

IN THE SUPREME COURT OF THE STATE OF NEVADA

JENNIFER ELISE GORDON,

Appellant,

v.

MATTHEW ROBERT GEIGER,

Respondent.

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Supreme Court Case No. 67955
Dist. Court Case No. 10-43069
Tracie Lindeman
Clerk of Supreme Court

**APPELLANT'S APPENDIX
VOLUME 1 OF 2
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John A. Quinn
CLERK OF COURT

1 TRANS

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5 EIGHTH JUDICIAL DISTRICT COURT

6 FAMILY DIVISION

7 CLARK COUNTY, NEVADA

8
9 MATTHEW ROBERT GEIGER,) CASE NO. D-10-430639-D
10 Plaintiff,) DEPT. T
11 vs.) APPEAL NO. 67955
12 JENNIFER ELISE GORDON,)
13 Defendant.)
14

15 BEFORE THE HONORABLE GAYLE NATHAN
16 TRANSCRIPT RE: ALL PENDING MOTIONS
17 THURSDAY, AUGUST 28, 2014

18 APPEARANCES:

19 The Plaintiff: MATTHEW ROBERT GEIGER
20 For the Plaintiff: PETER J. BELLON, ESQ.
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24 For the Defendant: Pro se

1 LAS VEGAS, NEVADA

THURSDAY, AUGUST 28, 2014

2 P R O C E E D I N G S

3 (THE PROCEEDING BEGAN AT 08:48:02.)

4 THE COURT: All right. This is the Geiger Matter, D-10-
5 430639.

6 Counsel, your appearances.

7 MR. BELLON: Thank you very much. Good morning, Your
8 Honor. Attorney Pete Bellon, Bar Number 4528, present with
9 the plaintiff in this matter, Matthew Geiger.

10 THE COURT: Mr. Bellon.

11 Jennifer.

12 All right. We're here on Jennifer's order
13 shortening time. She has alleged in her papers that dad was
14 incarcerated in Clark County Detention Center; that he had
15 been on probation, which the court didn't have knowledge of, I
16 don't believe; that he's had an active warrant for nine
17 months, while the children were in his care; that he left the
18 state with the kids; and that he wasn't treating their son's
19 brain condition; that the children were in his care when he
20 was arrested and no one called her. So we have some issues
21 here.

22 Mr. Bellon.

23 MR. BELLON: Thank you very much. About 90 percent of
24 what the court just recited is untrue. I mean --

1 THE COURT: Are untrue?

2 MR. BELLON: Untrue. Absolutely, Your Honor.

3 THE COURT: Okay.

4 MR. BELLON: I filed the opposition. We laid it all out
5 there how this is just blatant lies or in -- misinformation
6 that we think the defendant had a hand in, Your Honor; and I
7 laid that out in the opposition, as well.

8 I -- I apologize to the court. I don't know if it
9 came up. I'm new on this case. But plaintiff's been on
10 probation for four years -- five -- yeah, four years. He has
11 a five-year probation. He's in his fifth year of the
12 probation. He's never had a problem before, never tested
13 dirty, never been violated. He's been going on swimmingly.
14 That was probably the whole problem, I think.

15 My history, or looking at the history of this case,
16 you moved it along very slowly to reunify him with the
17 children and then to get him supervised visitation to
18 unsupervised.

19 THE COURT: Uh-huh.

20 MR. BELLON: He's jumped through every hoops. He's gone
21 to the counseling. He's taken the classes, the co -- the
22 parenting classes. And you kept moving him more and more
23 time. Well, I don't think the defendant liked that, Your
24 Honor. And when you made your last decision in May or June of

1 this year to give him even more time with the children, that's
2 when all the problems started.

3 The quick history is, yes, he's been on probation;
4 and, yes, there was a misunderstanding 'cause he changed
5 probation officers about a year ago. And he was told he
6 didn't have to report in his last year of probation; that he
7 just basically had to check in if anything changed, his
8 address, his phone number, et cetera. So for nine months, he
9 lived at the same address, had the same job, was with the Iron
10 Union Workers; right?

11 THE COURT: Uh-huh.

12 MR. BELLON: Nothing changed in his life, except the
13 defendant got upset with him after May. We found out -- and
14 this is pretty well-documented. Sean Sullivan represented him
15 at the probation revocation hearing, which he was reinstated
16 immediately, Your Honor, with no new conditions other than
17 don't talk to the defendant.

18 The probation officer came in with dozens and dozens
19 of e-mails or texts from the defendant and read them into
20 court telling him things like, he left the state with the
21 children, making it sound like he was trying to abscond. As a
22 matter of fact, that's the charge they actually tried to
23 revoke him on, absconding; but he hadn't gone anywhere.

24 He was working, until he was laid off or got

1 injured. He was living at the same address, had the same
2 phone number. He just wasn't checking in because he was told
3 he didn't have to.

4 THE COURT: Now who told him that?

5 MR. BELLON: His probation officer. It's -- it's
6 routine, Your Honor, that sometimes when you're -- when you're
7 doing very well on probation --

8 THE COURT: Right.

9 MR. BELLON: -- they have you check in every month and
10 then every couple of months. Then they say, okay --

11 THE COURT: So if I had you subpoena that probation
12 officer in here, he would testify under oath that he told
13 Matthew not to report to the new probation officer?

14 MR. BELLON: His initial -- and, yes, I believe he would,
15 Your Honor. Of course, I can't speak for him. But it was
16 the second probation officer that didn't know, and basically
17 issued that warrant. So the -- there was a warrant for his
18 arrest for revo -- probation violation, but they could have
19 picked him up at any time in the last nine months.

20 THE COURT: Uh-huh.

21 MR. BELLON: They didn't do it until she started this
22 process to get him picked up --

23 THE COURT: Uh-huh.

24 MR. BELLON: -- with these text messages, with these e-

1 mails, telling him and the officer -- I believe mis -- Mr.
2 Sullivan made this representation to me, I believe it's
3 correct, that the probation officer indicated that she said he
4 was going out of state hunting with guns. And that was the
5 key trigger for the probation. That's when they decided,
6 we'll look into this. That was June.

7 THE COURT: Uh-huh.

8 MR. BELLON: They picked him up in July. He wasn't going
9 hunting. He went on a Father's Day trip with his father and
10 his two children, kind of a father, grandfather's, child-type
11 trip, fishing. And she knew about it, and then she says in
12 her papers she didn't know about it. But they told her. They
13 picked the children up from her house, with grandfather in the
14 car, told her where they were going and what they were doing;
15 and they were going fishing. She turned it into a hunting
16 trip with guns and basically --

17 THE COURT: Uh-huh.

18 MR. BELLON: -- panicked everybody at probation.

19 You indicated that he was arrested with the children
20 in his custody. Of course he was. I believe that's how the
21 defendant set it up. The defendant absolutely knew that he
22 was being arrested. Within 15 minutes of him being arrested,
23 she called the house; and she demanded her children back.
24 They were in shock. Or at least, Debbie, my client's new

1 wife, was like, how did she know this even happened?

2 And then we later found out that she's been -- I
3 don't want to say cahoots, Your Honor, but she had been, you
4 know, basically providing this information. She said nobody
5 called her. Well, of course they were arrested because it was
6 his time. She had -- I don't know if that was coordinated or
7 just happened to be.

8 But based on her allegations, they picked him up.
9 She called the house immediately. The phone records -- of
10 course, with the OST, I haven't had time to do due diligence;
11 but my client represents, and I'll contend on his behalf, that
12 she called immediately.

13 My client, I think his wife was in the shower. She
14 got out of the shower. She called her back. She had the kids
15 in her possession within 90 minutes from when my client was
16 taken to jail. She said she didn't find out about it until
17 the next day when the jail called her.

18 Well, it's gonna be very easy to find out, Your
19 Honor; but my clients will swear an oath -- at least my
20 client's wife will, and say those children -- and the children
21 can testify. I think they're 12 and 10 now. We don't want
22 that to happen. But clearly they know that morning they were
23 told their father was arrested and they were taken back by
24 their mother.

1 There's just one right after another misinformation.
2 She doesn't know what she's talking about. She has half the
3 information so she makes up the other half. She's asking this
4 court for sole legal custody, sole physical custody and no
5 visitation for my client, after he's done everything he was
6 supposed to.

7 And the only thing that's changed, Your Honor, is he
8 was arrested on a probation violation that was immediately
9 dismissed. 23 days in jail. When it went to court, it was
10 immediately dismissed. He was reinstated on probation with no
11 additional conditions other than please don't talk to
12 defendant, no contact with her because there's obviously bad
13 blood here.

14 So he lost all that time with his children and
15 nothing's -- she said he tested dirty. I'll revert to the
16 court to your own records. She -- I don't see a -- a failed
17 drug test. Four years of probation, he has to test randomly,
18 never tests dirty. Now she's indicating that he failed a drug
19 test. And I don't know how far back --

20 THE COURT: I don't remember.

21 MR. BELLON: -- she's going because she's even attached
22 --

23 THE COURT: Because if he failed a drug test, he'd be on
24 supervised visits.

1 MR. BELLON: Correct, Your Honor, and -- and -- and you
2 moved him away from that.

3 THE COURT: Uh-huh.

4 MR. BELLON: So I don't know when she said it. She just
5 -- they're all blanket statements, even with the health
6 conditions as I laid out in my opposition. It says that they
7 don't -- they need to contact each other in case of an
8 emergency or if he needs health care --

9 THE COURT: Uh-huh.

10 MR. BELLON: -- or -- or he's hospitalized. She just
11 says that he -- he doesn't basically contact me. I -- I can't
12 remember exactly. I wrote it down. Where is that sheet? It
13 was a very blanket statement, failed to communicate any
14 happenings.

