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V I R G I N I A:  
IN THE CIRCUIT COURT FOR THE CITY OF NORFOLK  
COMMONWEALTH OF VIRGINIA, )  
v. ) CR22001295-00  
RILEY E. INGRAM, )  
Defendant )

TRANSCRIPT OF PROCEEDINGS

Before: THE HONORABLE MARY JANE HALL  
February 27, 2024  
Norfolk, Virginia

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APPEARANCES:

OFFICE OF THE COMMONWEALTH'S ATTORNEY  
By: ALEXANDER ROSENBERG, ESQUIRE  
ASSISTANT COMMONWEALTH ATTORNEY  
Counsel for the Commonwealth

ZOBY & BROCCOLETTI, P.C.  
By: JAMES O. BROCCOLETTI, ESQUIRE  
6663 Stoney Point South  
Norfolk, VA 23502  
Counsel for the Defendant

The defendant appearing in person

## TRANSCRIPT OF PROCEEDINGS

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2  
3 THE COURT: What about Ingram? Where's  
4 Mr. Rosenberg? What about that trial?

5 Mr. Broccoletti, that's you. What's  
6 going on there?

7 MR. BROCCOLETTI: I think there's an  
8 offer that's being considered by Mr. Traylor.

9 THE COURT: By Mr.?

10 MR. BROCCOLETTI: Traylor, the  
11 complainant.

12 THE COURT: Traylor. How about by  
13 Mr. Ingram?

14 MR. BROCCOLETTI: Mr. Ingram has  
15 accepted the offer.

16 THE COURT: Oh. Mr. Traylor is on the  
17 fence?

18 MR. BROCCOLETTI: Correct.

19 THE COURT: Have you ever had a case  
20 where the victim made a motion?

21 MR. BROCCOLETTI: Not a victim who's a  
22 lawyer that wrote an ex-parte letter to the  
23 court. No, I have not.

24 THE COURT: Yeah. You've seen it  
25 though, right?

1 MR. BROCCOLETTI: I have seen it, yes.  
2 It caused quite a stir at ten till five on a  
3 Friday night.

4 THE COURT: Oh. I just saw it this  
5 morning, so okay.

6 THE CLERK: Is there a verbal  
7 stipulation?

8 MR. BROCCOLETTI: Yes. He's  
9 stipulating the evidence is sufficient for the  
10 finding, but without the plea, so I'm just going  
11 to doctor this particular document.

12 THE COURT: Say that again.

13 MR. BROCCOLETTI: He's going to  
14 stipulate that the evidence is sufficient but  
15 without actually entering a plea.

16 THE CLERK: So he's not pleading guilty  
17 today?

18 MR. BROCCOLETTI: Correct. And the  
19 Court will find that the evidence is sufficient.

20 THE CLERK: Usually when we do that,  
21 though, he enters a plea of guilty. Then we do  
22 an FUA.

23 THE COURT: Yeah.

24 MR. BROCCOLETTI: Okay.

25 Does Your Honor require him to initial

1 the amended indictment as well?

2 THE COURT: Yes. It's an Alford plea.

3 MR. BROCCOLETTI: Yes.

4 THE COURT: He's got to enter some kind  
5 of plea.

6 MR. BROCCOLETTI: It would be an Alford  
7 plea.

8 THE CLERK: This is the matter of  
9 Commonwealth versus Riley Ingram.

10 Is the Commonwealth ready?

11 MR. ROSENBERG: Commonwealth is ready,  
12 Madam Clerk.

13 THE CLERK: Defense ready?

14 MR. BROCCOLETTI: We are.

15 THE CLERK: Does defendant wish to  
16 waive arraignment?

17 MR. BROCCOLETTI: He does.

18 THE CLERK: Riley Ingram, are you  
19 entering an Alford plea to Indictment Number One  
20 as amended to simple assault and battery?

21 THE DEFENDANT: Yes.

22 THE CLERK: Would you raise your right  
23 hand, please?

24 (The defendant was sworn by the clerk.)

25 THE COURT: Good morning to you,

1 Mr. Ingram. I'm going to ask you to have a seat  
2 while I hear from the prosecutor, and I'll be  
3 speaking to you in a few minutes.

