

Pair Arrested in Chesco Robbery

A man who police say robbed an elderly Chester County woman, hit her, tied her hands together, and took her medical alert button to prevent her from alerting police was arrested Sunday night with an accomplice in Delaware.

Leonard Bernard, 36, of Philadelphia, and Brianna Mitchell, 41, of Spring City were found at a hotel in Dover and arrested after police there received a tip. They are being charged with robbery, burglary, aggravated assault, kidnapping, criminal conspiracy and related charges, according to police.

Police said Bernard forced his way into the 76-year-old woman's West Whiteland Township apartment in the Exton Crossing development around 6:20 p.m. Saturday. He threatened to cut the woman, who lives alone, police said.

He took the woman's wedding ring, necklace and watch off of her, according to police. Bernard is accused of then emptying out drawers in various rooms in her home. Police said he knew where the woman kept jewelry.

His accused accomplice, Mitchell, worked until last month for a home health care company the elderly woman used, according to police. Mitchell called the woman an hour or two before the robbery. Police believe she was making sure the woman was at home.

After the robbery, Bernard is accused of smacking the woman, pushing her to the ground, and tying her hands together.

PRACTICE FOR VISUALIZATION AND CHUNCKING

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A city man who police say may have been on drugs ran into Greenwood Elementary School on Greenwood Ave. yesterday morning during school hours.

The man who was fleeing police was pursued by more than ten officers and attempted to dive through a double pane window before he was subdued and handcuffed, according to Sergeant George Smith.

More than 230 students were in classes at the time of the incident, but none were injured.

Prior to going into the school, the man, who gave his name as Bill Hess, of South Broad St. in Trenton, was inside the municipal building at about 10 AM. The municipal building is located across the street from the school.

Business Administrator Mary Dutch saw and attempted to help Hess, who she said appeared to be confused and paranoid. "I sat down and was talking to him". Dutch said "I could tell there was something wrong, he was very aggravated and paranoid" Dutch left the man and called the police. She returned to Hess and lit a cigarette for him until the police came.

Three officers arrived and began talking to Hess. According to Smith, the man told officers he had been smoking crack 10 or 15 minutes prior and

had been smoking crack throughout the previous evening and morning hours. The officers called an ambulance and were able to get Hess to peaceably walk out of the municipal building. Once outside, however, Hess saw an approaching back up police car and bolted across the street, narrowly missing being struck by several cars.

Officers pursued him inside the school to the lower level and into the cafeteria kitchen. The man was sprayed with pepper spray which had no effect on him. "He just flipped out" Smith said. A battle continued for ten minutes until extra officers arrive, including plainclothes detectives.

During the scuffle officers said Hess, 28, who is about 6'4" and about 240 Lbs. with a strong build, tried to jump through a window to escape. He became lodged in the window and attempted to smash his way through. The resulting blood was all over the kitchen and the officers. "Our biggest concern was the safety of the school children," Smith said "But we were able to contain him to the kitchen area"

Hess was transported to Robert Wood Johnson University Hospital at Hamilton where he received 46 stitches. He was later released and in police custody. He faces numerous charges, including criminal trespass, aggravated assault and resisting arrest. He was held yesterday on \$47,000 bail.

1. Q: Good morning, sir. Please come forward, stand right here, and state your name for the record.
2. A: My name is Michael Lindberg¹, pleased to meet you.
3. Q: Mr. Lindberg, were you ever an employee of the defendant²? When did you terminate your employment with Ocean View Landscaping³?
4. A: **I'm sorry, I don't understand the question.**
5. Q: **Let's back up a bit**⁴. Do you recognize the man in the grey⁵ shirt sitting at the defense table?
6. A: Yes, that used to be my boss⁶ the one I used to work for before.
7. Q: When you say former⁷, **is it because you quit, or...?**
8. A: Yes, I walked out on him⁸ when made me work⁹ overtime for the third time without paying me. He would make many promises but never delivered.
9. Q: Let the record¹⁰ reflect that the plaintiff¹¹ is referring to the defendant. Ok, so when did you quit¹²?
- 10.A: Uhm¹³... I would say about three months ago.
- 11.Q: So, were you ever denied¹⁴ overtime pay? If so, how many times?
- 12.A: Well, I think the first time was the job we did¹⁵ over at Palo Alto, then the Cypress Landings subdivision¹⁶, after that it was the incident that happened at the soccer field¹⁷

13.Q: Let me interrupt you for a second¹⁸. Are you aware of the motion in limine that was filed¹⁹ in regards to your testimony in the matter of the people²⁰ of California V. Ocean View Landscaping, a separate case?

14.A: ... I'm not really sure what that means²¹.