15 That's her order to show cause. He fails to
16 communicate any happenings. He doesn't have to communicate
17 every happening. He has to communicate if there's a serious
18 problem. I think I wrote that down. Illness requiring
19 medical attention, in quotes, or emergency involving children.
20 The only one incident we can think of that we put in our
21 paperwork, Your Honor, is that when he was driving with the
22 children and coming back from Utah --

23 MR. GEIGER: From -- from the fishing trip.

24 MR. BELLON: -- from the fishing trip, Chevy got car

1 sick. He threw up. They pulled over. He cared with -- with
2 Chevy; and he indicates that his other son, Weston,
3 immediately called the mother and told her that.

4 THE COURT: Uh-huh.

5 MR. BELLON: She said she didn't find out about it.
6 Chevy had no headaches or any issues with -- with the --
7 related to the brain surgery. And so, they waited a little
8 bit of a while, felt better, drove home, no problems. That's
9 the only thing we can think of because there hasn't been
10 anything. And I don't know if we have medical evidence now
11 that Chevy's been taken to the hospital after dad's care. I
12 haven't seen any of that attached. We don't think any exists.
13 Well, we don't know what she's been doing in the quiet of her
14 own home, after we found out what she did with this.

15 THE COURT: Uh-huh.

16 MR. BELLON: So it looks on paper that this is awful. He
17 got arrested, probation violation. He's dir -- testing dirty
18 for drugs. He's not taking care of his kids. 100 percent the
19 opposite, Your Honor.

20 The only truth is, unfortunately, he was arrested;
21 and there was a misunderstanding. But she took that
22 opportunity to turn it into this, which is, like I said, 90
23 percent is just blatant lies, Your Honor.

24 How can she say, nobody called her that morning when

1 she called them and had the kids? If she's gonna swear under
2 oath right now and say those children weren't in her custody
3 within 90 to 120 minutes, within two hours of him being
4 arrested, and it wasn't the next day, we're gonna need an
5 evidentiary hearing, Your Honor, because I think I have the
6 evidence to prove that she's committing perjury, which she's
7 basically already done by swearing under oath and filing these
8 papers with the court.

9 So if -- if anything, my client is moving along to
10 where he should get more time. He's not petitioning the court
11 for more time. He's just asking the court for compensatory
12 time, for time he lost, to maintain the status quo and to
13 consider award of attorney fees, Your Honor, if you feel that
14 this motion is unwarranted.

15 THE COURT: Thank you, Mr. Bellon.

16 All right. Jennifer --

17 I want both you and Matt to stand up. I'm gonna
18 swear you both in, please.

19 THE CLERK: And raise your right hand, please.

20 You and each of you do solemnly swear the testimony
21 you're about to give in this action shall be the truth, the
22 whole truth and nothing but the truth, so help you God?

23 MS. GORDON: Yes.

24 MR. GEIGER: Yes, I do.

1 THE COURT: All right, Jennifer, what do you have to say
2 for yourself?

3 MS. GORDON: Okay. Everything I file -- I filed is
4 valid. By reading the opposition, it is very clear that
5 Matthew has failed to disclose, yet again, the happenings and
6 findings of this court. It makes it very clear that his
7 attorney, with all due respect, has no clue about what's going
8 on here and the true history of this case.

9 That being said, I would like to address just a few
10 points in the opposition, as I did not have time to file an
11 appropriate reply. I received an e-mail with the paperwork on
12 Tuesday at midnight. So I went through and I jotted notes to
13 -- to corroborate --

14 THE COURT: Uh-huh.

15 MS. GORDON: -- what he's saying isn't true, is you --
16 you know.

17 Although I'm confident to know that the courts will
18 agree that Matthew's opposition does not truly hold any
19 weight, it truly shows the disillusion to what has gone on in
20 this courtroom. Most of the things listed within have been
21 addressed by this court on multiple times. Matthew just
22 refuses to follow anything that is played out in court.

23 I have brought every court order that you have ever
24 ordered from the time this all began. I was very clear in my

1 orders to show cause what orders I was referring to. I did
2 oversight on the March 8th, 2011, orders in not submitting
3 that; and usually I'm -- I'm very good at con -- including my
4 paperwork; but I do have that order with me.

5 But I -- I want to start with giving you --

6 THE COURT: Well, we're way far past March 2011 --

7 MS. GORDON: Right --

8 THE COURT: -- so.

9 MS. GORDON: -- but that -- tho -- those were the orders
10 -- basically, we have the parenting agreement that we started
11 with.

12 THE COURT: Right.

13 MS. GORDON: And then I have the dates to show the
14 different modifications that you made over the past few years
15 --

16 THE COURT: Uh-huh.

17 MS. GORDON: -- where we modified -- you -- we had an
18 issue with Mother's Day.

19 THE COURT: Okay. But really, Mr. Bellon is making very
20 serious allegations that --

21 MS. GORDON: Yes --

22 THE COURT: -- you have --

23 MS. GORDON: -- and I have --

24 THE COURT: -- set --

1 MS. GORDON: -- all the document --

2 THE COURT: -- Matt up --

3 MS. GORDON: -- I -- I have all the --

4 THE COURT: -- for failure.

5 MS. GORDON: Right. So first I would like to give you a
6 copy of a letter from Mr. Laputt, Officer Laputt from the
7 probation office with his phone number --

8 THE COURT: Mr. Hooper, can I see that.

9 MS. GORDON: -- so you can contact him. And I have a
10 copy for his attorney, as well. He was --

11 THE COURT: Would you give a copy --

12 MS. GORDON: -- he was aware.

13 THE COURT: -- to Mr. Bellon, please.

14 MS. GORDON: Oh, and this is for Judge Nathan.

15 THE COURT: I'll take a copy. All right. Hang on just a
16 minute. This letter's dated August 19th. How did you -- this
17 is addressed --

18 MS. GORDON: I contacted --

19 THE COURT: -- to you.

20 MS. GORDON: -- I contacted -- I contacted Officer Laputt
21 through the -- the bureau, once he was arrested, to try to
22 find out what was going on. He asked me to validate. I had
23 spoken with a Norman Medina in the state's office because I
24 had received a phone call that Matthew was in trouble with his

1 probation and they were looking for him. They wanted to show
2 up at my house because they -- they knew that he had court
3 ordered family visitations with the kids. I did not want the
4 kids involved.

5 I updated his address. They did not have his condo
6 number. They just had the building number, but they said they
7 tried to contact him many times.

8 They gave me a -- a rundown of a little bit what was
9 going on; but I wasn't aware that they were looking to pick
10 him up, just that he hadn't reported for -- for probation.
11 They asked me if I knew what he'd been doing the last few
12 months. I walked them up to speed with the family courts. I
13 was kind of freaked out. I said, we just went through this
14 whole visitation process. I said, you know --

15 THE COURT: But how did the initial conversation with
16 probation happen? Did they contact you, or did you contact
17 them?

18 MS. GORDON: Yes, I was contacted --

19 THE COURT: You were contacted.

20 MS. GORDON: -- because they were looking for Matthew.

21 THE COURT: So you did not make the initial contact?

22 MS. GORDON: No. And so I called -- I called and I spoke
23 with an officer. He referred me to Norma Medina. Norma
24 Medina is in the state office because the probation -- the

1 division had sent everything to the state office because they
2 were looking for him, I guess, since November.

3 THE COURT: Uh-huh.

4 MS. GORDON: So I pulled it up online. I saw that they
5 had been looking for him. And I -- I told her basically what
6 I knew. This is the address I have for him. It's the same
7 address they have, minus the condo number; and, you know, that
8 was basically it.

9 They asked me -- I said, I know he -- he goes out of
10 state a lot to his wife's house in Folsom, California; and it
11 -- it went from there. I didn't hear from -- this was at the
12 end of June or middle of June. We -- we left and went out of
13 town to Kansas City -- excuse me --

14 THE COURT: Okay. Let me ask --

15 MS. GORDON: -- for vacation.

16 THE COURT: -- the next question 'cause a lot of what
17 you're saying -- I need -- I need my questions answered.

18 MS. GORDON: Okay.

19 THE COURT: All right. So probation contacted you. So
20 you let them know that he goes out of state a lot.

21 MS. GORDON: Yes. And that in our last hearing --
22 because they -- you know, they said he is a felon. I said,
23 yes, I'm aware of that. I said, well, you know, I do have a
24 question. I asked them -- I said, in our -- in our last

1 hearing, he -- he said several times in our hearings about
2 hunting, wanting to -- to put the kids through hunting
3 classes, you know, gun safety classes, stuff like that. I
4 said isn't -- isn't -- aren't they not allowed to have guns?
5 And they said, absolutely. So, you know, I don't know if they
6 notated it or not -- that or not; but that is not the reason
7 he was arrested in July. I did not speak to Officer Laputt.

8 THE COURT: Did you tell the officer that he goes
9 hunting?

10 MS. GORDON: Yes, because that's what Matthew has said.
11 That's what the boys have said. I said, I don't have any
12 proof of that. I did not provide any proof of that.

13 THE COURT: The boys go hunting with him?

14 MS. GORDON: Yes.

15 THE COURT: Like within the last year?

16 MS. GORDON: Yes. And that's why he was asking you on
17 May 1st, and threw a big fit because you would not agree to
18 them taking hunting classes on my par -- my -- my time.

19 I did not actually speak to his probation officer
20 because it was in the state office until the day -- the -- the
21 weekend before -- the Friday before his court hearing on
22 August 18th.

23 And August 18th before his court hearing -- well, on
24 Friday, his officer, Officer Laputt, had told me what was

1 going on; and he asked if I had anything to corroborate that
2 Matthew had been leaving the state. I said, all I have is a
3 few text messages with conversations about when he's left with
4 his wife to California and when -- when I confronted him about
5 leaving the state with the kids and not letting me know when
6 he went to Utah in June for his ten-day visitation. And he
7 said, could you bring those down? I said, absolutely. So I
8 took those text messages down. They didn't hear the division
9 anyways.

10 THE COURT: Okay. Wait a second.

11 MS. GORDON: Okay.

12 THE COURT: So you -- you're testimony is that for the
13 June visit, he didn't notify you that he was taking the kids
14 out of town?

