

Exhibit 6

1 STATE OF ILLINOIS)
2) SS:
3 COUNTY OF COOK)
4
5 IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
6 MUNICIPAL DEPARTMENT - FIRST MUNICIPAL DIVISION
7
8 THE PEOPLE OF THE STATE)
9 OF ILLINOIS,)
10)
11 Plaintiff,)
12)
13 vs.)
14)
15 ROBERT LINDSEY,) No. 09 MC1 142406
16 GERMIN SIMS,) No. 09 MC1 142402
17) Branch 48
18 Defendants.)
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PRELIMINARY HEARING

1 REPORT OF PROCEEDINGS had at the hearing of
2 the above-entitled cause, before the Honorable JIM
3 RYAN, judge of said court, on the 4th day of
4 November, 2009.

5

6 PRESENT:

7 HONORABLE ANITA M. ALVAREZ,
8 State's Attorney of Cook County, by:
9 MR. KEVIN DeBONI,
10 Assistant State's Attorney,
11 appeared on behalf of the People;

12 MR. ABISHI C. CUNNINGHAM, JR.,
13 Public Defender of Cook County, by:
14 MS. CANDACE COLLINS,
15 Assistant Public Defender,
16 appeared on behalf of the Defendants.

17 Shirley F. Kelly
18 Official Court Reporter
19 CSR #084-001706

THE CLERK: Germin Sims, Robert Lindsey.

(Witness duly sworn.)

THE COURT: Are you Germin Sims?

DEFENDANT SIMS: Yes.

THE COURT: Who is Lindsey?

DEFENDANT LINDSEY: I'm Lindsey.

THE COURT: Go ahead, State.

OFFICER ALVIN JONES,

called as a witness herein by the People, having been first duly sworn, was examined and testified as follows:

DIRECT EXAMINATION

BY MR. DeBONI

14 Q Officer, please, state your name, star
15 number and unit of assignment.

16 A Officer Alvin Jones, star number 19462,
17 assigned to the Second District, Chicago Police
18 Department.

19 Q Officer, directing your attention to the
20 date of October 15, 2009, were you on duty at
21 approximately 10:00 a.m. in the area of 4210 South
22 Prairie, in Chicago, Cook County, Illinois?

23 A Yes.

24 Q Do you see anyone here in court today that

1 you saw on that date, time and location?

2 A Yes, I do.

3 Q Would identify each individual?

4 A Defendant Sims, with the khaki DOC uniform,
5 Defendant Lindsey with the yellow jumpsuit.

6 THE COURT: In-court i.d. of the defendants.

7 MR. DeBONI: Q Officer, were you working
8 with a surveillance team on that date and time?

9 A Yes, I was.

10 Q Were you the enforcement officer?

11 A Yes, I was.

12 Q Do you recall who the surveillance officer
13 was?

14 A Yes, I do.

15 Q Who was that?

16 A Officer Mohammed.

17 Q Did you communicate with Officer Mohammed
18 over the radio?

19 A Yes.

20 Q What did Officer Mohammed relate to you he
21 was observing on that date and time from his point of
22 surveillance?

23 A He observed several unknown individuals
24 approach the vehicle which Mr. Sims was sitting in

1 the passenger's seat. Those individuals would tender
2 him paper U.S.C., and he, in turn, would tender them
3 items from under his pants.

4 Q And after these several transactions were
5 related to you, were you told to approach that
6 vehicle?

7 A Yes, I was.

8 Q Did you and enforcement officers approach a
9 vehicle at 4210 South Prairie?

10 A Yes.

11 Q And what occurred when you approached that
12 vehicle?

13 A As I approached the passenger's side of the
14 vehicle where Mr. Sims was, I observed him trying to
15 place suspect narcotics under the front seat.

16 Q Did you have him exit the vehicle, and did
17 you recover those items?

18 A Yes, I did.

19 Q Were there seven items with suspect heroin?

20 A Yes.

21 Q Where was Defendant Lindsey?

22 A In the driver's seat.

23 Q Did you ask Defendant Lindsey to exit for
24 officer safety?

1 A Yes.

2 Q What did you see him do at that time?

3 A As he was exiting, he dropped an item to the
4 floor on the driver's side.

5 Q Was that recovered?

6 A Yes, it was.

7 Q Was that found to be items containing
8 suspect heroin as well?

9 A Yes.

10 Q Was he placed into custody?

11 A Yes, he was.

12 Q Were all of the items inventoried and sent
13 to State Police Crime Lab for testing and analysis?

14 A Yes.

15 Q With respect to the items recovered from
16 Defendant Sims, did they have a total and tested
17 weight of 1.5 grams positive for heroin?

