

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

-oOo-

RENO, NEVADA; FRIDAY, SEPTEMBER 4, 2015; 1:05 P.M.

-oOo-

EXAMINATION

(Resumed)

THE COURT: Case No. FV14-03897 in the matter of the parental rights as to the Taylor children as set out in the petition. The parties are present with their counsel.

Ms. Guerrero, I guess you're going to testify now. Do you want to come up here? You can bring that water with you if you want.

THE WITNESS: Can I bring my sanitizer?

THE COURT: Sure. I want you to be comfortable because, at least according to your counsel, you're going to be a long time.

/////

/////

/////

/////

/////

/////

/////

1 JACQUELINE GUERRERO,
2 having been first duly sworn,
3 was examined and testified as follows:
4
5 DIRECT EXAMINATION
6 BY MR. ELKINS:
7 Q Good afternoon, Jackie. How are you?
8 A Hi. Good afternoon.
9 Q Jackie, how old are you?
10 A I am 25 years old and, I believe, 8 months.
11 Q Okay. What's your birth date?
12 A 6/15/1990.
13 Q And do you have any children?
14 A Yes.
15 Q How many children?
16 A I have four.
17 Q What are their names?
18 A Roberto Charles Taylor, Kayleigh Marie
19 Guerrero-Taylor, Nathan Edward Hunt-Taylor, Ethan
20 Alexander Hunt-Taylor.
21 Q And how old is Roberto?
22 A Roberto is exactly 8 years 8 months, if I'm
23 correct.
24 Q What was his date of birth?

1 A 6/15/07.

2 Q And how about Kayleigh?

3 A Kayleigh, she is 5 years old, and I don't

4 know the exact months.

5 Q What's her date of birth?

6 A 2/13/10.

7 Q And Nathan?

8 A Nathan's date of birth is 6/29/11, born on

9 great-grandmother's --

10 Q And Ethan?

11 A 1/1/14. Excuse me.

12 Q Where are your children now?

13 A They're in foster care in the custody of

14 Sandra Matute.

15 Q How long have they been in foster care, your

16 older children?

17 A Roberto, Kayleigh, Nathan have been in foster

18 care or in the care of Washoe Services since April 19,

19 2013, at 7:30 p.m.

20 Q And how about Ethan?

21 A Ethan, September 11, 2014, around 3:30 p.m.

22 Q Okay. Have you seen your children since

23 they've been in foster care?

24 A Yes.

1 Q And can you just describe for the Court when
2 and where? Tell the judge about your visits. What were
3 your visits when they first came into foster care and
4 then how did they progress?

5 A Okay. So do I start from the beginning?

6 Q From the beginning when they were in foster
7 care.

8 A The first visit that we had with the --
9 excuse me -- I had with the children were sometime in
10 April 2013, I believe a few days after they were removed,
11 at the Kids Cottage located, I believe, in Reno, Nevada.
12 I don't know if it's Sparks, Nevada.

13 The visits were then supervised, one hour at
14 the property. My prior worker, Andrea Menesini, then
15 allowed the visits to be unsupervised, unsupervised for
16 two hours, I believe. I could be wrong.

17 We were seeing them daily -- excuse me -- we
18 were seeing them on a daily basis. We were able to talk
19 to them on the phone daily to Kids Cottage.

20 Q Let me interrupt you.

21 When you say "we," who do you mean?

22 A "We" as in the father, Robert Hunt-Taylor.

23 Q And is he the father of all of the children?

24 A Yes.

1 Q Go ahead. I'm sorry.

2 So they're at Kids Cottage.

3 A Kids Cottage. We did phone calls when we
4 were able to get through the line, because they were
5 always busy, to speak to them, tell them "Good night,"
6 check if they had showers, etcetera, make sure nobody's
7 touching them inappropriately.

8 Q Let's talk about the visiting schedule.

9 A Visiting schedule, okay.

10 In May they moved into the foster home. By
11 then Rocio was my worker, so she gave us visits -- excuse
12 me for a second --

13 Q Take your time.

14 A Can I write it down on paper to visualize
15 the --

16 Q No. Just try to testify without writing it
17 down.

18 THE COURT: She can do whatever makes her
19 comfortable. This is important. I'll give you a lot of
20 leeway.

21 MR. ELKINS: Do you mind if she writes it
22 down?

23 THE COURT: Not a bit.

24 THE WITNESS: Can I use the paper in front of

1 me? Sorry. I like to keep track of numbers.

2 BY MR. ELKINS:

3 Q Do you have a pen?

4 A Yes. Thank you.

5 So we're talking about May now; right?

6 Q That's the question.

7 A The visits were then picked up -- excuse
8 me -- the visits were moved to the community, I believe,
9 is the proper word. Robert Hunt-Taylor and myself were
10 able to pick up the kids from the McDonald's in Reno and
11 were able to take the children out for a walk, and I
12 believe the visits then were about three hours, and then
13 they expanded to -- from 12 p.m. to 6 p.m., and foster
14 mom will pick up from McDonald's.

15 THE COURT: That was Matute at the time?

16 THE WITNESS: Yes.

17 Then Ms. Rocio gave us a home visit
18 request -- I was requesting her to please come home to my
19 house.

20 BY MR. ELKINS:

21 Q Where were you living at the time?

22 A I moved into the Linden apartments.

23 Q So when are we talking about now?

24 A What was that?

1 Q When are we talking about now?

2 A May 2013.

3 Q Okay.

4 A She then did the home visit. She -- I don't
5 think she approved the home right away. I think there
6 was like a second time when she approved it, and I was
7 able to bring the kids to the house to visit, the same
8 time, 12:00 to 6 p.m. on the weekends.

9 Q How did the children get to and from your
10 home?

11 A I would transport them on the city bus or
12 walking.

13 Q And where would you get them on the weekend?

14 A From McDonald's on Kietzke Lane in Reno.

15 Q From whom?

16 A Sandra Matute.

17 Q Okay. Go ahead.

18 A And the visits stayed like that until, I
19 believe, July of 2013 when we were moved to overnight
20 visits with the children.

21 Q How many overnights did you have?

22 A I believe -- I want to say about maybe
23 one -- no, excuse me -- three or four night visits.

24 Q Okay.

1 A This was mid -- it started mid July, ended in
2 early August, the overnights.

3 Q So mid July to early August would be how many
4 weeks?

5 A Three, four weeks.

6 Q So in any event, what happened in August
7 2013?

8 A My electricity got shut off.

9 Q Okay.

10 A So it then changed again to the public,
11 community. So there was no more overnights. I don't
12 remember how long the visits were.

13 THE COURT: And do you understand why they
14 weren't letting you have overnights?

15 THE WITNESS: Yes.

16 THE COURT: Why?

17 THE WITNESS: Because my electricity was shut
18 off and that was not a safe environment for them.

19 THE COURT: What were some of the collateral
20 consequences for not having electricity?

21 THE WITNESS: What's collateral?

22 MR. ELKINS: Judge, "collateral" might be --

23 THE COURT: Some of the consequences of not
24 having electricity?

1 THE WITNESS: Yes.

2 THE COURT: What did that cause?

3 THE WITNESS: Unable to shower them, bathe
4 them, feed them due to the stove being electrical. I
5 mean, the fridge also not being able to refrigerate food
6 properly, the AC unit not running when it was hot, so I
7 wouldn't be able to keep my children cool.

8 THE COURT: So you didn't have any problem,
9 then, with them not letting you have overnights?

10 THE WITNESS: I agreed with them, with the
11 overnights.

12 BY MR. ELKINS:

13 Q Since the judge has brought this up, can you
14 tell me what happened with the Linden Street apartment
15 once the power went off?

16 A Well, can you --

17 Q The apartment itself.

18 A Oh. Like what happened or what was the --

19 Q Yeah. The consequences.

20 A Well, I wasn't able to do dishes because we
21 didn't have hot water; I wasn't able to shower; hand
22 washed my clothes; use the AC, so that made the
23 circulation of the house to stop running; we couldn't use
24 the fan in the bathroom to reduce bathroom smells; unable

1 to use the vacuum without electricity.

2 Q Are there any other appliances?

3 A Yes. The refrigerator will stink after time
4 not being used or plugged in. It produces a smell after
5 a while of not being plugged in.

6 Q And what living beings lived in the apartment
7 at this time?

8 A Is that considered animals or --

9 Q That's my point, yes.

10 A Okay.

11 Q Who all was there?

12 A It was myself, my ex-husband/spouse we could
13 consider --

14 Q Let me just ask you that.

15 Have you ever been married?

16 A Is common law considered --

17 Q No. Have you ever been legally married?

18 A No.

19 Q Anyway, just use the name. Who were you
20 talking about?

21 A Robert Hunt-Taylor, father of the children.

22 Q Who else?

23 A My cat Jimmy and my other cat Tinkerbelle.

24 Q So just to address the judge's question, what

1 was it like trying to keep up the apartment at that time?

2 A In what month?

3 Q After the electricity went off.

4 A What was the question again?

5 Q Just take a deep breath.

6 Are you okay?

7 A Yeah.

8 Q What was it like trying to keep the apartment
9 up when there was no electricity? That's my question.

10 A It was difficult to do the dishes, to remove
11 oils and stuff out of the dishes because of the hot
12 water. It was difficult to vacuum, so we had to use a
13 broom. The broom wasn't very sturdy so it broke on me a
14 couple times. I wasn't able to see in the bathroom to
15 actually clean it properly, to see if there was any
16 stains, mold, bacteria, etcetera.

17 Q Why is that?

18 A Because the bathroom didn't have a window or
19 light -- any light at all whatsoever to see in there, and
20 I have a hard time seeing. As you can see, I wear
21 glasses, and I can't see in the dark. So the bathroom
22 was dark and unable to be able to seen to clean it
23 properly.

24 Q Can you describe the apartment for the judge?

1 In other words, how many rooms, how was it laid out?

2 A There was three windows, two in the front
3 room, one in the room. There was one bathroom. It's
4 about a decent size in the -- at least two people can fit
5 in or walk in. Excuse me. There was a room that had a
6 walk-in closet. The AC unit was located between the
7 walk-in closet and the bedroom. I'm working from the
8 back way in. There's the hallway. There's a shelf in
9 the closet. Going to your right is the dining area, then
10 the kitchen. You go to your left and there's the front
11 room area.

12 Q So how big was the hall in relation to this
13 room?

14 A Not even this entire room, so it would
15 probably be -- probably where that comes out to maybe
16 this way.

17 Q From here (indicating)?

18 A If I'm correct, yes.

19 MR. ELKINS: Judge, you're the construction
20 expert.

21 THE COURT: I suspect most of the smaller
22 apartments are like 700 feet, I think, the one-bedrooms.

23 MR. ELKINS: All right.

24 THE COURT: That's what it was, was a

1 one-bedroom apartment.

2 THE WITNESS: One bedroom.

3 Do I need to go into further details?

4 BY MR. ELKINS:

5 Q No, no. That's fine.

6 I'm sorry. So the visits stopped at the
7 apartment, the power went off, and then they were back in
8 the community, you said?

9 A Yes.

10 Q And then what happened with the visits?

11 A They continued the visits. We just didn't
12 have overnights.

13 Q Did that change?

14 A The visits or the overnights?

15 Q The visits. Did the visits change?

16 A Yes.

17 Q How did they change?

18 A They changed because I wasn't able to take my
19 children to the home.

20 Q And then where did the visits occur?

21 A Some would occur at McDonald's, well, for
22 half the time, and then we'll go for a walk. There were
23 times where we would go to the park nearby. It's called
24 Yori Park. There's a little water fountain they can play

1 in, and we had water balloon fights and water gun fights.
2 I don't know if it's appropriate.

3 Q Let's just talk about the schedule.

4 Did there come a time when the visits changed
5 from being in the park?

6 A Yes. They went down to the --

7 Q Actually, I think maybe I confused you.

8 Was there a time when the visits changed from
9 being in the community, just meeting in the community, to
10 something else?

11 A Oh, that was later.

12 Q When?

13 A In 2014.

14 Q When?

15 A 2014.

16 Q When; do you know?

17 A December 2013. Excuse me.

18 Q And where did they change to?

19 A Into the building, Child Protective Services
20 building.

21 Q And how did that work?

22 A Due to the weather, it worked fine.

23 Q I'm sorry. When you say Child Protective
24 Services building, what would happen? Where would you

1 go? Where were the kids? How would they get there?

2 A Well, the kids would be transported to the
3 building with the foster mom Sandra, and I and the
4 father -- hold on, excuse me -- I will go to the building
5 and meet the -- check into the front desk, and they will
6 tell me what room to visit in, and I will go into the
7 room to visit with the kids.

8 Q Were the visits always in the room?

9 A Yes. Well, after December, yes.

10 Q Did there come a time when they weren't in
11 the room?

12 A Yes.

13 Q What happened then?

14 A Can you repeat that again? Excuse me.

15 Q You said you had visits in the room at first
16 at the building. Did there come a time they weren't in a
17 room and were they somewhere else?

18 May I, Judge?

19 Could you take your children out of the
20 building?

21 A There was a time, but before December 2013.

22 Q But did there come a time when you met in the
23 building and could take your children outside?

24 A Yes.

1 Q That's what I'm asking.

2 A Okay.

3 Q So when did that happen?

4 A That happened --

5 THE COURT: You know, you can lead her some.

6 MR. ELKINS: Okay, Judge.

7 MS. ELCANO: Your Honor, just for the record,
8 I do object to that.

9 THE COURT: I'm going to allow it.

10 BY MR. ELKINS:

11 Q Did there come a time when you could take
12 them outside?

13 A Yes.

14 Q And where would you take them? How long were
15 the visits?

16 A The visits were reduced hours to, I believe,
17 one -- it was three hours long, and I will take my kids
18 to the mall --

19 That was the question, where?

20 Q Yes.

21 A -- to the mall, take them to the library to
22 be more convenient, to be on time for drop-off. There
23 would be times I would take them to the river to feed the
24 ducks.

1 Q So how long were these visits?
2 A Three hours, approximately.
3 Q And how many days a week did you get to do
4 that?
5 A They were three days a week.
6 Q What days were they?
7 A Mondays -- I don't remember the exact
8 time -- Wednesdays and Fridays.
9 Q And how about -- well, how long did that
10 continue?
11 A Until December of 2000 -- no.
12 Q Let me ask you this question. I'll withdraw
13 the question.
14 Are you seeing your kids now, at this time?
15 A Yes.
16 Q When do you see them now?
17 A Wednesday from 3:30 to 5:00 at the CPS
18 building on site; Fridays from 4 p.m. to 5 p.m. as well,
19 unsupervised.
20 Q Ms. Guerrero, going back to when you had to
21 go to the building and take your kids out for three hours
22 and bring them back, were you told why that was
23 necessary, why you could no longer see them in the
24 community?

1 A Are we talking about 2013 or 2014?

2 Q When did they go back to the building when
3 you picked them up and took them out?

4 A This was -- to pick up and still have
5 off-sites was in September 2013.

6 Q Okay. And were you told why you had to go to
7 the building to get them at that point?

8 A Yes. We -- foster mom and I had problems
9 with pick-up, drop-off, and communication.

10 Q Did you ask that the foster mother continue
11 to give you access to the children in the community?

12 A Yes.

13 Q And what were you told about that?

14 A "No."

15 Q Were you told why?

16 A No.

17 Q So now I want to go back.

18 Where was Roberto born?

19 A Roberto was born in Long Beach, California,
20 at Saint Mary's Hospital.

21 Q And how old were you at the time?

22 A Seventeen years old and one hour exactly.

23 Q Okay. And where did you live when Roberto
24 was born?

1 A I was currently residing with Robert Hunt and
2 his grandmother in Long Beach, California.

3 Q And where did you go after Roberto was born?
4 You went to live with Robert Hunt-Taylor; is that what
5 you're saying?

6 A Yes.

7 Q And how long did you live with him?

8 A Until Roberto was about a month and a half
9 old.

10 Q And then where did you go?

11 A My mother's house.

12 Q And how long did you live with Roberto at
13 your mother's house?

14 A Not even a week.

15 Q And what happened then?

16 A My mom called the police on me and had me
17 sent to foster care.

18 Q Had you placed in foster care?

19 A (Witness nods head.)

20 MR. ELKINS: May I, Judge?

21 THE COURT: Go ahead.

22 BY MR. ELKINS:

23 Q How old were you -- when you're ready. Take
24 your time.

1 A I'm ready.

2 Q How long were you in foster care?

3 A Four months.

4 Q Okay. And what happened after you were in
5 foster care?

6 A The social worker sent me home for good
7 behavior.

8 Q Okay. And what grade were you in at that
9 time?

10 A 11th grade.

11 Q Okay. And when you went back home, did you
12 go back to school?

13 A No.

14 Q Why not?

15 A My mom said I can't go back to school, that I
16 had to stay home and take care of my siblings, get a job
17 and kiss school good-bye.

18 Q Okay. How many siblings did you have?

19 A At that time that I know of --

20 Q I mean in the home.

21 A Four, including my son.

22 Q Okay. Your son is not a sibling.

23 A Excuse me.

24 Q All right. So during the time you were in

1 foster care, what, if any, services did you get?

2 A I received parenting classes, counseling,
3 anger management, budgeting assistance. Did I say
4 parenting class already?

5 Q Yes. That's fine.

6 So after you went back to live with your mom,
7 how long did you stay with your mom?

8 A Until I turned 18.

9 Q And then what did you do?

10 A I didn't know what to do. She just kicked me
11 on the streets.

12 Q So where did you go?

13 A To Social Services.

14 Q Okay. And what did you do then?

15 A I told them if they can help me because I
16 didn't know where to go.

17 Q So where did you go?

18 A They referred me to the welfare -- Department
19 of Welfare, and they helped me get an apartment.

20 Q Okay. And who all was in the apartment?

21 A What was that?

22 Q Who lived in the apartment that you got?

23 A Me and Roberto, my oldest son.

24 Q How old was Roberto then?

1 A A year old.

2 Q Okay. And how long did you and Roberto live
3 together, just the two of you?

4 A About a year.

5 Q And what did you do during that year?

6 A I went to look -- I asked Social Services if
7 they can help me go back to school to continue my
8 education. They offered me services and were able to pay
9 for my college if I decided to go back to college. I was
10 going to Santa Clarita Career College to become a medical
11 assistant.

12 At the same time -- excuse me -- I was doing
13 my GED classes, had daycare provided to me, had a
14 part-time job and boyfriend-free, not pregnant, almost
15 graduated until test results. I was scared, because of
16 all the honors I received in school, that I wasn't good
17 enough for the test.

18 Q So you got honors, but you were afraid to
19 take the test?

20 A Yes.

21 Q So you didn't -- I'm sorry. So what happened
22 on test day?

23 A I got overwhelmed, scared, and walked out of
24 the testing.

1 Q And was that --
2 A I think that's when my anxiety started
3 probably.
4 Q Okay. Was that for your GED?
5 A GED and for my medical assistant.
6 Q Okay. So did there come a time, then,
7 when --
8 THE COURT: I'm going to take a break.
9 MR. ELKINS: I'm sorry, Judge.
10 (A recess was taken.)
11 THE COURT: We're back on the record. I
12 apologize.
13 BY MR. ELKINS:
14 Q Jackie, how long did you live in Long Beach?
15 A I lived in Long Beach up until I was 18 and a
16 half years old.
17 Q Where did you go from there?
18 A Reno, Nevada.
19 Q And what year was that; do you know?
20 A August 2009. Excuse me. I was 19.
21 Q What brought you to Reno, Nevada?
22 A To meet my dad.
23 Q When you say to meet your dad, what do you
24 mean?

1 A To finally know who my dad was.
2 Q Did you meet your dad?
3 A Yes.
4 Q And what is his name?
5 A Francisco Javier Guerrero.
6 Q Had you ever seen him before?
7 A No.
8 Q And how long did you stay in Reno, Nevada?
9 A Until I had Kayleigh.
10 Q I'm sorry. We already --
11 A Excuse me.
12 Q Okay. I think you said Kayleigh was born in
13 February of 2010?
14 A Yes.
15 Q Was there anyone else here with you when you
16 came to Reno? Did anyone come with you?
17 A Roberto.
18 Q And who's that?
19 A My son.
20 Q Okay. Anybody else?
21 A Kayleigh in conception.
22 Q Kayleigh was born here, right. Okay.
23 And when you were in Reno in 2009, who did
24 you stay with?

1 A I stayed with my paternal grandmother,
2 paternal aunt, and cousins -- oh -- and grandfather.

3 Q And after Kayleigh was born what happened?

4 A A month after she was born I moved to Lake
5 Havasu City, Arizona.

6 Q And why did you do that?

7 A So Robert may have a chance to meet his
8 daughter.

9 Q And who's Robert?

10 A Robert is the father of Roberto and Kayleigh
11 at the time.

12 Q And with whom did you live when you went to
13 Lake Havasu, Arizona?

14 A I resided with Robert Hunt-Taylor, father of
15 the children; my son Roberto Taylor; Kayleigh
16 Guerrero-Taylor; Mrs. Helen Taylor, who is no longer
17 here; Michelle Gonzales; Charles Taylor; and Michelle's
18 son David Brim.

19 Q How many people is that?

20 A Eight.

21 Q Okay. And who was Ms. Helen Taylor?

22 A Ms. Helen Taylor -- Mrs. Helen Taylor was
23 Robert's grandmother.

24 Q Okay. And what did you do while you were in

1 Lake Havasu?

2 A Can you describe a time frame?

3 Q The whole time. How long were you in
4 Lake Havasu?

5 A Two years.

6 Q What did you do there?

7 A I went to school and I went to work and
8 part-time mom and part-time caregiver.

9 Q Why part-time caregiver?

10 A Ms. Helen Taylor was no longer able to take
11 care of herself, so I would bathe her.

12 Q I see. So you mean of her?

13 A Yes. Bathe her.

14 Q How did you care for your children at that
15 time? In other words, what was your schedule like?
16 That's what I'm asking. Sorry.