15 MS. GORDON: Absolutely not. There is no documentation
16 to show that.

17 THE COURT: Did he verbally tell you?

18 MS. GORDON: No, he did not, no. That's why I freaked
19 out because that's also the same time that Chevy got sick. I
20 had no clue they were out of state. And when they came back
21 after that visit, they also told me that they had a planned
22 trip to California for their August visit. And of course that
23 never happened because he was picked up on the 26th.

24 THE COURT: Now what happened with Chevy? Did you have

1 to bring him to a doctor?

2 MS. GORDON: No, again, he was in his dad's care. I
3 brought all of Chevy's medical records. But Matthew is well-
4 aware. I've made the courts aware on many occasions that the
5 severity of Chevy's --

6 THE COURT: Well, how sick did Chevy get on dad's care?
7 If he --

8 MS. GORDON: When he -- when he pukes --

9 THE COURT: Yeah.

10 MS. GORDON: -- or gets a headache, we have to log it --

11 THE COURT: Yeah.

12 MS. GORDON: -- because so many in a certain time,
13 different -- we -- we -- we write down the temperature
14 outside, if it's raining, if it's not, because we're trying to
15 alleviate -- it's -- he got part of his brain cut out.

16 THE COURT: Uh-huh.

17 MS. GORDON: We're trying to alleviate where the flow is.
18 It's called the CSF flow. And I brought all the medical
19 documentation to corroborate this. If -- if it's -- if he's
20 getting hydrocephalus where it's -- it's too much on one side
21 or it's leaking on the side of his brain --

22 THE COURT: Uh-huh.

23 MS. GORDON: -- or if he's got a leak, it's -- it's very
24 serious. While, yes, he is better since his surgery because

1 his brain has been decompressed --

2 THE COURT: Uh-huh.

3 MS. GORDON: -- there is guidelines that we go by; and we
4 have frequent visits with the neurosurgeon.

5 THE COURT: Uh-huh.

6 MS. GORDON: I'm on the phone --

7 THE COURT: Uh-huh.

8 MS. GORDON: -- when, you know, this -- the last couple
9 months, he's -- he's consistently had the headaches, you know.
10 And we -- we stay in touch with that. They're very aware of
11 that. And I've -- that's why I've stressed so much,
12 especially since his surgery, with Matt, that he doesn't take
13 anything I say seriously, that this is a big deal. Every --

14 THE COURT: Does Matt go to the doctor with you?

15 MS. GORDON: No, he has access to everything. He is
16 notified of everything; although, most of my text messages, he
17 does not re -- even respond to. I -- I let him know down to
18 the minute details.

19 THE COURT: All right.

20 MS. GORDON: And I have Chevy's medical records right
21 here --

22 THE COURT: Uh-huh.

23 MS. GORDON: -- including a letter -- a letter from his
24 neurosurgeon to kind of show you --

1 THE COURT: Uh-huh.

2 MS. GORDON: -- exactly what's going on. And it's his
3 whole -- his whole medical history up to his -- his last
4 appointment was April 1st.

5 THE COURT: Did you make any allegations to the probation
6 officer that Matt was currently using drugs?

7 MS. GORDON: No, no. I told them, you know, that -- I
8 did -- I did say he tested positive for methadone and THC on
9 May 7th, 2013, here in the family courts.

10 THE COURT: Uh-huh.

11 MS. GORDON: And -- and he said, maybe that's why he
12 absconded a few months later, because he was dirty. Because
13 that was part of his -- I included in my -- in my motions, his
14 -- his probation stipulations, what he's supposed to follow --
15 follow by; and he's -- he's not supposed to be using drugs
16 because that's what he was picked up for; and he's supposed to
17 be clean.

18 THE COURT: Uh-huh.

19 MS. GORDON: And, yes, while he showed the family courts
20 when he -- when he -- when we got the drug -- drug test
21 results back, while he showed the family courts that he had
22 prescriptions, he wasn't supposed to be taking any medication
23 at all. That was -- that's been the problem from day one is
24 here he's taking these -- these medications, but those are

1 what he had a drug prob -- a substance abuse problem with
2 before. That's -- that's what the worries were.

3 THE COURT: All right.

4 MS. GORDON: So I did -- I did let them know -- I let
5 Norma Medina --

6 THE COURT: You did tell them that he had a dirty drug
7 test.

8 MS. GORDON: Yes, but that -- that didn't have anything
9 to do with his arrest.

10 THE COURT: Uh-huh.

11 MS. GORDON: That didn't have anything to do with his
12 being jailed. He was picked up because he had absconded from
13 probation for ten months. He did not report. He did not
14 call. And when I spoke with Officer Laputt, on -- 18, 17, 16
15 -- the 15th of -- of August, he told me, he goes, do you see
16 how easy it was that you called me? Do you see how easy it
17 was that you picked up the phone and called me? He goes, that
18 would have been a start. That's all he had to do.

19 They've been out to his place several times. They
20 said they've left numerous notices. And I was unaware of
21 that.

22 THE COURT: Uh-huh.

23 MS. GORDON: On another note, as far as him saying, oh,
24 they have documentation. You know, I can go through all our

1 court history, all the way through this year, especially this
2 year, to show how many times we've come in this courtroom and
3 Matthew has -- has brought nothing.

4 And you've given him a chance to come back the next
5 hearing. We'll reschedule this for another date, bring your
6 documentation. Again, no documentation, to the point where
7 you ask him two or three times, and then you have to order it,
8 you know, to where one of his attorneys was gonna withdraw
9 because Matthew wasn't cooperating with them on his tax
10 returns regarding all his unemployment history that, you know,
11 he never reported for years.

12 I do have as far as when Matthew was incarcerated,
13 we had gotten back from Kansas City. Matt -- Matt knew. We
14 arranged, he came and picked the boys up that day. And they
15 went with him to stay for the rest of July. I received a call
16 on July 27th. Matthew was arrested on July 26th. And I have
17 the phone records and text message records to show you.

18 Then this was, we have a friend who is also a coach,
19 Matthew knows him, that works in CCDC, in the intake. And he
20 knew we'd been out of town, but he knows Matt. He called me
21 and said, hey, you guys still in Kansas City? I said, no. He
22 said, are the boys with you? I said, no. They're with --
23 they're with Matt until Thursday, which would be the 31st. He
24 goes, no, they're not. He goes, I'm a little worried. I just

1 wanted to give you a call. He's sittin' in here in jail. I
2 said, oh, my God. I started freaking out. I said, can you --
3 can you find out? Can you ask him? Can you ask him?

4 I said, I sent his wife a text a little bit ago to
5 ask to talk to the boys, because I hadn't talked to them since
6 they'd been there. And Weston had band camp he was starting
7 that Monday. I said, I literally just sent a text to -- I
8 always send a group text. I sent it to Debbie and Matt.

9 THE COURT: Uh-huh.

10 MS. GORDON: And Debbie is usually the one that gets back
11 to me. But I send it in a group text. I had sent a text that
12 morning saying, hey, can you have the boys call? I didn't get
13 any response, but he called almost immediately after I sent
14 that text. So I start freakin' out. He said, he would go
15 talk to Matt and ask where the boys were.

16 THE COURT: Uh-huh.

17 MS. GORDON: Matt said they were with family. So I -- I
18 have the phone records to show my phone calls, who I called,
19 who I texted.

20 THE COURT: Uh-huh.

21 MS. GORDON: And, you know, but again, it was all on the
22 27th.

23 THE COURT: Uh-huh.

24 MS. GORDON: And, yes, I immediately went and picked up

1 the boys. I had a hard time --

2 THE COURT: On the 27th.

3 MS. GORDON: -- when I was talking to his wife. She kept
4 arguing with me. But he didn't do anything wrong. I don't
5 know why they picked him up, you know. This and this and
6 this. And I --

7 THE COURT: All right.

8 MS. GORDON: -- I -- I told 'em --

9 THE COURT: That's -- okay. All right.

10 Mr. Bellon, I don't know how --

11 MR. BELLON: Your Honor, I'll just be --

12 THE COURT: Okay. First of all, I don't know how far
13 back you went in this case.

14 MR. BELLON: A couple of years, Your Honor.

15 THE COURT: Yeah.

16 MR. BELLON: And I (indiscernible) --

17 THE COURT: I --

18 MR. BELLON: -- know that. And that's the problem here.
19 She goes backwards when this court and Matthew's been trying
20 to move this case forward.

21 THE COURT: Okay.

22 MR. BELLON: If we look at where he was and where he is
23 today, Your Honor, these little incidents aren't really that
24 devastating. He hasn't tested dirty since May a year and a

1 half ago. And it was because of prescriptions.

2 THE COURT: Because, well, I haven't tested him. So I
3 don't know what he's been doing.

4 MR. BELLON: If -- if we want to do that today.

5 THE COURT: I -- I -- I excepted the fact that he had a
6 prescription, and I let him continue to have contact --

7 MR. BELLON: Right.

8 THE COURT: -- with the kids.

9 MR. BELLON: And obviously the probation department knows
10 that, too. For the defendant to say he's not to take drugs
11 prescribed by a doctor for his health, that's absurd, Your
12 Honor. The de -- the pro -- the proba -- probation, he's been
13 drug testing for four years.

14 THE COURT: Okay.

15 MR. BELLON: He's been on the prescription. And he's
16 allowed to take that. To say that's a dirty test and to tell
17 the probation officer, to put all these little ideas. You --
18 you know, was it overwhelming? Can we prove -- prove some
19 kind of conspiracy? No. But these little things that she
20 says to them about hunting. My client will swear an oath
21 right now and say he has never taken the boys hunting.

22 Correct?

23 THE COURT: Well, the --

24 MR. GEIGER: Correct.

1 MR. BELLON: So -- so if that's the case, her telling
2 them that he's sitting here saying the boys tell me we go
3 hunting is just an out out -- somebody's lying. And it can be
4 proven, whether we do it by a polygraph, Your Honor, or we
5 want to involve a twelve- and a ten-year-old in this, who may
6 be torn between -- because we're already not too pleased about
7 some of the stuff in the home. But we'll get to that another
8 date.