4 THE DEFENDANT: Yes, ma'am.

5 THE COURT: Mr. Rosenberg, there are a  
6 handful of issues here, but the first thing I'd  
7 like you to tell me are who are all these people  
8 that are here.

9 MR. ROSENBERG: Your Honor,  
10 Mr. Broccoletti would probably be better to  
11 identify most of the people.

12 THE COURT: They're not your witnesses?

13 MR. ROSENBERG: Let's see. The  
14 complaining witness, James Wicker Traylor, is  
15 here, Your Honor.

16 I believe there is a witness who's  
17 outside, who was one of the Commonwealth's  
18 witnesses, Safia Acchal El Kabmiri.

19 THE COURT: For Jayne's sake can you  
20 spell it, please?

21 MR. ROSENBERG: Yes.

22 THE COURT: Sophia, we've got Sophia.

23 MR. ROSENBERG: Well, Safia is actually  
24 spelled not the common spelling. It's S-A-F-I-A.  
25 And then Acchal is A-C-C-H-A-L. Then El is its

1 own word, E-L, and the E is uppercase. Kabmiri  
2 is K-A-B-M-I-R-I.

3 THE COURT: Okay. There aren't  
4 Commonwealth witnesses in the room other than  
5 Mr. Traylor?

6 MR. ROSENBERG: Other than Mr. Traylor  
7 there is no one else who is a Commonwealth  
8 witness.

9 THE COURT: Okay. So I'll get  
10 Mr. Broccoletti.

11 And now tell me what happened here.

12 MR. ROSENBERG: Your Honor, this is a  
13 case it's almost two years' old back on June 11th  
14 of 2022, which I should note was the Saturday of  
15 Harborfest weekend, Mr. Riley Ingram, the  
16 defendant, and Mr. James Wicker Traylor, two  
17 childhood friends, they owned at the time  
18 condominiums next to each other.

19 I believe the address was 998 West  
20 Ocean View Avenue in the City of Norfolk. That's  
21 in the Willoughby section of the city, Your  
22 Honor.

23 Mr. Traylor and Mr. Ingram and two lady  
24 friends of theirs, Ms. El Kabmiri, and then there  
25 was another young lady there, Ms. Malick, who's

1 not here today, they were -- they woke up that  
2 morning. They started drinking. They continued  
3 to drink throughout the morning leading into the  
4 early afternoon.

5 At some point everyone decided that  
6 they wanted to go drive down to Harborfest, and  
7 they got into Mr. Ingram's vehicle. I believe it  
8 was a Chevy Suburban.

9 Mr. Ingram was in the front driver's  
10 seat. Mr. Traylor was in the front passenger  
11 seat, and their friends were in the back seat,  
12 Judge.

13 At some point this all arose out of  
14 someone's inability to shut a door to the condo.  
15 They're sitting in the car, and Mr. Ingram  
16 notices that the condominium door to his condo,  
17 the screen door is shut, but the wooden door, the  
18 actual physical door, is still open.

19 He asked Mr. Traylor to go and shut the  
20 door. Mr. Traylor said no. There was some sort  
21 of a back-and-forth between the two.

22 Ms. El Kabmiri would have testified  
23 that she went and shut the door, but she did not  
24 lock the door. At which point Mr. Ingram went  
25 and locked the door.



1           They got back in the car. Some words  
2 were exchanged between Mr. Ingram and Mr. Traylor  
3 about why didn't you shut the door.

4           And then Mr. Traylor got out of the  
5 vehicle and asked the young ladies to come out of  
6 the vehicle with him and said we're not going  
7 down to Harborfest to this concert.

8           Mr. Ingram got out of the vehicle.  
9 Words were exchanged. Mr. Ingram punched  
10 Mr. Traylor. And at that point, Your Honor,  
11 blows were exchanged between both of them.

12           At some point Mr. Traylor fell to the  
13 ground. He was punched in the head, Your Honor.

14           Mr. Traylor would have testified that  
15 he felt something come loose in the back of his  
16 mouth, felt a filling came loose.

17           All the parties went their separate  
18 ways for the afternoon. They went and slept it  
19 off.

20           Later that night, they ended up  
21 partying together in the condominium complex, and  
22 Mr. Ingram apologized for hitting Mr. Traylor.

