versus Rogerio Scotton.
2 Counsel, may I have appearances, please.

3 MS. MARTINEZ: Ana Martinez on behalf of the United
4 States. I am covering for Assistant U.S. Attorney Bertha
5 Mitrani.

6 THE COURT: Good morning.

7 MR. FRIEDMAN: Good morning, Your Honor, Jonathan
8 Friedman on behalf of Rogerio Scotton, appearing
9 telephonically.

10 THE COURT: Good morning. You sound like you are at
11 the bottom of a pool. Okay. You are coming up now.

12 MR. FRIEDMAN: I am swimming to the surface.

13 THE COURT: All right. You filed a motion to continue
14 but you did not give me -- you did not give me another date and
15 you did not give me an indication that you had a meaningful and
16 sober conversation with your client about the waiver of speedy
17 trial.

18 MR. FRIEDMAN: Your Honor, I apologize for that. I did
19 discuss that with my client, and I could supplement it with a
20 waiver.

21 THE COURT: I appreciate that.

22 MR. FRIEDMAN: As far as the time required, I do have
23 something that is supposedly starting in June that may be a
24 three week to four week trial before Judge Scola. I do need the
25 time -- I am thinking another sixty to ninety days before I am

1 ready to go.

2 THE COURT: How about mid July -- well, let me ask
3 you, first, how long do you think it will take to try this
4 case?

5 MS. MARTINEZ: Your Honor, Ms. Mitrani had advised
6 that it would be about five to six days for the Government's
7 case.

8 MR. FRIEDMAN: Your Honor, I would need a little more
9 time than mid July, if you could possibly push it some time in
10 August.

11 THE COURT: Okay. I will reschedule it sometime in
12 August, understanding your client is in custody and that you
13 are working on perhaps some bond package to submit to the
14 Court.

15 MR. FRIEDMAN: I am still working on that, Judge.

16 THE COURT: I will look for your supplement. All
17 right. This will be continued at the behest of the parties,
18 without objection by the Government, to sometime in August.

19 MS. MARTINEZ: No objection by the United States. Would
20 it would be the August sixth calendar?

21 THE COURT: I have to go back and take a look at my
22 calendar.

23 MR. FRIEDMAN: I would prefer later in August, Your
24 Honor, because of the work that I need to do, the investigation
25 in this case.

1 THE COURT: Ms. Greer.

2 COURTROOM DEPUTY: August 27th.

3 MS. MARTINEZ: No objection, Your Honor. Ms. Mitrani
4 would prefer to start earlier in August, but she is available.
5 She has a large trial starting October first, which is
6 specially set, but that should give her enough time.

7 THE COURT: All right.

8 MS. MARTINEZ: Will this case be tried in Miami or Fort
9 Lauderdale?

10 THE COURT: Well, I hadn't thought about that.

11 MR. FRIEDMAN: Your Honor, if possible defense would
12 prefer Fort Lauderdale. I know Ms. Mitrani is in Fort
13 Lauderdale as well.

14 MS. MARTINEZ: On behalf of Ms. Mitrani, I would
15 request Fort Lauderdale as well. She's a mom, and a good
16 friend of mine, that's why I am asking. By August 27th the
17 children will be in school. Of course she will be wherever the
18 Court needs her to be.

19 THE COURT: That's a fair point. Every time anyone
20 asks me about Fort Lauderdale I keep saying I don't know, but
21 hopefully Judge Rosenbaum will be there and so I won't have a
22 courtroom.

23 All right. I will keep that in mind, and I will
24 endeavor to see if I can't find a courtroom in Fort Lauderdale
25 to try this.

1 **Thank you all.**

2 **MS. MARTINEZ: Thank you, Your Honor.**

3 **MR. FRIEDMAN: Thank you for allowing me to appear by**
4 **phone, Your Honor.**

5 **THE COURT: Not a problem. Have a nice day.**

6 **HEARING CONCLUDED**

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C E R T I F I C A T E

I hereby certify that the foregoing is an accurate transcription of proceedings in the above-entitled matter.

