

STATE OF ILLINOIS
 IN THE CIRCUIT COURT FOR THE 15TH JUDICIAL CIRCUIT
 OGLE COUNTY

THE PEOPLE OF THE
 STATE OF ILLINOIS,

vs.

MARC MONGAN,

Defendant.

)
)
) NOS. 16 CV 52
) 16 CV 53
) 17 CV 37
) 17 CV 38
) 17 CV 39
) 17 CF 168

REPORT OF PROCEEDINGS of the hearing before
 ASSOCIATE CIRCUIT JUDGE JOHN C. REDINGTON on **OCTOBER 4,**
2017.

APPEARANCES:

DAVID NEAL,
 Illinois Attorney General's Office,
 for the People.

DAVID TESS and RUSSELL CRULL,
 Attorneys at Law,
 for the Defendant.

CYNTHIA KOROLL,
 Attorney at Law,
 for the victims.

ANGELA M. MILLER, CSR, RPR, CRR, CRC
 Official Court Reporter
 IL License No. 084-004455

(WHEREUPON, the following proceedings
were held in open court, commencing at
2:39 p.m.)

THE COURT: All right. Now I've got 16 CV 52,
16 CV 53, 17 CV 36, 17 CV 37, 17 CV 38 and 39, People vs.
Marc Mongan. I now also have 17 CF 168, People vs. Marc
Mongan. In each case Mr. Mongan is present with his
attorneys, Mr. Tess and Mr. Crull. Mr. Neal is present
as special prosecutor. Ms. Koroll is here representing
the crime victims.

Mr. Tess, as to the information in 17 CF 168, do
you wish me to read the charges and admonishments?

MR. TESS: We'd waive the reading of the charges and
the admonishments, your Honor.

THE COURT: Are we going to need to set that case for
a preliminary hearing, correct?

MR. TESS: We'd acknowledge receipt. We just
received it in the last 20 minutes, but we would
acknowledge receipt of the informations and as indicated
waive any reading. Yes, preliminary would be next.

THE COURT: Okay. Can we do it in a half a day?

MR. NEAL: Yes, sir.

MR. TESS: Yes, sir.

1 THE COURT: I can give you half a day as soon as
2 Monday morning the 16th.

3 MR. NEAL: Your Honor, I do have a hearing in a
4 murder case down in Jackson County that day. The rest of
5 that week if it fits the Court's calendar or if it needs
6 to be a Monday, the following Monday.

7 THE COURT: Doesn't have to be a Monday is the short
8 answer to that question. However, as it so happens the
9 following Monday the 23rd I could give you all morning as
10 well.

11 MR. NEAL: That would work for the State, Judge.

12 THE COURT: Mr. Tess?

13 MR. TESS: Is October 18th available, your Honor?

14 THE COURT: I can't give you a full half a day either
15 the morning or the afternoon that day.

16 I could -- I mean, Mr. Neal, let me see
17 something here. Hold on one second. I mean, if I
18 started at 2:30, Mr. Neal, can you be done by 4:30?

19 MR. NEAL: I think so.

20 MR. TESS: I would think so, Judge.

21 THE COURT: Why don't we set it for 2:30 on
22 October 18th. That will be for preliminary hearing on --
23 That will be for preliminary hearing on 17 CF 168, and
24 we'll status all the other cases on that same date and

1 time.

2 Anything else for today's purposes?

3 MR. NEAL: Judge, I guess by way of housekeeping, the
4 defendant is on a misdemeanor bond on the CV cases. We
5 would be asking for a bond to be set. This defendant has
6 been to all of his court dates, Judge. The People do not
7 view him as a flight risk. We would recommend a \$50,000
8 personal recognizance bond as to the felony charge. And
9 we would ask that the printing and photography that has
10 taken place on the misdemeanor all be assigned to the
11 felony case as well.

12 And I do believe that the misdemeanor bond
13 requires the defendant stay off of the waterways of the
14 state of Illinois during the pendency of this case. We
15 would ask that that condition -- we would recommend for
16 the Court's consideration two bond conditions or
17 adjustments. We would recommend that the defendant be
18 ordered not to be consuming alcohol other than at his
19 home or religious ceremonies. And the second one is I
20 would be -- when I get cases in northern Illinois or
21 southern Illinois, I just want to make sure we address
22 the issue of whether the defendant is allowed to leave
23 the State as a condition of his bond. I don't want to
24 run into any issues if he regularly goes to Wisconsin or

1 something of that nature.