9 So he ha -- he hasn't tested dirty in a year and a
10 half. He hasn't absconded, Your Honor. He was at the same
11 place. But she puts these little thoughts in the probation
12 officer's head. I notice she said something about how the
13 officer said, you see how easy it was for you to call me? So,
14 I thought she said they called her. But obviously she called
15 them.

16 She put all these little thoughts in their head.
17 For nine months he lived there. Why didn't they pick him up
18 nine months, eight months, seven months ago? Why did it
19 happen right after the May and June order?

20 THE COURT: Well, they said they went to his house
21 numerous times.

22 MR. BELLON: And they left notes, and he would check in
23 (indiscernible).

24 MR. GEIGER: And they searched the house and Debbie was

1 there while I was at work at the LINQ project. They --
2 they've been to my house, and they have all my information.
3 And they have none of her information.

4 MR. BELLON: Your Honor, my client told me that they
5 don't have -- she's not listed on any contact information with
6 the probation officer or probation department for him. So how
7 they would track her down, come to her house and find her, I'm
8 not 100-percent sure anyway.

9 MS. GORDON: They didn't come to my house.

10 MR. BELLON: So --

11 MS. GORDON: They do -- they do have --

12 MR. BELLON: -- I thought I heard that.

13 MS. GORDON: -- my information. Out of concern for the
14 boys, I gave them that information --

15 MR. BELLON: Okay. So that's why.

16 MS. GORDON: -- when he was init -- initially put on
17 probation, out of concern for the children because I also have
18 the restraining orders against Matthew.

19 THE COURT: Uh-huh.

20 MS. GORDON: That's why they were also very concerned on
21 his hearing date on August 18th when they issued no contact
22 with me because they knew that this was gonna turn into this,
23 and that's why he also left his -- his phone number for you to
24 call if you had any questions with the -- with the division.

1 MR. BELLON: Your Honor, this -- this doesn't say
2 anything.

3 THE COURT: You know, Mr. Bellon, I think what we need to
4 do is have a little evidentiary hearing on what actually
5 happened --

6 MR. BELLON: That would be great, Your Honor.

7 THE COURT: -- because I -- I need the probation officer
8 on the witness stand. And I need to know, you know, what does
9 absconding from probation mean? I mean, you know, if it's all
10 a big mistake, then you don't spend 23 days in jail. I mean,
11 I practiced criminal law. I --

12 MR. BELLON: It was just a matter of that's when they --
13 he was on calendar. He had to retain counsel first. They
14 continued it for him to get counsel. Sean Sullivan
15 represented him. They put it on for a pretrial, I believe,
16 negotiated it; and that's when he got out.

17 THE COURT: Uh-huh.

18 MS. GORDON: I submitted in my motion when they issued
19 the bench warrant --

20 MR. BELLON: I don't know why that's --

21 MS. GORDON: -- last year --

22 MR. BELLON: -- relevant, Your Honor. We're talking
23 about the time he spent --

24 MS. GORDON: Because --

1 MR. BELLON: -- in jail.

2 MS. GORDON: -- because of his violation of --

3 THE COURT: Well --

4 MS. GORDON: -- his probation and a -- for absconding --

5 THE COURT: -- well --

6 MS. GORDON: -- which is not reporting.

7 THE COURT: -- well, I --I want to have an evidentiary
8 hearing.

9 MR. BELLON: Glad to.

10 THE COURT: I want you to subpoena in the probation
11 officer. I think that you need to look at who issued the war
12 -- if there was in fact a warrant; who issued the warrant
13 probably needs to come in here; and why they issued the
14 warrant; and then the probation officer who's the current
15 probation officer and what's going on, to get a full picture.

16 And it's not that -- I mean, if you're on probation
17 and you're doing what you're supposed to be doing, that's
18 fine. It's if lies are being told to the court, that's what I
19 want to know about.

20 And I'm glad you have Mr. Bellon. I -- I have a --
21 as an attorney, I always had a good relationship with Mr.
22 Bellon. I appreciate him in my court.

23 I don't know if you want to bring an attorney in for
24 the evidentiary hearing.

1 MS. GORDON: I -- I won't. I can't afford one --
2 THE COURT: Well, sometimes you can --
3 MS. GORDON: -- right now.
4 THE COURT: -- get one to just come in for that hearing.
5 They're --
6 MS. GORDON: I -- I --
7 THE COURT: -- like unbundled coun -- well, think about
8 it
9 MS. GORDON: Right. I know.
10 THE COURT: -- 'cause --
11 MS. GORDON: I don't -- I don't have a choice. My hands
12 are tied. I don't have a choice.
13 THE COURT: You know --
14 MS. GORDON: That's why I -- you know, once again --
15 THE COURT: Are you not working at this time?
16 MS. GORDON: No, I'm not working. I brought -- I brought
17 -- I -- every hearing --
18 THE COURT: I know.
19 MS. GORDON: -- I have brought all my --
20 THE COURT: I know.
21 MS. GORDON: -- documentation --
22 THE COURT: But I have to have --
23 MS. GORDON: -- to show --
24 THE COURT: -- I have to have -- I need to hear from

1 these probation --

2 MS. GORDON: Oh, that is --

3 THE COURT: -- officers.

4 MS. GORDON: -- that is absolutely fine. I -- I would
5 love for them to come in.

6 THE COURT: All right.

7 MS. GORDON: That is absolutely fine. But, you know,
8 with everything else, I've brought --

9 THE COURT: Okay.

10 MS. GORDON: -- all the documentation --

11 THE COURT: All right.

12 MS. GORDON: -- to show that, again, he, you know -- it's
13 --

14 THE COURT: Now let me -- let me hear about -- I want him
15 to go for a drug test today, Mr. Bellon --

16 MR. BELLON: Absolutely.

17 THE COURT: -- at his expense, to just make, you know,
18 just have a record --

19 MS. GORDON: Yes.

20 THE COURT: -- of whatever's on there. If he's gonna be
21 dirty for something, tell me now. Do not wait until I get a
22 report back and then I get concerned again.

23 MR. BELLON: He may solve the problem. He just said he
24 has to go to probation and take a drug test at 11:00 a.m. this

1 morning, Your Honor. Do we want to just have -- authorize
2 them to give those results to the court?

3 THE COURT: Is it gonna be just urine or your --

4 MR. GEIGER: Yes.

5 THE COURT: Yeah, I want hair, too.

6 MR. GEIGER: Oh, okay.

7 THE COURT: Okay. You got some hair --

8 MR. GEIGER: That's fine.

9 THE COURT: -- up there.

10 MR. GEIGER: Okay.

11 THE COURT: I want hair. And you won't have to do urine.
12 We'll just do hair because you'll be doing it.

13 But I want the probation officer --

14 Mr. Bellon, you'll facilitate those results being --
15 let's -- let's do -- let's file them as an exhibit in this
16 case. This way Jennifer can get a copy of them. We'll have a
17 copy, as well. Not to be shared, of course, with the
18 children.

19 Okay. All right.

20 MS. GORDON: Do you want these phone records?

21 THE COURT: Well, what I want you to do is -- let me just
22 -- let me just think how I want to set this up. You put a lot
23 of things on the record today. And I think you have a lot of
24 documents. I think what you want to do is file a paper reply

1 putting what you just gave me on paper. You don't have to
2 attach all those orders, but you can reference them by date,
3 the date they were filed with the court --

4 MS. GORDON: Okay.

5 THE COURT: -- so that Mr. Bellon knows what you're
6 talking about within your reply and has those exact dates.
7 I'm sure he's researched them already. But just so
8 everything's on paper because your pa -- your paper reply is
9 important to the court. I mean, I made notes, as you saw as
10 -- as both of you were talking.

11 But I think you want to do a reply. Attach your --
12 it sounds as though your telephone records are an exhibit.
13 This letter from the probation officer would be an exhibit to
14 your reply. And this way Mr. Bellon gets these documents.
15 That's why I'm -- I'm suggesting that that's the way you file
16 it.

17 All right. So, Mr. Bellon, you know, I -- I do have
18 concerns. So I want -- I want the drug test. And tell me
19 what your client's expectation is as far as contact with the
20 kids at this point.

21 MR. BELLON: We would just like to --

22 THE COURT: The kids are back in school, so vacation's
23 over.

24 MR. BELLON: And we would just like to reinstate the

1 normal visitation from the last court order, Your Honor. I
2 don't think there was any reason for it to stop. If he --
3 we'll even ask the court to put the conditions, as long as he
4 tests clean for anything other than his prescription
5 medications, that we resume until we have the evidentiary
6 hearing. He hasn't seen his children for almost a month now.

7 THE COURT: Uh-huh.

8 MR. BELLON: And I don't think there's any basis for it.
9 And we can't unring the bell if we have an evidentiary hearing
10 a couple of months down the road and we find out that my
11 client is telling the truth, he would have lost months of
12 contact with his children that can't be made up with
13 compensatory time. There's no danger to the children.

14 Again, you know, I notice that the defendant's
15 indicated that Chevy's doing better. She complains that he's
16 not doing what he's supposed to and putting the child at risk;
17 but the child's actually doing better; and she has no medical
18 --

19 THE COURT: Well, he -- he --

20 MR. BELLON: -- records to say there's been a problem.

21 THE COURT: -- Chevy's doing better because he had --

22 MS. GORDON: I -- I have the medical records right here,
23 sir.

24 THE COURT: -- he had insurance.

1 MR. BELLON: From years ago, Your Honor. She don't --

2 MS. GORDON: No, everything, including a letter dated two
3 days ago from the neurosurgeon. I have everything right here.

4 MR. BELLON: Saying that Chevy's not in good condition?

5 MS. GORDON: -- 'cause, like, I bring everything to court
6 every time to back up what I'm saying. I'm --

7 THE COURT: Okay.

8 MS. GORDON: -- I'm tired --

9 THE COURT: All right.

10 MS. GORDON: -- of him not being held accountable here.
11 I have everything. I'm concerned about Chevy's health with
12 him. This is a serious thing. He -- he's not at risk right
13 now. But we have to log everything. Matthew's well-aware of
14 this.