17 A That's okay. My schedule was -- I don't know
18 if it's appropriate to say -- crazy, busy. I had to
19 attend Mrs. Taylor with breakfast in the morning at 5:00,
20 woke up Roberto to go to school, which I had voluntarily
21 put him in because I figured he had problems with speech
22 since he wasn't able to talk.

23 Q How old was he then?

24 A He was about three years old. He couldn't

1 pronounce proper words, so I figured he needed attention
2 in that.

3 Q Okay.

4 A I would go to work from 8 a.m. to 4 p.m.
5 doing housecleaning at a motel. After I came out of
6 work, I went to school between the hours of 7:00 to
7 9 p.m. During the gap time, dinner was made, shower the
8 kids, played for a bit, then went to school, came home,
9 kids were already in bed.

10 Q Where did you go to school?

11 A I went to school at Mohave Community College
12 in Lake Havasu City, Arizona.

13 Q What were you studying?

14 A GED and childcare development.

15 Q How many classes did you take in childcare
16 development?

17 A I was taking two at the time due to my GED.

18 Q Do you recall what they were?

19 A No.

20 Q Okay. And how long did you have that
21 schedule?

22 A Two years.

23 Q Okay. Did you ever have any involvement with
24 Child Protective Services in Lake Havasu, Arizona?

1 A There was one contact, but no concerns.

2 Q What happened?

3 A We were late in one of our rent, and they
4 didn't see a concern since we had a job and we took care
5 of it right away.

6 Q When you say "We," who were you referring to?

7 A Mr. Robert Hunt-Taylor and myself.

8 Q So did your living arrangements change during
9 the time you were there?

10 A No.

11 Q So you still lived with the same people you
12 already identified?

13 A Ask the question again.

14 Q Sorry. You said they were eight people?

15 A Yes.

16 Q You continued to live with those eight
17 people?

18 A No.

19 Q So what changed?

20 A Mr. Robert Hunt-Taylor, myself, Roberto,
21 Kayleigh, and Mrs. Taylor got an apartment.

22 Q Okay. And how long did you have that
23 apartment?

24 A Two years.

1 Q Now, I'm confused because I thought you lived
2 there for two years, so maybe you can explain.

3 A Excuse me. Well, the time frame in Havasu
4 was two years. We spent one month with Michelle, Charles
5 Taylor, David Brim.

6 Q So you're telling me Robert's grandmother
7 lived with you?

8 A Yes.

9 Q And then at that time did your children --
10 how did you meet your children's needs?

11 A Clothing-wise I went to work, so every
12 paycheck they will get two to three outfits a paycheck,
13 new, not used, meaning shirts, pants, underwear, diapers,
14 socks and shoes.

15 Q Okay. You don't have necessarily to be that
16 detailed. How did you meet their needs?

17 A Oh. Working.

18 Q Besides sending Roberto to school, having a
19 job, what else did you do for your kids to make sure they
20 were okay?

21 A Help Robert make meals.

22 Q Anything else?

23 A The cleaning-wise, playing with them, making
24 sure the proper outfits were matched.

1 Q Let me stop you.

2 Apart from matching outfits, did they have a
3 doctor?

4 A Yes, they did.

5 Q Where did they go to the doctor?

6 A They went to Rainbow Pediatrics with Dr. Oyas
7 in Lake Havasu, Arizona.

8 Q Dr. Who?

9 A Oyas.

10 Q How do you spell it?

11 A O-y-a-s.

12 Do I continue?

13 Q What else were you going to say?

14 A They also were seeking services through the
15 Small Smiles Dentistry which also took care of their
16 dentist appointments. Roberto had therapy through one of
17 the services out there. I forgot what were called, but
18 they're similar to Children's Cabinet.

19 Q What kind of therapy was it?

20 A Speech therapy.

21 Q Okay. So did there come a time when you left
22 Lake Havasu?

23 A Yes.

24 Q And where did you go?

1 A To Reno, Nevada.

2 Q And who went?

3 A Or came, I should say, to Reno, Nevada.

4 Mr. Robert Hunt-Taylor, myself, Roberto

5 Taylor, Kayleigh Guerrero-Taylor, and Nathan Hunt-Taylor.

6 Q Where did Nathan Hunt-Taylor come from?

7 A Me.

8 Q Was he born in Lake Havasu?

9 A Yes.

10 Q I think you already told us. That was in

11 June 2011?

12 A June 29th.

13 Q All right. So what brought the family to

14 Reno?

15 A My mother.

16 Q Can you explain that?

17 A She wanted to see Roberto, and she heard

18 rumors that I had more children, and she wanted to meet

19 them and be a part of their lives.

20 Q Did your parents live together?

21 A No.

22 Q But they both lived in Reno?

23 A They both lived in Reno.

24 Q Okay. So you came to Reno in what month; do

1 you know?

2 A Yes.

3 Q What month?

4 A January 2, 2012.

5 Q Where did you live when you got here?

6 A 1355, Apartment 11, Reno, Nevada, 89502, in
7 my mother's home.

8 Q So you lived with your mom?

9 A Yes.

10 Q And how long did you live with your mother?

11 A Until February of 2012, two months.

12 Q What happened?

13 A My mother and I had a conflict.

14 Q Okay. And so what happened as a result of
15 your conflict?

16 A She kicked us -- she -- well, she kicked us
17 out.

18 Q Okay. So where did you go?

19 A She dropped us off at downtown Reno.

20 Q Who's "us"?

21 A Excuse me. She dropped off Robert
22 Hunt-Taylor, Roberto Taylor, Kayleigh Guerrero-Taylor,
23 Nathan Hunt-Taylor, and myself to downtown Reno.

24 Q You and the father and the kids.

1 A Excuse me.

2 Q That's fine.

3 Okay. So February 2012 you get dropped off

4 by your mom in downtown Reno.

5 What do you do?

6 A I rent a motel room.

7 Q Okay. Now, at that time were you working?

8 A No.

9 Q Was Robert Hunt-Taylor working?

10 A No.

11 Q So you rented a motel room, you said?

12 A Yes.

13 Q Where was that; do you know?

14 A The Wonder Lodge in downtown Reno.

15 Q How long were you there?

16 A Two months.

17 Q Okay. What happened after that?

18 A Child Protective Services referred us

19 to -- referred Robert, Kayleigh, Nathan -- Kayleigh,

20 Nathan --

21 Q The family; right?

22 A Yes, the family to the VOA shelter,

23 Volunteers of America Family Shelter.

24 Q The America Family Shelter?

1 A Volunteers of America.

2 Q VOA?

3 A Yes.

4 Q So you say they referred you. How did that
5 work?

6 A Can you rephrase that?

7 Q Yes.

8 You said Children's Services referred you to
9 the shelter. What do you mean? What did they do?

10 A They put us in the shelter, the family to the
11 shelter.

12 THE COURT: What's the time frame? When was
13 this?

14 THE WITNESS: April of 2012.

15 BY MR. ELKINS:

16 Q Okay. So you go to the VOA shelter, and how
17 long were you there?

18 A From my knowledge, if I'm correct, September
19 2012.

20 Q So you think about five months?

21 A Approximately.

22 Q And you're familiar with the rules of the
23 shelter?

24 A Yes.

1 Q And is there a length of time you can stay?
2 A Yes.
3 Q How long is that?
4 A Six months.
5 Q So where did you go after the VOA shelter?
6 A I believe for about a week or two we resided
7 at my mother's house, me and the family. I had called
8 other shelters, and the children and myself stayed up at
9 the Prayer House, which is a safe house. It's also for
10 domestic battered women/homeless.
11 Q Were you a battered woman?
12 A No. I was homeless.
13 Q All right.
14 THE COURT: Is it Prayer, P-r-a-y-e-r?
15 THE WITNESS: Yes.
16 BY MR. ELKINS:
17 Q Let me just back up for a minute.
18 During the period April to September of 2012,
19 did you have a job?
20 A Yes.
21 Q And what did you do?
22 A Housekeeping.
23 Q Where did you work?
24 A At the Peppermill.

1 Q What's the Peppermill?

2 A Reno Peppermill Casino and Spa.

3 Q Okay. And what did you do there?

4 A Room attendant, housekeeping.

5 Q When did you start?

6 A June 2012.

7 Q And how did you get that job?

8 A I got up and applied wherever I saw and found

9 that opportunity.

10 Q Okay. Did you have any assistance applying

11 for the job?

12 A No.

13 Q How long did it take you to find that job?

14 Let me rephrase that.

15 How long had you been looking for work when

16 you found that job?

17 A Two months.

18 Q Okay. So that was about the time you got

19 into the shelter?

20 A I was in the shelter, yes.

21 Q So you went to work at the Peppermill.

22 What about Mr. Hunt-Taylor? Was he working?

23 A Not in June 2012.

24 Q Did there come a time when he got a job?

1 A Yes.

2 Q And where was he working?

3 A I do not know what they call those people.

4 Q No, no. Where did he work?

5 A Oh, I don't know the name of the company, but

6 I can tell you what he did.

7 Q What did he do?

8 A He had a clipboard, and he will ask people if

9 they are registered to vote.

10 Q Oh, okay.

11 So doing voter registration?

12 A If that's what it's called.

13 Q When was that; do you remember?

14 A July 2012 up to August 2012.

15 Q Okay. So you went to the Prayer House. I'm

16 sorry. When was that?

17 A After September 2012, between September 2012

18 and October 2012.

19 Q And how long did you stay at the Prayer

20 House?

21 A Two weeks.

22 Q What happened?

23 A My name came up on the list at -- excuse

24 me -- the family's name came up on the list for another

1 family shelter.

2 Q Because you had said that it was just you and
3 the kids at the Prayer House.

4 A Yes.

5 Q So you went to a family shelter. What
6 shelter was that?

7 A The Family Promise.

8 Q Who all was at Family Promise? In your
9 family, who lived at Family Promise?

10 A The family. Well, excuse me. Robert, the
11 three children, and myself.

12 Q Okay. How long did you stay at Family
13 Promise?

14 A Until Family Promise closed down in early --
15 early late -- excuse me -- late November, early December
16 2012.

17 Q Now, let me just back up a minute.

18 Did Robert stay the whole time?

19 A No.

20 Q And why is that?

21 A There was an issue that involved him.

22 Q What was the issue?

23 A From my understanding --

24 MS. ELCANO: Objection. Hearsay.

1 THE WITNESS: From my knowledge --

2 THE COURT: This is where he was accused of
3 stealing?

4 MR. ELKINS: That's correct, Judge. So I can
5 move on.

6 BY MR. ELKINS:

7 Q Is that right, he was accused of stealing a
8 phone?

9 A Yes.

10 Q So let's just move on.

11 So in early December 2012 where did you go?

12 A Repeat that again.

13 Q You said the Family Promise shelter closed in
14 early December of 2012.

15 A Yes.

16 Q Where did you go then?

17 A To my apartment.

18 Q Where was the apartment?

19 A Do I need to get an address?

20 Q A street will do.

21 A South Virginia Street.

22 Q South Virginia Street. Is it a complex of
23 some kind?

24 A A complex.

1 Q And do you remember the name of the complex?
2 A Yes.
3 Q What is it?
4 A Southwest Village Apartments.
5 Q South --
6 A Southwest Village --
7 Q Okay.
8 A -- Apartments.
9 Q Were you employed at that time?
10 A Yes.
11 Q Still at the Peppermill?
12 A No.
13 Q Okay. So let's just back up.
14 How long did you keep the housekeeping job at
15 the Peppermill?
16 A One month.
17 Q One month?
18 A One month.
19 Q So what happened with your job at the
20 Peppermill?
21 A I fainted.
22 Q What do you mean, you fainted?
23 A I overworked myself.
24 Q Where were you when you fainted?

1 A In one of the rooms, the guest rooms.
2 Q Okay. Did you get medical attention?
3 A Yes.
4 Q Where did you go?
5 A Renown.
6 Q Did they keep you in the hospital?
7 A No.
8 Q So as a result of fainting, what happened?
9 A I was excused for a few days and was told not
10 to come back.
11 Q Did there come a time when you got another
12 job?
13 A Yes.
14 Q Where was that?
15 A The Service Company.
16 Q That's what it's called, The Service Company?
17 A The Service Company.
18 Q What do they do?
19 A They provide cleaning services.
20 Q And where were you assigned?
21 A I was assigned to the Harrah's property.
22 Q Harrah's?
23 A Harrah's.
24 Q H-a-r-r-a-h?

1 A H-a-r-r-a-h-s.

2 Q Okay. And what did you do for them?

3 A Room attendant.

4 Q And when did you get that job?

5 A October 2012.

6 Q So you were out of work for three months?

7 A Yes.

8 Q So when you moved into Southwest Village,

9 where were you working? When you moved into the

10 Southwest Village Apartments, where were you working?

11 A At The Service Company.

12 Q Okay. Did you have any assistance moving in?

13 A No.

14 Q And do you recall what the arrangements were?

15 In other words, what did you have to do to move in?

16 A I had to pay a deposit and pay the rent.

17 Q Do you recall what the deposit and rent were?

18 A Yes.

19 Q What were they?

20 A Three hundred dollars.

21 Q Do you remember what you were making at the

22 time?

23 A What was that?

24 Q How much money were you making at the time?

1 A Nine dollars an hour.

2 Q Were you receiving any public benefits?

3 A As in myself or as in the family?

4 Q The family.

5 A The family was, yes.

6 Q Receiving what?

7 A Food stamps and WIC.

8 THE COURT: Food stamps and what?

9 THE WITNESS: WIC, Women, Infants, Children

10 benefits.

11 BY MR. ELKINS:

12 Q Let's talk about something for a minute.

13 Did you have a problem with the food stamp

14 program?

15 A Yes.

16 Q Could you explain that to the judge for me?

17 A There was a situation where I had a case open

18 in California. I did not close properly and went to

19 Nevada, opened a case in Nevada, not knowing that the

20 case in California was closed properly, and that

21 conclusion was a fraud.

22 Q So what is your understanding of what

23 happened in California?

24 A Can you repeat that?

1 Q Yes. Did you have any understanding of what
2 happened in California after you relocated?
3 A No.
4 Q With your food stamps?
5 A No.
6 Q Were you getting the California food stamps
7 in Nevada?
8 A For myself and Roberto.
9 Q Okay. So you continued to get some
10 California food stamps?
11 A At the same time as Nevada, yes.
12 Q And so that was not proper?
13 A Right.
14 Q Okay. And so you got sanctioned?
15 A What's that mean?
16 Q You got a penalty; correct?
17 A (No audible response.)
18 Q How did it affect you?
19 A Oh, I was not able to qualify for food stamps
20 for myself for ten years, until 2020.
21 Q Or could you do something else?
22 A I could have gone in jail.
23 Q Actually, that's not what I meant.
24 Was there an amount of money involved?

1 A Yes.

2 Q How much was it; do you know?

3 A TANF-wise or the money I owed?

4 Q The money you owed.

5 A \$425.

6 Q \$425?

7 A It was more. That's a present amount I owe

8 now.

9 Q What was it originally?

10 A I don't recall the exact amount, but it was

11 more than that.

12 THE COURT: That's what you owe food stamps

13 in order to requalify?

14 THE WITNESS: Well, I still have to pay that,

15 but I will not qualify right away. I still have to wait

16 until 2020.

17 BY MR. ELKINS:

18 Q If you paid the money, you still wouldn't get

19 food stamps?

20 A I still wouldn't get it.

21 Q Have you paid some money to the food stamps?

22 A Yes.

23 Q How much money have you paid?

24 A I've done it in payments. I know I've

1 deducted to 425.

2 Q Approximately how much was it originally?

3 A I was doing small payments of \$25 a month.

4 Q But how much was the amount originally; do
5 you know, approximately?

6 A Approximately, I want to say between \$800 to
7 a thousand.

8 Q Okay. And over what period of time have you
9 paid it down to 425?

10 A Since 2009, August 2009.

11 Q So in five years, six years --

12 A Yes.

13 Q -- you've paid around \$500?

14 A Yes.

15 Q But the family was getting food stamps, you
16 said, and WIC?

17 A Yes.

18 Q When you were living at Southwest?

19 A Yes.

20 Q Anything else? Any other benefits?

21 A What month are we talking about?

22 Q You moved in, I believe you said, in December
23 2012.

24 A December 2012, yes. Just food stamps.

1 Q No TANF at that time?

2 A No.

3 Q And how long did you stay at Southwest

4 Village Apartments?

5 A Until mid-March 2013.

6 Q And what happened in mid-March?

7 A I had already lost my job.

8 Q When did you lose your job?

9 A December 25, 2012.

10 Q What happened on December 25, 2012, that made

11 you lose your job?

12 A I was laid off.

13 Q Okay. So you lost your job at the end of

14 December.

15 What about Robert Hunt-Taylor?

16 A He was still working.

17 Q What was he doing?

18 A Excuse me. He was working through The

19 Service Company, doing kitchen porter.

20 Q Okay. So he was still working in December,

21 and how long did he work until --

22 A Until late January 2013.

23 Q And what happened?

24 A He was laid off as well.

1 Q So as of February of 2013 you were both
2 unemployed?
3 A No.
4 Q You were both unemployed?
5 A No.
6 Q So somebody was working?
7 A Yes.
8 Q Who was working?
9 A Robert.
10 Q I'm sorry. Where did he work then?
11 A Liberty Taxes.
12 Q Okay. I'm sorry.
13 What was he doing for Liberty Taxes?
14 A Sign waver.
15 Q Until when was he a sign waver?
16 A Between March 2013 to April 2013, until tax
17 seen ended.
18 Q All right. So your income was reduced?
19 A Yes.
20 Q And what happened?
21 A Me and Robert had a conversation about moving
22 to a smaller unit so we'd be able to afford a roof over
23 our heads.
24 Q So what did you do?

1 A We moved our stuff into storage, looked for
2 an apartment, and moved into a motel room trailer.
3 Q Do you recall what you were paying at
4 Southwest?
5 A Yes.
6 Q How much?
7 A 550 a month.
8 Q In the process of moving, where were you with
9 your lease?
10 A Four months into my lease.
11 Q How did the landlord respond to that?
12 A Did not like it.
13 Q And so what did they do?
14 A I guess put an eviction on my record for
15 breaking the lease.
16 Q Then how long did you live in the motel?
17 A We lived in a motel for one month.
18 Q From when to when?
19 A March 26, 2013, until the end of April 2013.
20 Q Did something happen during that period of
21 time?
22 A Yes.
23 Q Well, before I get there --
24 A Excuse me.

1 Q That's fine.

2 So what was the arrangement -- first of all,
3 what motel?

4 A The Sundance Motel. Sundance -- excuse me --
5 Motel in downtown Reno.

6 Q Okay. And what did you have to pay for the
7 room?

8 A Cash.

9 Q I mean how much?

10 A We were paying weekly.

11 Q How much?

12 A 150.

13 Q Okay. Were there any other expenses
14 associated with that? Did you have any other expenses in
15 relation to the room besides --

16 A Yes.

17 Q What was it?

18 A Diapers, wipeys.

19 Q In relation to the room, did you have to pay
20 anything else?

21 A Yes.

22 Q What was that?

23 A Excuse me. The deposit to the apartment that
24 we found.

1 Q I'm sorry.

2 In relation to, say, what you were paying to
3 Sundance Motel, aside from the room rate, did you have to
4 pay them any other money? Were you asked to pay them any
5 other money?

6 A The motel?

7 Q Yes.

8 A Yes.

9 Q What?

10 A More money for the further weeks.

11 Q I understand that.

12 Aside from the rent they were charging you on
13 the room, did they charge you some other fee at the
14 motel?

15 A Are we talking about weekly or are we talking
16 about after the month was paid?

17 Q Either way.

18 A Okay. After the month was paid, yes.

19 Q What?

20 A Two hundred.

21 Q For?

22 A For the pet deposit.

23 Q A pet deposit. Why was that?

24 A Because pets were required to pay a deposit

1 or --

2 Q Why did you have to pay a pet deposit?

3 A Because we had a pet.

4 Q What pet was that?

5 A Jimmy. Excuse me. The cat.

6 Q So during this time -- I'm sorry.

7 You said that Robert Hunt-Taylor had been
8 working at Liberty Taxes as a sign waver. When did that
9 end, about?

10 A About March, April 2013, tax season.

11 Q Do you remember the date?

12 A Yes. April 14, 2013.

13 Q That was when his job ended?

14 A Yes.

15 Q April 14th?

16 A Yes.

17 Q During this period of time in April -- late
18 December or early 2013, did you have any contact with
19 Social Services?

20 A Yes.

21 Q Can you describe that for the judge?

22 A The first contact I had between -- what were
23 the days?

24 Q Late 2012 or sometime in 2012 and early

1 2013 --

2 A Yes.

3 Q -- April 2013.

4 A I had contact with Social Services on October
5 2012 for a report made. I don't remember the report,
6 what was it for, but I had Andrea Menesini was assigned
7 as my worker. She was my worker all the way
8 until -- excuse me -- all the way up until January. I
9 believe it was until March 2013. Excuse me.

10 Q And you say she was your worker. What do you
11 mean?

12 A She was assigned to me as an investigative
13 worker.

14 Q What was she investigating?

15 A The reports made.

16 Q About?

17 A Against me and my children.

18 Q About what; do you know?

19 A I remember one of them was Roberto -- my
20 oldest son smelling in class. There was another report
21 about me hitting my daughter.

22 Q Did you hit your daughter?

23 A No. She checked.

24 I know there was another report. I don't

1 remember the other report.

2 Q The reports that you just mentioned, were
3 they in 2012 or were they --

4 A 2012.

5 Q All right. In any event, Ms. Menesini
6 supervised for a while, and did she ever remove your
7 children from your custody?

8 A No.

9 Q How long did she -- you said from October
10 through approximately April, six months?

11 A March, yeah. Yes.

12 Q Okay. How often would you see her?

13 A She would do pop-up visits, so I would say
14 maybe about one or two visits a week. One was scheduled
15 and one wasn't scheduled.