23           A couple days later, Mr. Traylor went  
24 to the doctor, complained of some headaches, and  
25 was -- and told the doctor that he had been

1 punched in the head.

2           There were medical records that would  
3 have been introduced that indicate that there was  
4 a possible closed-head injury, but the medical  
5 records also noted that Mr. Traylor had only had  
6 a headache throughout the week, had taken some  
7 Advil for that. He did indicate that he had some  
8 trouble focusing.

9           Additionally, he then went to his  
10 dentist. And those medical records, which would  
11 have been introduced as exhibits, Your Honor,  
12 would have shown that he complained that he was  
13 having some jaw pain, that it felt like a filling  
14 came loose.

15           The dentist took a look at his mouth,  
16 saw that there was a chip to the tooth. The  
17 tooth could not be saved; but, Your Honor, I will  
18 note that those medical records, there is an  
19 issue with necessarily the causation of it.

20           I understand that there's  
21 circumstantial evidence that would point to that,  
22 but there is nothing in that medical record that  
23 says tooth broken from being punched.

24           And, Your Honor, that is the summary of  
25 the facts. I know it's a little bit lengthier

1 than normal, but I felt that it was necessary to  
2 give the Court a picture of the totality of the  
3 circumstances surrounding this.

4 THE COURT: And, Mr. Traylor, as we  
5 noted when we called the docket had written a  
6 letter -- has written a letter to the court on  
7 Friday asking -- objecting to the reduction of  
8 the indicted felony to the misdemeanor as well as  
9 objecting to the Commonwealth's participation in  
10 prosecuting the case.

11 So let me just -- Mr. Rosenberg, you  
12 have addressed all of these things with  
13 Mr. Traylor?

14 MR. FATEHI: Your Honor, I apologize  
15 for cutting in. Mr. Traylor is a member of the  
16 Bar. If he has something to say, I'd encourage  
17 the Court to swear him, put him under oath under  
18 penalty of perjury so he can say it.

19 THE COURT: Mr. Fatehi, I'm running  
20 this courtroom, and you're not counsel of record  
21 in this case.

22 Mr. Rosenberg, I asked you a question.

23 MR. ROSENBERG: Yes, Your Honor.

24 I spoke with Mr. Traylor at length  
25 after the calling of the docket. We've spoken

1 about it. It's my understanding that he would  
2 like to withdraw that letter that he filed with  
3 the clerk on Friday afternoon.

4 I will say, Your Honor, that -- I'll  
5 just leave it at that, Your Honor.

6 THE COURT: And Mr. Broccoletti  
7 advised, I believe, I'm not sure if you were in  
8 the room or not, but advised that this case was  
9 always going to go forward as a misdemeanor. It  
10 wasn't reduced simply as part of the plea  
11 negotiations. I say always. Today the plan was  
12 to go forward with the misdemeanor trial.

13 MR. ROSENBERG: Yes, Your Honor. And  
14 I'd just like to briefly provide a history for  
15 the Court because, Your Honor, this case went to  
16 the December 2022 Grand Jury.

17 It's on the face of the indictment,  
18 Your Honor, that I was not the Assistant  
19 Commonwealth's Attorney who issued that  
20 indictment.

21 This is a case that I picked up and ran  
22 with. And after viewing the case, after  
23 reviewing the files, I believe I've highlighted  
24 some of the things that I noted in my review of  
25 it.

1           It's my view of this that this was not  
2 felony behavior. I was going to go forward with  
3 this case today, Your Honor --

4           THE COURT: As a misdemeanor?

5           MR. ROSENBERG: -- as a misdemeanor. I  
6 informed Mr. Traylor of that last week and --

7           THE COURT: Hence the letter that he  
8 wrote.

9           MR. ROSENBERG: Yes, Your Honor. I  
10 would assume that's why the letter was written.

11          THE COURT: Okay.

12          MR. ROSENBERG: But I was prepared to  
13 go forward with this as an assault-and-battery  
14 trial today, Your Honor.

15          THE COURT: So, Mr. Traylor, I don't  
16 need to get -- I'm sure you have a different  
17 version of events or a slightly different version  
18 of events at least in some respects, but is it  
19 the case that you are now reconciled to having  
20 the matter go forward as a misdemeanor?