15 THE COURT: May I see the letter from the doctor, please
16 --

17 MS. GORDON: I have --

18 THE COURT: -- Mr. Cooper?

19 MS. GORDON: -- everything, his whole history.

20 THE COURT: I -- I just need to --

21 MS. GORDON: This is his last visit.

22 MR. BELLON: We -- we know about the whole history --

23 MS. GORDON: This is --

24 MR. BELLON: -- Your Honor. We're talking about what's

1 happening --

2 MS. GORDON: -- I'm just so --

3 MR. BELLON: -- recently. He's not --

4 MS. GORDON: Yes.

5 MR. BELLON: She said he's doing better. And yet she
6 runs to the doctor and gets letters and reports.

7 MS. GORDON: No, there's more to the case than -- than
8 just doing better. There's a --

9 MR. BELLON: And is Chevy wrestling --

10 MS. GORDON: -- history.

11 MR. BELLON: -- while she's in his care?

12 THE COURT: Okay. Stop. Both of you, stop.

13 The surgical repair was July 1st, 2012. This is what
14 the letter states. So August 26th, 2014, from Nevada
15 Neurosciences Institute at Sunrise. Chevy Geiger has been a
16 patient in our practice since November 2012. He was referred
17 to our clinic with a known history of --

18 MS. GORDON: Chiari.

19 THE COURT: -- Chiari malformation and persistent
20 headaches. He then underwent surgical repair of his Chiari on
21 July 1st, 2012. Surgery was complicated by development of a
22 wound infection; and wound revision -- revision surgery was
23 completed on July 16th, 2012. His recovery from surgery has
24 been difficult due to issues with persistent headaches, nausea

1 and vomiting, which have been quite severe and ongoing for
2 several months.

3 He continues to follow up on a regular basis in our
4 clinic with his mother as his primary care giver. He will
5 need continued follow-up with our clinic on an ongoing basis
6 as he goes through childhood. If you have any further
7 questions regarding this matter, please feel free to contact
8 my office at the number below.

9 So, Mr. Bellon, first I'm going to say to you and
10 your client that you're not to criticize this mother for her
11 concern about a child who is under continuing care of a neuro
12 -- neuro --

13 MS. GORDON: Surgeon.

14 THE COURT: -- surgeon.

15 MS. GORDON: Uh-huh.

16 THE COURT: Okay? There's no --

17 MR. BELLON: Not our intention at all.

18 THE COURT: -- there's no criticism there. He -- the
19 child's --

20 MR. BELLON: We're not criticizing --

21 THE COURT: -- under continuing --

22 MR. BELLON: -- that at all.

23 THE COURT: It -- it sounded very critical, Mr. Bellon.

24 MR. BELLON: Well, we're just criticizing how she thinks

1 he cares for the child. She's making allegations that he's
2 putting the child in harm. There's nothing in that report,
3 there's nothing in any medical records saying he's done
4 anything.

5 THE COURT: Well --

6 MR. BELLON: But he contacted her immediately when he
7 vomited.

8 THE COURT: Mr. Bellon, I've had these people before me
9 many --

10 MR. BELLON: I understand, Your Honor.

11 THE COURT: -- many, many, many times. And the problem
12 is, there is no communication. I mean, this is a perfect case
13 for a parent coordinator --

14 MR. BELLON: Fam -- or Family Wizard --

15 THE COURT: -- but they can't afford --

16 MR. BELLON: -- Family Wizard at least, Your Honor,
17 maybe.

18 THE COURT: -- they can't afford a parent coordinator.
19 Well, they communicate. There's a whole stack of text
20 messages someplace. So --

21 MR. BELLON: Well, there is but --

22 THE COURT: -- they -- they -- they communicate. I don't
23 know what's in those text messages.

24 MR. BELLON: Exactly. And this would make them, you know

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THE COURT: That --

MR. BELLON: -- accountable to the court if we had something we can check.

THE COURT: It sounds as though Matt's wife facilitates communication for the ben -- for the welfare of the kids; and hopefully, she will still continue to do that. That's why some of the language I'd really like to keep at a minimum here, if you understand what I'm saying --

MR. BELLON: I do, Your Honor.

THE COURT: -- in terms of argument. Okay?

MR. BELLON: Absolutely.

THE COURT: Because there are relationships that are tenuous at best, but we need those relationships.

MR. BELLON: Understood.

THE COURT: Okay. And you can still advocate for your client without going into warrior mode, I guess, is what I'm saying to you.

All right. So, thank you for the letter, Jennifer. So I understand what Chevy's position is.

And the court finds -- the court having read this letter, dated August 26th, 2014, the court finds that Chevy is under the current care of a neurosurgeon who performed surgery on him two years ago; and the doctor's name is Dr. Kelly

1 Schmidt, S-C-H-M-I-D-T. And it's clear in this letter that
2 the doctor anticipates that Chevy's going to need continued
3 follow-up care at the clinic. So he continues to be under a
4 doctor's care. And the court acknowledges mom's concern with
5 monitoring Chevy's condition.

6 Is that an extra copy of his medical records,
7 Jennifer?

8 MS. GORDON: Yeah, I have plenty.

9 THE COURT: You --

10 MS. GORDON: I have --

11 THE COURT: -- yeah --

12 MS. GORDON: -- I have plenty.

13 THE COURT: That's an extra copy?

14 MS. GORDON: Yes.

15 THE COURT: All right. Would you mind if Mr. Bellon took
16 possession of that copy?

17 MS. GORDON: No, that's -- that's fine.

18 THE COURT: Okay.

19 Mr. Bellon, there's a copy of Chevy's medical
20 records.

21 Now --

22 MS. GORDON: The letter too or --

23 THE COURT: You -- the whole --

24 MS. GORDON: Okay, okay, yeah.

1 THE COURT: Do you want a copy of the letter?
2 MS. GORDON: I do need a copy of the letter --
3 THE COURT: Okay. We'll --
4 MS. GORDON: -- because I just --
5 THE COURT: -- help you --
6 MS. GORDON: -- I just --
7 THE COURT: -- with that.
8 MS. GORDON: -- got that.
9 THE COURT: Okay.

10 Now, Mr. Bellon, I think it's really important that
11 you pro -- provide some guidance to your client, dad, that he
12 needs to get on board. That if Chevy is vomiting, you're
13 gonna text message mom --

14 MR. GEIGER: Yeah.

15 THE COURT: -- date, time, whatever the criteria is.

16 MR. GEIGER: We did.

17 THE COURT: Well, she's saying you didn't.

18 MR. BELLON: The evidence will prove it.

19 MR. GEIGER: Yes, it will.

20 MR. BELLON: We're not going to argue about that. There
21 will be a text message from --

22 THE COURT: Okay.

23 MR. BELLON: -- Weston.

24 THE COURT: Let's put that --

1 Did you get a communication about Chevy throwing up

2 --

3 MS. GORDON: No --

4 THE COURT: -- that day?

5 MS. GORDON: -- he -- no, my son Weston called later that
6 night. I missed his call. I called him back right away
7 because he was worried about Chevy. And he knows because they
8 -- they're with us 90 percent of the time.

9 THE COURT: Okay. You got a communication from your
10 child but not from an adult.

11 MS. GORDON: Yes. That -- and he --

12 MR. GEIGER: I was taking care of Chevy --

13 MS. GORDON: -- out of --

14 MR. GEIGER: -- while Weston called.

15 MS. GORDON: -- out of con --

16 MR. GEIGER: I had him call.

17 MS. GORDON: -- out of concern because Chevy had --

18 MR. GEIGER: At the exact time.

19 MS. GORDON: -- been puking while he was in the car.

20 THE COURT: Uh-huh.

21 MS. GORDON: And I said, thank you for calling. I'll put
22 it down. Because they had come home before, and they've told
23 me that Chevy had a headache.

24 THE COURT: Okay. So you did get a communication,

1 though. I mean --

2 MS. GORDON: No, later -- later that -- from -- from
3 Weston. I shouldn't get a call from Weston. I called Matt.
4 Matt has not communicated with me on headaches. They've come
5 home from the weekend and told me that Chevy had a headache,
6 and I freak out because nobody called me. Nobody let me know
7 --

8 THE COURT: All right.

9 MS. GORDON: -- what the circumstances were around the
10 headache.

11 THE COURT: Okay.

12 MS. GORDON: This is --

13 THE COURT: Okay.

14 MS. GORDON: -- a serious --

15 THE COURT: All right.

16 MS. GORDON: -- thing.

17 MR. BELLON: So we'll have a trial for that
18 (indiscernible).

19 THE COURT: So, Mr. -- well, Mr. Bellon, you hear mom's
20 concern. You know, this is a -- a serious situation in terms
21 of the child being under the doctor's care.

22 MR. BELLON: Absolutely.

23 THE COURT: The court takes such situations very
24 seriously.

1 MR. BELLON: Absolutely. And I don't want to get --

2 THE COURT: If you could --

3 MR. BELLON: -- into any argument --

4 THE COURT: -- at -- at the very least, if you could
5 develop with your client a protocol for reporting the child's
6 headaches, et cetera, and then communicate what Matt will be
7 doing in the future to Jennifer, in writing. Whatever they've
8 been doing is not working. And this way the court will know
9 that there's a protocol in place that you can report to the
10 court on the next court date.

11 MR. BELLON: I don't know if she says she has a log, if
12 it's something that she has or that she just creates; but she
13 has a log and she wants to get us a copy of it so he has a
14 copy of her log and he can fill in her log for her, we're more
15 than happy to do that, Your Honor.

16 THE COURT: Have you ever given him a log?

17 MS. GORDON: No.

18 THE COURT: Okay. Why don't you e-mail or fax the log
19 over to Mr. Bellon's office. Okay. And if there's
20 instructions -- if there's instructions that go with the log,
21 make sure you send the instructions over, too.