16 Q You said something about Robert smelling in
17 school. Where did he go to school?

18 A Libby Booth Elementary.

19 Q How old was Robert?

20 A Around that time he was about four, five
21 years old.

22 Q Okay. And I think you testified you had him
23 in school in --

24 A Lake Havasu City, Arizona.

1 Q So you put him in school here, too?

2 A Yes. To continue the services.

3 Q And was there an issue with Robert going to

4 the school, getting to the school?

5 A At one point, yes.

6 Q And why is that?

7 A Transportation.

8 Q Okay. What resources did you have at that

9 time?

10 A I had -- I do not know her title, but she

11 works with the school district, helping with

12 transportation, and specific for homeless, needy

13 children, for low income as well.

14 Q Was there any reason why Robert wasn't going

15 to school every day? You said transportation. Any

16 others?

17 A There was two, three reasons. He was sick --

18 Q And --

19 A -- physically.

20 Q Anything else?

21 A Not that I recall.

22 Q So, then, there came a time -- well, did

23 something happen at the Sundance Motel in April of 2013?

24 A Uh-huh.

1 Q What happened?

2 A I had -- there was a report made, three
3 reports made, from what I was told by workers. One of
4 the reports was that I food-poisoned my children, another
5 report was saying that I was being evicted, and I believe
6 the third report was that my children had no food.

7 Q Did your children have food?

8 A Yes.

9 Q To your knowledge, did they ever have food
10 poisoning?

11 A No. I took them to the hospital to verify my
12 children did not get food poisoning from home food.

13 Q And then the last one was? You said there
14 were three: Not feeding them, food poisoning, and what
15 else?

16 A And eviction.

17 Q Eviction, okay.

18 So what happened?

19 A So the workers asked if they can come in. I
20 said, "Yes."

21 Q When was that; do you recall?

22 A April 2013 at 7 p.m.

23 Q And what happened?

24 A The workers asked if they can come in. I

1 said, "Yes." I let them in. They walked into the room,
2 they asked me the children's names, and I gave them the
3 names, and they had asked me to sign a paper.

4 Q Okay. Did they tell you why they were there?

5 MS. ELCANO: Objection. Hearsay.

6 MR. ELKINS: I think it's a legally
7 significant statement.

8 THE COURT: Let's go ahead and hear her
9 story. I understand you're objecting, but the sooner we
10 get this done, the less pain we're all going to go
11 through.

12 BY MR. ELKINS:

13 Q Did they tell you the reason they were there?

14 A To investigate the three calls.

15 Q What was the basis, do you know, of the
16 report about eviction?

17 MS. ELCANO: Objection. She has no personal
18 knowledge. She didn't make the report.

19 THE COURT: What were you told?

20 THE WITNESS: By the social workers?

21 THE COURT: Yes.

22 THE WITNESS: That I was being evicted.

23 MS. ELCANO: If I could have an ongoing
24 hearsay objection when it comes up.

1 THE COURT: That's fine.
2 Go ahead.
3 BY MR. ELKINS:
4 Q So you were told you were being evicted?
5 A Yes.
6 Q And is that something you knew or had known?
7 A No.
8 Q Did you understand what the problem was?
9 A No.
10 Q Did you ever have a conversation with anyone
11 from Sundance about that? Yes or no?
12 A No.
13 Q All right. To your knowledge was there a
14 dispute over money?
15 A Just the \$200 deposit.
16 Q For?
17 A The cat.
18 Q So when the workers were there, did you have
19 any conversations with them about where you might go,
20 where the children might go?
21 A Yes.
22 Q And what was that?
23 A I told them that I'd go to Prayer House if I
24 was really being evicted.

1 Q And did you tell them anything else besides
2 Prayer House?
3 A Yes. I told them there was my father's house
4 and my mother's house.
5 Q Did you do anything at that time?
6 A Yes.
7 Q What did you do?
8 A Got on the phone.
9 Q And who did you get on the phone with?
10 A First I called my dad. No answer.
11 Q Okay. And then?
12 A I called my mother. She answered.
13 Q Okay.
14 A Do I continue?
15 Q Yes.
16 A Sorry. Then there was a conflict between my
17 mother and me. She thought I was making the story up
18 about the workers actually being there, so she said
19 to -- an inappropriate word to leave her alone.
20 Q So then what happened? What was the end
21 result?
22 A The workers Erika and Julia had said they
23 need to speak to their supervisor. They stepped outside
24 of the room, I continued on with my basic routine that I

1 was doing before they arrived, and they come back in the
2 room and asked me to sign a paper.

3 Q Okay. And then what happened?

4 A And I told them I was not going to sign the
5 paper. I didn't know what I was signing.

6 Q Then what happened?

7 A Then there was a conflict where Ms. Erika,
8 the social worker, had to grab my two older children and
9 ask them to please follow her to the car to go somewhere
10 fun.

11 Q Okay. And then what happened?

12 A And then Julia had asked me, "Please sign the
13 paper."

14 I said, "No." She insisted that I sign the
15 paper, and I told her, "No, until I know what I'm signing
16 and why am I signing this paper."

17 She said if I didn't sign, she was going to
18 call the police and have me arrested.

19 I asked, "Why am I being arrested? What am I
20 doing wrong by not signing this paper? Why are my
21 children's names and birth dates on this paper?"

22 She refused to tell me.

23 Robert told me, "Just let the kids go. We'll
24 take it to court."

1 I said, "Okay. But I still wasn't letting go
2 of my son." I was breast-feeding Nathan at the time.

3 Ms. Julia took Nathan out of my arms
4 forcefully, and I don't remember after that point. I
5 remember being at the hospital.

6 Q Okay. Have your children ever been back in
7 your custody since that date?

8 A No.

9 Q After your children were removed,
10 Ms. Guerrero, did there come a time when you met with
11 anybody from the Department of Social Services?

12 A Not until the court date on Monday.

13 Q Okay. And then after that did you have
14 meetings with the Department of Social Services?

15 A What was the question?

16 Q After that original court date, then did you
17 have meetings with the Department of Social Services?

18 A Not until I met Rocio.

19 Q Okay. Who is Rocio?

20 A My worker assigned for reunification.

21 Q Is that Ms. Lopez right here?

22 A Yes.

23 Q And what did you tell Ms. Lopez when you met
24 her?

1 A I first introduced myself. She introduced
2 herself.

3 Q Okay. I don't need too much detail.

4 A Okay.

5 Q Let me just back up a little.

6 Did they tell you why you couldn't keep your
7 children?

8 A Why I received them or why --

9 Q Why you could not keep them in your care, why
10 they had taken them into custody.

11 A I believe I still didn't understand her and I
12 still kept asking questions.

13 Q What were you told --

14 A Yes.

15 Q -- was the reason?

16 A Attempted to be told, yes.

17 Q Which was?

18 A That I was being evicted.

19 Q Okay. And so when you met with Ms. Lopez,
20 did you tell her anything in relation to that?

21 Judge, if I might --

22 When you met with Ms. Lopez, what did you
23 tell her about your living arrangements?

24 A I told her I was getting an apartment.

1 Q And can you tell the judge how you got that
2 apartment?

3 A I got that apartment by apartment searching
4 with my ex, Robert Hunt-Taylor. We found that apartment
5 in March of 2013.

6 Q When?

7 A March 2013.

8 Q That was before the children were taken?

9 A Yes.

10 Q What apartment was that?

11 A The Linden apartments.

12 Q Then why were you not living in that
13 apartment in the middle of April of 2013?

14 A The apartment was not ready.

15 Q And when you said you had found it, what
16 exactly -- how did you find it?

17 A Craigslist.com.

18 Q What arrangements had you made with the
19 apartment?

20 A Oh, I had given them my deposit. They
21 were -- still needed to inspect the property and wait for
22 the last attendant -- I don't know if it's the right
23 word -- to move out and --

24 Q Tenant?

1 A Resident.

2 Q Right.

3 A -- to move out and be able to finish
4 painting, putting new carpet, and make sure all the
5 appliances were working properly, and it took them a long
6 time.

7 Q So someone was in the apartment at the time?

8 A Yes.

9 Q And when did they tell you it would be
10 available?

11 A The first time or second time? The first
12 time they told me it would be available in the first two
13 weeks of April. That's when we extended our time at the
14 motel, because it took longer.

15 Q Okay.

16 A And our final, last contact was in end of
17 April after the children were removed, the apartment will
18 be ready on April 1st.

19 Q April 1st?

20 A May 1st. Excuse me. I get my months mixed
21 up.

22 Q All right. And how did you pay for it?

23 A Robert and I had saved some money and we were
24 receiving TANF at the time.

1 Q How much were you getting?

2 A If I'm correct, I think it's 513.

3 Q And how much was the rent on the apartment?

4 A First month was special, so it was 350 moves

5 you in, and the month after was -- rent was 450 a month.

6 Q How did you expect to pay for an apartment

7 that cost \$400 a month with \$513 in TANF?

8 A Can you repeat that?

9 Q How did you expect to pay for an apartment

10 that cost \$450 a month with \$513 in TANF money?

11 A How was I expecting to pay a \$450 rent with

12 513 TANF?

13 Q Yes.

14 A Well, me and Robert did some talking about

15 the budgeting before we -- okay. We did budgeting,

16 saying, okay, we have enough rent there. Do we have

17 enough for the light bill and other expenses? So then

18 Robert went to Biomat to have the extra income.

19 Q I'm sorry. To do what?

20 A To Biomat to donate plasma.

21 Q Okay. How did that work?

22 A It didn't bring a big help, but it

23 was something.

24 Q My question is, can you explain the process

1 to the judge?

2 THE COURT: I think I know. I started
3 donating blood after I retired. What they do is they
4 run -- they take blood out, take the plasma, and put the
5 blood back, I think is what they do.

6 BY MR. ELKINS:

7 Q How much were you paid for that?

8 A Robert was paid, I think, \$30 every time he
9 donated. You can donate two times a week.

10 Q During this period of time before the
11 children were removed and after you planned on getting
12 this apartment, what, if anything, were you doing to find
13 work?

14 A I was going to JobConnect and the library to
15 apply for places online.

16 Q How many applications would you say you did a
17 week?

18 A One or two a week.

19 Q And how did you find out what to do, where to
20 apply?

21 A How did I find out --

22 Q Where did you find out where to apply?

23 A JobConnect.

24 Q What is that? I don't know if the judge is

1 familiar with that.

2 A JobConnect is a place where they help you
3 with resources such as résumés, job searching, proper
4 interview skills, typing skills. If you need help with
5 any clothing, they help you with the proper clothing, to
6 see if it's appropriate or not appropriate. Proper
7 language definitions, vocabulary to be able to speak to
8 others, and phone calls and referrals.

9 BY MR. ELKINS:

10 Q How long had you been going there?

11 A Approximately about since 2012.

12 Q Had you gotten jobs through there before?

13 A Yes.

14 Q What jobs did you get through there?

15 A Peppermill.

16 Q All right. So when you met Ms. Lopez, did
17 you have a conversation with her about this apartment?

18 A I believe so.

19 Q The Linden Street apartment?

20 A Yeah, I believe so.

21 Q What did you tell her?

22 A That I was getting an apartment and I would
23 like for her to go check it out.

24 Q And did there come a time when you occupied

1 the apartment?

2 A Occupied as in --

3 Q Did you move in?

4 A Yes.

5 Q When was that?

6 A May 5, 2013.

7 Q So if I'm correct, you didn't go out and find

8 this apartment between April 19th and May 1st?

9 A No.

10 Q In that two-week period?

11 A No. Impossible.

12 Q So you move into the Linden Street apartment;

13 correct?

14 A Yes.

15 Q And that's the one you've described?

16 A Yes.

17 Q And we've already talked about the visits and

18 such.

19 A Yes.

20 Q So let's talk about your finances at the

21 Linden Street apartment.

22 THE COURT: Let's find a place to take a

23 break.

24 MR. ELKINS: This would be fine.

1 THE COURT: Let's take about a 15-minute
2 break.

3 (A recess was taken.)

4 THE COURT: I'll remind you you're still
5 sworn.

6 This is Case No. FV14-03897 in the matter of
7 the parental rights of Taylor children as alleged in the
8 petition. The parties are present with their counsel.
9 Ms. Guerrero was still on the stand.

10 Again, I'll remind you you're still sworn in
11 this proceeding.

12 Go ahead, Mr. Elkins.

13 MR. ELKINS: Thank you, Judge.

14 BY MR. ELKINS:

15 Q So we were talking about the finances at the
16 Linden Street apartment.

17 While you were there at Linden, in what
18 months were they again?

19 A That I resided at the Linden Street
20 apartments? From May 2013 was the first month, and the
21 last -- may I ask a question?

22 Q No. Just answer the question I asked you.

23 A That I resided?

24 Q Yes. How long --

1 A Resided?

2 Q Lived. Lived.

3 A Lived, okay. Sorry.

4 Q I'm sorry, Jackie. If I use a word that you
5 don't understand, of course you can ask a question. I
6 didn't mean to cut you off, but if there's a word or if
7 you don't understand the question, just say, "I don't
8 understand the question." Okay?

9 A Okay.

10 THE COURT: If you don't understand the
11 question, ask him to ask it again.

12 THE WITNESS: Okay. Thank you. Sorry.

13 BY MR. ELKINS:

14 Q From when to when did you live at the Linden
15 Street apartment?

16 A From May 2013 to December 2013.

17 Q And how much was the first month move-in
18 rent?

19 A The move-in special was \$350 for rent.

20 Q And after that?

21 A Month by month was \$450.

22 Q And did there come a time while you
23 were -- well, I'm sorry. I'll try to get this organized.

24 What income did you have while you lived at

1 the Linden Street apartment? Let's go month by month if
2 you can. So what income did you have when you first
3 moved in?

4 A When we first moved in, the first income that
5 we had, we had TANF, which is the cash assistance.

6 Q How much was that?

7 A 513 a month.

8 Q And?

9 A And we had Robert's donation money from
10 plasma. Plasma donation. Sorry.

11 Q How much did that come out to?

12 A Weekly, if he donated twice a week -- if he
13 donated twice a week, it will be \$60 a week.

14 Q And any other income? I'm talking now --
15 let's talk about, like I said, monthly. Let's talk about
16 May.

17 A Yes.

18 Q Do you remember if Robert donated plasma in
19 May or not?

20 A Yes.

21 Q And do you know how many times?

22 A Approximately five to six times a month, if
23 I'm right.

24 Q May is only a month, so I'm talking about the

1 month of May.

2 MS. ELCANO: I'll just renew my hearsay
3 objection, Your Honor.

4 MR. ELKINS: Okay.

5 THE COURT: So noted.

6 BY MR. ELKINS:

7 Q Did you ever go with him when he did that?

8 A Yes. All the time.

9 Q So do you recall -- I know it was two years
10 ago. Do you recall how many times in May he might have
11 done that?

12 A About six times a month. Excuse me. Six
13 times a month, approximately.

14 Q Okay. So how much money would that have
15 been?

16 THE COURT: \$180.

17 MR. ELKINS: Thanks, Judge.

18 BY MR. ELKINS:

19 Q All right. Moving along, so that's plasma.

20 Did you have other resources, income, in May?

21 A Resources as in community helping me or as in
22 myself trying to make money?

23 Q Well --

24 A Excuse me. Independent money?

1 Q Let's just take it one step -- did you get
2 food stamps? Who got food stamps?
3 A Robert and the children.
4 Q So they had food stamps.
5 Do you recall the amount of the food stamps?
6 A \$668.
7 Q Okay. All right. Aside from TANF, the
8 plasma donations, food stamps, in May, the first month,
9 was there any other income?
10 A Income as in just --
11 Q Did you raise money for the household in any
12 other way in May?
13 A Yes.
14 Q Doing what?
15 A Collecting bottles and cans.
16 Q In May?
17 A In May.
18 Q How much did you get from bottles and cans in
19 May; do you have any idea?
20 A Depending on the amount of weight, depending
21 on the amount tooke[n] [sic], so the luckiest I've gotten
22 is \$30 out of five big trash bags.
23 Q All right. That's the most you ever got.
24 Do you know what month that was?

1 A May.

2 Q May?

3 A May.

4 Q All right. So bottles and cans, plasma. All
5 right.

6 So in terms of food stamps, are there items
7 you can and cannot buy with food stamps?

8 A No.

9 Q I'm sorry. I think I confused you.

10 Can you buy anything you want to with food
11 stamps?

12 A No. Oh, no.

13 Q So what kinds of things can you not buy with
14 food stamps?

15 A What kinds of things I can?

16 Q Cannot.

17 A Cannot.

18 Q Cannot buy with food stamps.

19 A Cleaning supplies, diapers, wipeys, light
20 bill, rent, shoes, clothes.

21 Q Okay. But are there any items that you would
22 buy in a grocery store, for example, that you can't buy
23 with food stamps?

24 A Yes.

1 Q Such as?

2 A I believe cooking oil.

3 Q Anything else?

4 A Vinegar. I'm not quite sure. Yes.

5 Shampoos, conditioners, body wash, such as hygiene stuff.

6 Q Hygiene stuff?

7 A Yes.

8 Q Anything else?

9 A Laundry. Did I say diapers and wipeys?

10 Q Okay. Now, let's talk about community
11 resources.

12 Were there resources in the community where
13 you could go to get items?

14 A Uh-huh.

15 Q Where could you go and what kind of items?

16 A Okay. I went to St. Vincent De Paul's food
17 bank to get a monthly box of food, which they gave you a
18 box once a month. Went to their emergency assistance
19 where they help you with hygienes, diapers, wipeys,
20 clothing vouchers, sometimes if you need help -- cash
21 assistance of any form, like a light bill. Rent
22 assistance they can help with.

23 Q What's that called, St. Vincent De Paul?

24 A St. Vincent De Paul's emergency services.

1 There's the other ones -- do I need to
2 specify all or a few?

3 Q Well, let me ask you this.

4 You personally, where have you gone and what
5 kind of assistance have you gotten in the community? For
6 example, St. Vincent De Paul, what did you personally get
7 from St. Vincent De Paul?

8 A Food, diapers, and hygienes. If possible
9 with the hygienes part.

10 MS. ELCANO: Can we clarify when?

11 THE COURT: I think she said May.

12 BY MR. ELKINS:

13 Q Was this in May that you got these things?

14 A When did I first start going?

15 Q Yes. When did you first start going?

16 A August 2009.

17 Q Okay. But what about in May of 2013? Did
18 you go to St. Vincent's?

19 A Yes, I did.

20 Q Where else did you go?

21 A Also I went to Casa De Vida to get clothing,
22 diapers, wipeys, formula -- well, excuse me, not formula.
23 Clothing, wipeys, diapers for the children. Also got
24 clothes for myself. Then I went down to the diaper bank,

1 which you have to pay two dollars in order to get
2 diapers, and that's every time you go, you pay two
3 dollars. So I got diapers and were able to meet my
4 children's diapers needs.

5 Q In May of 2013 were any children living with
6 you?

7 A No.

8 Q So why were you getting these things, diapers
9 and --

10 A To prepare for their visits.

11 Q Okay. Go ahead.

12 A Okay. Casa De Vida. I went to Good
13 Shepherd's, which is located on Record Street, which they
14 help with clothing. You bring them a voucher, and they
15 give you a month-to-month access to get clothing. So I
16 got clothing for myself and the children as well, and
17 that is free, don't have to pay a thing.

18 What other services? I went to Lady of Snows
19 for their food bank and clothing closet. I have gone to
20 St. John's Church also for the same, clothing and food.

21 Q Let me ask you a question.

22 Did you do all of this in May of 2013?

23 A Sadly, yes.

24 Q Okay. Let me back up a minute.

1 Was there any obstacle to getting into that
2 apartment on Linden Street?

3 A Yes.

4 Q Any financial obstacle?

5 A Yes.

6 Q What was that?

7 A My light bill.

8 Q How much was that at the time?

9 A Two hundred.

10 Q And what did you do about that?

11 A I figured a way to pay it.

12 Q How did you figure out how to pay it?

13 A I had Robert donate plasma, and the money I
14 had from the cans and -- cans that I sold recycling-wise,
15 we was able to get some of that money and some of the
16 TANF money to pay the difference. So we -- what do you
17 want to say -- budget.

18 Q Okay.

19 A Subtracted.

20 Q Okay. So I'm sorry. We were doing the
21 expenses, I think.

22 So you had TANF, you had the plasma
23 donations, the food stamps, cans, and then you had your
24 community resources.

1 So can I ask you, then, Ms. Guerrero, it's
2 true, then -- well, withdraw. I'm sorry. Let me
3 rephrase the question.

4 In May were your expenses covered?

5 A Yes.

6 Q How about June?

7 A Yes.

8 Q July?

9 A July 2013; right?

10 Q Yes.

11 A Yes.

12 Q Were you able to meet all of your expenses
13 throughout the seven months you were in the apartment?

14 A Not in August.

15 Q Okay. What happened in August?

16 A Money started coming up missing.

17 Q Can you explain to me what you mean?

18 A The budgeting, Mr. Robert Hunt-Taylor and I
19 and Cassie were budgeting. There was a short amount of
20 money missing out of that amount that we were supposed to
21 subtract.

22 Q I don't understand what you mean by
23 "missing."

24 A Okay. Out of the \$513 that we were supposed

1 to deduct 450 out of that, there was about 30 to \$40
2 missing out of the extra amount of money that we were
3 supposed to use for the light bill utilities.

4 Q That extra amount of money, where did that
5 come from?

6 A Subtracting the 513 from the 450.

7 Q Right. So what's the difference -- well, 513
8 from 450, that would be \$63.

9 A Correct.

10 Q What about --

11 THE COURT: You mentioned the name Cassie.

12 THE WITNESS: Yes. Cassandra Pasley.

13 BY MR. ELKINS:

14 Q Do you have this binder in front of you?

15 A No.

16 MR. ELKINS: May I approach the witness?

17 THE COURT: Cassandra, that's the Children's
18 Cabinet worker?

19 MS. ELCANO: Case manager, yes, Your Honor.

20 BY MR. ELKINS:

21 Q I'm going to hand you this binder. I'm going
22 to ask you to open it to Exhibit 3. See the tabs?

23 Do you recognize that document?

24 A Yes.

1 Q What is that?

2 A That is the household budget form.

3 Q Okay. Do you know where the numbers on that
4 document came from? Where did the numbers that are
5 written on there come from?