15.Q: Okay, so... you met with your counsel²², Mrs. Weeks before today, right?

16.A: Yes, we met on Friday²³ and she told me today was going to be an important day for me, and that I had to make sure I understood everything clearly so I could give accurate testimony²⁴.

17.Q: All right. Please tell the Court²⁵ and the jury what was discussed²⁶ during that meeting. Was there anything you were instructed not to talk about?

18.A: Oh! Yes, now I remember. A lady attorney²⁷ told me that I could not say anything about the field because that was a different kettle of fish²⁸.

19.Q: Okay, good. So **let's** continue. **You're alleging**²⁹ that on at least two separate occasions **you worked more than forty hours in a week and didn't** receive overtime³⁰ pay?

20.A: No, the guy³¹ **didn't pay us anything whatsoever**³² for those jobs. He kept on telling us that the check was in the mail³³, but the darn³⁴ check never arrived.

21.Q: Really? And were there any other serious violations³⁵ of labor statutes³⁶ that you experienced?

22.A: **Well, I don't know.** I know nothing about the law³⁷. But what I do know is that he would make us³⁸ put gas in the company truck, which was actually his, but we were the ones that ended up paying³⁹ for it.

23.Q: **Now, let's talk about the incident**⁴⁰ at Cypress Landings. Is that when you decided to walk out⁴¹?

24.A: Of course, I remember it as if it was yesterday. He apologized to us⁴² for what had happened before, and he swore up and down that he was going to pay us In cash⁴³ as soon as we got done; **which he didn't**⁴⁴.

25.Q: What excuse did he give you for not paying you? What caused you⁴⁵ to abandon the worksite⁴⁶?

26.A: As soon as we got done with the gig⁴⁷ he came up with the same stupid story⁴⁸ about having already sent⁴⁹ a check. Right then and there I decided that I was not going to put up with his crap⁵⁰ anymore.

27.Q: So then what did you do? What, if anything⁵¹, did you say to him?

28.A: Well, since he had not paid us at all for the job at Palo Alto or for the other matter⁵², uh-

29.Q: Let me remind you that the motion⁵³ filed by the defense precludes you⁵⁴ from saying anything about another case here today.

30.A: I know. But that had already happened⁵⁵ before. He would not pay when the jobs were done. Therefore⁵⁶ when I came to demand payment for those jobs three months ago and he started giving me the same song and dance and the same excuses, I realized⁵⁷ that nothing was going to change.

31.Q: And what did you tell him at that time⁵⁸?

32.A: Well, I was pretty pissed off⁵⁹. **I tried to keep my cool, because I didn't** want to make matters worse⁶⁰. But, what I did tell him was the he and his job could go straight to hell⁶¹.

33.Q: What else happened at the time? Was there any physical altercation⁶² between yourself⁶³ and the defendant?

34.A: No, not at all⁶⁴. I said I was angry, I did get up in his face⁶⁵ and I yelled at him, but, I never got close to touching him; never⁶⁶.

35.Q: So you just told him off⁶⁷ **and left, that's it?**

36.A: Exactly. And, on top of that⁶⁸, I had to walk like thirteen⁶⁹ blocks and call my son in law⁷⁰ **to pick me up since I didn't have a ride.**

37.Q: Did you, or any of you relatives⁷¹ have any other contact with the defendant⁷² after that day?

38.A: Not really. He called me the next day, I am assuming to talk me into⁷³ going back⁷⁴ to work but I was not interested anymore.

39.Q: What, specifically⁷⁵, did he say during that phone call?

40.A: Nothing. **I didn't even**⁷⁶ answer the call. I wanted nothing to do with him, period.

41.Q: Okay⁷⁷, **let's go back to your meeting**⁷⁸ with Mrs. Weeks. When was this?

42.A: I think it was Tuesday no, I'm sorry⁷⁹, it was on Wednesday of the week before last⁸⁰.

43.Q: At that time, did you get a chance to review the file brief that has been submitted⁸¹ on your behalf? Do you agree with what is outlined⁸² there?

44.A: Uhm, I read a bunch⁸³ of papers there, **but I honestly don't remember** everything. All I'm asking for is to be paid⁸⁴ what is fair for my work, right?⁸⁵ and to be reimbursed⁸⁶ the expenses I had to incur.

45.Q: I understand. Is there anything else **you'd like**⁸⁷ to add?

46.A: **Let's see...** I **don't know if this is relevant**, but he not only refused to pay us, he would also constantly put us down⁸⁸, especially me and my cousin. He treated us as if we were dumb⁸⁹ **and we didn't like that at all.**

47.Q: Thank you. No further questions at this time, Your Honor⁹⁰.