22 See, there's zero level of communication here.
23 Zero. And I have appreciated Matt's wife stepping in to
24 facilitate communication, but there's still zero level. And

1 if that zero level of communication impacts a child's health,
2 then I'll be making orders here --

3 MR. BELLON: Agreed.

4 THE COURT: -- which people will not be happy about.

5 MR. BELLON: And that's just our position. None of this
6 has impacted. If she came in and said he's doing that, and
7 she has a letter from the doctor saying she took Chevy to the
8 doctor, and he's sick, and he's gotten worse; but we have all
9 this. And then she's never taken him -- there's nothing
10 happened. So she's saying that they come home with headaches
11 and say that, but then she doesn't take him to the doctor.
12 She doesn't have reports from -- so --

13 THE COURT: Well --

14 MR. BELLON: -- we understand the concern 100 percent.

15 THE COURT: -- I -- I mean, what the court understands is
16 --

17 MR. BELLON: He's just not as bad as she points out.

18 THE COURT: It's not a matter that -- of her taking the
19 child to the doctor. It's a matter of tracking the headaches
20 so that when she has another clinic appointment, she has a
21 chart of when the headaches occur so that the doctor can make
22 some sense of the headaches.

23 MR. BELLON: Understood. If she gives us a copy of that
24 log, I will instruct my client, in every minute he has the

1 child, to log every headache or every vomit or condition --

2 THE COURT: Uh-huh.

3 MR. BELLON: -- and return it with the -- with the
4 children, not personally, but when he returns the children
5 from --

6 THE COURT: Uh-huh.

7 MR. BELLON: -- visitation, she can have an updated log
8 of every vacation. It's not that difficult to do for one or
9 two days to do something like that.

10 THE COURT: I don't think it is.

11 MR. BELLON: So if we get a copy of those logs, I mean,
12 I'll tell -- my client's listening. I don't have to tell him.
13 You can instruct him.

14 THE COURT: And, Jennifer, if I missed this in all the
15 hearings that we've had, I apologize that I don't know that
16 you've asked me to make sure --

17 MS. GORDON: I -- I have several times.

18 THE COURT: You have? I -- I -- and I -- I apologize. I
19 didn't --

20 MS. GORDON: There's just always been so much other drama
21 going on.

22 THE COURT: Yeah, there has been. And so the court
23 apologizes that it missed making sure and making orders.

24 So dad's under a court order --

1 MR. BELLON: Perfect.

2 THE COURT: -- to log this stuff -- this stuff -- log his
3 child's headaches, vomiting and whatever else needs to be
4 logged consistent with the instructions mom provides to
5 counsel.

6 MR. BELLON: Done.

7 THE COURT: All right. Until I have an evidentiary
8 hearing and I make findings, I'm gonna revert to the form --
9 the schedule that -- the custody order and let dad have his
10 visitation.

11 MS. GORDON: E -- even with -- he -- he hasn't -- he --
12 he's leaving the state with the kids. He's not letting me
13 know.

14 THE COURT: I'm gonna address that in just a minute.

15 Is -- is your client allowed to leave the state?

16 Are you allowed to leave the state?

17 MR. GEIGER: No, without a travel pass; but --

18 THE COURT: (Indiscernible.)

19 MR. GEIGER: -- what she is -- I have never left the
20 state with the kids except for that one fishing trip that she
21 knew about and she -- we -- we talked about it face to face
22 with my father there. That's the only time I left the state
23 with the children. I am going to probation today to get a
24 travel pass because my wife has surgery September 9th. So I'll

1 be gone from September 2nd to the -- September 18th.

2 THE COURT: Okay. I don't want the kids leaving the
3 state until I have a better handle on what's going on here.

4 MR. GEIGER: Well --

5 THE COURT: Okay, Matt?

6 MR. GEIGER: But they never have.

7 MS. GORDON: Be -- besides all the --

8 MR. GEIGER: Understood.

9 MS. GORDON: -- the previous orders of you stating that
10 we need to be in communication and provide itineraries. You
11 -- you even reiterated that on our May 1st hearing that we
12 needed to exchange itineraries regarding our travel plans. I
13 was going to Kansas City. There is nothing. He has exchanged
14 nothing with me. This is -- this is a constant thing. I
15 mean, if I have to write out every time he's come in here with
16 no documentation and made the same excuses, this is over and
17 over again, over. And nobody's holding him accountable.

18 MR. BELLON: And if I can just briefly --

19 THE COURT: I'm gonna -- I'm gonna interview the kids.

20 MS. GORDON: He goes around every single order. He --

21 THE COURT: Uh-huh.

22 MR. BELLON: Your Honor, I mean, I can --

23 MS. GORDON: And -- and --

24 MR. BELLON: -- address them.

1 MS. GORDON: -- tries to do what he wants to do.

2 MR. BELLON: The orders are very vague. I pointed out in
3 my opposition --

4 THE COURT: My orders are vague?

5 MR. BELLON: Well, no, they're not. They're actually the
6 parenting plan and the -- and the decree, I think. But --

7 MS. GORDON: I have everything here.

8 MR. BELLON: -- if I can finish for a second.

9 For instance, I pointed it out in my opposition.
10 She refers to the parenting plan and talks about vacations, if
11 you're taking a vacation, about providing itinerary. It
12 doesn't even require a written one in their own parenting
13 plan.

14 And then the next sentence says that this doesn't
15 prohibit the children from out-of-state activ -- family
16 activities. So it doesn't require, an out-of-state activity,
17 when you're going fishing for a day, to give a written
18 itinerary. So there's just this little, you know --

19 THE COURT: Uh-huh.

20 MR. BELLON: -- mid -- disconnect somewhere, where she
21 thinks that he has to report to her everything that happens or
22 everything he does with these children.

23 THE COURT: Uh-huh.

24 MR. BELLON: But I agree. If he's going out of the

1 state, he should let her know. And if the court wants a
2 written itinerary, it's only -- it's not even required in a
3 vacation of a week or two-weeks long. It just says you have
4 to give the person notice, not written. So there's all these
5 orders that we need to kind of mesh together --

6 THE COURT: Uh-huh.

7 MR. BELLON: -- and come out with an order. But he was
8 going fishing with his father and his two children. I don't
9 think he had to give her an itinerary of where he was staying
10 and what roads he was taking.

11 THE COURT: Well, according to Jennifer, he didn't even
12 tell her that --

13 MR. GEIGER: And according to me --

14 MS. GORDON: He didn't.

15 MR. GEIGER: -- did.

16 MS. GORDON: May I read these orders --

17 THE COURT: No.

18 MS. GORDON: -- in there --

19 THE COURT: No.

20 MS. GORDON: -- because that's what he's --

21 THE COURT: You don't need to --

22 MS. GORDON: -- saying is the order is not. It
23 specifically states they are to share itinerary information
24 when traveling out of state to include dates of travel,

1 destination, emergency --

2 THE COURT: What --

3 MS. GORDON: -- contact number.

4 THE COURT: -- what's the date of that order?

5 MS. GORDON: It was filed in open court November 1st,
6 2010.

7 MR. BELLON: I think it's the parenting plan, Your Honor.

8 MS. GORDON: That's the parenting plan.

9 THE COURT: I'm sorry.

10 MR. BELLON: I think it's a parenting plan she's
11 referring to.

12 MS. GORDON: And it was -- I have the orders that says it
13 was filed, adopted and signed --

14 THE COURT: Okay.

15 MS. GORDON: -- by this court.

16 THE COURT: All right.

17 Mr. Bellon, that -- that provision stands that
18 there's to be written itineraries any time the children are
19 taken out of state; however, I'm ordering the children are not
20 to be taken out of state until -- by Matt, until I have an
21 evidentiary hearing and take further evidence.

22 Jennifer, as to the fishing trip, Matt is swearing
23 that he, testifying, he's under oath there, that he told you
24 with his father standing next to him.

1 MS. GORDON: Yes --
2 MR. GEIGER: No, he --
3 MS. GORDON: -- I understand --
4 MR. GEIGER: -- my --
5 MS. GORDON: -- that. He -- and he's sworn under oath
6 and testified in here many times --
7 THE COURT: Okay.
8 MS. GORDON: -- that he said -- and it's -- no, that
9 never happened.
10 THE COURT: All right. That's gonna be an issue at the
11 --
12 MS. GORDON: I would never have --
13 THE COURT: -- evidentiary hearing.
14 MS. GORDON: -- filed it if that had happened.
15 THE COURT: Okay.
16 MS. GORDON: I mean, that's -- I'm tired of this. He --
17 that's why there's so many orders. That's why on March 8th, he
18 -- that was the last time he left the state with the kids
19 without telling me. So you specifically ordered, nobody
20 leaves the state without further order from the court --
21 THE COURT: Right.
22 MS. GORDON: -- because there's been a problem.
23 THE COURT: That was the March --
24 MS. GORDON: March 8th, 2011.

1 THE COURT: Without itineraries.

2 MS. GORDON: No, that one -- that one was period. No one
3 leaves the state without further order of the court. And
4 that's why when we came in on May 1st, I made sure I
5 specifically asked to go to Kansas City for the month of July
6 because there's been such a problem.

7 I -- I have -- you can look through the whole case
8 history. I've followed every order of this court. I have
9 abided by everything that you've asked. I've come to court
10 prepared every time, showed documentation, been on time.

11 I don't understand why there's so many circumstances
12 with Matt not obeying the court orders again and again and
13 again, and it's the same thing. And then he shows up every
14 time. He never has any documentation. And every time.

15 Then I have to sacrifice the time with the children
16 to make another court hearing to come back to do this again
17 and again and again.

18 MR. GEIGER: The children are in school (indiscernible).

19 THE COURT: All right. Is this on for an order to show
20 cause at this time or just the --

21 MS. GORDON: Yes, there are three orders to show cause.
22 There's three --

23 THE COURT: All right.

24 MS. GORDON: -- including the (indiscernible).

1 THE COURT: So that will be at -- okay. I'll hear those
2 on the -- at the time of the evidentiary hearing, which will
3 include going out of state without permission of the court.

4 And you know what, Mr. Bellon, I've met these
5 children because I interviewed them. I think one or both
6 parents didn't necessarily agree with my take on the kids'
7 interview, but that was it. I interviewed them.