6 A As in who wrote them?

7 Q Okay. Who wrote them?

8 A Ms. Cassie Pasley.

9 Q Where did she get the numbers; do you know?

10 A I don't remember.

11 Q Okay. The number 345 --

12 MS. ELCANO: Your Honor, if I may, Ms. Pasley
13 did testify that she did not write all of this
14 information.

15 MR. ELKINS: I don't know that that's an
16 objection, but it's okay.

17 MS. ELCANO: I objected as to authenticity to
18 it, and I think the question was to the amount of weight
19 that was placed on it, so I just wanted to --

20 MR. ELKINS: Okay. I'm sorry.

21 BY MR. ELKINS:

22 Q Where was I?

23 You don't recall where the numbers came from?

24 A No.

1 Q Does the number 345 mean anything to you?

2 A No.

3 Q Okay. The number 35 next to "cell phone,"

4 does that mean anything to you?

5 A As in do I know where it comes from?

6 Q Yes. Do you know where that money would come

7 from?

8 A It says for a cell phone.

9 Q No. I'm not asking you to read the document.

10 I'm asking you, do you have any idea where the number 35

11 with regard to cell phones would come from?

12 A No.

13 Q The 513 next to "TANF," is that --

14 A This number looks correct.

15 Q 559 next to "food stamps," was that a

16 familiar amount?

17 A No.

18 Q So do you remember the process of making this

19 document, what was going on here?

20 A Yes.

21 Q What was it?

22 A It was an example form.

23 Q Example of what?

24 A Excuse me. This was the first form, when we

1 started budgeting, that she showed me the first time. It
2 was supposed to be an example of how the budgeting
3 was -- the paper, form was supposed to be filled in and
4 how to subtract things and add things.

5 Q Okay. In the bottom right-hand corner
6 there's some writing.

7 A Yes.

8 Q Whose handwriting is that?

9 A Mine.

10 Q So was there ever a time when the rent on
11 that apartment at Linden Street was \$345?

12 A The exact amount, no.

13 Q Was there a time when it was approximately
14 that amount?

15 A Yes.

16 Q When was that?

17 A In May of 2013.

18 Q Which was when?

19 A A month before that.

20 Q Why was it that amount that month?

21 A Move-in special.

22 Q Thank you.

23 I'm sorry. We were talking about August
24 2013, and you said that your expenses were not being met

1 at that time.

2 A Correct.

3 Q And why is that?

4 A There was \$30 missing out of the
5 budget -- subtraction.

6 Q Again, when you say "missing," I don't
7 understand what you mean by that.

8 A Meaning as in I do not know where the \$30
9 went to or where it was spent.

10 Q Could you explain to the judge how money was
11 handled in your household?

12 A Money was discussed through me and Robert and
13 at the time with Cassie, which is the Children's Cabinet
14 worker -- excuse me -- and when Ms. Cassie and I and
15 Robert were subtracting the numbers, we noticed the \$30
16 were supposed to be extra, and they were nowhere to be
17 found, where or to whom spent or where did it go to.

18 Q Let me ask you something, Ms. Guerrero.

19 In terms of your personal spending during
20 May, June, July of 2013, what were your personal
21 expenses?

22 A Laundry and -- yeah. Laundry, laundry soap,
23 and if I was able to have hygienes, get hygienes.

24 Q Any other personal expenses?

1 A The light bill. I consider that personal.
2 Q Did you personally spend money?
3 A No.
4 Q Well, how did you -- for example, how did you
5 acquire groceries?
6 A Food stamps, food banks.
7 Q During this period of time did you purchase
8 any clothing?
9 A No.
10 Q Did you purchase any shoes?
11 A No.
12 Q Do you gamble?
13 A No.
14 Q Do you drink?
15 A Most definitely no.
16 Q Do you use drugs?
17 A No.
18 Q As of August of 2013, what was your financial
19 circumstance? Do you understand my question?
20 A Define "circumstance."
21 Q Okay. I'm sorry.
22 You said that you came up short in August; is
23 that right?
24 A Yes.

1 Q Meaning what?
2 A There was \$30 missing.
3 Q But did you meet your expenses in August
4 or --
5 A Expenses as in?
6 Q Did you get to pay all your bills in August?
7 A No.
8 Q Okay. What bills did you not pay in August?
9 A The light bill.
10 Q And do you know how much you didn't pay on
11 the light bill in August?
12 A Repeat the question.
13 Q How much of the light bill did not get paid
14 in August; do you know?
15 A I believe \$145.
16 Q Do you know if Mr. Hunt-Taylor donated plasma
17 in August?
18 A I do not remember.
19 Q Did you sell any bottles and cans in August?
20 A Yes.
21 Q Did you do anything else to raise money in
22 August that you can remember?
23 A Yes.
24 Q What did you do?

1 A I sold my microwave and my recliner.
2 Q And your what?
3 A Recliner.
4 Q What did you get for selling your microwave?
5 A I got \$10 at the most since it's used.
6 Q Okay. What did you get for your recliner?
7 A Fifteen.
8 Q One five?
9 A One five.
10 Q And did you pay the power bill?
11 A Most payments.
12 Q Well, I think that -- I understand.
13 You already said there came a time when you
14 lost power. When was that?
15 A Late August.
16 Q What was your financial situation in
17 September of 2013; do you recall?
18 A Yes, I do.
19 Q What was it? Can you describe it for the
20 judge?
21 A Repeat the question again.
22 Q September 2013, were you able to meet your
23 expenses?
24 A No, I wasn't.

1 Q Do you know what bills you were not able to
2 pay at that time?

3 A Yes.

4 Q Okay.

5 A I was not able to pay my light bill.

6 Q And how much was that at that time?

7 A Two hundred.

8 Q Okay. And in October of 2013 were you able
9 to meet your expenses?

10 A No.

11 Q And what expenses could you not meet?

12 A The light bill and started getting behind
13 with rent. Light bill, started getting behind with rent.

14 Q And what did that cause, getting behind with
15 rent?

16 A A big problem.

17 Q Okay. Fair enough. I deserve that answer.

18 A Sorry.

19 Q If you didn't pay your rent on time, what
20 would happen?

21 A There would be a late fee.

22 Q And how much is the late fee?

23 A I believe it was \$20 a day. \$20 a day if you
24 didn't pay.

1 Q A day?

2 A Yes. I could be wrong.

3 Q I want you to be accurate, of course, so you
4 should do your best to be accurate. I'm not questioning
5 you. I'm just -- sorry.

6 \$20 a day, that's your testimony. Okay.

7 So by October do you know how much you owed
8 to whom?

9 A Yes. To the light bill company, I owed them
10 \$202.17. For rent, I believe -- you said October;
11 correct?

12 Q I did.

13 A I believe I owed half of that rent plus the
14 late fees.

15 Q How did that happen?

16 A Yes. October.

17 Well, there was a shortage -- excuse me for a
18 second. Yes, there was a deduction done through the
19 welfare division -- through the welfare department
20 division services, which is the TANF cash assistance,
21 which was deducted to half -- I believe it was \$250,
22 which the rent was 450, plus the late fees was --

23 Q What month are we talking about?

24 A October 2013.

1 Q You believe it was reduced in October?
2 A Yes.
3 Q Your TANF benefits?
4 A Yes.
5 Q Okay. Who paid the bills in your house?
6 A Robert did.
7 Q And when you got TANF how did you get it?
8 A How did I get it?
9 Q Yes.
10 A As in how did I qualify?
11 Q No. How was it paid?
12 A I don't understand your question.
13 Q Did you have a debit card?
14 A Yes. Oh, it's called an EBT card,
15 electronical [sic] beneficial transaction, I believe.
16 Q So there came a time, according to your
17 testimony, when the benefits were reduced?
18 A Yes.
19 Q Do you know why they were reduced?
20 A Yes.
21 Q And why was that?
22 A The kids were not home.
23 Q And you said it was reduced by how much?
24 A Half. I believe half of it. I received 250.

1 Q So when that happened, did that have any
2 impact on your ability to take care of your expenses?

3 A Yes.

4 Q And what was the impact?

5 A My rent and a portion of my power.

6 Q And as a result of not being able to meet
7 your expenses, what happened?

8 A I had no electricity and late with rent.

9 Q Ultimately what happened to the Linden Street
10 apartment?

11 A I had no electricity for a while and I was
12 evicted.

13 Q Okay. During that period, March through --
14 I'm sorry, withdraw -- May through December of 2013, was
15 Robert Hunt-Taylor employed?

16 A Yes.

17 Q Where did he work?

18 A Through a temp agency called LaborMax
19 Staffing at the SK property.

20 Q How often did he work?

21 A It varied.

22 Q Do you have any idea how much he got paid?

23 A It depends on how many hours and days he
24 worked a week.

1 Q Do you remember how much he was able to work
2 during that period of time, a week?
3 A He worked maybe about two, three days a week
4 at the most.
5 Q Okay. And what about you, were you working?
6 A No.
7 Q You were not?
8 A Nobody will hire me pregnant.
9 Q Okay. When did you give birth?
10 A January 1, 2014.
11 Q Okay. Did anything else happen on or about
12 that time?
13 A Yes.
14 Q What happened?
15 A I got locked out of my apartment.
16 Q Okay. So where did you go?
17 A To the hospital.
18 Q Yeah, I know. After you went to the hospital
19 and gave birth, where did you go then?
20 A My father's house.
21 Q And that was in what, January of --
22 A January 3rd, I believe, I was discharged,
23 2014.
24 Q And who went with you to your father's house?

1 A Ethan.

2 Q And when you say your father's house, where
3 was that?

4 A Located on Fourth Street, West Fourth Street
5 in Reno, Nevada.

6 Q And who lived there?

7 A My dad; his wife, Althena; my brother -- my
8 stepbrother Francisco Jr.; my stepsister Violet; and my
9 stepbrother Garrett; myself; and Ethan.

10 Q Now, before we go any further, let me just
11 ask you, during the period from May till December 2013,
12 did the Department of Social Services -- did Washoe
13 County ask you to do anything? You already testified
14 about working on a budget. Did they ask you to do
15 anything else?

16 A Yes.

17 Q What?

18 A To get rid of various clothes I had in the
19 closet.

20 Q They asked you to get rid of --

21 A A lot of clothes I had in the closet because
22 I had too many.

23 Q Who asked you to do that?

24 A Rocio.

1 Q Did you do that?

2 A Yes.

3 Q How did you do it?

4 A How did I what?

5 Q What did you do with the clothes?

6 A Threw them away.

7 Q Okay. Did they ask you to do anything else

8 besides get rid of clothes?

9 A Yes.

10 Q What?

11 A To work better on dishes and work better on

12 cleaning the floors.

13 Q Let's leave the house aside for a minute.

14 Outside of the house, did they ask you to do

15 anything else?

16 A Between May and December?

17 Q Yes. Did you have to go anywhere, do

18 anything?

19 A Yes. Meet with her weekly.

20 Q Who else did you meet with?

21 A The visits, met with Cassie weekly.

22 Q Yes.

23 A I met with Sara Lowrey, who was my welfare

24 worker, I believe, once a month, if I'm right.

1 Q Anything else?

2 A Prior to Children's Cabinet -- Social
3 Services, right, what they asked me to do?

4 Q Yes.

5 A Okay. I went to the kids' appointments
6 like -- well, not told or asked. She gave me the
7 appointments. I went voluntarily. I would -- I
8 volunteered myself to do parenting classes.

9 I know I did something else. I just can't
10 remember what.

11 Q How were you feeling during this period?

12 A Overwhelmed, excited, stressed.

13 Q Did they ask you to do anything in relation
14 to those feelings?

15 A Yes.

16 Q What was that?

17 A They had a voucher for Brianna Carter to go
18 through the individual therapy. That went okay.

19 Q Okay. Let me just ask a question.

20 So did you go to see Brianna Carter?

21 A Yes.

22 Q And what did you go to see her for first?

23 A For an evaluation, psychosocial evaluation.

24 Q Do you remember when that was, about?

1 A November 2013.

2 Q And then as a result of that meeting with Bri
3 Carter, did Social Services tell you that anything was
4 recommended for you?

5 A Individual -- I mean -- excuse me -- yes.
6 Individual counseling.

7 Q Okay. And do you recall when you were told
8 that that was recommended for you?

9 A I believe after I did the psychosocial
10 evaluation.

11 Q Right. Do you remember when that
12 recommendation was made to you?

13 A I believe in the same month, November 2013,
14 or between November 2013 to December 2013.

15 Q And what else was going on in your life at
16 that time?

17 A I was pregnant and I was supposed to be on
18 bedrest.

19 Q And what else?

20 A Dealing with no power.

21 Q Well, in November, December of 2013 --
22 Judge, I'm sorry. Give me a minute.

23 Do you know when your first appointment was
24 scheduled with Dori Orlich. Withdraw that. I apologize.

1 Brianna Carter, do you know when that was
2 first scheduled? I mean after the psychosocial
3 examination.
4 A December.
5 Q Do you know when in December?
6 A 2013.
7 Q Did you go to that appointment?
8 A Yes.
9 Q And do you recall what you discussed?
10 A I believe that was the second appointment.
11 Q Okay.
12 A And I had discussed with her couples therapy.
13 Q And why was that, Jackie? Why did you talk
14 about couples therapy with her?
15 A I believe there was an issue going on between
16 me and Robert about missing money and him -- Robert not
17 explaining to me where that money was going to, and he
18 was telling me he was drinking.
19 Q I'm sorry.
20 A And he was telling me he was drinking.
21 Q And did you engage in couples counseling with
22 Bri Carter?
23 A "Engage," what does that mean?
24 Q Okay. Did Robert go with you to see

1 Bri Carter?

2 A He went to one of my sessions.

3 Q Okay. You think that was about when?

4 A December of 2013.

5 Q I'm sorry. You and Robert discussed what
6 with her?

7 A We didn't discuss nothing. He just went to
8 one of my sessions.

9 Q Right. I'm sorry, but the purpose of having
10 him there was to deal with what?

11 A I wanted to do couples counseling.

12 Q About what?

13 A About the issue me and Robert been having a
14 conflict about.

15 Q Which was?

16 A The money missing and him saying he was
17 drinking.

18 Q Okay. So moving back again -- again, I'm
19 sorry -- to when you went to your father's house, you
20 lived there with Ethan, you said?

21 A Yes.

22 Q And how long did you live with your father?

23 A Three months.

24 Q Did there come a time -- well, did your

1 income change at that time?

2 A Yes.

3 Q And how did it change?

4 A I got a job.

5 Q Where did you get a job?

6 A LaborMax.

7 Q Doing what?

8 A Working through the SK Food Group warehouse.

9 Q How often would you work?

10 A It varied.

11 Q When did you begin working there?

12 A February 2, 2014.

13 Q How long after you had given birth was that?

14 A A month.

15 Q Okay. What did you do there?

16 A I worked at the production line, SK Foods, in

17 a freezer, 20 below zero, wearing proper clothing, warm

18 clothing, to make sure the food was the right temperature

19 and making sure the food was taken (sic) care of

20 carefully and made sandwiches the proper way.

21 Q So you made sandwiches?

22 A Sandwiches or anything that was on the menu.

23 Q And what determined how often you worked?

24 A "Determined," what does that mean?

1 Q Sorry. Who decided how many hours you could?
2 A The lead. The lead.
3 Q What is a lead?
4 A The lead is the person that tells you if you
5 get to work today or not, what line you are assigned to,
6 how many hours you're assigned to, and how many hours
7 you're able to work.
8 Q And how does the lead make that decision?
9 MS. ELCANO: Objection. She has no personal
10 knowledge.
11 THE COURT: Does it make any difference one
12 way or the other? How many hours were you working?
13 THE WITNESS: It depended on how many times
14 they were able to put me on the line. Sometimes I was
15 lucky --
16 THE COURT: How many hours? I don't need to
17 know why, just how many.
18 THE WITNESS: It was -- eight plus eight is
19 16 -- about 25 hours a week.
20 THE COURT: So that's what we needed to know.
21 BY MR. ELKINS:
22 Q Was that consistently 25 hours a week or did
23 it vary?
24 A It varied.

1 Q What was the least?

2 A The least, one day, which was eight hours.

3 Q All right. Is that in a week, Ms. Guerrero?

4 A What was that?

5 Q Was that in a week?

6 A Yes.

7 Q All right. And what were your expenses when

8 you lived at your father's house?

9 A My expenses were the \$200 rent for my father.

10 That was my rent and Ethan's rent, and at the moment

11 Robert had moved in.

12 Q Had not?

13 A Had moved in.

14 Q Had moved in, okay.

15 A In February.

16 I had a diaper expense, wipey expenses, and

17 the water expense.

18 Q Well, with regard to diapers, were you able

19 to access any community resources?

20 A No, not at the moment.

21 Q Why not?

22 A I didn't have time to go to the community at

23 that moment.

24 Q And what other expenses did you have

1 associated with Ethan?

2 A Gas money and baby-sitting money.

3 Q What do you mean, baby-sitting money?

4 A I had to pay -- excuse me. I had to pay my
5 stepmom to baby-sit Ethan.

6 Q How much did you have to pay her?

7 A \$80 a week.

8 Q \$80 --

9 A -- a week, depending on work as well.

10 Q So how was that arranged? In other words --

11 A I was able to do small payments.

12 Q No, no. My question is, what determined how
13 much you had to pay?

14 A The hours.

15 Q Was Robert Hunt-Taylor working between
16 January and April of 2014?

17 A Yes.

18 Q And where did he work?

19 A Also at LaborMax Staffing for SK Foods.

20 Q How many hours did he work?

21 A A little bit more than I did. I believe 40
22 weeks an hour [sic].

23 Q How many?

24 A Forty weeks an hour [sic] if worked.

1 Q Do you recall specifically during that period
2 when he worked, when he didn't, how much?

3 A No, I don't.

4 Q Okay. As a result of that -- well, let me
5 withdraw.

6 What happened in April of 2014?

7 A Robert decided to get us our own place.

8 Q And what kind of a place was that?

9 A A home, as he called it.

10 Q Did you agree with that decision?

11 A No.

12 Q And why not?

13 A I didn't like -- I didn't like the condition
14 of the home.

15 Q What was the home?

16 A A trailer.

17 Q And where was it?

18 A In the same trailer park as my father.

19 Q Okay. And what would you have to do in order
20 to get it?

21 A What was that again?

22 Q In order to get the trailer, what did you
23 have to do?

24 A Put a down payment towards the title and pay

1 the first month's rent, which means space rent.
2 Q Space rent, you said?
3 A Yes.
4 Q And what did you have to pay toward the
5 title?
6 A He put 200 down towards the title and paid
7 450 for the month.
8 Q And when was that payment made?
9 A The first payment, I'm not aware.
10 Q Who made the payment?
11 A Robert.
12 Q Did you have anything to say about this?
13 A No.
14 Q So did there come a time when you moved into
15 this trailer?
16 A Yes.
17 Q And when was that?
18 A April 2014.
19 Q And was that the trailer that -- you saw the
20 pictures that were introduced into evidence? Do you
21 remember the photographs?
22 A It's the first trailer --
23 Q Okay.
24 A -- with the cat.

1 Q With the yellow cat?

2 A Yes. Orange cat.

3 Q Orange cat. What's that cat's name?

4 A Jimmy Bo Taylor.

5 Q So how long did you live in the trailer?

6 A Until ending of July 2014.

7 Q And did anyone from Social Services come to

8 the trailer?

9 A Yes.

10 Q Who was that?

11 A Rocio at first, and then there was Malia, and

12 then after that was the worker with the tattoo on his

13 neck and the lady worker. I forgot her name.

14 Q That's okay. So workers came?

15 A Yes.

16 Q And where was Ethan during this period of

17 time?

18 A With me.

19 Q Okay. And was he with you the entire time

20 that you lived in the trailer?

21 A Yes.

22 Q Did there come a time when you no longer

23 lived in the trailer?

24 A Yes.

1 Q And when was that?

2 A This was, I believe, two days after Robert
3 was arrested, so that means July 31st.

4 Q Of?

5 A Excuse me. 2014.

6 Q Could you just tell the judge how Robert came
7 to be arrested? What happened?

8 I'm sorry. Let me back up a minute.

9 Who lived in the trailer during this period
10 of time?

11 A What period of time?

12 Q You just testified, I think, from April
13 through July 2014.

14 A Yes.

15 Q Who lived there?

16 A The first few months --

17 Q Not including the orange cat.

18 A The first few months, it was Robert, Ethan,
19 and myself.

20 Q Okay.

21 A And then we had a roommate in mid-July of
22 2014.

23 Q What was the roommate's name?

24 A Alberto.

1 Q Alberto, what was the last name?
2 A Vazquez.
3 Q And why did Mr. Vazquez come to live there?
4 A Did you ask why?
5 Q Yes.
6 A He had nowhere to live.
7 Q Okay. All right. Fair enough.
8 What were the circumstances under which he
9 came to live there?
10 A Circumstances?
11 Q Who brought him there?
12 A I did.
13 Q Where did you meet him?
14 A The bus station.
15 Q Why did you bring him in your house?
16 A He had nowhere to go and he had asked if
17 anybody was renting a room. I said, "No." And at the
18 time I needed help with money, so I said, "I can allow
19 you in my home for two weeks, and that's it."
20 Q And did he contribute anything to the
21 household expenses?
22 A Contribute?
23 Q Yes. Did he make any payments?
24 A Yes, sir.

1 Q What did he pay?

2 A He paid half of my rent, half the on-site
3 utility bill, bought Ethan diapers, wipeys, and actually
4 spent more than what we had asked. Or I had asked,
5 excuse me.

