

N23N-CR24-0254160-S : SUPERIOR COURT
STATE OF CONNECTICUT : G.A. #23
v. : AT NEW HAVEN, CONNECTICUT
LAUREN R. NOBLE : MARCH 27, 2025

TRANSCRIPT OF PROCEEDINGS

BEFORE THE HONORABLE FRANK A. IANNOTTI, JUDGE

A P P E A R A N C E S :

Representing the State of Connecticut:

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Representing the Defendant:

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1 ATTY. FITZGERALD: Yes, Judge. This is line 58
2 on the A docket, Lauren Noble.

3 ATTY. FELSEN: Good afternoon, your Honor.
4 Audrey Felsen for Miss Noble.

5 THE COURT: State.

6 ATTY. FITZGERALD: Yes, your Honor. Today the
7 State is entering a nolle based on the sole reason
8 that the State cannot prove this case beyond a
9 reasonable doubt.

10 The reasons we cannot prove this case beyond a
11 reasonable doubt are there is insufficient evidence
12 to support -- support the complaining witness claim;
13 there are inconsistencies in the complaining witness'
14 statements; there are credibility issues; there are
15 -- there exists video evidence clearly contradicting
16 the complaining witness' statements; and there is a
17 possibility that this defendant may not be the
18 correct offender based upon the absence of a positive
19 identification procedure.

20 Factually, the State cannot meet its burden, and
21 as prosecutors we have an ethical obligation not to
22 pursue charges that cannot be proven beyond a
23 reasonable doubt, an obligation that the State takes
24 very seriously.

25 The allegations here involve the complaining
26 witness who was working as a parking attendant at
27 Propark Parking at the Wall Street lot. And he

1 alleged that this defendant made racist comments to
2 him on three separate occasions. Those dates were
3 July 6th, 2023, July 13th, 2023, and July 27th, 2023.

4 In regards to the July 6th date, the complaining
5 witness said in a written statement that he was
6 working as a pro -- for Propark as a parking
7 attendant when the defendant was attempting to park
8 in the lot; that the complaining witness told her
9 that the parking lot was full. The complaining
10 witness said he heard the defendant say a racist slur
11 towards him once he informed her that there was no
12 parking available at this time.

13 Later he gave a statement that was captured on
14 body-worn camera. And at that time the complaining
15 witness said that the defendant pulled up to the lot
16 and noticed the lot was full and then uttered a
17 racial slur before flying out of the parking lot.

18 There are several inconsistencies with the
19 complainant's allegations in regards to the July 6
20 statement. The State obtained video evidence of the
21 parking lot on July 6th, 2023 which clearly shows two
22 blue SUVs pull into the parking lot at similar times.
23 One is the defendant's SUV and the other individual
24 is driving a blue SUV is also a white woman, like the
25 defendant. The parking lot is clearly not full as
26 the complaining witness alleged in his statements.
27 The defendant parks her vehicle, exits the parking

1 lot walking with absolutely no interaction with the
2 complaining -- complaining witness. The defendant
3 does not drive out of the parking lot as the
4 complaining witness alleges, but clearly parks in a
5 lot that is not full, gets out of her car, and walks
6 out of the parking lot.

7 On this date, the complaining witness has an
8 interaction with another woman who was also a white
9 woman, like the defendant and drives a blue SUV.
10 When the State interviewed the complaining witness,
11 he had first said maybe he got the date wrong, and
12 then he said, no, I'm sure it was July 6th because my
13 sister's birthday is July 7th.

14 Complaining witness never said he may be unsure
15 about the date or did -- he did not give a range of
16 dates. He always said it was July 6th, July 13th,
17 and July 27th. Complaining witness also is
18 inconsistent as to what happened in his written
19 statement and his recorded statement on body-worn
20 camera. It seems he flipped what is said on July 6th
21 and on July 13th.

22 During complaining witness's interview with the
23 State, he also said he had just started working a few
24 days prior to the July 6th date and didn't know who
25 all the people were who were parking their cars in
26 the lot. He also stated, so around this time I was
27 just starting and I don't know who was who.

1 The complaining witness also said the
2 defendant's car pulled in the lot around 10:30, 11 on
3 July 6th and clearly on video, the car pulls into the
4 lot at 9:13 a.m.