21          MR. TRAYLOR: I'm in agreement with the  
22 Commonwealth's recommendation, Judge, and I've  
23 signed off on that.

24          THE COURT: Okay. That being the case,  
25 now I'll speak to you, Mr. Ingram.

1 BY THE COURT: (Of the Defendant)

2 Q. Mr. Ingram, you have heard  
3 Mr. Rosenberg summarize the events of June 11th  
4 of 2022 -- is that the right day? Yeah -- and  
5 what happened between you and Mr. Traylor.

6 Do you -- And, again, you may have some  
7 nuance differences, but do you broadly agree with  
8 the version that was recited that that's more or  
9 less what happened on that date that gives rise  
10 to this charge?

11 A. Judge --

12 MR. BROCCOLETTI: May I speak to him a  
13 second?

14 THE COURT: Yes.

15 MR. BROCCOLETTI: Or may I answer that  
16 for him, Your Honor? We agree that's the  
17 Commonwealth's evidence that they would present.

18 We have other witnesses who would  
19 present a different version of events, that  
20 subsequent to the initial contact with Mr. Ingram  
21 and Mr. Traylor, Mr. Traylor on three different  
22 occasions had walked away and come back and  
23 reengaged in the tussle, the fight, if you will.  
24 And those witnesses are present.

25 So he would agree that the

1 Commonwealth's evidence was as Mr. Rosenberg  
2 presented it.

3 THE COURT: And thank you for  
4 reminding. I meant to ask you who all these  
5 folks were. Are these witnesses or supporters or  
6 some of both?

7 MR. BROCCOLETTI: There's two  
8 witnesses. His dad is here who -- his dad and  
9 Mr. Traylor's dad are lifelong friends. They're  
10 business associates. There's other family  
11 members of the defendant that are present and  
12 others are just friends of his.

13 BY THE COURT:

14 Q. Okay. So let me ask the question in  
15 this way, Mr. Ingram.

16 Do you agree that the recitation that  
17 Mr. Rosenberg provided accurately summarizes what  
18 the Commonwealth's evidence against you would  
19 have been?

20 A. I have agreed to it, Judge.

21 Q. And there are some -- there are some  
22 other facts that likely would have come out in  
23 the evidence that you and Mr. Broccoletti would  
24 have presented, but more or less, that that day  
25 ended in Mr. Traylor ending up with the injuries

1 that he has claimed?

2 A. The day ended with the four of us,  
3 which one of the girls that was there is not  
4 here, it ended with us having drinks on my deck  
5 looking at the Chesapeake Bay.

6 Q. Okay. Somehow things, obviously,  
7 deteriorated, and he went and made a complaint  
8 against you?

9 A. Yes, Judge. Correct.

10 Q. But in any event, you understand that  
11 an Alford plea, which is the plea that the Court  
12 has accepted here, is a plea under which you do  
13 not admit that you are guilty of this misdemeanor  
14 offense, but the Court is going to determine that  
15 the evidence is sufficient for you to be found  
16 guilty.

17 And in the event of some violation of  
18 the plea agreement, you might ultimately actually  
19 be found guilty. Do you understand?

20 A. Yes, Your Honor.

21 Q. This plea agreement calls for the Court  
22 to take this under advisement for a year and to  
23 require that you are of good behavior and that  
24 you have no contact with Mr. Traylor.

25 A. Yes, Your Honor.



1           Q.     And if something goes wrong in the next  
2 year and the Commonwealth proves that you haven't  
3 complied with this plea agreement, at that point  
4 in time the Court will find that you're guilty of  
5 this assault and battery.

6                     And it's going to be too late for you  
7 to say, well, hang on. I'd rather go ahead and  
8 try my case the way that I was going to on  
9 February the 27th.

10                    Do you understand that?

11           A.     Yes, Judge. It does concern me that he  
12 may -- oh, I'm sorry. Yes, Judge.

13           Q.     Well, if it concerns you, now is your  
14 chance because we're ready to have a trial. And  
15 if you want to have a trial, we can have a trial.