8 I'm inclined to in -- have them interviewed again.
9 I can either do the interview or send them to FMC. So what is
10 your client's position on the court interviewing the children
11 again?

12 MR. BELLON: I have no problem -- I would ask my client
13 to allow you to do it, Your Honor, and cut out the middle man.
14 I have total confidence in you regardless of what ha -- how it
15 comes out. They're not gonna have any doubts about what they
16 said in the process of the FMC, so.

17 THE COURT: Jennifer?

18 MS. GORDON: That's -- that's fine. And --and to remind
19 you, they also -- you also had appointed them an attorney and
20 -- at the time.

21 THE COURT: Oh, right.

22 MS. GORDON: And the attorney -- Matt never cooperated
23 with the attorney. He never allowed a visitation, time with
24 the boys with her. She was only able to meet with me, come to

1 our home.

2 THE COURT: Uh-huh.

3 MS. GORDON: And that's again, when he was filing all
4 these CPS claims that -- his attorney did state in here that
5 -- the possible CPS claims. But, you know, that's -- all this
6 stuff has been addressed by the court. You know, accusing of
7 my fiancé of being my new boyfriend and an MMA fighter. I
8 mean, I don't know if you remember, that's all been brought up
9 in this courtroom several times all -- as far back as 2010.

10 THE COURT: Okay.

11 MS. GORDON: December 14th, 2010 --

12 MR. BELLON: I don't even know what the --

13 MS. GORDON: -- was the first --

14 MR. BELLON: -- relevance -- I -- I'm lost, Your Honor.

15 MS. GORDON: -- was the first time it's brought up. I
16 mean, but there's so much in this opposition that it just
17 doesn't go with anything that's on record.

18 THE COURT: Okay.

19 MS. GORDON: And -- and that's --

20 THE COURT: All right. So you're both agreeable to me
21 interviewing the children. All right.

22 I just have to have a conversation with my clerk for
23 a moment, please.

24 Okay. So I'm gonna interview the kids.

1 THE CLERK: Uh-huh.

2 THE COURT: What kind of days do we have in terms of an
3 evidentiary hearing (indiscernible). Oh, I'm sorry.

4 THE CLERK: It looks like we had a cancellation. It's
5 not -- it's like --

6 THE COURT: It's too far.

7 THE CLERK: -- five weeks.

8 THE COURT: It's too far away.

9 THE CLERK: Too far?

10 THE COURT: Yeah.

11 THE CLERK: You could do it on a Monday now. But you've
12 already got stuff on there.

13 THE COURT: All right.

14 THE CLERK: Well, how -- how soon did you want it?

15 THE COURT: Well, let me -- I -- I'm looking for two
16 things. One is to interview the children after school.

17 They get out at 3:15?

18 MS. GORDON: No, the -- my oldest -- my --

19 THE COURT: He's in middle school now, right?

20 MS. GORDON: Yeah, he -- he gets out earlier. But my
21 youngest son gets home at 4:00.

22 THE COURT: At 4:00.

23 MS. GORDON: He gets out at 3:21, but their -- their bus
24 gets them home at 4:00.

1 THE COURT: Okay.

2 Let's see how I can work with this here. Wednesday
3 is -- I don't have any trials on Wednesday the 3rd, right?

4 THE CLERK: No, you've got (indiscernible). In the
5 afternoon, yeah, you could do it.

6 THE COURT: All right. I'd like to set the children's
7 interview for Wednesday, September 3rd. Does that work for
8 you? Who's the --

9 The children will be with you, mom?

10 MS. GORDON: Ye -- yes.

11 THE COURT: Wednesday.

12 MS. GORDON: Are you allowing him to have his visitations
13 back?

14 THE COURT: Yes.

15 MS. GORDON: But with everything that I brought into
16 court today?

17 THE COURT: Well, everything is contested. Everything
18 has been challenged. And I have to have an evidentiary
19 hearing and make findings. If he tests dirty on anything,
20 visitation --

21 MS. GORDON: -- I -- I understand that --

22 THE COURT: -- is sus --

23 MS. GORDON: -- but what -- from what everything I've
24 showed. This is -- this is -- this is eating the boys alive;

1 going back and forth; being taken from the home; being back at
2 the -- you know, seeing their dad; not seeing him for two
3 years, then -- then reunifying with him. And -- and this back
4 and forth, this is -- this is not healthy for them.

5 So now they're gonna go back until everything's
6 proven at this evidentiary hearing, and then they're gonna be
7 ripped from him again? This is killing them. This is so hard
8 on them, and my twelve-year-old is right on the verge of --
9 of being a teenager, and he's gonna lose it because he wants
10 to see his dad, but everything is going back and forth. This
11 is a constant because Matthew can't just --

12 THE COURT: Well, that's why I'm --

13 MS. GORDON: -- follow the law.

14 THE COURT: -- that's why I'm going to talk to the
15 children.

16 Okay. September 3rd, what time could you be here in
17 the afternoon?

18 MS. GORDON: By like 5:00. I can -- I can pick 'em up
19 early from school. I can pick my oldest -- or my youngest up
20 early from school. I mean, just to get them in here, whatever
21 -- whatever we need to do.

22 THE COURT: You tell me what time. I don't want you
23 stressing (indiscernible).

24 MS. GORDON: I'm already so stressed by all this. I -- I

1 just -- I can't keep -- keep doing this. Can we set it up for
2 5:00?

3 THE COURT: 5:00? Well, how about you get them here by
4 4:30?

5 MS. GORDON: Okay.

6 THE COURT: All right. In terms of the evidentiary
7 hearing, how quickly can you prepare for that, Mr. Bellon?

8 MR. BELLON: Relatively quickly. My only concern is with
9 the subpoenas and the officers that I'm gonna have to get here
10 and check their calendars and subpoena the (indiscernible).

11 THE COURT: Why don't you make it a judicial subpoena?
12 I'll sign off on it.

13 MR. BELLON: Okay. That's even better.

14 THE COURT: This way there's no question but that they're
15 coming in here.

16 MR. BELLON: All right. And if I get the documents -- it
17 depends how long the defendant needs to file that reply to get
18 -- I'd like to have some of the documents that she's alleging
19 so I can see it --

20 THE COURT: She'll get it done quickly.

21 MR. BELLON: -- so. I would say I could probably be
22 ready to go in 30 days or more, anything in 30 days.

23 THE COURT: 30?

24 MR. BELLON: And I know that September's already kinda

1 booked for me, and I'm gone the entire week of September 15th.
2 My partner's getting married up in Napa. So I'm only here
3 three weeks in September. And so, pretty well-booked already.
4 So I'd have to say beginning of October.

5 THE COURT: Okay.

6 MR. BELLON: It will give me enough time to do some
7 discovery, especially with the history of this case that
8 obviously (indiscernible) talking to, as well. And there may
9 be doctors I have to subpoena and medical records.

10 THE COURT: All right. I'm gonna put it on my admin day.
11 So I'll set it up for October 6th.

12 What time do you drop the kids off at school?

13 MS. GORDON: Weston -- Weston gets on the bus at 7:17 in
14 the morning and Chevy at 8:30.

15 THE COURT: 8:30?

16 MS. GORDON: Uh-huh.

17 THE COURT: So you can be here by 9:00 or 9:15?

18 MS. GORDON: The earliest is fine. We have a -- we have
19 a one-year-old baby, as well. So I --

20 THE COURT: That's what I thought. Okay.

21 MS. GORDON: -- I take her and -- and I -- I drop her off
22 and drop the kids off. Whatever -- whatever time -- the
23 earlier -- earlier is the -- is better.

24 THE COURT: All right. 9:00 on October 6th.

1 MR. BELLON: Okay.

2 THE CLERK: Shall I bump one of these at 7:00 --

3 THE COURT: Oh.

4 THE CLERK: -- (indiscernible).

5 THE COURT: I'm sorry. Okay.

6 THE CLERK: (Indiscernible.)

7 THE COURT: You know what? I'm vacating the 6th. We're
8 gonna make it on October 3rd, which is a Friday, at 9:00 a.m.
9 I had a trial come off on that day. 9:00 a.m., we're just
10 setting it for the morning session.

11 MR. BELLON: Half day.

12 THE COURT: I expect to have the probation officers here.
13 The issues are it's on the order to show cause that defendant
14 filed. It's on the issue of why plaintiff was -- why a -- I'm
15 going to be really clear on this, why a warrant issued for
16 plaintiff and the probations' communication with the
17 defendant. And I -- I'll have -- I want to hear the testimony
18 on what his probation conditions are at this time and what
19 communication they've had with him since the warrant issued.

20 MR. BELLON: Does the court need an order from today,
21 Your Honor, or will the minutes suffice?

22 THE COURT: On -- I'm --

23 MS. GORDON: We still have the -- I'm sorry. We still
24 have the -- the child support part that he -- when he went

1 down to the D.A.'s office to file for modification. That's
2 also in the orders to show cause. Are we addressing that at
3 the evidentiary hearing, as well?

4 THE COURT: I'll address that at the evidentiary hearing.
5 I have jurisdiction over that R case. I don't know why --

6 MS. GORDON: Matt -- Matthew went -- went down -- they
7 were going to suspend his license - I am not allowed to have
8 documentation for that - for nonpayment. And then they put in
9 for a motion to be signed by the judge to hold him in contempt
10 at those courts. I'm also not allowed to have documentation
11 of that. So what he did --

12 THE COURT: It's a public record.

13 MS. GORDON: -- was, he went down. They said, you do
14 have access to it. You're the only one that has access to it.
15 I did try to obtain documentation, but they would not allow me
16 to for privacy, and that's understandable. But they said you
17 do have access to that.

18 So on June 19th, he filed -- he had a -- legally, I
19 have to say this correctly. He had the district attorney's
20 office file a motion on his behalf to show that he had no
21 income, to change -- to show his new documentation that he had
22 no income. I received a copy in the mail, you know, saying,
23 you have to come to this hearing on August 26th.