5 In regards to the July 13th allegations, that's
6 July 13th, 2023. Again, the complaining witness gave
7 a written statement and stated that defendant's
8 vehicle was blocked in by another vehicle the
9 previous day on July 12th. And there was no verbal
10 argument on that day.

11 He then stated on July 13th, 2023 defendant's
12 vehicle was again blocked in and they had a verbal
13 argument. Complainant blamed the defendant for her
14 vehicle being blocked in and again uttered a racial
15 slur towards the complaining witness.

16 In a later statement captioned on body-worn
17 camera, the complainant says defendant approached his
18 booth to complain about being blocked in the day
19 before by another car and then uttered a racial slur.

20 Again, the State was able to obtain video of the
21 July 13th, 2023 date. The video clearly shows
22 defendant's car pull into the lot at 9:06 a.m. and
23 her windows are up and she parks her vehicle. The
24 complaining witness is seen walking away from the
25 area of the defendant's vehicle and there's
26 absolutely no interaction between the two parties.
27 Defendant parks her vehicle, the lot is not full as

1 the complaining witness alleges, and exits -- she
2 exits the church parking lot. Defendant never, on
3 the video, approaches the booth where the complaining
4 witness is located.

5 The third date in question is July 27th, 2023.
6 On this date, the complaining witness' supervisor,
7 Misty Doss was assisting with the parking lot because
8 there was an event that was being held that day. The
9 complaining witness said he saw defendant coming and
10 told Misty of his previous problems with the
11 defendant. The complainant said he was nearby when
12 Misty approached the defendant to tell her that her
13 vehicle may be blocked in to an event -- due to an
14 event today.

15 The complaining witness said he heard defendant
16 say to Misty, referring to him by a racial slur and
17 that Misty said, it's the rules of the lot, and then
18 the defendant then again uttered a racial slur toward
19 the complaining witness.

20 Misty Doss gave a statement captured on body-
21 worn cam about the July 27th, 2023 interaction. She
22 said she approached the defendant and asked her for
23 -- for her car keys and that the defendant was
24 furious and started insulting her. She stated that
25 they had a heated argument and defendant stomped her
26 foot. Misty said that the defendant then referred to
27 the complaining witness by a racial slur and said

1 that he better not touch her car while the
2 complaining witness was a car-and-a-half length away
3 talking to another customer.

4 Again, the State obtained video evidence of the
5 July 27th, 2023 allegation. The interaction between
6 the defendant and Misty is captured on video but
7 defendant does not stomp her foot or point in any
8 direction. In fact, you cannot even see the
9 complaining witness on the video when the defendant
10 and Misty interact.

11 Police reports state that Misty told the police,
12 quote, Noble, referring to the defendant did not
13 point or direct at any -- any of the berating towards
14 Allen at any time; Allen is the complaining witness.
15 This is inconsistent with the complaining witness'
16 statement.

17 Again, there was no interaction on this date
18 between this defendant and the complaining witness.
19 The complaining witness also alleged that another
20 witness by the name of William Henton was a witness
21 to the July 27th interaction. He was in the parking
22 lot that day, according to the complaining witness,
23 fixing his vehicle and overheard the interaction.

24 Again, the State reviewed body-worn camera --
25 I'm sorry. -- video footage, not body-worn camera
26 footage from this date and this individual is not on
27 video fixing his car at the time that the defendant

1 and Misty had their interaction.

2 In addition to these factual inconsistencies,
3 there is an issue regarding the identification of the
4 defendant as the individual who allegedly uttered
5 these racial slurs. The complaining witness has said
6 on multiple occasions that he started working a few
7 days prior to the July 26th, 2023 date and he was
8 unsure of who was who.

9 Complainant does have what appears to be an
10 altercation with a white woman who drives a dark SUV
11 similar to defendants on the first date, but this is
12 not the defendant. Additionally, there was never an
13 identification procedure where the complaining
14 witness was asked to identify the alleged individual
15 who uttered -- uttered these racial slurs.

16 There also exists potential Brady and Giglio
17 material on complaining witness's telephone which the
18 complainant has said repeatedly doesn't exist,
19 although the State has reason to believe it does
20 exist based on the complaining witness statements
21 captured on police officer body-worn camera.