6 Q Did Alberto have a job?

7 A Yes.

8 Q What was his job?

9 A Day-to-day labor, from my understanding.

10 Q And approximately when did he move into the
11 trailer?

12 A July 17, 2014.

13 Q And did you discuss this with
14 Mr. Hunt-Taylor?

15 A No.

16 Q Okay. So did something happen -- you said
17 Mr. Hunt-Taylor was arrested, I believe you said, at the
18 end of July?

19 A Yes.

20 Q Can you tell the judge what happened there?

21 A Yes. There was a problem initially that me
22 and Mr. Robert Hunt-Taylor had. I believe he was
23 drinking that night since he smelled like alcohol. He
24 believed that there was an issue -- a jealousy issue

1 regarding --

2 MS. ELCANO: Objection. She can't speculate
3 as to what he believes.

4 THE COURT: What did he do? He got arrested
5 for domestic battery; is that what happened?

6 THE WITNESS: Yes.

7 THE COURT: Let's move on.

8 BY MR. ELKINS:

9 Q What happened to you?

10 A I was pushed towards the fence, punched in
11 the eye, was choked and thrown to the ground.

12 Q And who did that to you?

13 A Robert.

14 Q Okay. As a result of that, did you have to
15 go somewhere or do anything?

16 A I called the police.

17 Q Okay. And then did you go anywhere or do
18 anything else after that?

19 A I believe the day after, two days after, I
20 moved out of the trailer because I was scared he was
21 going to come back out and do worse and tried to save
22 Ethan from being in the middle of the conflict.

23 Q And did you have to go anywhere else or do
24 anything else?

1 A The closest place I found that I figured
2 would be safe was the next trailer park over with my
3 friend, where my friend resided.

4 Q And where was that?

5 A I believe it's the Lyons Crest Trailer Park.

6 Q And you said that something happened to your
7 eye?

8 A Yes.

9 Q What happened to your eye?

10 A Well, my glasses were broke, for one, so I
11 couldn't see, I was seeing black dots there for a while,
12 and I had a black eye.

13 Q Did you do anything about that?

14 A Yes.

15 Q What did you do?

16 A I went to the hospital first because I had
17 headaches, and a few days later I went to the doctor's
18 office, the eye doctor's office.

19 Q Okay. So then you went, you said, to Lyons
20 Crest --

21 A Yes.

22 Q -- Trailer Park?

23 A Yes.

24 Q And where did you stay at Lyons Crest?

1 A In a room in the trailer park, Trailer No.
2 38.
3 Q And who owned that trailer; do you know?
4 A Her name is Isabel. I don't know her last
5 name.
6 Q And who lived there?
7 A It was Isabel, her special-needs son and her
8 dementia mother, and myself, Ethan, and Albert.
9 Q So six people?
10 A Yes.
11 Q Okay. How long did you stay there?
12 A About a week and a half.
13 Q Okay. When did you leave?
14 A I believe the second week of August.
15 Q And in addition to the six people that lived
16 there, were there any other living beings in that
17 trailer?
18 A Yes.
19 Q What were they?
20 A I believe five cats and one dog.
21 Q Okay. Ms. Guerrero, I'm going to show you
22 what's been marked in evidence as Petitioner's -- take a
23 look at the folder in front of you -- Petitioner's FF.
24 Do you see that?

1 A You said FF?

2 Q Yes, FF.

3 MS. ELCANO: It's at the very end.

4 BY MR. ELKINS:

5 Q It's a big binder.

6 Let me know when you have it. Do you have it
7 open?

8 A Yes.

9 Q Can you just flip through those pictures? I
10 think there are, oh, 14 of them, maybe. Fourteen, yes.
11 Just flip through those.

12 First, let me know, do you recognize this
13 room?

14 A Yes.

15 Q What room is that?

16 A That is the room I was -- me and Alberto and
17 Ethan was renting from Ms. Isabel.

18 Q How can you recognize the room?

19 A The shelves, the book, the floors.

20 Q What book?

21 A Bookshelf.

22 Q Oh, the bookshelf.

23 When you say "the floors," what about the
24 floors enabled you to recognize the room?

1 A Because I remember her carpet was not done
2 properly.
3 Q What do you mean, "not done properly"?
4 A The nails would actually poke your feet.
5 Q I'm sorry?
6 A The nails will actually poke your feet.
7 Q Do you see the condition of the room?
8 A Yes.
9 Q Have you ever seen the room in that condition
10 before?
11 A No.
12 Q Do you know what caused the condition of the
13 room to be the way it was?
14 A No.
15 Q Do you see a date on these pictures?
16 A Yes.
17 Q What date is that?
18 A September 11, 2014.
19 Q Okay. When was the last time before
20 September 11th you were in that room; do you recall?
21 A About -- sometime in August.
22 Q Okay. Are there items in this room that
23 belong to you in the photograph?
24 A As in --

1 Q Do you see anything in the photograph that
2 belonged to you?

3 A Yes.

4 Q What?

5 A The bed, the teddy bear, my curtain, my fan,
6 my laundry basket. Okay. I don't know why my pillow's
7 on the floor.

8 Q Why what?

9 A My pillow's on the floor.

10 Q Okay.

11 A The water filter.

12 Q Anything else?

13 A I'm looking through.
14 The stuff on the shelf, meaning the food,
15 baby food.

16 Q Okay.

17 A My books on the shelf, my hygienes or my body
18 wash.

19 Q Ms. Guerrero, let me ask you this: Why would
20 you leave all those things in the room?

21 A I couldn't carry it all with me when I was
22 leaving.

23 Q Where did you go?

24 A I went to my -- I consider her my cousin, but

1 she's my friend.

2 Q What's her name?

3 A Maribel Alverde, aka Stalker.

4 Q Did you see Ms. Stalker in the courtroom at

5 all lately?

6 A Yes.

7 Q When was that?

8 A Yesterday.

9 Q Okay. How did you end up going to live

10 with -- withdraw that.

11 You said you were in the room -- let me back

12 up. I'm sorry.

13 So when did you leave this room at Lyons

14 Crest, approximately?

15 A Lyons Crest, approximately about the second

16 week of August.

17 Q And where did you go?

18 A To my -- to Maribel's house, 700 East

19 Peckham, apartment whatever it was.

20 Q And why did you go there?

21 A It was actually more or less -- what do you

22 want to say -- I had more room to move around instead of

23 having a small room.

24 Q Okay.

1 A And I had more help with rides to and from
2 food banks.

3 Q Okay.

4 A And I was closer to my mother.

5 Q When you say closer to your mother, where did
6 your mother live?

7 A In the same complex, different apartment
8 number.

9 Q Were you doing anything -- let me rephrase
10 this.

11 Was there a reason you wanted to be close to
12 your mother at that time, where your mother lived?

13 A Yes.

14 Q Why is that?

15 A She was my babysitter. Well, her and my
16 cousin were my babysitters.

17 Q Did you ever leave -- well, I don't want to
18 lead you.

19 You say your mother was a babysitter. Did
20 anyone else baby-sit for you?

21 A Yes.

22 Q Who was that?

23 A I had actually three people babysitting. It
24 was my mother, Maureen Salazar, M-a-u-r-e-e-n and

1 S-a-l-a-z-a-r, and then there's Jessyca, with a "y,"
2 Rodriguez, and I had Sandra Matute as well.

3 Q Anyone else?

4 A Debra Rodriguez.

5 Q Anyone else?

6 A And my mother's boyfriend at the time,
7 Jose Arias, I believe is his last name.

8 Q Okay.

9 A And there would be times when Maribel would
10 watch him for, like, a short amount of time.

11 Q What's a short amount of time?

12 A Five to ten minutes, to take a shower.

13 Q Why didn't you leave Ethan with Maribel?

14 A I left Ethan with Maribel for short times.

15 Q Why didn't you leave him with her for a long
16 period of time?

17 A I felt more comfortable with him being with
18 my mother or Sandra, someone close by that I felt safe.

19 Q Okay. So how is it that you managed to end
20 of up in the Stalkers' home?

21 A Eddie, who was Eduardo Alverde, a friend of
22 ours, was the one who mentioned, to Maribel, my situation
23 with Robert, and I told her -- or him I didn't feel safe
24 in that area, I was afraid Robert was going to be

1 released out of jail, and he was going to find me and
2 attempt to take Ethan from me and perhaps hurt me.

3 So he said, "Well, this place where my sister
4 stays at is further away from that area."

5 Robert didn't know her, so I felt, okay, this
6 is the perfect chance of me being in a safe place, and I
7 wanted to be close to my son and be somewhere where
8 Robert didn't know where I was at or who I was with.

9 Q Okay. I'm sorry, how near did Maribel live
10 to your mother?

11 A Across the way from the pool.

12 Q I'm sorry?

13 A Across the way from the pool. Like the pool
14 was here, Maribel's here (indicating). They're right
15 across.

16 Q Did you say there's a pool?

17 A A pool, p-o-o-l, water pool.

18 Q So they lived across the pool from each
19 other?

20 A Yes. It's not that far.

21 Q No, it's not.

22 Did you ever occupy this room in this
23 condition with your child?

24 A Which room?

1 Q The room, the trailer that you see the
2 pictures of. Did you ever live in that room in this
3 condition?
4 A No.
5 Q Why did you leave baby food there?
6 A I had my WIC benefits re -- reinsure, reused,
7 whatever the word is, put into my WIC card.
8 Q Okay. What kind of food items are those; can
9 you tell?
10 A Give me a second.
11 Q If you look at No. 7 --
12 A You asked me, what are they?
13 Q Yes.
14 A The blue container with the top is baby
15 cereal, which I had a full stock of that. The yellow
16 container is formula, which is the Costco brand. I had a
17 stack of that.
18 MS. ELCANO: I think the question was to
19 identify the items, not all the other items she had.
20 MR. ELKINS: Okay. I'm sorry.
21 BY MR. ELKINS:
22 Q Just identify the items in the picture.
23 A Oh. Baby food and canned goods for myself.
24 Q And those items, did you need those at that

1 time?

2 A Not at that time.

3 Q Why not?

4 A Because I had already took my stocking -- my
5 stocking pile, whatever you call it.

6 Q All right. In any event, how long did you
7 stay in Ms. Stalker's home?

8 A Ms. Stalker's house, from August all the way
9 up until, like, mid-October, because we had found a room
10 for rent.

11 Q Okay.

12 A And "we" as in Albert and I.

13 Q And this is --

14 A Alberto Vazquez.

15 Q -- what year?

16 A 2014. Excuse me.

17 Q So approximately two months?

18 A Yes.

19 Q Did there come a time on September 11, 2014,
20 when something happened?

21 A Yes.

22 Q What was that?

23 A Denise Tyre had gone to -- I had asked her to
24 meet me at the West Fourth Street trailer because I had

1 to go pick up the rest of my belongings because Isabel
2 kept calling me, calling me, that I needed to pick up my
3 items. So I told Denise Tyre, "Hey, why don't you meet
4 me there? I can kill two birds with one stone."

5 Q Let me ask you a question, Ms. Guerrero.

6 A Yes.

7 Q Did you ever tell Ms. Tyre where you were
8 residing?

9 A No.

10 Q Why is that?

11 A Because I was in the process of moving and I
12 did not ask Ms. Stalker if I could allow Child Protective
13 Services in her home since it was not my home.

14 Q So you had Ms. Tyre meet you where?

15 A At the West Fourth Street trailer.

16 Q And did you actually meet her there?

17 A No.

18 Q Do you recall why you did not meet her there?

19 A Yes.

20 Q Why is that?

21 A I was in the hospital the night before, and I
22 overslept and didn't look at the time and forgot that I
23 was supposed to meet her there.

24 Q And did something happen at Ms. Stalker's

1 residence that day?

2 A Yes.

3 Q What happened?

4 A Ms. Denise Tyre knocked on the door. I was
5 sleeping when she knocked on the door, and Maribel woke
6 me up and said, "Hey, there's someone at the door for
7 you."

8 And I said -- I was scared at first, thinking
9 it was Robert, that he was out of jail. I said, "Well,
10 who is it?"

11 She says, "Well, I don't know. Some lady."

12 I said, "Oh, okay. If it's a lady, I'll go
13 outside."

14 Denise asked me what happened. I told her --
15 I apologized -- I had gone to the ER. I still had my ER
16 band poking on my arm. And I told her, I said, "I
17 apologize for not meeting with you. Can we reschedule?"

18 She said, "No."

19 I said, "Okay. That's fine." I said, "I
20 don't know if I can let you in this home because it's not
21 mine." If it was mine, you know, I would let her in.

22 And she said, well, she has a warrant.

23 I said, "Okay. What's the warrant for?"

24 And she said, "To take Ethan."

1 And I says, "Why are you taking Ethan?"
2 She said, "Because your home was dirty."
3 I said, "What home are you referring to?"
4 She said, "The trailer."
5 I told her, "Which trailer are you talking
6 about, the first trailer?"
7 And she's like, "No. The address you gave
8 me."
9 And I said, "I don't live there."
10 And she said, "Well, I was able to go in
11 there and take pictures, and it was a mess."
12 And I said, "Okay. I understand it was
13 probably a mess. I haven't been there in a while, and I
14 was supposed to go pick up the rest of my stuff."
15 So Denise had asked to come in the house. I
16 told her, "Hold on. I need to ask Maribel."
17 Maribel said, "No."
18 I kind of panicked because I said, "Well,
19 these people are important. I need to let them in."
20 She said, "No." She said that they had to
21 call the police first in order for them to enter the
22 house.
23 And so they did. She slammed the door in
24 their face, which made me feel embarrassed because I felt

1 that was rude. The police were called.

2 Then she was let in. She went in the
3 kitchen, and then she told me to hand over Ethan.

4 I told her, "No." I told her, "Why am I
5 handing Ethan over? What's wrong? Did I miss an
6 appointment? Did I miss his shots? Did I not feed him
7 right? Did he have a diaper rash that I did not take
8 care of right away? What did I do? Did I come up dirty
9 in one of my tests? What happened? What's the reason?"

10 She said again the home was dirty.

11 I told her -- I tried to offer her to come
12 into the front room, which was my area where I slept with
13 Ethan. Well, during the day. At nighttime I would sleep
14 in the room. She refused to go in there.

15 And I said, "Okay. Well, let me call my
16 lawyer," who was Emily Meyers at the time.

17 Emily told me -- I couldn't get ahold of
18 Emily. I spoke to some other lady. And she said, "Well,
19 they have a warrant for the baby. You must let him go."

20 I kept yelling at the lawyer over the phone,
21 and I said, "How can I let go of my son when this lady is
22 not even asking me when was my son's last nap, when was
23 his diaper changed, is he having the proper bowel
24 movements, how many ounces of formula is he drinking,

1 what kind of formula is he drinking, how often." And she
2 just took him without even preparing a diaper bag, not
3 knowing what kind of diapers he used.

4 So I said, "Okay. Fine. I'll let him go.
5 I'm not going to let him go just easy. I'm going to go
6 to court and I'm going to get him back."

7 Q Okay.

8 A Excuse me.

9 THE COURT: Let's take about a five-minute
10 break.

11 MR. ELKINS: Okay.

12 (A recess was taken.)

13 THE COURT: Twenty-five more minutes.

14 MR. ELKINS: You know, this process has been
15 very hard on my client today. Do you think --

16 THE COURT: Are we going to get done today?

17 MR. ELKINS: We're not going to finish today,
18 Judge.

19 THE COURT: You're going to want to present
20 rebuttal, I'm assuming?

21 MS. ELCANO: There may be a rebuttal witness
22 or two, Your Honor.

23 THE COURT: Does everybody want to quit for
24 today?

1 MS. ELCANO: Your Honor, I'm happy to proceed
2 or I'll defer to the Court.

3 THE COURT: Well, we have all of the 15th.

4 THE CLERK: Yes.

5 THE COURT: And I may have to take an hour
6 break for another hearing.

7 What time do we want to start, 8:30 or 9:00?

8 MR. ELKINS: I'm getting used to that 8:30
9 hour, Judge.

10 THE COURT: So this is recessed to
11 September 15th at 8:30 in the morning.

12 MR. ELKINS: Thank you.

13 THE COURT: And we're absolutely going to
14 finish that day.

15 MR. ELKINS: Oh, yes.

16 THE COURT: If we have to go to -- the
17 transcript is -- we're going to try to get it done
18 relatively quickly. Let's start working on posttrial
19 briefs. You already have a start on the trial
20 statements, and I'll try to get a decision as quickly
21 thereafter, but in all likelihood I'm going to require a
22 week after the transcript is done, and you can both file
23 briefs at the same time, and then you can -- I'll give
24 you a week after that to respond to each other's briefs.

1 MR. ELKINS: Okay.

2 THE COURT: So hopefully this will all be
3 briefed and to me by the end of September or close
4 thereto.

5 MS. ELCANO: We're not just filing closing
6 briefs; we're filing briefs and then opposing one another
7 after that again?

8 THE COURT: I'm saying you can both file
9 posttrial briefs, and then I'll give each of you a chance
10 after that to respond to the evidence. It will be
11 contemporaneous posttrial briefs.

12 MS. ELCANO: That's fine. I was just under
13 the impression we were filing closing briefs and there
14 would not be another opportunity to respond.

15 THE COURT: The minute I do that, then
16 somebody will file something because they didn't like
17 what the other one did. So it will be a very quick
18 schedule, let me put it that way, but most of the time
19 when you tell attorneys they're not going to get a chance
20 to respond, then you get another argument.

21 I'll be working on this also, because I've
22 taken, as you're aware, hopefully aware, about six or
23 seven pages of notes and quite a few written ones,
24 so -- anything else?

1 MS. ELCANO: We will be in this courtroom; is
2 that correct, Your Honor?

3 THE COURT: I believe so.

4 THE CLERK: As of right now, yes.

5 THE COURT: And probably what I'll try to do
6 is schedule this other thing around -- maybe I'll
7 schedule it to start at 1:00 so that I'll take about an
8 hour for lunch, and then probably we'll come back at
9 about 2:00 if I can get this other one set up. It's one
10 I started for Judge Hardy about two, three months ago,
11 and I need to check and see how they're doing.

12 Anyway, we're in recess. You can all be at
13 ease.

14 MR. ELKINS: Thank you, Judge. See you on
15 the 15th.

16 (Proceedings adjourned at 4:10 p.m.)

17
18
19
20
21
22
23
24

1 STATE OF NEVADA)
2) ss.
3 COUNTY OF WASHOE)

4 I, PEGGY B. HOOGS, Certified Court Reporter
5 in and for the State of Nevada, do hereby certify:

6 That the foregoing proceedings were taken by
7 me at the time and place therein set forth; that the
8 proceedings were recorded stenographically by me and
9 thereafter transcribed via computer under my supervision;
10 that the foregoing is a full, true and correct
11 transcription of the proceedings to the best of my
12 knowledge, skill and ability.

13 I further certify that I am not a relative
14 nor an employee of any attorney or any of the parties,
15 nor am I financially or otherwise interested in this
16 action.

17 I declare under penalty of perjury under the
18 laws of the State of Nevada that the foregoing statements
19 are true and correct.

20 Dated this 24th day of September, 2015.

21
22 Peggy B. Hoogs

23 Peggy B. Hoogs, CCR #160, RDR
24

CERTIFICATE OF SERVICE

I hereby certify that this document was filed electronically with the Nevada Supreme Court on the 22nd day of July 2016. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

Tyler Elcano, Deputy District Attorney
Washoe County District Attorney's Office

I further certify that I served a copy of this document by providing a copy to:

Jacqueline Guerrero.

John Reese Petty
Washoe County Public Defender's Office

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF THE PARENTAL
RIGHTS AS TO: R.T., K.G-T., N.H-T., AND
E.H-T.,
MINOR CHILDREN,

No. 70210

Electronically Filed
Aug 01 2016 11:17 a.m.
Tracie K. Lindeman
Clerk of Supreme Court

JACQUELINE GUERRERO,
Appellant,
vs.
WASHOE COUNTY DEPARTMENT OF
SOCIAL SERVICES,
Respondent.