16           A.     No, Your Honor.

17           Q.     Okay. You've listened to your lawyer,  
18 which shows that you've got a lot of sense  
19 because he's a very good lawyer; but ultimately,  
20 this is your life, and it has to be your  
21 decision. If you want to have a trial, we're  
22 ready to have a trial.

23                    You want to go forward with this matter  
24 as a finding under advisement?

25           A.     The plea deal, yes, Judge.

1 Q. This plea. It's a finding under  
2 advisement.

3 A. Yes.

4 Q. All right. Mr. Ingram, you and your  
5 lawyer have discussed this. And based on your  
6 lawyer's recommendation, you are willing to  
7 acknowledge that the evidence is sufficient and  
8 permit the matter to go forward as a finding  
9 under advisement.

10 Are you -- do you live in Norfolk?

11 A. No.

12 Q. He said he's Central Virginia. That's  
13 why I'm asking.

14 A. I live in Chesterfield, Virginia,  
15 Chesterfield County. And we -- my parents -- our  
16 family has owned the place in Willoughby Spit  
17 since 1981.

18 Q. Okay. Does this --

19 THE COURT: I'm looking for  
20 Mr. Rosenberg. Where did Mr. Rosenberg go?

21 This doesn't need a long answer. Did  
22 you tell him to go away?

23 MR. FATEHI: I've taken the case over,  
24 Your Honor.

25 THE COURT: Okay.

1           Mr. Broccoletti, did you have an  
2 agreement as to whether Mr. Ingram need return on  
3 a return date?

4           MR. BROCCOLETTI: No, ma'am. We had  
5 not discussed that part. I would ask the Court  
6 to consider just having counsel either appear or  
7 counsel send a letter to the court advising that  
8 Mr. Ingram has complied with all the terms and  
9 conditions.

10          THE COURT: And is that satisfactory to  
11 the Commonwealth?

12          MR. FATEHI: Your Honor, that is  
13 satisfactory to us if it's satisfactory to the  
14 Court.

15          THE COURT: So I will add to this plea  
16 agreement, then, if everybody consents, in the  
17 event of compliance, Mr. Ingram need not appear.

18          MR. BROCCOLETTI: Yes, ma'am. Thank  
19 you.

20          THE COURT: But, Mr. Ingram, I'm going  
21 to let you know what the court date is as soon as  
22 we pick it. And you should plan on coming that  
23 day unless you hear from Mr. Broccoletti that you  
24 do not have to come.

25          THE DEFENDANT: I'll be here, Judge.

1 Thank you.

2 THE COURT: If he tells you you don't  
3 have to come, you can take that to the bank; but  
4 if there's any concern about it, you should come  
5 back.

6 In the event of compliance, the  
7 defendant need not appear.

8 All right. Mr. Ingram, the Court finds  
9 that you have entered this plea agreement freely  
10 and intelligently with an understanding of this  
11 misdemeanor charge and the consequences of  
12 pleading guilty to the -- sorry -- entering an  
13 Alford plea to the misdemeanor charge.

14 I now find that the evidence is  
15 sufficient for a finding of guilt.

16 MR. FATEHI: Your Honor, prior to the  
17 Court's acceptance of a plea agreement, I want to  
18 make sure that the Court complies with the  
19 Victims' Rights Statute. That was one of the  
20 purposes of my stepping in.

21 Does Mr. Traylor have anything further  
22 to add? I think it is an important question to  
23 ask.

24 THE COURT: I'm not going to ask it,  
25 Mr. Fatehi. I have severe reservations about

1 your jumping in when you've not entered an  
2 appearance in the case and evicting the lawyer  
3 who's been handling the case.

4 MR. FATEHI: Your Honor, that is your  
5 second error of law. The --

6 THE COURT: Okay. Mr. Fatehi, I've  
7 heard enough.

8 Mr. Ingram, I find that the evidence is  
9 sufficient to establish that you are guilty, but  
10 I do not make that finding. I take the matter  
11 under advisement for a period of a year.

12 And during that period, you are to be  
13 of uniform good behavior and have no contact with  
14 Mr. Traylor.

15 Now, let me ask Mr. Broccoletti  
16 something. I'm sensing that he is concerned that  
17 Mr. Traylor might make some trouble in the next  
18 year. And I'm not sure what, if anything, you  
19 would suggest to mitigate that concern.