22 The State also takes its Brady and Giglio
23 obligations seriously and this is just one of the
24 many reasons why the State cannot proceed with this
25 prosecution.

26 Before I finish, I would just like to address
27 the defense counsel's footnote in her motion to

1 dismiss concerning the State turning over limited
2 footage of dates of these alleged incidents.

3 Investigators from our office went on multiple
4 occasions to get the videos defense counsel
5 requested. On each occasion several angles from the
6 cameras were provided to defense counsel. There were
7 certain angles missing on each of these occasions,
8 not because the State was withholding evidence by any
9 means, but the video evidence was not -- they were
10 unable to obtain it because of technological
11 difficulties with extracting the video from the
12 recording device on which it was captured.

13 That being said, the State did provide video to
14 defense counsel on at least three occasions, video
15 that has led the State to lead to their final
16 conclusion that the State can -- this case cannot be
17 proven beyond a reasonable doubt.

18 So in conclusion, I'd just like to state that
19 the allegations made by the complainant are serious
20 and the State has taken these allegations quite
21 seriously. We did a thorough investigation into this
22 -- these allegations. And after that thorough
23 investigation, the State has concluded that these
24 allegations cannot be proven beyond a reasonable
25 doubt. And therefore, today we are entering a nolle
26 on all charges.

27 THE COURT: Before I note the nolle, I see the

1 complaining party's counsel is present.

2 ATTY. FITZGERALD: That's correct, Judge. And
3 he would --

4 THE COURT: Does he wish to be -- does he wish
5 to be heard?

6 ATTY. FITZGERALD: He wishes to be heard.

7 THE COURT: Of course.

8 ATTY. MCINTOSH: Thank you, your Honor. May I
9 have my client come up front?

10 THE COURT: Certainly. Erskine, use this
11 microphone. Everybody starts with their names.

12 ATTY. FITZGERALD: You should come over --

13 ATTY. MCINTOSH: Thank you. Your Honor, I am
14 cognizant of --

15 THE COURT: Everybody starts with their names,
16 for the record.

17 ATTY. MCINTOSH: Oh, for the record. I was
18 thinking everybody here knows me.

19 My name is Attorney Erskine McIntosh and I have
20 the pleasure of representing Mr. Gerno Allen, Sr. who
21 is standing to my right.

22 We object to the prosecution's decision to enter
23 a nolle in this situation. And I understand, based
24 upon my experience, that this is a unique power for a
25 prosecutor to exercise. And -- and the only question
26 in my mind is whether or not it's justified in this
27 case, and I don't believe it is.

1 Notwithstanding the statements made by the
2 prosecutor this morning, there are inconsistencies
3 that exist, that have existed in virtually all of the
4 thirty plus criminal trials that I have defended in
5 my experience here in Connecticut. And not one of
6 them, not one of them is one that -- where there is
7 an absence of inconsistencies from the standpoint of
8 what the complaint has said or what the defendant has
9 said always. But those are left to the -- a juror to
10 divine and decipher.

11 And particularly one in a case like this where
12 in my view, based upon what my client has represented
13 go right to the heart of the caste system in this
14 country as well as racial animus in this country.
15 And not just in this country, but in the parking lot
16 not seventy-five yards away from the courtroom that
17 we're in right now.

18 Having said that, I think that basically
19 encapsulates our argument. I believe my client, Mr.
20 Allen wishes to address the Court, and I have no
21 objection.

22 THE COURT: Certainly.

23 MR. ALLEN: Good afternoon.

24 THE COURT: Sir, I know that your -- your
25 counsel mentioned your name on the record, but please
26 if you would state --

27 MR. ALLEN: Gerno Allen.

1 THE COURT: Thank you, sir.

2 MR. ALLEN: So I know the prosecutor, excuse me.
3 -- mentioned that on the 27th I had an altercation
4 with another young lady. It wasn't an altercation;
5 it was discussing about where she could park and
6 where she couldn't park. I don't know if she's seen
7 the video. I have the video. Yes. I've been -- had
8 the video with my attorney.