Appeal from an Order Terminating Parental Rights in FV14-03897
The Second Judicial District Court of the State of Nevada
Honorable William A. Maddox, Senior District Judge, Family Division

JOINT APPENDIX VOLUME SIX

JEREMY T. BOSLER
Washoe County Public Defender

CHRISTOPHER J. HICKS
Washoe County District Attorney

JOHN REESE PETTY
Chief Deputy

TYLER M. ELCANO
Deputy District Attorney

350 South Center Street, 5th Floor
P.O. Box 11130
Reno, Nevada 89520

One South Sierra Street, 7th Floor
P.O. Box 30083
Reno, Nevada 89520

Attorneys for Appellant

Attorneys for Respondent

TABLE OF CONTENTS

1. Amended Petition to Terminate Parental Rights <u>filed</u> on July 17, 2015	1JA 13
2. Errata and Reply <u>filed</u> on October 19, 2015	1JA 127
3. Notice of Appeal <u>filed</u> on April 18, 2016	1JA 168
4. Notice of Entry of Order <u>filed</u> on March 21, 2016	1JA 152
5. Order Appointing Counsel <u>filed</u> on January 22, 2015	1JA 11
6. Order Terminating Parental Rights <u>filed</u> on March 21, 2016	1JA 138
7. Petition to Terminate Parental Rights <u>filed</u> on October 24, 2014	1JA 1
8. Petitioner's Opposition <u>filed</u> on October 19, 2015	1JA 114
9. Petitioner's Trial Brief <u>filed</u> on October 12, 2015	1JA 29
10. Stipulation and Order <u>filed</u> on August 28, 2015	1JA 26
11. Summation <u>filed</u> on October 13, 2015	1JA 76
12. Transcript of Proceedings: Trial—Day 1 <i>held</i> on August 31, 2015	2JA 170
13. Transcript of Proceedings: Trial—Day 2 <i>held</i> on September 1, 2015	3JA 462
14. Transcript of Proceedings: Trial—Day 3 <i>held</i> on September 2, 2015	4JA 709
15. Transcript of Proceedings: Trial—Day 4 <i>held</i> on September 3, 2015	5JA 966

16. Transcript of Proceedings: Trial—Day 5 *held* on
September 4, 2015 6JA 1232
17. Transcript of Proceedings: Trial—Day 6 *held* on
September 15, 2015 7JA 1469

1 CODE: 4185
2 PEGGY B. HOOGS, CCR #160
3 Peggy Hoogs & Associates
4 435 Marsh Avenue
5 Reno, Nevada 89509
6 (775) 327-4460
7 Court Reporter

8 SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
9
10 IN AND FOR THE COUNTY OF WASHOE
11
12 THE HONORABLE WILLIAM A. MADDOX, SENIOR DISTRICT JUDGE
13 --oOo--

14 TERM: R. TAYLOR, K. GUERRERO- Case No. FV14-03897
15 TAYLOR, N. HUNT-TAYLOR,
16 E. HUNT-TAYLOR. Dept. No. 2

17 TRANSCRIPT OF PROCEEDINGS

18 TRIAL

19 DAY 5

20 Friday, September 4, 2015

21
22
23
24 Reported By: PEGGY B. HOOGS, CCR 160, RDR, CRR

1 APPEARANCES:
2 For the Petitioner: TYLER ELCANO, ESQ.
3 Deputy District Attorney
4 1 South Sierra Street, 4th Floor
5 Reno, Nevada
6 For the Respondent: LEE ELKINS, ESQ.
7 Deputy Public Defender
8 350 South Center Street
9 Reno, Nevada
10 Also Present: JACQUELINE GUERRERO
11 MALIA SERONIO
12 ROCIO LOPEZ
13
14
15
16
17
18
19
20
21
22
23
24

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

INDEX

WITNESSES FOR THE PETITIONER PAGE

MALIA SERONIO	
Cross-Examination (Cont'd) by Mr. Elkins	1075
Redirect Examination by Ms. Elcano	1088
Recross-Examination by Mr. Elkins	1107
Further Redirect Examination by Ms. Elcano	1111

WITNESSES FOR THE RESPONDENT

ROCKY MATEO	
Direct Examination by Mr. Elkins	1126
Cross-Examination by Ms. Elcano	1143
Redirect Examination by Mr. Elkins	1151
Recross-Examination by Ms. Elcano	1159

DUSTIN HALL	
Direct Examination by Mr. Elkins	1161
Cross-Examination by Ms. Elcano	1166
Redirect Examination by Mr. Elkins	1169

JACQUELINE GUERRERO	
Direct Examination by Mr. Elkins	1172

EXHIBITS MRKD ADM

Respondent's Exhibits	
10 Notes of Rocky Mateo dated 4/4/14 & 4/10/14	1137
11 Note of Rocky Mateo dated 11/21/13	1153

1 -oOo-

2 RENO, NEVADA; FRIDAY, SEPTEMBER 4, 2015; 8:32 A.M.

3 -oOo-

4
5 MR. ELKINS: I'm sorry about the delay. My
6 client is on the phone with Nevada Hopes. She got a text
7 yesterday afternoon at 5 o'clock to try to confirm an
8 appointment today at 1:00, and so she's trying to do
9 that. So I'm sorry.

10 May I just address you?

11 THE COURT: Do you need to be on the record?

12 MR. ELKINS: Well, probably because --

13 THE COURT: Let me go ahead and call the
14 case.

15 This is Case FV14-03897 in the matter of the
16 parental rights as to the Taylor children as alleged in
17 the petition in this case. The parties are present.
18 Your client isn't present.

19 MR. ELKINS: She's in the hall, Judge. She's
20 not in the courtroom, but she is there.

21 The reason I wanted to address Your Honor --
22 and I brought this up with Ms. Elcano -- I have a
23 screenshot of a text or call, I guess, that my client
24 got, literally, at 5:00 yesterday afternoon, 4:58 --

1 4:48, from Nevada Hopes and --

2 THE COURT: What is Nevada Hopes?

3 MR. ELKINS: It's a clinic where you go for
4 medication assessment. They told her that she could have
5 an appointment today at 1 o'clock, and so she explained
6 the situation to them as best she could, and they --
7 whoever she spoke to yesterday said, "Well, call back
8 tomorrow morning and let us know what's going on."

9 So what I ask the Court is, since I know we
10 have available the 15th, I'd like my client to be
11 available to try to make that appointment this afternoon
12 because she tells me that she's been on a waiting list
13 since May, so that would be my request.

14 MS. ELCANO: Your Honor, my concern is
15 whether or not the appointment has actually been
16 confirmed. If there is an appointment, that's one thing.
17 If not, I would like to move forward. I was hopeful that
18 we could finish today. I am concerned about the delay
19 and would like to move forward and conclude if possible.
20 I don't think there's been confirmation of an appointment
21 at 1:00. In fact, I know that Ms. Guerrero was on the
22 phone in the restroom with Nevada Hopes because she had
23 it on speaker, so I heard her waiting to call in.

24 I would like to confirm that there actually

1 is an appointment. I think, additionally, if we break at
2 1:00, possibly we can go until 12:30 and try to
3 reconvene, you know, at 2:15 or 2:30 if --

4 THE COURT: You know, she's pregnant again,
5 so --

6 MS. ELCANO: Well, that's the other concern.
7 I don't think --

8 THE COURT: We're going to be getting
9 this --

10 MS. ELCANO: I'm not a doctor, but it's my
11 understanding in the past that psychotropic medication or
12 anything to that effect when you are pregnant is done
13 through your ob-gyn and not through --

14 THE COURT: You know, she obviously doesn't
15 have a lot of alternatives in the medical treatment, it
16 doesn't sound like anyway, but, I mean, if there's one
17 thing that's been identified in this case is this anxiety
18 and depression, and at least Drs. Rogina and Aberasturi
19 seemed to indicate that medication might help that
20 problem.

21 We're going to be dealing with this again.
22 I'm not, but if she's pregnant, then she's going to have
23 another kid, and we probably should be trying to get her
24 to a state where she can care for that child, if nothing

1 else, if I decide to terminate as to the other four.

2 So, I mean, that -- one of the questions I
3 have is, does she just get cut loose? I mean, she still
4 has kind of availed herself of services since she's
5 pregnant; right?

6 MS. ELCANO: Your Honor, I don't want to
7 testify, so I can have Ms. Lopez answer that question.

8 THE COURT: Well, Ms. Lopez?

9 MS. LOPEZ: Just because you're pregnant, you
10 don't receive services from the agency. The child has to
11 be in our custody.

12 THE COURT: Who does she receive --

13 MS. LOPEZ: She can go to the Children's
14 Cabinet like Ms. Pasley said. You don't have to have an
15 open case. The women's -- the pregnancy center, the
16 women's pregnancy center.

17 THE COURT: Can somebody get her going on
18 this now before we --

19 MS. ELCANO: Your Honor, we've spent two
20 years trying to get her going on this.

21 THE COURT: I know. I know.

22 MR. ELKINS: Well, I think she's --

23 MS. LOPEZ: She can get services through her
24 ob-gyn, which is her pregnancy doctor.

1 MS. ELCANO: Which she has done in the past.

2 THE COURT: And that's some agency that
3 provides that service?

4 MS. LOPEZ: It's a medical facility.

5 MR. ELKINS: The pregnancy center, Judge.

6 MS. LOPEZ: Pregnancy center.

7 MR. ELKINS: Actually, I have an answer.

8 THE COURT: Okay.

9 MR. ELKINS: You're not going to like it. It
10 says "They can squeeze me in at 10:10."

11 See, the thing, Judge --

12 THE COURT: I'm sitting here thinking we have
13 another kid that's coming here before too long, and she
14 needs that treatment, so how long is it going to take for
15 her to do it?

16 MR. ELKINS: Judge, it's a public clinic. I
17 don't know what to tell you about that, but the point is,
18 she'd been on a waiting list since May, so I mean, I
19 don't want -- particularly, as you said, if she has a
20 child later in the year, she has this appointment today,
21 I don't want her to have to wait another four months for
22 it.

23 THE COURT: I agree.

24 MS. ELCANO: Is there any possibility that we

1 could explore the ability of her to have an appointment
2 possibly for this afternoon or 4:30 or even on Tuesday?

3 MR. ELKINS: Judge, this is what has been
4 happening, as Ms. Elcano indicated, in the bathroom. She
5 was on hold -- she called them back this morning as
6 required, and she was on hold for 30 minutes. She's on
7 the phone in the hallway.

8 As I said, she's been waiting since May.
9 They had told her yesterday she could have a 1:10
10 appointment. Apparently they gave that away, so she
11 called, she spoke to a supervisor. The supervisor
12 apparently has said they could fit her in at 10:10.
13 That's the situation. Now --

14 THE COURT: How long does it take for her to
15 get there?

16 MR. ELKINS: I'm not sure. I'd have to ask.
17 Probably --

18 THE COURT: Would it be any good for me to
19 get on the phone with somebody?

20 MR. ELKINS: No, Judge. They've given her an
21 appointment for 10:10.

22 THE COURT: I'd like to find out how long
23 it's going to take. If it's only going to take a couple
24 hours, then we can break for a couple of hours and come

1 back and get as much done as we can.

2 MR. ELKINS: May I be excused?

3 THE COURT: Yes. Be at ease. Off the
4 record.

5 (A recess was taken.)

6 MR. ELKINS: Judge, it turns out she has a
7 10:10 appointment. She is on hold to confirm because
8 they said, "We can get you in at 10:10." It's over by
9 the Sands. She said it will take her a half-hour, 45
10 minutes to get over there.

11 THE COURT: One of you can't drive her?

12 MR. ELKINS: Well, I can try to get her a
13 ride. I can't be here and drive her. I'll think of
14 something.

15 MS. ELCANO: The Sands is a 10- or 15-minute
16 walk from here at most. The Sands Regency, it's on
17 Virginia.

18 MR. ELKINS: Public transportation, but we'll
19 get her over there, Judge.

20 So it's a quarter of 9:00 now. She has to be
21 over there by 10:10. They're telling her, as I
22 understand it, the appointment will take about 45
23 minutes, have to get her back. So whatever you think.
24 Assuming they get her in on time, too. Since they're

1 squeezing her in and it's a public clinic --

2 THE COURT: Do we want to try to call some
3 witnesses this morning or what do you want to do?

4 MR. ELKINS: It's a quarter of 9:00. She's
5 got to be over there at 10:10. I'm happy to provide her
6 with transportation. I guess we could have Ms. Seronio
7 take the stand again and do the cross. I think that's
8 about as far as we're probably going to get.

9 THE COURT: So we'll go until 9:30.

10 MR. ELKINS: Fine. And then we'll get her
11 over there, and I don't know what to tell you, Judge, in
12 terms of rescheduling it. I mean, I think the safest
13 thing to do, frankly, would be to reschedule the
14 afternoon. I have two witnesses to present. They can be
15 available. And then, as I've said repeatedly and I'll
16 repeat it again, you know, I'd like her to have --

17 THE COURT: We've got another day on the
18 15th.

19 MR. ELKINS: So my request to the Court would
20 be to hear her on the 15th, and then we'd be done.

21 MS. ELCANO: Your Honor, I don't understand
22 why we couldn't proceed at 1 o'clock today?

23 THE COURT: I think that's what we're saying.

24 MS. ELCANO: I thought you were asking to

1 cancel the whole afternoon.

2 MR. ELKINS: No.

3 MS. ELCANO: Okay. I would also -- I mean,
4 if we have time and get through the first witnesses, I
5 think we should proceed as we can.

6 THE COURT: We're going to call Ms. Seronio.

7 MR. ELKINS: So can I find out what's going
8 on there?

9 THE COURT: Yes. And get her in here.

10 And you're right about -- so there isn't any
11 reason why you guys can't be working on your posttrial
12 briefs because we're only going to have a couple
13 witnesses when this is done.

14 MS. ELCANO: Yes, Your Honor. I think the
15 only concern might be getting copies of the record, so as
16 soon as those are available.

17 THE COURT: How long does that take?

18 (A discussion was held off the record.)

19 THE COURT: Again, this is Case No.

20 FV14-03897 in the matter of parental rights as to the
21 Taylor children as alleged in the petition. The parties
22 are present with their clients.

23 Ms. Elcano, I guess it's cross-examination.

24 MS. ELCANO: Yes, I believe it is.

1 THE COURT: Come on up. I'll remind you
2 you've been previously sworn and you're still sworn in
3 this proceeding.
4

5 MALIA SERONIO,
6 having been previously duly sworn,
7 was examined and testified as follows:
8

9 CROSS-EXAMINATION

10 BY MR. ELKINS:

11 Q Ms. Seronio, yesterday you referred to a
12 series of case plans. I'd like to call your attention to
13 the one you prepared, I think it was April of this year,
14 April 25th. That would be, I think, Exhibit W.

15 MR. ELKINS: It says "Review Date: April 25,
16 2015."

17 MS. ELCANO: "Review Due."

18 MR. ELKINS: Oh. "Review Due." I'm sorry.
19 Yes, that's correct. This is the January --

20 MS. ELCANO: I'm just double-checking.

21 MR. ELKINS: No. Thank you. I appreciate
22 it.

23 BY MR. ELKINS:

24 Q All right. So I'm going to refer to that in

1 a minute, but during the period when you were the actual
2 case worker as opposed to an intern, that was obviously
3 after Ethan came into care?

4 A Yes.

5 Q Which after he had been in his -- he was
6 what, nine months old at that point?

7 A Yes.

8 Q And that was in September of 2014?

9 A That's correct.

10 Q And Ms. Guerrero's sit-out period for TANF
11 began that month; correct?

12 A That's correct.

13 Q And so during the 12-month period that you
14 have been, up till now, the case worker for Ethan,
15 Ms. Guerrero has been in the sit-out period?

16 A That's correct.

17 Q Having no cash assistance; correct?

18 A That's correct.

19 Q If you look at the exhibit I just called to
20 your attention -- I think it is W -- if you look at item
21 1, it says "Family does not have the resources to meet
22 basic needs"; correct?

23 A That's correct.

24 Q Okay. Item 2, it says "She's able to provide

1 basic care for Ethan, changing and feeding him, identify
2 what's needed to care for him, able to communicate with
3 others from whom she requires assistance."

4 So is it fair to say that her basic parenting
5 skills were good?

6 A I believe so, yes.

7 Q I should say "are."

8 We've already established she had no cash
9 assistance. It says here under 3 that her day-to-day
10 support came from Alberto?

11 A That's correct.

12 MS. ELCANO: I don't mean to interrupt. What
13 page are you on?

14 MR. ELKINS: Page 1.

15 BY MR. ELKINS:

16 Q Number 4, you say --

17 You completed this; correct?

18 A That's correct.

19 Q Number 4, you say "The family has been
20 involved with the agency since March of '13, offered a
21 variety of services, tangible services, budgeting
22 assistance, cleaning supplies, bus passes, counseling
23 vouchers, and assistance in obtaining low-income
24 housing."

1 In that regard, by the way, do you remember
2 when you were an intern having a conversation with her in
3 or about September of 2013 when she was around No. 1 on
4 the list and learning that the Section 8 program had been
5 frozen, it was on hold? Do you recall that?

6 A I don't recall that specific conversation.
7 However, I do recall that that was the circumstance.

8 Q That that was?

9 A A circumstance.

10 Q Okay. Moving on, it says "Jacqueline" -- and
11 it says "and Robert," but we're talking about
12 Jacqueline -- "have had poor follow-through taking
13 advantage of these services and sustaining a positive
14 change in stability. Issues currently instigating the
15 agency's involvement are part of a pattern demonstrated
16 by the parents in that they are unable to maintain
17 stable, clean, safe housing."

18 So making that statement with regard to poor
19 follow-through in regard to housing, Ms. Guerrero had the
20 Section 8 voucher; correct?

21 A Yes.

22 Q And she had been on a waiting list for a long
23 time to get it; correct?

24 A Correct.

1 Q She had looked for apartments, had she not?
2 A She indicated that to me, yes.
3 Q Okay. In fact, she had leased an apartment
4 in 2013; correct?
5 A Correct.
6 Q So what was the poor follow-through regarding
7 housing?
8 A It had to do with maintaining the housing.
9 They were unable to maintain -- in my experience as an
10 intern, the house was often dirty, and it was -- it was a
11 consistent pattern, that even if they did have housing,
12 it wasn't always clean and they did not maintain it for a
13 sustained period of time.
14 Q Is it the agency's policy to terminate
15 parental rights for having a dirty house?
16 A Not that I'm aware of. Not if that's the
17 only issue.
18 Q So it really was about the eviction; correct?
19 A That was a portion of it, yes.
20 Q Number 5, you say under "Motivational
21 Readiness, Emotional Outcome" --
22 You see where I'm talking about?
23 A Are you indicating under the SMART goal?
24 Q That's what it's called, yes.

1 A Yes.

2 Q Page 2.

3 It says "Ms. Guerrero is able to discuss she
4 often feels very overwhelmed by the process, afraid of
5 what she'll find out about herself if she engages in
6 services. She talks about the anxiety getting the better
7 of her and, therefore, missing out on the opportunities
8 to improve her circumstances."

9 Now, with regard to anxiety getting the
10 better of her, you had, if not now, I guess, in this
11 plan, but in the next plan, you had the benefit of
12 Dr. Aberasturi's recommendation; right?

13 A That's correct.

14 Q Dr. Rogina's recommendation?

15 A That's correct.

16 Q She had participated in the psychological
17 with Dr. Rogina to the extent he was able to report; she
18 participated in the neuropsych with Dr. Aberasturi?

19 A That's correct.

20 Q And prior to that she had participated in a
21 psychosocial evaluation with Bri Carter; right?

22 A That's correct.

23 Q And you knew that at that point in time,
24 according to Drs. Aberasturi and Rogina, the

1 recommendation was for medication?

2 A That's correct.

3 Q You testified that there were no further
4 services that you could think of, nothing else that you
5 could have done.

6 Do you recall in February Ms. Guerrero
7 telling you that she was trying to qualify for Social
8 Security?

9 A Yes, I recall.

10 Q Okay. And, in fact, didn't you say that
11 Dr. Aberasturi told you that she probably would or
12 something to that effect?

13 A I believe Dr. Aberasturi had commented that
14 she might qualify.

15 Q Okay. And do you recall that she had said
16 she had been having difficulty communicating with the
17 Social Security Administration?

18 A I recall that she said she had appointments
19 with them and had felt generally unsuccessful.

20 Q Okay. Do you recall Dr. Aberasturi -- you
21 were here when Dr. Aberasturi testified; correct?

22 A That's correct.

23 Q Do you recall her saying that she had made
24 certain recommendations to the agency and that she would

1 have suggested, for example, assisting Ms. Guerrero to
2 complete forms, things like that? Do you recall that
3 testimony?

4 A That's correct.

5 Q So is that something that you could have
6 done? You could have assisted her with completing the
7 forms for Social Security, the application, etcetera?

8 A Yes.

9 Q You had mentioned talking to Ms. Guerrero in
10 March of this year about PSR services to help keep her
11 organized.

12 Do you recall that on or about March 11th
13 there was -- that she wasn't able to come to an
14 appointment because she had a panic attack?

15 A I recall that she has reported that to me in
16 the past. I don't recall specific dates.

17 Q Okay. Do you recall that during -- let
18 me -- I'm sorry, I don't know if I got an answer on my
19 first question.

20 It was around March that you were talking to
21 her about PSR services?

22 A February, March, yes, after the report with
23 Dr. Aberasturi.

24 Q And I think we discussed that yesterday.

1 A Yes.

2 Q You did know that at that time she was

3 carrying a deceased fetus?

4 A Yes, I did.

5 Q That had to be surgically removed?

6 A Yes, I did.

7 Q In May of this year she indicated to you that

8 she was concerned about Alberto stalking her?

9 A May of this year?

10 Q 2015.

11 A I don't recall.

12 Q Well, you said there was a time when she had

13 said that to you?

14 A Yes. That would have been, I believe, in

15 November, approximately, of last year.

16 Q Okay.

17 A 2014.

18 Q Okay. Fair enough.

19 In May of this year she went to CAAW;

20 correct?

21 A That's correct.

22 Q And that's the Committee to Aid Abused Women?

23 A Yes.

24 Q And it's what's called a domestic violence

1 shelter?

2 A Uh-huh.

3 Q Are you familiar with that?

4 A Yes.

5 Q And she stayed there until July of this year,
6 is that correct, sometime in July?

7 A Not consistently. She entered in May, she
8 left in May. We wrote a letter requesting that they
9 readmit her in June, and then she stayed from June
10 through July.

11 Q Right. And isn't it true that residence in
12 CAAW is time-limited?

13 A That's correct.

14 Q And the time limit has to do with whether you
15 have employment?

16 A That's correct.

17 Q And is it not a fact that she was
18 time-limited without employment?

19 A That's correct.

20 Q She had, however, while she was in CAAW in
21 June, get a job at La Quinta; correct?

22 A That is what she reported to me, yes.

23 Q And did she tell you that she had to leave
24 the job because she had a reaction to the chemicals that

1 were being used?

2 A Yes.

3 Q And, of course, she was pregnant at the time?

4 A She was not reporting that to me at that
5 time. However, it would appear so, yes.

6 Q It would appear so.

7 Didn't she also report to you that the
8 company had said that they would try to get her another
9 position?

10 A They did -- she did report that to me, yes.

11 Q So, Ms. Seronio, did you ever consider
12 advocating with La Quinta to give Ms. Guerrero a
13 different position other than dealing with chemicals?

14 A I did not.

15 Q Is that something you might have done?

16 A If Ms. Guerrero had given me permission to
17 speak with them, then yes.

18 Q Did you ask her for permission?

19 A At this time we weren't regularly
20 communicating.

21 Q Well, she communicated apparently the
22 circumstances to you?

23 A Right.

24 Q At the time she communicated those

1 circumstances, did you have a discussion with her about
2 getting permission to talk to the company?

3 A I did not.

4 Q Finally, I'd just like to go back to where we
5 started with ASFA.

6 Do you know what ASFA is?

7 A The Adoption and Safe Families Act.

8 Q Have you been trained on ASFA?

9 A I have.

10 Q And according to the agency's interpretation
11 of ASFA, after a period of 12 months of working with a
12 parent, if things aren't progressing, you ask the Court
13 for termination; correct?