/S/PATRICIA SANDERS

DATE FILED

PATRICIA SANDERS, RPR

I	behest [1] - 3:17 Bertha [1] - 2:4	E	J	O
/S/PATRICIA [1] - 6:6	bond [1] - 3:13 bottom [1] - 2:11	East [2] - 1:11, 1:13 endeavor [1] - 4:24	Jonathan [1] - 2:7 JONATHAN [1] -	objection [3] - 3:18,
1	Boulevard [2] - 1:11, 1:13	entitled [1] - 6:4 ESQ [1] - 1:13	1:13 Judge [3] - 2:24,	3:19, 4:3 October [1] - 4:5
11-3 [1] - 1:16 12-CR-60049-KMW	Broward [2] - 1:11, 1:13	F	3:15, 4:21 JUDGE [1] - 1:8	OF [2] - 1:1, 1:3 One [1] - 1:13
[1] - 1:2	BY [1] - 1:15	fair [1] - 4:19 far [1] - 2:22	July [2] - 3:2, 3:9 June [1] - 2:23	P
2	C	FILED [1] - 6:8 filed [1] - 2:13	K	package [1] - 3:13
27th [2] - 4:2, 4:16	calendar [2] - 3:20, 3:22	first [2] - 3:3, 4:5 five [1] - 3:6	KATHLEEN [1] - 1:8 keep [2] - 4:20, 4:23	parties [1] - 3:17 PATRICIA [2] - 1:15,
3	case [5] - 1:2, 3:4, 3:7, 3:25, 4:8	FL [3] - 1:11, 1:14, 1:16	L	6:8 patricia_sanders@
305.523.5528 [1] - 1:17	certify [1] - 6:3 CHAVES [1] - 1:5	FLORIDA [1] - 1:1 FOR [2] - 1:10, 1:13	Lauderdale [8] - 1:11, 1:14, 4:9, 4:12,	fisd.uscourts.gov [1] - 1:17
33128 [1] - 1:16 33301 [2] - 1:11, 1:14	children [1] - 4:17 client [3] - 2:16, 2:19, 3:12	foregoing [1] - 6:3 Fort [8] - 1:11, 1:14,	4:13, 4:15, 4:20, 4:24 look [2] - 3:16, 3:21	perhaps [1] - 3:13 phone [1] - 5:4
4	coming [1] - 2:11 CONCLUDED [1] - 5:6	four [1] - 2:24 FRIEDMAN [10] - 1:13, 2:7, 2:12, 2:18,	M	point [1] - 4:19 pool [1] - 2:11
400 [1] - 1:16	continue [1] - 2:13 continued [1] - 3:17	2:22, 3:8, 3:15, 3:23, 4:11, 5:3 Friedman [1] - 2:8	MARTINEZ [8] - 1:10, 2:3, 3:5, 3:19,	possible [1] - 4:11 possibly [1] - 3:9
5	conversation [1] - 2:16 counsel [1] - 2:2	friend [1] - 4:16	4:3, 4:8, 4:14, 5:2 Martinez [1] - 2:3	prefer [3] - 3:23, 4:4, 4:12
5-29-2012 [1] - 1:7 500 [1] - 1:11	course [1] - 4:17 COURT [16] - 1:1, 1:8, 2:1, 2:6, 2:10,	G	matter [1] - 6:4 meaningful [1] - 2:15	problem [1] - 5:5 proceedings [1] - 6:4
A	2:13, 2:21, 3:2, 3:11, 3:16, 3:21, 4:1, 4:7, 4:10, 4:19, 5:5	GOVERNMENT [1] - 1:10 Government [1] - 3:18	Miami [3] - 1:16, 1:16, 4:8	push [1] - 3:9
above-entitled [1] - 6:4	Court [3] - 1:15, 3:14, 4:18 COURTROOM [1] - 4:2	Government's [1] - 3:6 Greer [1] - 4:1	mid [2] - 3:2, 3:9 mind [1] - 4:23	R
accurate [1] - 6:3 advised [1] - 3:5	COURTROOM [1] - 4:2 courtroom [2] - 4:22, 4:24	H	mine [1] - 4:16 Mitrani [5] - 2:5, 3:5,	ready [1] - 3:1 REPORTED [1] - 1:15
allowing [1] - 5:3 AMERICA [1] - 1:3	covering [1] - 2:4 custody [1] - 3:12	HEARING [2] - 1:7, 5:6 HELD [1] - 1:7	4:3, 4:12, 4:14 mom [1] - 4:15	Reporter [1] - 1:15
Ana [1] - 2:3 ANA [1] - 1:10	D	hereby [1] - 6:3 Honor [9] - 2:7, 2:18,	morning [3] - 2:6, 2:7, 2:10 motion [1] - 2:13	request [1] - 4:15
apologize [1] - 2:18 appear [1] - 5:3	date [1] - 2:14 DATE [1] - 6:8	3:5, 3:8, 3:24, 4:3, 4:11, 5:2, 5:4	2:18, 2:22, 3:8, 3:15, 3:23, 4:11, 5:3	required [1] - 2:22