9 Same video, another video that I have with Miss
10 Nolles (as said) and my supervisor getting into it, I
11 have that video as well. So when she said I got into
12 it with someone it was -- I didn't know who I was
13 talking to or who I was arguing with, 'cause clearly
14 I -- I can tell. The young lady I was talking to was
15 shorter, didn't have glasses. Miss Nolles was taller
16 with glasses.

17 I mean, everyday people have a bad day,
18 wonderful days, great days, some people, but when you
19 have a bad day you shouldn't take it out on someone
20 else based on whatever situation is going on that
21 day.

22 Just like what I told my attorney, and I told
23 the -- and the prosecutor, I didn't know Miss Nolles.
24 I didn't know a lot of people at the parking lot, I
25 was still feeling people out. But at the end of the
26 day, it was a little issue on I had this day right,
27 this day wrong, whatever the case is, just like when

1 we watched the video, if you watched the video, once
2 it starts playing, it starts jumping. Some things
3 you see, some things you don't see. Just like was
4 mentioned at her car, Miss Nollles -- excuse me. --
5 Miss Nollles' car was already in the parking lot on a
6 particular day. But it was -- oh, Nobles. I
7 apologize. Miss Nobles, on a particular day.

8 Clearly the video that I have doesn't show that
9 her car was even in the parking lot; it was a whole
10 entire different SUV. She has a blue Mercedes, this
11 was a blue Audi. Two different cars.

12 But again, like I said, you know, you got to
13 make a decision based on how you feel or your burden
14 of proof or not proof but, you know racism is born
15 every day.

16 THE COURT: Anything further, sir?

17 MR. ALLEN: No, sir.

18 THE COURT: Thank you.

19 ATTY. MCINTOSH: I just --

20 THE COURT: Mr. McIntosh.

21 ATTY. MCINTOSH: -- just two things. With
22 respect to the last date in question, that'll be July
23 27th. In addition to one independent witness, Misty
24 Doss, there was also a Mr. William Henton who is the
25 head sexton at United Church of Christ on the Green
26 here in New Haven that owns the parking lot. He was
27 there that day. That information was made available

1 to the police as well as to the prosecutor.

2 So, I think that if a jury has problems with two
3 of the dates that are in question where there is no
4 independent witness, perhaps they wouldn't with the
5 third.

6 But again, the prosecution has set forth its
7 rationale for dropping all three charges. And that's
8 a rationale they're entitled to have. We disagree
9 with it.

10 THE COURT: All right. I appreciate that. And
11 I'm not gonna get involved in too many comments here;
12 it's obviously the State's prerogative to enter a
13 nolle.

14 But Mr. McIntosh, you've been doing this for a
15 long time and a long time successfully, and you would
16 have to at least agree with the State that if the
17 State makes their own independent decision that they
18 believe they cannot prove the case beyond a
19 reasonable doubt, they -- they have an ethical
20 obligation in that situation. I think that's what's
21 been pursued here as well.

22 ATTY. MCINTOSH: I understand the ethical
23 obligation. I understand the -- the powers that are
24 vested in their office to make -- to make decisions
25 that they are -- have been granted in cases like
26 this. So I understand and acknowledge that
27 obligation and also acknowledge --

1 THE COURT: That doesn't mean --

2 ATTY. MCINTOSH: -- the powers they have.

3 THE COURT: -- you can't disagree with it. But
4 that's --

5 ATTY. MCINTOSH: Excuse me.

6 THE COURT: It doesn't mean you can't disagree
7 with it. But it is their obligation.

8 ATTY. MCINTOSH: It is their obligation.

9 THE COURT: Thank you. Anything further, sir?

10 ATTY. MCINTOSH: Nothing further from us.

11 THE COURT: Nolle noted.

12 ATTY. FELSEN: Your Honor, I'd move --

13 THE COURT: Miss Felsen.

14 ATTY. FELSEN: -- to dismiss. May I be heard as
15 to why? I'll make it brief. There's been a lot
16 that's already been said on the record and a few
17 things I'd like to add to it.

18 THE COURT: You certainly have a right to say
19 what you wish, Miss Felsen.

20 ATTY. FELSEN: Thank you, your Honor.

21 Your Honor, Miss Noble, from the moment that law
22 enforcement approached her and questioned her about
23 this case, has steadfastly maintained her innocence.
24 She has not only cooperated with police in that she
25 spoke to them and that she prepared a statement, but
26 she asked them immediately to go get video
27 surveillance of that parking lot. That was never

1 retrieved by the police department.