18 A Yes.

19 Q With respect to the items dropped by
20 Defendant Lindsey, did they have a total weight of
21 2.6 grams of which 1.2 grams were tested and tested
22 positive for heroin?

23 A Yes.

24 MR. DeBONI: Nothing further.

1 THE COURT: Your witness, Counsel.

2 CROSS EXAMINATION

3 BY MS. COLLINS

4 Q Officer, the vehicle that you say that
5 Mr. Lindsey and Mr. Sims was in, was that 4210?

6 A Yes.

7 Q After you approached, that vehicle was still
8 at 4210, after these alleged transactions, correct?

9 A Yes.

10 Q Could you tell me how far away that vehicle
11 was, without telling me the point of surveillance of
12 Officer Mohammed?

13 A I'm not sure.

14 Q So did Officer Mohammed tell you that he saw
15 Mr. Lindsey engage in any transaction?

16 A No.

17 Q Did he see him hand anyone any suspect
18 narcotics or receive any money?

19 A Mr. Lindsey, no.

20 Q The first time that you see Mr. Lindsey
21 personally is when you approached his vehicle?

22 A Yes.

23 Q It's still parked at the same address?

24 A Yes.

1 Q When you approach, are you in plain clothes
2 or uniform?

3 A Plain clothes.

4 Q Do you approach that vehicle from the front,
5 behind, the passenger or driver's side?

6 A From behind.

7 Q You're approaching alone?

8 A No.

9 Q You're approaching with how many other
10 officers?

11 A Two.

12 Q Weapons drawn?

13 A No.

14 Q It's 10:00 o'clock in the morning, correct?

15 A Yes.

16 Q How close would you say you got to the
17 vehicle when you say you observed Mr. Lindsey drop
18 items?

19 A I was standing right there on the passenger
20 side of the vehicle.

21 Q Was the door opened or closed?

22 A Which door?

23 Q The door to the driver's side where
24 Mr. Lindsey was seated?

1 A The door was open. He was exiting.

2 Q How close are you to Mr. Lindsey when he
3 dropped these items?

4 A I'm on the passenger side of the vehicle.

5 Q How close would that have been?

6 A Four to five feet.

7 Q When you make your observations, are you
8 looking through the passenger window at Mr. Lindsey?

9 A I'm looking through the opened door of the
10 passenger side.

11 Q The item that you say he dropped to the
12 floor, did you see where they came from?

13 A No.

14 Q Did he drop it with his left hand or right
15 hand?

16 A I don't recall.

17 Q Do you recall if Officer Mohammed told you
18 how many alleged transactions he observed Mr. Sims
19 engage in?

20 A No, he did not.

21 Q Did he tell you that he could see how much
22 money was allegedly exchanged?

23 A No, he did not.

24 Q Did you stop anybody that was allegedly

1 involved in these transactions?

2 A No, I did not.

3 MS. COLLINS: Nothing further.

4 THE COURT: Finding of probable cause.

5 Order of Court Chief Judge 11-25-09.

6 Defendants demand trial.

7 (Whereupon, the above-entitled
8 cause was continued to
9 November 25, 2009 for arraignment
10 before the Presiding Judge of the
11 Criminal Division.)

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1 STATE OF ILLINOIS)
2) SS:
3 COUNTY OF COOK)

4 IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
5 MUNICIPAL DEPARTMENT-FIRST MUNICIPAL DISTRICT

6 I, SHIRLEY F. KELLY, Official Court Reporter
7 of the Circuit Court of Cook County, Municipal
8 Department-First Municipal District, do hereby
9 certify that I reported in shorthand the proceedings
10 had at the hearing of the above-entitled cause; that
11 I thereafter caused the foregoing to be transcribed
12 into typewriting, which I hereby certify to be a true
13 and accurate transcript of the proceedings.

14
15 
16 Official Court Reporter
17 License No. 084-001706
18

19 Dated this 27th day
20 of May, 2010.
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