

STATE OF MICHIGAN
IN THE 22ND CIRCUIT COURT

PEOPLE OF THE
STATE OF MICHIGAN,

Plaintiff,

Case No. 21FB-1656-FY
Hon. Presiding Judge

v

RYAN CUONG LE-NGUYEN

Defendant.

ELI SAVIT (P76528)
WASHTENAW COUNTY
PROSECUTING ATTORNEY
Attorney for Plaintiff
200 N. Main St., 3rd Floor
Ann Arbor, MI 48104
(734) 222-6620

JOSEPH A. SIMON (P39156)
LAW OFFICES OF
JOSEPH A. SIMON, PLLC
Attorney for Defendant
1310 S. Main St., Suite 11
Ann Arbor, MI 48104
(734) 887-6200

**DEFENDANT'S RESPONSE TO THE
PEOPLE'S EMERGENCY MOTION TO REVOKE BOND**

Defendant, Ryan Le-Nguyen, responds to the People's Emergency Motion to Revoke Bond as follows:

1. The People have accurately stated the charges.
2. Defendant does not presently live on Candlewood Drive. He has not returned to the Candlewood address since his arrest and has no intention of returning to that address. The address on Candlewood belongs to his girlfriend who also has no intention to return. The People aver on information and belief, that, prior to the shooting, "Defendant threatened the victim and other children with a sledgehammer and an axe." Defendant denies this allegation as being categorically untrue.

- a. The allegation of a sledgehammer stems from the following statement in the police report: “unknown female in a bathing suit came up and stated that the “guy” had threatened to strike the children with a sledgehammer. Coby then then threw Gatorade on his door and that’s when “the guy” shot him.
 - i. Notably, there is name or age attributed to this witness. Moreover, Coby, the alleged victim, did not corroborate this allegation when interviewed.
- b. The allegation of an axe stems from a statement of a 9-year-old witness who stated that children threw a ball a Defendant’s house and Defendant came out with a “mini axe” and kicked the ball of the porch. Again, this allegation was not corroborated by the alleged victim.
 - i. While the People confirm that no hammer or axe was seized when the police searched Defendant’s residence under a search warrant, they note the warrant specified [only] firearms. While this is correct, it is incomplete. D also *consented* to a full search of his residence at first police contact. Thus, searches were not limited by the specifications of a search warrant. At no point did law enforcement discover a sledgehammer or an axe, either when searching the residence or when participating in a civil stand-by (see paragraph 4).

3. Defendant denies that he has repeatedly engaged in “confrontations” with children in the neighborhood and, more importantly, that he admitted the same. When asked, Defendant told Sherriff’s deputies that he has addressed kids, ages 6-16, for throwing trash in his yard. He also reported some neighbors have made vile comments about his ethnicity similar to those recently reported in national media reports concerning anti-Asian hate/bigotry.

4. The People aver, “It is not known if an axe or hammer were taken” from Defendant’s home. As stated above, upon information and belief, no such items were discovered at Defendant’s home other than “a small claw hammer” found in a crawl space. This Court should refrain from making any decisions based on the allegations of the use of a sledgehammer or axe when none were discovered and since the allegations of their use at all are debatable, at best.

5. The People accurately state the current bond conditions.

6. Defendant provided an accurate and existent address to the court at the time of his arraignment. If the court did not write it down or enter it accurately, this should have no relevance to the instant motion. Undersigned counsel attended the arraignment and confirmed the correct address to the People prior to the filing of the instant motion.

a. Additionally, Defendant has been the subject of social media threats to his personal safety. The People are aware of the same. Defendant has the ability to reside at an address outside of the county with a relative but desires that address be disclosed only to the Court and the People.

7. Defendant will agree to whatever condition the Court sees fit to ensure he won’t return to the neighborhood where this incident occurred or the address on Candlewood. The remainder of this paragraph is inflammatory and unsupported. Defendant has not and will not return to the Candlewood address and there is no basis to believe “an axe/other weapon remains in Mr. LeNguyen’s home.” The residence has been searched by both consent and by warrant. If the People believe a weapon still remains in the home, they are perfectly free to retrieve it by legal process.

8. Defendant reasserts his replies in paragraphs 6 and 7 above.

9. Defendant reasserts his replies in paragraphs 6 and 7 above.

10. Defendant has consented to the Court hearing this matter on an emergency basis.

There is no basis for the court to issue an arrest warrant as Defendant was arraigned and is in

compliance with all current bond conditions. Defendant is 29 years old, has no prior criminal history, is a lifelong resident of the state of Michigan and posted a \$10,000 cash bond. He has engaged local counsel, has family ties to the county and state and was completely cooperative with the investigation in this case. He will appear for all future court dates. As indicated above, Defendant will privately provide a different and stable address for him to reside and will agree to a GPS tether to ensure his whereabouts.

Respectfully Submitted,

**LAW OFFICES OF
JOSEPH A. SIMON, PLLC**



By: Joseph A. Simon (P39156)
Attorneys for Defendant
1310 S. Main St., Suite 11
Ann Arbor, MI 48104
(734) 887-6200

PROOF OF SERVICE

The undersigned certifies that the foregoing instrument was served upon all parties of the above cause to each of the attorneys of record herein at their respective addresses, disclosed on the pleadings on _____, 20__ by:

U.S Mail Fax
 Hand Delivered Overnight Courier
 Certified Mail Other: _____
Signature: _____

Date: June 9, 2021