appearances [2] - 1:10, 2:2	days [2] - 2:25, 3:6 Defendant [1] - 1:6	HONORABLE [1] - 1:8 hopefully [1] - 4:21	MS [7] - 2:3, 3:5, 3:19, 4:3, 4:8, 4:14, 5:2	reschedule [1] - 3:11
appearing [1] - 2:8 appreciate [1] - 2:21	DEFENDANT [1] - 1:13 defense [1] - 4:11	I	N	Rogerio [2] - 2:1, 2:8
Assistant [1] - 2:4 Attorney [1] - 2:4	DEPUTY [1] - 4:2 discuss [1] - 2:19	indication [1] - 2:15 investigation [1] - 3:24	need [3] - 2:24, 3:8, 3:24 needs [1] - 4:18	ROGERIO [1] - 1:5
August [8] - 3:10, 3:12, 3:18, 3:20, 3:23, 4:2, 4:4, 4:16	DISTRICT [3] - 1:1, 1:1, 1:8	J	nice [1] - 5:5 ninety [1] - 2:25	Rosenbaum [1] - 4:21
AUSA [1] - 1:10 available [1] - 4:4	DIVISION [1] - 1:2	Jonathan [1] - 2:7	North [1] - 1:16 Number [1] - 1:2	RPR [2] - 1:15, 6:8
Avenue [1] - 1:16	B	JONATHAN [1] - 1:13	July [2] - 3:2, 3:9 June [1] - 2:23	S
BEFORE [1] - 1:8 behalf [3] - 2:3, 2:8, 4:14	BEFORE [1] - 1:8 behalf [3] - 2:3, 2:8, 4:14	Judge [3] - 2:24, 3:15, 4:21	KATHLEEN [1] - 1:8 keep [2] - 4:20, 4:23	SANDERS [3] - 1:15, 6:6, 6:8
B	calendar [2] - 3:20, 3:22	JUDGE [1] - 1:8	large [1] - 4:5 Lauderdale [8] - 1:11, 1:14, 4:9, 4:12,	school [1] - 4:17 Scola [1] - 2:24
305.523.5528 [1] - 1:17	case [5] - 1:2, 3:4, 3:7, 3:25, 4:8	July [2] - 3:2, 3:9 June [1] - 2:23	4:13, 4:15, 4:20, 4:24 look [2] - 3:16, 3:21	SCOTTON [1] - 1:5
33128 [1] - 1:16 33301 [2] - 1:11, 1:14	certify [1] - 6:3 CHAVES [1] - 1:5	KATHLEEN [1] - 1:8 keep [2] - 4:20, 4:23	MARTINEZ [8] - 1:10, 2:3, 3:5, 3:19,	Scottton [2] - 2:1, 2:8
4	children [1] - 4:17 client [3] - 2:16, 2:19, 3:12	MARTINEZ [8] - 1:10, 2:3, 3:5, 3:19,	4:3, 4:8, 4:14, 5:2 Martinez [1] - 2:3	see [1] - 4:24
400 [1] - 1:16	coming [1] - 2:11 CONCLUDED [1] - 5:6	mid [2] - 3:2, 3:9 mind [1] - 4:23	matter [1] - 6:4 meaningful [1] - 2:15	set [1] - 4:6
5	continue [1] - 2:13 continued [1] - 3:17	mine [1] - 4:16 Mitrani [5] - 2:5, 3:5,	Miami [3] - 1:16, 1:16, 4:8	six [1] - 3:6
5-29-2012 [1] - 1:7 500 [1] - 1:11	conversation [1] - 2:16 counsel [1] - 2:2	4:3, 4:12, 4:14 mom [1] - 4:15	morning [3] - 2:6, 2:7, 2:10 motion [1] - 2:13	sixth [1] - 3:20
A	course [1] - 4:17 COURT [16] - 1:1, 1:8, 2:1, 2:6, 2:10,	2:18, 2:22, 3:8, 3:15, 3:23, 4:11, 5:3	MS [7] - 2:3, 3:5, 3:19, 4:3, 4:8, 4:14, 5:2	sixty [1] - 2:25
above-entitled [1] - 6:4	Court [3] - 1:15, 3:14, 4:18 COURTROOM [1] - 4:2	mid [2] - 3:2, 3:9 mind [1] - 4:23	morning [3] - 2:6, 2:7, 2:10 motion [1] - 2:13	sober [1] - 2:16
accurate [1] - 6:3 advised [1] - 3:5	COURTROOM [1] - 4:2 courtroom [2] - 4:22, 4:24	mine [1] - 4:16 Mitrani [5] - 2:5, 3:5,	2:18, 2:22, 3:8, 3:15, 3:23, 4:11, 5:3	sometime [2] - 3:11,
allowing [1] - 5:3 AMERICA [1] - 1:3	covering [1] - 2:4 custody [1] - 3:12	4:3, 4:12, 4:14 mom [1] - 4:15	MS [7] - 2:3, 3:5, 3:19, 4:3, 4:8, 4:14, 5:2	

