

DOCKET NO: D03D-CR21-0192188-S : SUPERIOR COURT  
STATE OF CONNECTICUT : G.A. #3  
v. : AT DANBURY, CONNECTICUT  
SEAN PAUL REYES : AUGUST 27, 2021

BEFORE THE HONORABLE ROBERT A. D'ANDREA, JUDGE

A P P E A R A N C E S:

Representing the State of Connecticut:

ATTORNEY DEBORAH MABBETT  
Supervisory Assistant State's Attorney  
146 White Street  
Danbury, Connecticut 06810

Self-Represented Defendant:

SEAN PAUL REYES

Recorded By:  
Vanessa A. Fiorito

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Vanessa A. Fiorito  
Court Recording Monitor  
146 White Street  
Danbury, Connecticut 06810

1 ATTY. MABBETT: Good morning, Your Honor.

2 Deborah Mabbett for the State. The first matter is  
3 Sean Paul Reyes.

4 THE COURT: That is where on the docket?

5 THE CLERK: Line 32 regular, Judge.

6 THE COURT: Okay. Good morning, Mr. Paul.

7 THE DEFENDANT: Good morning, Your Honor.

8 ATTY. MABBETT: Your Honor, I did get a chance  
9 to have briefly -- have a conversation with him as  
10 to the motions that the State had filed and the  
11 State has some discovery for him --

12 THE COURT: Okay.

13 ATTY. MABBETT: -- that we are willing to turn  
14 over, but according to the -- the Practice Book,  
15 there's certain provisions -- there's certain things  
16 that he has to abide by. He did get a copy of that  
17 (indiscernible) briefly, he indicated that he may  
18 want some time to review that --

19 THE DEFENDANT: Yes.

20 ATTY. MABBETT: -- before Your Honor acts on it  
21 and I advised him that if, in fact --

22 THE COURT: Okay.

23 ATTY. MABBETT: -- Your Honor does not rule on  
24 it today that we certainly cannot turn over  
25 discovery until -- until that -- that motion is  
26 heard.

27 THE COURT: Mr. Reyes, I'll be happy to give

1           you some time if you'd like to look at a copy since  
2           you have a copy of it.

3           THE DEFENDANT: Yes.

4           THE COURT: At this point, just so you know, I  
5           won't take any action today with the understanding  
6           that the State is not gonna turn any information  
7           over to you until you've had an opportunity to  
8           review this. Now, make sure when you're reviewing  
9           this you look at the Practice Book section that's  
10          appropriate. Is the motion that you have, sir, have  
11          that section with you -- it's section 40-10b of the  
12          Connecticut Practice Book?

13          THE DEFENDANT: Yes, sir.

14          THE COURT: And that's what -- that's what's  
15          required for dissemination of information, okay? Do  
16          you understand that?

17          THE DEFENDANT: Yes, Your Honor.

18          THE COURT: You have any questions, sir?

19          THE DEFENDANT: Only -- is there -- did you  
20          read the -- the -- the arrest report and find  
21          probable cause, Your Honor?

22          THE COURT: I have not read anything at this  
23          point.

24          THE DEFENDANT: 'Cause I was -- I wasn't  
25          arrested, like, on a warrant.

26          THE COURT: Let me -- let me -- let me --

27          THE DEFENDANT: And my phone was taken without

1 a warrant.

2 THE COURT: Were you --

3 THE DEFENDANT: I -- I -- I've reviewed the --  
4 the arrest report and I don't see --

5 THE COURT: Let me understand the procedure.  
6 Were you arrested and brought in to court physically  
7 or were you arrested and released on some type of  
8 bond?

9 THE DEFENDANT: I was arrested and released,  
10 sir.

11 THE COURT: And released on a bond, okay.

12 THE DEFENDANT: Correct.

13 THE COURT: When -- when you're arrested and  
14 then released on a bond, there's -- there's no  
15 requirement that the Court make a finding of  
16 probable cause at your first appearance.