14 A Correct.

15 MS. ELCANO: Objection. I don't think she
16 can speak to the agency's interpretation. I think she
17 can speak to her training or her interpretation.

18 MR. ELKINS: Okay. I'll rephrase the
19 question.

20 BY MR. ELKINS:

21 Q According to your training, after 12 months,
22 if there's no progress, the agency goes to court and asks
23 for a change of goal; correct?

24 A Correct.

1 Q Were you also trained on what a concurrent
2 goal is?

3 A Yes.

4 Q What is a concurrent goal?

5 A It is a concurrent reunification as well as
6 termination of parental rights and adoption plan.

7 Q Meaning even if there's a -- well, withdrawn.
8 From your training, you understand that to
9 mean that even if there's a termination petition filed,
10 that the agency continues to work with the parent?

11 A That's correct.

12 Q Okay. So when we're talking about June or
13 May of this year, the fact that -- or July, something
14 like that, the fact that there might have been a
15 termination proceeding in progress would not have
16 prevented you from doing the things we talked about?

17 A No.

18 MR. ELKINS: Thank you, Judge. I have no
19 further questions.

20 MS. ELCANO: Just one moment, Your Honor.

21 Thank you for that moment.

22 /////

23 /////

24 /////

REDIRECT EXAMINATION

BY MS. ELCANO:

Q Good morning, Ms. Seronio.

A Good morning.

Q So I want to first turn to the
recommendations of Dr. Aberasturi.

Was the recommendation that medication may be
beneficial the only recommendation?

A No.

Q What were additional recommendations?

A She was also recommended for neurology to
address her migraines, which those referrals were
provided in the report. She also recommended for
dialectical behavioral therapy. There was also
recommendations for, I believe, educational services
around her children's special needs. And those are the
major recommendations that I can recall.

Q What recommendations, if any, did
Dr. Aberasturi make regarding individual counseling?

A That was the dialectical behavioral therapy,
and she actually recommended, I believe, Dori Orlich or
Danielle Osier-Tatar, who I believe was in her office, if
I recall correctly.

Q Thank you.

1 And if you could turn to page 14 of 15 of
2 Exhibit CC, so Charlie Charlie, and if you go to the
3 fifth little indent down or dot down, can you read the
4 first sentence?

5 A "Jacqueline should be seen for medication
6 therapy."

7 Q Thank you.

8 What referrals did you make for Ms. Guerrero
9 to see someone for a psychotropic evaluation?

10 A Northern Nevada Adult Mental Health Services
11 as well as Alliance Family Services, and she was provided
12 with the Amerigroup list of psychiatric providers.

13 Q And why was Ms. Guerrero provided with the
14 Amerigroup list?

15 A Because that's the insurance that she
16 carries.

17 Q And what specifically was identified on that
18 list?

19 A Providers who may be able to provide her with
20 a prescription for psychiatric medication.

21 Q And what information for those particular
22 providers was on that list?

23 A Names, addresses, and phone numbers.

24 Q Thank you.

1 You indicated, I believe, that Ms. Guerrero
2 did go to Alliance seeking a psychotropic medication
3 evaluation.

4 To your knowledge -- pardon me. Based on
5 your conversations with Ms. Guerrero, what was Alliance's
6 recommendations?

7 A They did not recommend medication for her,
8 they recommended therapy, and Ms. Guerrero informed me
9 that their explanation was the situational stress. Later
10 on she added that they believed her to be pregnant at
11 that time.

12 Q And what information, if any, did you provide
13 to Alliance when that voucher was submitted for the
14 psychotropic medication evaluation?

15 A I faxed over a copy of the neuropsychological
16 evaluation performed by Dr. Aberasturi.

17 Q Okay. So Alliance had a copy of that when
18 they rendered their evaluation?

19 A Yes.

20 Q Thank you.

21 And you have no control -- what control do
22 you have over an agency such as Alliance recommending or
23 not recommending medication?

24 A I can call and make recommendations, but I

1 have no control over their final decision.

2 Q And what information did you put in the
3 voucher for Alliance?

4 A For Alliance I did not do a voucher. I just
5 submitted the neuropsychological for her.

6 Q Okay. And approximately when, based on your
7 conversations with Ms. Guerrero, did she go to Alliance?

8 A I believe the appointment was set for
9 April 9th.

10 Q And what conversations, if any, had you had
11 with Ms. Guerrero at that juncture regarding whether or
12 not she was pregnant?

13 A We had talked at that point about her
14 terminated pregnancy and that she needed to go have the
15 surgery done. I believe that she missed several
16 appointments.

17 Q While you have been the social worker
18 assigned to this case, based on your conversations with
19 Ms. Guerrero, what medication, if any, was she receiving
20 from an ob-gyn?

21 A I believe it is called hydroxyzine pamoate,
22 p-a-m-o-a-t-e, and it is a medication --

23 MR. ELKINS: Objection. Expert opinion.

24 /////

1 BY MS. ELCANO:

2 Q Based on your conversations with
3 Ms. Guerrero, what was that medication used for?

4 A The label said "hydroxyzine pamoate." I
5 believe it was 30 --

6 MR. ELKINS: Objection. The question was
7 what was said, I think.

8 BY MS. ELCANO:

9 Q I'll back up.
10 How did you identify the name of this drug?

11 A By the labeling on the bottle.

12 Q And who provided you with the label?

13 MR. ELKINS: Objection. Hearsay. Sorry.
14 Objection. Hearsay.

15 THE COURT: Well, all she said is she got the
16 information from the label, so that isn't hearsay.

17 MR. ELKINS: Judge, that's an out-of-court
18 statement being offered for the truth of the contents of
19 the bottle.

20 THE COURT: If she says what's on the label,
21 that's hearsay, but saying she got that from the label is
22 not, so objection overruled.

23 Next question.

24 /////

1 BY MS. ELCANO:

2 Q Who provided you that bottle?

3 A Ms. Guerrero.

4 Q And based on your conversations with
5 Ms. Guerrero only, why was Ms. Guerrero taking that drug?

6 A For anxiety.

7 Q And based on your conversations with
8 Ms. Guerrero, who had recommended that drug to her?

9 A Her obstetrics-gynecologist.

10 Q Her what? I'm sorry.

11 A Her obstetrics-gynecologist.

12 Q Thank you.

13 And based on your conversations with
14 Ms. Guerrero, when was she taking that anxiety drug?

15 A I believe it was -- she provided me with a
16 bottle sometime in May or June of this year.

17 MR. ELKINS: Objection. Hearsay.

18 THE COURT: You know, let's move on with
19 this. We're just --

20 MS. ELCANO: Thank you, Your Honor.

21 BY MS. ELCANO:

22 Q Do you know, based only on your conversations
23 with Ms. Guerrero, how long she took that drug?

24 A Based on my conversations with her, she has

1 not told me that she has stopped taking the medication.

2 Q Thank you.

3 MR. ELKINS: Objection. Nonresponsive.

4 THE COURT: Move on.

5 MS. ELCANO: Thank you, Your Honor.

6 BY MS. ELCANO:

7 Q Sorry. I'm perplexed at my own notes.

8 You indicated that you provided neurological
9 referrals. Who were those to?

10 A I did not provide those. Dr. Aberasturi
11 provided those.

12 Q Okay. Thank you.

13 And you indicated that you provided a voucher
14 for Dr. Aberasturi to complete her neuropsychological
15 evaluation.

16 What information was in that voucher?

17 A I talked about Ms. Guerrero's history of
18 anxiety and depression. I also talked about the current
19 circumstances of the case, that there were still concerns
20 about stability. I also included that she had received
21 an evaluation through Dr. Rogina for psychological, but
22 she had only attended one appointment of that.

23 Q And you were asked about a statement
24 indicating that Ms. Guerrero's anxiety was a crutch.

1 Why did you make that statement?

2 A At that time Ms. Guerrero would tell me
3 things -- just to give an example, that she quit her job
4 due to her anxiety. However, she was not actively
5 seeking services to address the issue.

6 Q And I wanted to turn next to the Social
7 Security. So I believe you had indicated that that was a
8 discussion that you had with Ms. Guerrero.

9 To your knowledge, did Ms. Guerrero attempt
10 to obtain services through Social Security Income?

11 A Yes.

12 Q And what information did Ms. Guerrero provide
13 to you regarding those attempts?

14 A That she had appointments, I believe, in both
15 November of 2014 and February of 2015. She also reported
16 to me that she was having some difficulties communicating
17 with them, that she had gotten frustrated with them and
18 was having just difficulties in conversation with them.

19 Q And what specifically did she indicate to you
20 were her difficulties communicating?

21 A Her words were, "I kind of yelled at them a
22 little bit." I think it was more -- I mean, I don't want
23 to speculate --

24 Q Then don't.

1 A -- but those were her words.

2 Q Did Ms. Guerrero ask you for assistance?

3 A She did not.

4 Q And what information, if any, did

5 Ms. Guerrero indicate to you that there was difficulty

6 associated with filling out paperwork?

7 A She did not indicate difficulty to me.

8 Q What request, if any, did Ms. Guerrero make

9 to you for assistance with Social Security?

10 A None that I can recall.

11 Q You talked about the Section 8 housing

12 program being frozen. What information do you have

13 regarding that?

14 A That at that time there was no progression in

15 the list, so people weren't moving up, and they weren't

16 providing resources.

17 Q And what's the difference between Section 8

18 housing and a voucher --

19 MR. ELKINS: Objection unless the witness

20 has --

21 BY MS. ELCANO:

22 Q -- based on your knowledge and experience?

23 MR. ELKINS: Can I voir dire her on her

24 knowledge and experience part? I know -- Judge, I know

1 you want to move along.

2 THE COURT: It seems like a simple question.

3 What's your understanding of the difference?

4 That's all we're getting at.

5 She may be wrong. I don't know. You can ask
6 her when you cross-examine her whether or not she has any
7 basis for knowledge, I guess.

8 What's the difference?

9 THE WITNESS: My understanding is that you
10 can get a Section 8 housing voucher, but there are
11 several programs under the umbrella of Reno Housing
12 Authority. That's basically the extent of my knowledge.

13 BY MS. ELCANO:

14 Q And what was your understanding -- well, let
15 me move on.

16 Based on your training at Social Services,
17 approximately how long is a psychosocial evaluation
18 considered good or relevant?

19 MR. ELKINS: Objection. Objection. Beyond
20 the scope of the witness's expertise.

21 THE COURT: Again, it's based on her
22 experience.

23 MR. ELKINS: Yes, Judge, but -- I'm sorry, I
24 didn't mean to interrupt you, Judge, but that may be, but

1 she's not an expert -- she's not a neuropsychologist.

2 THE COURT: And I wouldn't accept her
3 testimony as being expert testimony.

4 MS. ELCANO: I can rephrase, Your Honor.

5 THE COURT: Based on her experience.

6 BY MS. ELCANO:

7 Q Based on your experience at Social Services,
8 if an individual has a psychosocial evaluation, when is a
9 new psychosocial evaluation requested?

10 MR. ELKINS: Same objection.

11 THE COURT: Objection overruled.

12 Go ahead and answer the question.

13 THE WITNESS: It is our practice that if a
14 psychosocial is more than six months old, that we will
15 request a new evaluation.

16 BY MS. ELCANO:

17 Q Thank you.

18 When, approximately, did you ask Ms. Guerrero
19 first about her most recent pregnancy?

20 A I believe it was in June of this year.

21 Q And when did you last ask Ms. Guerrero about
22 whether or not she was pregnant?

23 A I believe last week.

24 Q And what response did Ms. Guerrero provide in

1 June?

2 A That she was not pregnant.

3 Q And what was her response last week?

4 A She was nonresponsive. She avoided the
5 topic.

6 Q And from June 2015 until that last
7 conversation you had with her last week, what indication
8 did Ms. Guerrero give to you in regards to whether she
9 was pregnant?

10 A She did not give me any indication. She
11 wouldn't answer my question.

12 Q You were asked about the ASFA in the 12-month
13 progression.

14 What circumstances would Washoe County
15 Department of Social Services at a 12-month mark not seek
16 termination of parental rights?

17 MR. ELKINS: Objection, Judge. Same
18 objection the district attorney had. She's asking for
19 agency policy. That was her objection. She can talk
20 about training.

21 THE COURT: She's one of the people that
22 carried the policy out, so why wouldn't she be able to
23 testify about --

24 MS. ELCANO: I'm asking with regards to

1 Social Services policy. I apologize if that wasn't
2 clear. My objection was asking for a legal conclusion
3 previously and only that the witness could testify as to
4 Social Services policy, which is what I'm asking for
5 here.

6 MR. ELKINS: My objection, Judge, is that
7 she's not a supervisor. She's got one year of
8 experience. If the district attorney wants to ask her
9 what her training is -- she's not a policy person.

10 THE COURT: She has an understanding of what
11 the agency she works for's policies are. She can testify
12 to that. Objection overruled.

13 Testify.

14 THE WITNESS: If at the 12 -- can you just
15 repeat the question?

16 BY MS. ELCANO:

17 Q Yes. What circumstances might prevent Social
18 Services, based on your experience and your understanding
19 of the policy of ASFA, from asking for termination at the
20 12-month mark?

21 A If the parent is making significant progress
22 on their case plan and has made behavioral change, we
23 just haven't gotten to the point of reunification yet or
24 case closure, then we wouldn't ask for termination of

1 parental rights.

2 THE COURT: You know, even though you ask,
3 the Court doesn't have to authorize it either, does it?
4 Don't you go to juvenile court and family court to find
5 out?

6 THE WITNESS: Absolutely.

7 BY MS. ELCANO:

8 Q How does that process work?

9 A We would go -- we write our court reports.
10 In our court reports we make recommendations at
11 permanency hearings regarding what we feel that the
12 permanency plan should be. At the court hearings we are
13 then in front of a judge, and the judge can either uphold
14 our recommendations or they can institute a different
15 plan or they can contest it.

16 THE COURT: This is just a question, I guess,
17 I have. Do they routinely disagree with your
18 recommendations and do something different than what you
19 ask for?

20 MR. ELKINS: No, Judge.

21 MS. ELCANO: Objection. He's testifying on
22 the record.

23 THE COURT: That's fine.

24 THE WITNESS: It really just depends on the

1 circumstance. In my experience in recent months, when I
2 have asked for termination, I have been granted
3 concurrent.

4 THE COURT: So you go in and say, "We've done
5 everything we can, let's terminate," and the judge says,
6 "No. We'll continue to try to unify, but we'll make two
7 goals, the two" --

8 (Witness nods head.)

9 THE COURT: "I'm just not going to let you
10 have a termination. You're also going to have to try to
11 keep reunifying." Is that --

12 THE WITNESS: That's correct.

13 THE COURT: Go ahead.

14 MS. ELCANO: I'm sorry, Your Honor. Did you
15 have another question?

16 THE COURT: No.

17 BY MS. ELCANO:

18 Q Who else is present at these permanency
19 hearings?

20 A We have our district attorneys, public
21 defenders, and the parents.

22 Q And what opportunity, if any, do the parents
23 have to contest a permanency plan?

24 A They have opportunities through their public

1 defender.

2 Q I'd like to turn next to La Quinta.

3 THE COURT: Another question I have. You
4 guys don't have CASAs over here, do you?

5 MR. ELKINS: Yes, we do, Judge.

6 MS. ELCANO: We don't have what?

7 THE COURT: CASAs.

8 So are there CASAs involved in these hearings
9 that represent the kids?

10 MS. ELCANO: I'll let her answer. I don't
11 want to testify, Your Honor.

12 THE WITNESS: It depends on the case. If we
13 have the children who are verbal and are able to express
14 themselves, then generally we would either have a
15 court-appointed special advocate or a child attorney
16 appointed.

17 THE COURT: Was that done in this case?

18 BY MS. ELCANO:

19 Q Was there a CASA appointed in this case,
20 Ms. Seronio?

21 A Yes.

22 Q Approximately when did that occur?

23 A One month or two months ago.

24 THE COURT: So why aren't they participating

1 in this? They don't come up to these proceedings?

2 MS. ELCANO: Your Honor, I do -- and not to
3 testify, but my understanding, I do think that they are
4 technically a party and could participate.

5 MR. ELKINS: No, not the CASA, Judge. CASAs
6 aren't even called as witnesses.

7 MS. ELCANO: They can be.

8 MR. ELKINS: Actually, I think their
9 policy -- and I don't want to get into an argument here,
10 but I think their policy is that they don't testify.
11 They do submit reports to the Court. They're volunteer
12 members of the community.

13 THE COURT: We have them in Carson.

14 MR. ELKINS: So they're not parties to the
15 proceeding, and they're really there just to assist to
16 gather information.

17 THE COURT: I get the impression you guys
18 don't have as pervasive of a CASA program here as we do
19 in Carson.

20 MR. ELKINS: We actually have a pretty active
21 one, but they're not appointed in every case, it's sort
22 of hit or miss. And then there are also attorneys for
23 the children, but no attorney for the children was
24 appointed in this case.

1 MS. ELCANO: It's typically either/or. They
2 either appoint a CASA or an attorney.

3 THE COURT: We do both in Carson.

4 MS. ELCANO: Yeah. But not always, just
5 typically.

6 THE COURT: Go ahead.

7 MS. ELCANO: Thank you, Your Honor.

8 BY MS. ELCANO:

9 Q And I'm sorry, I'd like to turn to the
10 La Quinta alleged employment.

11 Why didn't you contact La Quinta?

12 A Ms. Guerrero and I had discussed me
13 contacting La Quinta. Also, she was employed there for a
14 very short period of time.

15 Q What request, if any, did Ms. Guerrero make
16 that you get involved at La Quinta?

17 A She did not.

18 Q When, approximately, were you made aware of
19 the fact that Ms. Guerrero was no longer employed at
20 La Quinta?

21 A I believe it was in July of 2015.

22 Q And at that time what possibility, if any,
23 was there for Ms. Guerrero to switch positions?

24 A She reported to me that they were going to

1 try to find another position for her.

2 Q Okay. And when did you next discuss this
3 issue with Ms. Guerrero?

4 A It would have been still later on in July of
5 2015.

6 Q Okay. And what information did Ms. Guerrero
7 provide you at that juncture?

8 A She stated that they would not, in fact,
9 provide her with another position.

10 Q In what request, if any, did Ms. Guerrero ask
11 for assistance?

12 A She did not.

13 Q And what information, if any, did
14 Ms. Guerrero provide regarding a basis for not switching
15 her positions?

16 A She stated to me that she was hired for the
17 position that she was hired for and they would not switch
18 her position.

19 Q You were asked whether Social Services would
20 terminate parental rights just because of a dirty home.

21 So why is Social Services, you in particular,
22 seeking termination here today of parental rights?

23 A Because Ms. Guerrero is still homeless, she's
24 still not employed, she hasn't consistently followed

1 through on services to address the likely underlying
2 issue of anxiety and depression, and it's been
3 very -- she's been very sporadic in contact with the
4 agency, she's been sporadic in contact with Children's
5 Cabinet, and this is all part of a pattern that we have
6 seen over the last two and a half years, to my knowledge.

7 MS. ELCANO: I have no further questions.

8 Thank you.

9 THE COURT: Mr. Elkins.

10
11 RECROSS-EXAMINATION

12 BY MR. ELKINS:

13 Q Is a registered nurse a psychiatrist?

14 A No.

15 MS. ELCANO: Objection.

16 BY MR. ELKINS:

17 Q Is an ob-gyn a psychiatrist?

18 MS. ELCANO: Objection, Your Honor. He's
19 asking questions that she may not know the answer to.
20 They're asking for medical --

21 THE COURT: Let's try to make a point.

22 Objection overruled.

23 Go ahead.

24 THE WITNESS: No.

1 BY MR. ELKINS:

2 Q The recommendation was for referral to a
3 psychiatrist; correct?

4 A Correct.

5 Q Not to an ob-gyn or registered nurse;
6 correct?

7 THE COURT: When you say "registered nurse,"
8 are you talking about the nurse psychiatrist -- the nurse
9 practitioner?

10 MR. ELKINS: Practitioner, right.

11 THE COURT: Which is different than a
12 registered nurse.

13 MR. ELKINS: I'm sorry, Judge. Nurse
14 practitioner is what I meant to say.

15 BY MR. ELKINS:

16 Q Do you understand the question?

17 A Yes.

18 Q Okay. So when she went to Alliance, she saw
19 a nurse practitioner; correct?

20 A Correct.

21 Q When you went with her to NNAMHS, they said
22 they couldn't take her; correct?

23 A Correct.

24 Q When you contacted people on the Amerigroup

1 list, they said there was no availability; correct?

2 A Correct.

3 Q With regard to SSI, even though Ms. Guerrero
4 didn't specifically ask you, "Will you help me fill out
5 the forms?" what she said is, "I'm having difficulty
6 communicating with the agency"; correct?

7 A Correct.

8 Q And with regard to La Quinta, didn't she say
9 that they had said they might switch her to a different
10 position?

11 A Yes. Correct.

12 Q Okay. So you knew that that was a
13 possibility according to her, that they might switch her
14 job?

15 A Yes.

16 Q So she did bring it to your attention?

17 A She did.

18 Q In this particular case with regard to Ethan,
19 isn't it a fact you went to court seeking a goal of
20 termination of parental rights?