24 So of course, I immediately called them. I said,

1 you have all the court's orders from family courts. And they
2 apologized. And they said, keep calling back to make sure it
3 goes through. We're vacating the hearing. We weren't aware
4 of the order on such and such date. Matthew has never taken
5 any orders down there.

6 And they said that's the only reason -- in May 1st --
7 on May 1st hearing, Matthew kept telling you he's been
8 communicating with their -- their office, communicating.
9 Again, they have record of that, that, no, he wasn't making
10 communications with them. Again, he -- he got three payments
11 of workman's comp. They're stating - and again, I have no
12 documentation for this - that he was denied workman's comp.

13 And when they were going to suspend his license, his
14 license was set for suspension. It went through the DMV. It
15 was set for suspension on July 31st. That he -- he went down
16 there to file to change the orders.

17 And then they also issued -- because he still didn't
18 pay, they issued a contempt. And now I don't know if that
19 went through and got signed by the judge, but that is all on
20 record that I do not have access to.

21 MR. BELLON: I can --

22 MS. GORDON: And then when he --

23 MR. BELLON: -- I can enlighten the court --

24 MS. GORDON: -- was arrested on the 26th --

1 MR. BELLON: -- and we can get out of here, Your Honor,
2 because this is -- I don't know where this is going. She
3 didn't even file an order to address that. It was a part of
4 her order to show cause. So it can be addressed there. He --

5 MS. GORDON: I -- I --

6 MR. BELLON: -- he did exactly what he was supposed to
7 do, Your Honor. He contacted the D.A.'s office when his
8 income changed. The D.A.'s office, as she said, 'cause I
9 corrected her in my opposition, the D.A.'s office filed it and
10 put it on calendar to address it because he had lost his job.
11 He was injured in January. He was on workmen's compensation
12 from January 17th to April 22nd.

13 THE COURT: Uh-huh.

14 MR. BELLON: She was paid \$8,000 from his workmen's comp
15 during that time.

16 THE COURT: Uh-huh.

17 MR. BELLON: His workmen's comp stopped on April 22nd. He
18 has no income. He went to the D.A.'s office, as you're
19 supposed to do. The D.A.s put it on calendar. Now I'm
20 hearing that the defendant had it vacated. He was at -- on
21 the 26th, two days ago, he was at court to address the motion.
22 And obviously they vacated it because of conver --
23 conversations with the defendant.

24 THE COURT: Uh-huh.

1 MR. BELLON: He needs that. And that's why I filed it,
2 and I asked the court to hear that at the evidentiary hearing.
3 I filed a counterclaim to address that. He's unemployed right
4 now. He's injured, and he's not getting workmen's comp. So
5 until he can return to work at the Iron Workers Union, he's
6 got no source of income; and the child support should be
7 modified.

8 THE COURT: Well, what's he gonna do?

9 MR. BELLON: Well, he's gonna -- as soon as he gets
10 healthy and he's given his clearance to go back to work, then
11 he's got to go back to the Iron Workers and do that. But he
12 has to be cleared from the workmen's comp pro -- he's not
13 getting benefits anymore; but he's still injured. I don't
14 know when. I haven't talked to him about it.

15 MS. GORDON: The -- the hearing master vacated because of
16 your orders in this court. That's why they vacated that
17 hearing.

18 THE COURT: I think they probably saw that I took
19 jurisdiction over the R case.

20 MS. GORDON: Correct, yes.

21 THE COURT: I have jurisdiction over the --

22 MS. GORDON: It had nothing to do with --

23 THE COURT: -- R case 'cause --

24 MS. GORDON: -- it had nothing to do --

1 MR. BELLON: As a matter of -- as a matter of fact, one
2 of your orders, when I was reading, Your Honor, said that --
3 that you -- you recognized the R case. And you said nothing
4 would be changed in the R case, that if it was gonna be
5 changed, it had to come in front of you. And that's why we
6 filed a counter motion, even though the D.A. put it --

7 THE COURT: Uh-huh.

8 MR. BELLON: -- on in front of the -- the UIFSA court --

9 THE COURT: Yeah.

10 MR. BELLON: -- the court said you wanted to address
11 that.

12 THE COURT: I think that's why it was vacated, though,
13 because I -- I clearly took --

14 MR. BELLON: Okay.

15 THE COURT: -- jurisdiction over the R case.

16 MR. BELLON: And so -- and that's why we filed --

17 THE COURT: I'll deal with it at the evidentiary hearing.

18 MR. BELLON: -- that's why we still have a counterclaim.

19 THE COURT: Make sure there's a current financial disclo
20 -- disclosure form, and I don't necessarily -- and I want to
21 see medical records that show his disability.

22 MR. BELLON: Okay. He says he has an MRI scheduled
23 again. And Kemp and Kemp is handling it. It's -- it's being
24 handled in workmen's comp through a law firm. So we'll get a

1 release if we have to and get medical records from the law
2 firm.

3 THE COURT: I want the medical records, yeah. We can --
4 you know, we can -- we'll deal with how we look at them as
5 exhibits on that date.

6 MR. BELLON: Okay.

7 THE COURT: All right.

8 MR. BELLON: Thank you very much, Your Honor.

9 THE COURT: All right. Here's the drug test. And -- and
10 then we have -- I don't need to -- the order for family
11 mediation because I'm doing the interview.

12 All right. Jennifer, you agree, right, that I can
13 interview the kids?

14 MS. GORDON: That's okay.

15 THE COURT: You're okay with that?

16 MR. BELLON: And for -- for what it's worth, Your Honor,
17 I just ask the record reflect that nobody have any discussions
18 with the children about your interview or tell
19 (indiscernible).

20 THE COURT: Yeah, I think both parents know. You just
21 say, the judge would like to see you again.

22 MS. GORDON: So are you -- you -- that's okay for me to
23 tell the boys that -- that you're gonna see --

24 THE COURT: Yeah, you're coming in to --

1 MS. GORDON: Okay.

2 THE COURT: -- see Judge Nathan.

3 MS. GORDON: No, they'll -- they're gonna be happy. They

4 --

5 THE COURT: Okay.

6 MS. GORDON: -- they talk about the last time they were

7 in here --

8 THE COURT: Oh, really?

9 MS. GORDON: -- even though they were a lot different
10 then, but, yeah.

11 THE COURT: Yeah, I imagine they've both grown about six
12 or ten inches --

13 MS. BELLON: Yeah.

14 THE COURT: -- since I last --

15 MS. BELLON: Yeah.

16 THE COURT: -- saw them. Yeah. Okay.

17 THE CLERK: So, Judge, I put the (indiscernible) the
18 evidentiary hearing (indiscernible) --

19 THE COURT: Okay.

20 THE CLERK: -- (indiscernible).

21 THE COURT: Excellent. All right.

22 All right, everybody.

23 Jennifer, you know --

24 Mr. Bellon, you know, you did all the protocol for

1 Matt to communicate with Jennifer through his wife. I think
2 it's still okay 'cause at -- at least there's a civil
3 communication.

4 Jennifer?

5 MS. GORDON: Yeah.

6 THE COURT: Okay.

7 And you see how much time I've put into this case
8 through the years.

9 MR. BELLON: (Indiscernible) I see that even in the
10 paperwork.

11 THE COURT: And -- and I -- I know that Jennifer has not
12 been happy with a lot of the court's orders. My job is to
13 make orders that are in the best interest of the children, and
14 I -- I believe that I do that in every case and especially in
15 this case. But I will talk to the children and see what's
16 going on with them and --

17 MS. GORDON: You -- you said that I haven't been happy
18 with the court's orders --

19 THE COURT: Yeah.

20 MS. GORDON: -- I've been fine with that. It's --

21 THE COURT: Oh, okay.

22 MS. GORDON: -- and -- and if you go back and view the
23 video hearings, Matthew's the one that's thrown cups and
24 cussed --

1 MR. BELLON: Your Honor --
2 MS. GORDON: -- the bailiff out and --
3 MR. BELLON: -- can we just leave, please?
4 THE COURT: Yeah.
5 MR. BELLON: She's been making argument --
6 MS. GORDON: Well, he --
7 MR. BELLON: -- every --
8 MS. GORDON: -- he --
9 MR. BELLON: -- every time --
10 MS. GORDON: -- he issued in his --
11 MR. BELLON: -- you give her the opportunity.
12 MS. GORDON: -- opposition that I'm the one that's gotten
13 angry in court. And I've never gotten angry in here.
14 MR. BELLON: I never said she's got --
15 MS. GORDON: Matthew's --
16 MR. BELLON: -- angry --
17 MS. GORDON: -- gotten angry --
18 MR. BELLON: -- in court.
19 MS. GORDON: -- every hearing.
20 MR. BELLON: I said --
21 THE COURT: Okay. Well, I think sometimes you're not
22 exactly --
23 MS. GORDON: I have issues with Matt not --
24 THE COURT: -- pleased.

1 MS. GORDON: -- being held accountable.

2 THE COURT: Okay. All right. Okay, everybody, I'll see
3 you back here -- when did I say, next --

4 THE CLERK: The 3rd of September --

5 MR. BELLON: October.

6 THE CLERK: -- for the interview.

7 THE COURT: The --

8 THE CLERK: Are you going to (indiscernible) --

9 THE COURT: No, the interview's -- yeah, the 3rd of
10 September for the interview. We have two third dates, right?

11 THE CLERK: Yeah.

12 THE COURT: Okay.

13 MR. BELLON: And that will just be in chambers, right,
14 Your Honor?

15 THE COURT: Actually, I'm doing it in the courtroom.

16 MR. BELLON: Okay.

17 THE COURT: Because then I have -- my staff will be here,
18 and I just like it better in the courtroom.

19 MR. BELLON: All right. Thank you. And we'll see you
20 then.

21 THE COURT: Okay. Thank you, everybody.

22 MR. BELLON: Good day.

23 (THE PROCEEDING ENDED AT 09:48:26.)

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ATTEST: I do hereby certify that I have truly and correctly transcribed the digital proceedings in the above-entitled case to the best of my ability.

Sherry Justice
SHERRY JUSTICE,
Transcriber II