2 After Miss Noble got arrested, she immediately
3 asked counsel to take steps to make sure that that
4 video surveillance was preserved so that it could be
5 obtained by the State.

6 We filed a discovery request and footnote,
7 notwithstanding, I very much appreciate, and I do
8 want to put on the record the patience and the
9 efforts that State's Attorney Fitzgerald has put in
10 terms of obtaining that video surveillance. I had
11 had to go to the church to watch the video
12 surveillance myself. I know and I understand that
13 State's Attorney Fitzgerald had sent investigators on
14 numerous occasions in an effort to obtain all -- all
15 of those video surveillance camera videos and they
16 were from different perspectives so that we would get
17 a full and complete picture of the allegations, the
18 dates of the incidents in question.

19 We were unable to do that, not by any fault of
20 the State, but certainly not for a lack of effort.
21 In our discovery request, we had asked that
22 additional evidence come forward and be obtained.
23 And one of those things that we had requested was
24 access to a very limited time period involving the
25 complainant's phone records; those were not
26 forthcoming. Again, through -- through no fault of
27 the State.

1 The State's obligation is not just to prosecute
2 cases, as your Honor has noted and as the State's
3 attorney has recognized today. It's to pursue
4 justice. And it is often, theoretically, in its best
5 form a search for the truth. In this instance, by
6 way of entering a nolle here, that discovery process
7 has not been completed, there needs to be some level
8 of finality to this.

9 Miss Noble has expended an insane amount of her
10 resources. This has been emotionally tumultuous for
11 her to say the least. She is innocent, she has done
12 everything she possibly could within the confines of
13 -- of what is able to be done through the criminal
14 justice process to prove her innocence; it's very
15 hard to prove a negative.

16 I will state on the record, that immediately
17 upon Miss Noble hiring me, she had asked if there was
18 anything she could do, anything at all. She offered
19 to take a polygraph. I -- I didn't realize at the
20 time that it's very difficult to get permission for a
21 polygrapher to be able to -- to conduct a polygraph
22 on somebody's who's pregnant because of the risks
23 associated with it because the stress that such thing
24 induces. Miss Noble went to extreme efforts to get
25 clearance to be able to do that. She did that. She
26 passed. I understand that a polygraph is not
27 admissible.

1 But from day one until today when she's standing
2 here trying to put this behind her and get that
3 information and get to the truth, with the conclusion
4 of the State's case and them deciding that they're
5 not going to pursue this case any further, and with a
6 nolle, that discovery process is over.

7 There does need to be some finality to it based
8 on all of the information that's available, there are
9 inconsistencies with any of the information that's
10 been provided thus far. Everything that I've seen,
11 everything that I've read, everything that I've been
12 able to access shows that there it, at best, the
13 information given is totally unreliable that it
14 doesn't point to Miss Noble having been the person
15 who had made these -- these comments, which -- which
16 are indeed awful, if they were ever, in fact, made
17 themselves.

18 I had filed a motion to dismiss based on the
19 facts and that's not going to be heard before your
20 Honor given the disposition today.

21 Based on all those factors, it is in the
22 interest of justice that a dismissal enter. And I
23 would ask you to exercise what has been mentioned
24 here as a unique power to do that. It's appropriate
25 to do in this case; it's in the interest of justice;
26 and I'd ask that you do that.

27 THE COURT: State, I'm quite positive that Miss

1 Felsen's motion to dismiss was not a shock to you.

2 Do you have a position with regard to that?

3 ATTY. FITZGERALD: No objection.

4 THE COURT: I did not think that you would be
5 pulling back the nolle.

6 Motion to dismiss is granted.

7 ATTY. FELSEN: Thank you, your Honor.

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E L E C T R O N I C
C E R T I F I C A T I O N

I hereby certify the electronic version is a true and correct transcription of the audio recording of the above-referenced case, heard in Superior Court, G.A. #23, New London, Connecticut, before the Honorable Frank A. Iannotti, Judge, on the 27th day of March, 2024.

Dated this 31st day of March, 2025 in New Haven, Connecticut.



Mary Labasi
Court Recording Monitor II