3:18

sound ^[1] - 2:10

sOUTHERN ^[1] - 1:1

specialy ^[1] - 4:6

speedy ^[1] - 2:16

start ^[1] - 4:4

starting ^[2] - 2:23,

4:5

STATES ^[3] - 1:1,

1:3, 1:8

States ^[4] - 1:15, 2:1,

2:4, 3:19

still ^[1] - 3:15

submit ^[1] - 3:13

Suite ^[1] - 1:16

supplement ^[2] -

2:19, 3:16

supposedly ^[1] -

2:23

surface ^[1] - 2:12

swimming ^[1] - 2:12

T

telephonically ^[1] -

2:9

THE ^[17] - 1:8, 1:10,

1:13, 2:1, 2:6, 2:10,

2:13, 2:21, 3:2, 3:11,

3:16, 3:21, 4:1, 4:7,

4:10, 4:19, 5:5

thinking ^[1] - 2:25

three ^[1] - 2:24

transcription ^[1] -

6:4

trial ^[3] - 2:17, 2:24,

4:5

tried ^[1] - 4:8

try ^[2] - 3:3, 4:25

U

U.S ^[1] - 2:4

UNITED ^[3] - 1:1,

1:3, 1:8

United ^[4] - 1:15, 2:1,

2:3, 3:19

up ^[1] - 2:11

V

versus ^[1] - 2:1

vs ^[1] - 1:4

W

waiver ^[2] - 2:16,

2:20

week ^[2] - 2:24

WILLIAMS ^[1] - 1:8