2 THE COURT: Mr. Tess, as to those requests?

3 MR. TESS: Your Honor, as to the transferring the
4 bond from the misdemeanors to the felonies, I have no
5 objection. Although, at this point in time, you know, no
6 decision has been made whether they're going to be nolle
7 prossed or not. Mr. Neal and I have talked about that
8 briefly but have not had an opportunity to really speak
9 about that in any detail. So I'm not sure there's any
10 need to do that at this point in time. Should those
11 become nolle prossed, I'll have no objection to those
12 bonds being transferred to the new charges.

13 As to the new conditions of not to consume, this
14 case has been going on for a year now, that's not been a
15 necessity and there's certainly no necessity for it in
16 the future. And I believe, and I don't recall, but I
17 believe the issue about leaving the state of Illinois has
18 already been addressed, and he's been granted leave to
19 leave the state of Illinois. If he has not, we would ask
20 that be granted and be brought forth in the felony
21 charges where he would be allowed to leave the State.

22 THE COURT: For the purpose of?

23 MR. TESS: For anything at this point. I don't think
24 there's been any limitation at this point in time,

1 whether it's business or recreational or personal. I
2 don't think there's been any limitation at this point.
3 And I don't see any need for it at this point. As
4 Counsel has indicated, he's not a flight risk, he's been
5 to every court appearance, he owns real estate in the
6 county. There's no need for it at this point in time.

7 THE COURT: Anything further, Mr. Neal?

8 MR. NEAL: Judge, the only thing I would suggest is
9 that as to the condition of bond, leaving the State, what
10 the People had in mind is back and forth to Wisconsin
11 because of the proximity. If he's having any lengthy
12 trips, I think we should address it since it is a felony
13 case and it is partially nonprobationable.

14 THE COURT: At this point in time I'm going to set
15 bond at \$50,000 recognizance on the felony. There will
16 be no further need for processing because he's already
17 done that.

18 At this point -- Given the length of the
19 proceedings at this point, given the lack of any motions
20 or other indications that I've seen from the State to
21 suggest that Mr. Mongan has been a problem on bond, I
22 don't see the need to modify any further bond conditions
23 other than to say that any and all bond conditions that
24 are currently in place in the CV cases will apply to the

1 felony case as well.

2 Anything else for today?

3 MR. NEAL: That's all I have, Judge.

4 MR. TESS: Nothing, your Honor.

5 THE COURT: Okay. I'm going to send him across the
6 street to fill out that recognizance bond, all right? So
7 if you would let them know that he's coming over.

8 Mr. Mongan, I want you to go across to the jail.
9 They're going to fill out a sheet for you on the
10 recognizance. You'll sign that. As far as the next
11 court date, make sure that they know that your next court
12 date is October 18th at 2:30 p.m. All right? And make
13 sure you're back here and make sure you stay in contact
14 with Mr. Tess.

15 Anything else from anyone? Last chance.

16 MR. NEAL: That's all I have.

17 MR. TESS: That's all I have.

18 THE COURT: Thanks, folks.

19 (End of proceedings.)

20

21

22

23

24

1 STATE OF ILLINOIS
2 IN THE CIRCUIT COURT OF THE 15TH JUDICIAL CIRCUIT
3 OGLE COUNTY
4

5 I, ANGELA M. MILLER, CSR (084-004455), RPR, CRR,
6 CRC, an Official Court Reporter for the Circuit Court of
7 Ogle County, 15th Judicial Circuit of Illinois, reported
8 in machine shorthand the proceedings had in the hearing
9 in the above-entitled cause and transcribed the same by
10 Computer-Aided Transcription, which I hereby certify to
11 be a true and accurate transcript of the proceedings had
12 before Associate Circuit Judge John C. Redington.
13

14
15 

16 _____
17 Official Court Reporter

18 Dated: This 1st day of May, 2019
19
20
21
22
23
24