17 THE DEFENDANT: Okay.

18 THE COURT: But -- but, I mean, I can -- be  
19 happy to do that.

20 THE DEFENDANT: Well, I'm -- I'm requesting  
21 that you do 'cause --

22 THE COURT: Do we have a copy of the police  
23 report, Madam Clerk or Madam State's Attorney? I'd  
24 be happy to read it now, sir. You have --

25 THE DEFENDANT: Thank you, Your Honor.

26 THE COURT: No problem.

27 THE DEFENDANT: I've had a chance to read it

1 and I don't see any elements of the offenses.

2 THE COURT: Thank you, sir. Just give me a  
3 moment.

4 THE DEFENDANT: Your Honor, if I may say  
5 something regarding the Breach of Peace?

6 THE COURT: Yes.

7 THE DEFENDANT: I believe to my knowledge  
8 effective July 1<sup>st</sup>, 2021 -- July 1<sup>st</sup>, 2021; that the  
9 legislature changed the statute to include an act or  
10 a threat of violence as a requirement to be charged  
11 with a Breach of Peace, Your Honor, none of which is  
12 in the police incident report, Your Honor.

13 And, for trespassing, I was never -- doesn't  
14 say in the police report that I was (indiscernible).

15 THE COURT: Okay. At your request, sir, I have  
16 reviewed the one, two, three, four, five, six pages.  
17 I've reviewed the statute 53a-107 for the Criminal  
18 Trespass and 53a-181 for the Breach of Peace. I  
19 have the Danbury police officer incident report  
20 properly signed by the arresting officer probably  
21 subscribed and sworn to before the supervisory  
22 officer. I find after reviewing that there is  
23 probable cause, which is a rather low standard for  
24 both of the charges. So, if you can make that  
25 finding, Madam Clerk?

26 THE CLERK: Thank you, Your Honor.

27 THE COURT: What day would you like -- going

1 two/three weeks? How long do you want?

2 THE DEFENDANT: I'm sorry, sir?

3 THE COURT: How long do you want to have --

4 THE DEFENDANT: I would also -- they have the -  
5 - the -- the police department has possession of my  
6 phone so I will be filing a --

7 THE COURT: Okay.

8 THE DEFENDANT: -- a return. So, maybe two  
9 weeks, Your Honor?

10 THE COURT: Tell me what you want -- two or  
11 three -- whatever works for you.

12 THE DEFENDANT: Two weeks will be fine.

13 THE COURT: Two weeks is good? Two weeks  
14 brings us to the 10<sup>th</sup>.

15 THE DEFENDANT: That's fine, Your Honor.

16 THE COURT: Okay, and that's on a Friday. Does  
17 that work?

18 THE DEFENDANT: Yes, sir.

19 THE COURT: Okay, we'll see you then.

20 THE DEFENDANT: Thank you, sir.

21 THE COURT: Have a nice weekend.

22 ATTY. MABBETT: Just for the record, I did give  
23 him another copy of the -- the motions that Attorney  
24 Sedensky had filed, I believe, the Court  
25 (indiscernible) and then some of them are just  
26 (indiscernible) -- it's just standard motions as  
27 well as the discovery motions.

1 THE COURT: Okay, Madam Clerk, you can put this  
2 in the file for now. You are all set to go.

3 THE DEFENANT: Thank you, Your Honor. Thank  
4 you.

5 THE COURT: You're welcome.

6 (The matter is concluded.)

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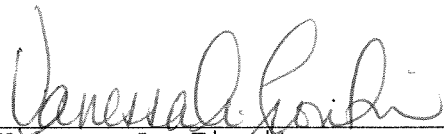
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C E R T I F I C A T I O N

I hereby certify the foregoing pages are a true and correct transcription of the audio recording of the above-referenced case, heard in Superior Court, G.A. #3, Danbury, Connecticut, before the Honorable Robert A. D'Andrea, Judge, on the 27th day of August, 2021.

Dated this 16th day of September, 2021 in Danbury, Connecticut.

  
\_\_\_\_\_  
Vanessa A. Fiorito  
Court Recording Monitor