20 MR. BROCCOLETTI: Well, I suggested to  
21 Mr. Ingram that, obviously, if he sees him in a  
22 restaurant that he picks a different place to  
23 eat. If he sees him in the 7-Eleven, he picks a  
24 different place to shop and that he have no  
25 communications with him via text, cellphone,

1 telegram, Instagram, smoke signal, whatever the  
2 circumstances may be.

3 THE COURT: Mr. Traylor, did you ask --  
4 where did Mr. Traylor go?

5 THE BAILIFF: He stepped out, Your  
6 Honor.

7 THE COURT: Oh, he did. Okay.

8 What if Mr. Traylor wants to extend the  
9 olive branch because that is --

10 MR. BROCCOLETTI: I think that's a  
11 different story at that point. I think probably  
12 the thing for him to do would be to contact the  
13 Commonwealth Attorney's Office and advise them  
14 that he wants to do that so that we have a record  
15 of that being made, so that it's not then we get  
16 into a he said/she said situation about who  
17 offered to make contact with whom.

18 I hate to maybe put them in that  
19 position, but -- or he can contact me. I'm fine  
20 with him doing that.

21 THE DEFENDANT: If I received a phone  
22 call or a text, I would contact Mr. Broccoletti.

23 THE COURT: I think that's a good idea.  
24 Okay. Because it sounds like you guys have an  
25 off again/on again relationship. Although, the

1 only thing I know about it is what I have heard.

2 MR. BROCCOLETTI: It's such a shame.  
3 They've been friends for 40 to 50 years, and  
4 they've lived next door to each other. As I  
5 said, their fathers are --

6 THE COURT: But you understood that  
7 this was the term that Mr. Traylor --

8 MR. BROCCOLETTI: I did.

9 THE COURT: -- did request.

10 MR. BROCCOLETTI: Yes. Correct.

11 THE COURT: Okay. Okay. So we just  
12 need a return date in a year.

13 THE CLERK: Yes. We can do  
14 February 27th of 2025 at 9:30. It's a Thursday.

15 MR. BROCCOLETTI: Yes, ma'am. I'll be  
16 here.

17 THE COURT: Say it again. February --

18 THE CLERK: 27th, 2025 at 9:30.

19 THE COURT: And this is on the open  
20 docket.

21 THE CLERK: Yes, ma'am.

22 MR. BROCCOLETTI: 9:30, ma'am?

23 THE CLERK: Yes.

24 THE COURT: So, Mr. Broccoletti, you're  
25 in charge of letting Mr. Ingram know if he needs

1 to appear or not appear.

2 MR. BROCCOLETTI: Yes, ma'am.

3 THE COURT: Especially if there's some  
4 brouhaha with Mr. Traylor, let's get him here and  
5 we'll sort it out then.

6 MR. BROCCOLETTI: Yes, ma'am.

7 THE COURT: Okay.

8 (Proceedings concluded.)

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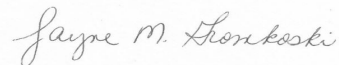


CERTIFICATE OF REPORTER

I, Jayne M. Gromkoski, RPR, do hereby certify that I reported verbatim the proceedings in the Circuit Court of the City of Norfolk, in the matter of Commonwealth v. Riley E. Ingram, heard by the Honorable Mary Jane Hall, Judge of said Court.

I further certify that the foregoing is a true, accurate and complete transcript of said proceedings.

Given under my hand this 29th day of February, 2024, at Norfolk, Virginia.



Jayne M. Gromkoski, RPR  
Notary/eNotary Reg. No. 210056  
My Commission Expires 08-31-27

<b>1</b>	<b>agreement</b> [8] - 13:21, 16:18, 16:21, 17:3, 19:2, 19:16, 20:9, 20:17	19:1, 19:23, 21:15, 22:22, 23:24	19:17, 20:6	<b>deal</b> [1] - 17:25
<b>11th</b> [2] - 7:13, 14:3	<b>ahead</b> [1] - 17:7	<b>broken</b> [1] - 10:23	<b>complied</b> [2] - 17:3, 19:8	<b>December</b> [1] - 12:16
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