21 A I did.

22 Q And wasn't Ethan nine months? He had been in
23 care for nine months at that point, was it, or six
24 months?

1 A Nine months.

2 Q So not a year?

3 A That's correct.

4 Q And you ended up getting an order for
5 concurrent goal based upon a stipulation; correct?

6 A Correct.

7 Q And I think we've gone over the stipulation,
8 including what was to be done?

9 A Yes.

10 Q Ms. Seronio -- how did I do?

11 A Close enough.

12 Q Close enough, okay.

13 Ms. Seronio, can you tell me, what training
14 have you had with regard to Section 8, RHA, housing
15 programs?

16 A As in formal training regarding housing?

17 Q Yes.

18 A None.

19 Q None?

20 A None.

21 MR. ELKINS: I have no further questions.

22 THE COURT: Is training available to you guys
23 on --

24 THE WITNESS: Not that I have seen come up,

1 but it is possible that --

2 THE COURT: Has anybody thought to call over
3 there and say you'd like to know about the program.

4 MS. ELCANO: Your Honor, may I ask just two
5 clarifying questions?

6 THE COURT: Go ahead.

7

8 FURTHER REDIRECT EXAMINATION

9 BY MS. ELCANO:

10 Q What is Alliance?

11 A Alliance Family Services is a mental health
12 agency who provides a variety of services both to
13 children and adults, including medication management,
14 therapeutic services, and I believe they may also provide
15 psychosocial rehabilitation services.

16 Q And when you provided a voucher to Alliance,
17 what was the request in your voucher?

18 A I didn't submit a voucher. We made the
19 appointment together at Northern Nevada Adult Mental
20 Health Services, and I provided the neuropsychological
21 that specified she should be receiving medication.

22 Q What was the appointment for?

23 A Medication management.

24 MR. ELCANO: No further questions.

1 MR. ELKINS: No further questions.

2 THE COURT: Okay. I can't excuse you. You
3 have to sit here, so -- I guess I could excuse you. If
4 you want to leave, you can leave.

5 MS. ELCANO: Your Honor, I just wanted to,
6 prior to resting, make sure that all of the exhibits I
7 thought were in were in, and perhaps it may be easier to
8 go over the ones that are not in.

9 THE COURT: If I understand correctly, J is
10 not in.

11 MS. ELCANO: That is my understanding.

12 THE COURT: S is not in. R is not in.

13 MS. ELCANO: And the rest have all been
14 admitted; is that correct, Your Honor?

15 THE COURT: I believe so, except No. 2 for
16 the defense has not been admitted, some limitation on 5,
17 and 7, 8, and 9 haven't been admitted, but they have been
18 marked for identification.

19 MS. ELCANO: But of mine, only J, R, and S;
20 correct?

21 MS. ELCANO: J, R and S, J as in --

22 THE COURT: Yes. J, R, and S, that's right.
23 Do you agree, Mr. Elkins?

24 MR. ELKINS: Yes, Judge.

1 THE COURT: Okay.

2 MS. ELCANO: At this juncture, Your Honor,
3 I'd like to rest.

4 MR. ELKINS: Judge, I move for a directed
5 verdict in favor of my client dismissing the petition,
6 the basis for that being that as a matter of
7 constitutional law in the Santosky case and under Nevada
8 Supreme Court precedent, even though the best interests
9 of the child is the predominant consideration, parental
10 fault is a necessary aspect of the petitioner's case, and
11 if there is no parental fault, as a matter of
12 constitutional law you cannot terminate parental rights.

13 So our argument here is that, frankly, as a
14 matter of law, the evidence here has not established any
15 fault on Ms. Guerrero's part, and each and every cause of
16 action, blanket requirement, is that unless and until
17 there's parental fault, there cannot be termination, and
18 so no matter what the specifics of the statutory ground,
19 all of them require some form of parental fault.

20 And I submit to you, Judge, in addition to
21 that, that to the extent any presumption applies here by
22 virtue of the length of time the older children were in
23 care, that that presumption, insofar as Ms. Guerrero's
24 efforts go, has been rebutted by the testimony of the

1 experts who have been called here.

2 The services were fundamentally necessary in
3 order for Ms. Guerrero to accomplish what was expected,
4 and given that, we submit that the State or the County
5 here cannot avoid a directed verdict by relying on the
6 presumption because the evidence in the record taken as a
7 whole does not support the application for a presumption,
8 and therefore, Judge, I'm asking you to render a verdict
9 directed in favor of my client.

10 THE COURT: Ms. Elcano.

11 MS. ELCANO: Thank you, Your Honor.

12 I think, obviously, it's important to take
13 into consideration that there are three children
14 specifically which the presumptions are in place, and
15 those are Roberto, Kayleigh, and Nathan.

16 Pursuant to NRS 128.190 it must be presumed
17 that the best interests of the child is met -- or the
18 children are met in this particular case -- and that
19 there have been token efforts to reunify in the event the
20 child has been in the care and custody of Social Services
21 in excess of 14 consecutive months.

22 In this particular case it's been 28 months,
23 double that time. Specifically, the best interest and
24 the token efforts presumption may not be overcome

1 pursuant to statutory authority, may not, absolutely may
2 not be overcome or affected by evidence of failure of the
3 State to provide services to the family.

4 So it doesn't matter whether or not services
5 have been sufficiently offered to the family to overcome
6 these presumptions. There's been absolutely no evidence
7 to the contrary, that these presumptions have been
8 overcome at this particular date.

9 There is clearly parental fault in this case.
10 Ms. Guerrero has consistently demonstrated a failure, a
11 conscious and intentional failure, to not address her
12 mental health, to not engage in services, to not maintain
13 stable housing or employment or a clean home in this
14 particular case. In fact, it was so bad that her fourth
15 child had to be removed from her care and custody.

16 Ms. Guerrero has seen a total of four
17 therapists. She has seen Brianna Carter. Ms. Carter
18 testified that Ms. Guerrero failed to continue with
19 services. So Social Services referred her to Deken
20 Gossett because we were trying so hard to get her near
21 somebody and make it more convenient for her to see a
22 therapist. Again, Ms. Guerrero engaged in several
23 sessions with Deken Gossett and stopped.

24 Ms. Guerrero has received a psychosocial

1 evaluation from Brianna Carter. That evaluation
2 recommended counseling. Ms. Guerrero hasn't followed
3 through with counseling.

4 Ms. Guerrero was given a psychological
5 evaluation, a neuropsychological evaluation. Both of
6 those evaluations indicated that Ms. Guerrero has severe
7 mental health -- mental illness and emotional illness,
8 which is a factor that the Court can consider regarding
9 her ability to parent.

10 Additionally, Dr. Rogina specifically
11 testified that, based on the diagnoses he's made, that he
12 was concerned about Ms. Guerrero's ability to even take
13 care of herself.

14 Ms. Guerrero, as a result, engaged in
15 counseling with Dori Orlich, which she didn't follow
16 through with; dialectical behavioral therapy with Amanda
17 Buttacavoli, which, again, she didn't follow through
18 with. Ms. Guerrero is not treating her mental health
19 issues right now by engaging in therapy or obtaining any
20 sort of medication.

21 We attempted to take her, personally drove
22 her, to NNAMHS to get an evaluation for psychotropic
23 medication. Unfortunately, NNAMHS couldn't do so, so we
24 made an appointment at Alliance.

1 Ms. Boan is a registered or is a nurse
2 practitioner and is able to provide psychotropic
3 medication, as she testified to. Additionally, she
4 testified that she works in conjunction with a
5 psychiatrist that's on hand so she can provide that
6 medication.

7 You heard testimony today that she did not
8 qualify for medication. Additionally, you heard
9 testimony that Ms. Guerrero was taking some sort of a
10 drug to rectify her anxiety through her ob-gyn. Despite
11 that, we are not seeing any changes in this person.

12 We have a person here today who does not have
13 a home. If we were to place these children with her, she
14 has nowhere to live with them. She doesn't have income,
15 she's not on TANF, she doesn't receive SSI. She may have
16 gone there a couple times, but she didn't follow through
17 with obtaining SSI. She has no income. She doesn't have
18 food stamps. She has absolutely nothing today to provide
19 for these children. And it's not just poverty.

20 On top of this, Ms. Guerrero consistently has
21 mental health issues that impact her ability to care for
22 herself. They impacted her ability to maintain a job,
23 maintain a house, clean a house, keep it appropriate for
24 a child to be in the house, maintain basic needs such as

1 power for a home.

2 We have a parent who cannot parent. There is
3 clearly parental fault. There is clearly neglect and
4 inability to follow through. Washoe County Department of
5 Social Services has exhausted their services. You heard
6 Cassondra Pasley say the same thing. We have done
7 everything we could for this woman for two years, and
8 still today she cannot parent her children safely.

9 Given that, I would request that the directed
10 verdict is denied.

11 THE COURT: Just for the record here,
12 Ms. Elcano, what fault -- what parental fault is required
13 legally -- and I'm not talking specifically this
14 case -- what parental fault is required?

15 MS. ELCANO: Your Honor, pursuant to
16 NRS 128.105, there are numerous parental faults. The
17 first one is abandonment, neglect, unfitness of the
18 parent, failure of parental adjustment, risk of serious
19 physical, mental or emotional injury to the child if the
20 child were returned to her or remains in the care and
21 custody of his or her parent, token efforts by the parent
22 to support or communicate with the child, to prevent
23 neglect of the child, to avoid being an unfit parent or
24 to eliminate the risk of serious physical, mental or

1 emotional injury to the child.

2 One parental fault has to be found, just one,
3 and one is presumed here, and that's, pursuant to the
4 presumptions, which may not, absolutely may not be
5 overcome by failure to provide reasonable efforts to
6 reunify. And I would suggest that we have neglect here,
7 we have unfitness of a parent here, we have failure of
8 parental adjustment here. You've heard testimony about
9 all of those. You've also heard testimony about risk of
10 serious physical, mental or emotional injury to the child
11 if the child were returned. Both Ms. Lopez as well as
12 Ms. Seronio testified to that regarding Ethan.
13 Ms. Seronio did. Ms. Lopez testified to that regarding
14 Roberto, Kayleigh, and Nathan.

15 I think you've also seen token efforts by
16 this parent. This parent will start, make a few steps
17 forward and take ten steps back, and that's consistently
18 the behavior we've seen. Yes, Ms. Guerrero has said
19 she's motivated. Yes, Ms. Guerrero may take the first
20 step or two, but Ms. Guerrero cannot follow through, and
21 she cannot care for these children here today.

22 THE COURT: Mr. Elkins.

23 MR. ELKINS: Thank you, Judge. I submit
24 that, first of all, for the County to argue that you must

1 apply presumption, obviously, Judge, there is no such
2 thing as an irrebuttable presumption. You may or may
3 not, depending on your view of the evidence -- I mean,
4 it's simply a burden-shifting mechanism, and we submit
5 through the expert testimony we have met our burden of
6 shifting it, so I just want to be clear about that.

7 For the County to argue that my client cannot
8 parent, that's obviously not true. The witnesses
9 themselves acknowledge that she can parent. The children
10 have been left -- were left in her care initially until
11 they lost their apartment on Linden Street. The baby was
12 left in her care for eight months, until, you know, they
13 decided that she, without, in my opinion, evidence, lived
14 in that room even though they found the baby and her
15 somewhere else. So obviously -- and even the witnesses
16 themselves, who testified consistently, said she can
17 parent, so I think that's a misnomer.

18 Dr. Rogina specifically said medication
19 first. He was emphatic about that. He's a psychologist
20 with 35 years' experience. That was his opinion. "Must"
21 is what he said. And so, I mean, I like nurse
22 practitioners as well as anyone, but --

23 THE COURT: She never went back to do the
24 testing that she needed to do.

1 MR. ELKINS: But Dr. Aberasturi did, Judge,
2 and she made the same recommendation, and Dr. Aberasturi
3 also said that medication was indicated.

4 And finally, let me just say, given it's
5 clear she has anxiety disorder, I think, from the
6 experts, but my final point is that the choice here isn't
7 between adoption and immediately returning the children.
8 That's a red herring, that's not the case.

9 The question is, does the agency -- would
10 there be other additional efforts -- and that's 109, I
11 think, of the statute -- are there additional efforts to
12 bring about an adjustment that would enable her to
13 parent? The record is absolutely clear, Judge, the
14 answer to that is yes. There are and they haven't been
15 made. It's not --

16 THE COURT: The problem is you can't ignore
17 what's going on with the kids while this is going on.

18 MR. ELKINS: Right. So that's where I'm
19 going.

20 So the only thing that you're really being
21 asked to do and the consequences of a dismissal would be
22 that the agency would have to continue to work with the
23 mom to really address the issues so that she can make
24 adjustment with the necessary assistance.

1 THE COURT: In the meantime the kids have no
2 permanency?

3 MR. ELKINS: But, Judge, they're not going
4 anywhere.

5 THE COURT: If I could put the kids in
6 suspended animation, then --

7 MR. ELKINS: Well, Judge --

8 THE COURT: And that's really what ASFA is
9 all about is that you're not -- because I've been doing
10 this for 40 years now, and we were failing the kids
11 because we have them hanging out there during their
12 formative and infancy years while we're dealing with the
13 parent over here, and the sad fact is that you do have to
14 make some choices as to who you -- you know, it's always
15 sad to terminate parental rights, but then it's just as
16 sad to leave the kids in limbo, so there's no easy
17 choices.

18 MR. ELKINS: I don't disagree with that, but
19 in this case, first of all, I think from the foster
20 mother's own testimony, permanency is an elusive concept.
21 Her family is fractured.

22 But even leaving that aside, assuming that
23 that is a stable arrangement, which we don't know for
24 sure necessarily, but the fact is they're not going

1 anywhere. If the agency has to work appropriately with
2 the mom and if they do the right thing, Judge, if they do
3 the right thing and it turns out that the experts are
4 mistaken, then the children will be where they are
5 and --

6 THE COURT: When, a couple years from now --

7 MR. ELKINS: No, Judge.

8 THE COURT: -- take them away from the
9 adoptive parent or the foster parent and give them back
10 to her?

11 MR. ELKINS: Right. May I submit, Judge,
12 first of all, are we talking about, have they met their
13 burden here? Have they overcome the expert testimony,
14 experts they called themselves? In my opinion, no. And
15 so they -- and they knew what the expert's
16 recommendations were, they've known for eight months, but
17 in any event -- and they did make some efforts to comply,
18 but nothing was available, nothing was out there, so --

19 But having said that and -- yes, maybe -- so
20 you got no money, no medication available, no psychiatric
21 services available. To say that that's parental fault, I
22 think, is a mischaracterization, frankly, and then to
23 say, well, you know, the kids have been where they are
24 for a while, but if we follow that line of reasoning,

1 Judge, any child can be placed in foster care, the agency
2 could sit back, do nothing, wait, you know, whatever it
3 is, the 14 months, any termination case.

4 THE COURT: You can't say they did nothing in
5 this case. I've got 18 witnesses that I've heard so far
6 that have been involved in this case.

7 MR. ELKINS: I'm not saying they did nothing.
8 I'm saying they knew what they needed to do and weren't
9 able to accomplish it. That's what I'm saying, and
10 that's not the same thing, I agree with you, but the fact
11 of the matter is, the underlying, the real -- it's not a
12 question of parental fault; it's a question of addressing
13 the problem appropriately according to the recommendation
14 of people that they required to tell them what to do. So
15 that's what I would say.

16 And, finally, it's not a choice between
17 making these children homeless and leaving them where
18 they are. They're not going anywhere. It's just a
19 matter of, can the mom have the chance to have the
20 benefit of the recommendations that their own experts
21 made to them some eight, seven months ago. That's my
22 argument.

23 THE COURT: They are going somewhere.
24 They're growing up.

1 There is evidence before the Court, direct
2 and circumstantial, from which this Court could conclude
3 that there has been parental fault. This is a denial of
4 this motion, not a finding in the case, but there is
5 evidence before the Court from which I could conclude
6 there's been fault and from which I could proceed to
7 termination of these children, so the motion is denied.

8 MR. ELKINS: Thank you, Judge.

9 THE COURT: Do we want to take a break before
10 you put your case on?

11 MR. ELKINS: I could use a cup of coffee.

12 THE COURT: Okay. Fifteen minutes.

13 MR. ELKINS: Thank you, Judge. 10:15 we'll
14 be back. You can all be at ease.

15 (A recess was taken.)

16 THE COURT: This is FV14-03897 in the matter
17 of the parental rights as to the Taylor children as
18 alleged in the petition. The parties are present with
19 their counsel.

20 Mr. Elkins, we're into your case now. Your
21 first witness.

22 MR. ELKINS: Thank you, Judge.

23 MR. ELKINS: Respondent calls Rocky Mateo.

24 /////

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

ROCKY MATEO,
having been first duly sworn,
was examined and testified as follows:

DIRECT EXAMINATION

BY MR. ELKINS:

Q Good afternoon or, actually, still morning.
Good morning, Mr. Mateo. How are you?

A Good.

Q Could you just state your name for the
record.

A Rocky Mateo.

Q And can you tell me by whom you're employed?

A The Children's Cabinet.

Q And can you tell the judge what the
Children's Cabinet is?

A The Children's Cabinet is a nonprofit agency
that helps out families in need in the community.

Q How long have you been employed by the
Children's Cabinet?

A Three years.

Q And what is your position at the Children's
Cabinet?

A I'm a case manager for our SIPS program.

1 Q I'm sorry. What program is that?

2 A SIPS.

3 Q And can you tell me what that stands for?

4 A Safety Intervention Permanency System.

5 Q And what does that program do?

6 A So we get a case from the Washoe County
7 Services, and we get to be their case managers, and we
8 help them with conditions for return.

9 Q When you say you get a case from Washoe
10 County, what specifically do you mean?

11 A When a case is opened, it's --

12 Q What kind of case?

13 A Any open case -- or I guess randomly chosen
14 from the Washoe County, and then they give it to us.

15 Q Mr. Mateo, when you say "Washoe County," what
16 part of Washoe County?

17 A Social Services.

18 Q Okay. So what kinds of cases are these?

19 A Kids who are taken away or parents -- or
20 cases who Social Services have custody of kids.

21 Q Okay. And what does the SIPS program do in
22 that regard?

23 A So when we get those cases from the Social
24 Services, we help them with conditions for return, and

1 those conditions for return, it relates to safety
2 services for them to get their kids back.

3 Q Okay. Do you know Jacqueline Guerrero?

4 A Yes.

5 Q And how do you know Jacqueline Guerrero?

6 A She was one of the clients that was referred
7 to the Children's Cabinet.

8 Q Do you know when that was?

9 A When I got the case, it was August of 2013.

10 Q And how long did you have the case?

11 A From August until, I'd say, April of 2014.

12 Q Okay. And what was your role in
13 Ms. Guerrero's case?

14 A I was helping her with conditions for return.

15 Q And do you know, at that time did
16 Ms. Guerrero have a residence?

17 A Yes.

18 Q Where did she live?

19 A I don't recall the name of the apartment, but
20 it was at Linden Street.

21 Q And that's when you assumed the case, they
22 lived at Linden Street?

23 A (No audible response.)

24 Q You have to answer audibly. Okay?

1 A Okay. Yes.

2 Q What were, as you understood it, the
3 conditions for return at that time?

4 A What were the conditions for return?

5 Q Yes.

6 A The conditions for return is to maintain the
7 residence, and it has to be sustained. The second one is
8 to be planful of their resources.

9 Q When you say it has to be sustained, what
10 does that mean?

11 A They have to be at an apartment for a period
12 of time, because I think when they were -- when the kids
13 were taken away, they didn't have any residence.

14 Q Okay. And then you said something about
15 finances?

16 A Yes.

17 Q Did you discuss the family's finances with
18 Ms. Guerrero?

19 A Yes.

20 Q And when you spoke about finances, what sorts
21 of things did you talk about?

22 A So when the -- when the case was transferred
23 to me, they were already late in their rent, so all we
24 talked about then is where their resources is going to

1 go.

2 Q And what did you understand the resources to
3 be?

4 A What are their resources?

5 Q At the time.

6 A At the time they had TANF and food stamps.

7 Q Okay. Did you speak to Ms. Guerrero and/or
8 Mr. Hunt-Taylor about such things as making payments,
9 their rent, their power bill, things like that?

10 A Yes.

11 Q And when you had those conversations, who was
12 it that provided the information to you?

13 A With paying the rent, it was Mr. Hunt-Taylor.
14 With talking about the Nevada Energy, it was, if I can
15 remember correctly, both of them.

16 Q Okay. Based upon your conversations with
17 Ms. Guerrero and your observations, who in the household
18 seemed to control whatever money there was?

19 MS. ELCANO: Your Honor, I want to make sure
20 it's only as to Ms. Guerrero's statements.

21 MR. ELKINS: Right.

22 BY MR. ELKINS:

23 Q Let me repeat it.

24 Based upon Ms. Guerrero's statements and any

1 observations that you personally made, who in the
2 household seemed to be managing whatever money there was?

3 A From what I can remember, it was mostly
4 Mr. -- Robert.

5 Q Was Mr. Hunt-Taylor ever employed during the
6 time that you were the case manager?

7 A He was a part-time worker starting November
8 2013.

9 Q And where did he work, to your understanding?
10 MS. ELCANO: Objection. Hearsay.

11 BY MR. ELKINS:

12 Q Did you ever speak to Ms. Guerrero about
13 where he worked?

14 A Can you --

15 Q Did you ever speak to Ms. Guerrero about
16 where Mr. Hunt-Taylor worked?

17 A Yes.

18 Q Where did you understand he worked?

19 A SK Foods.

20 Q Did you ever see proof of employment?

21 A Yes.

22 Q During the period when you were the case
23 manager, there came a time when they lost the Linden
24 Street apartment; is that correct?

1 A Say that one more time.

2 Q I'm sorry. I'll try to keep my voice up.

3 During the time you were the case manager,
4 there came a time when they lost the Linden Street
5 apartment; is that correct?

6 A Yes.

7 Q Do you know what Ms. Guerrero did prior to
8 that to raise money before they were evicted, what sorts
9 of things?

10 A She was collecting cans and bottles, and she
11 was selling house things or furniture.

12 Q There came a time in January when
13 Ms. Guerrero gave birth; is that correct? Do you recall
14 that?

15 A Yes.

16 Q After giving birth did there come a time when
17 Ms. Guerrero went to work?

18 A Yes.

19 Q Do you recall about when that was?

20 A If I can remember correctly, it was late
21 January.

22 Q Okay. And when had she given birth; do you
23 know? Do you know when she gave birth?

24 A Early January.

1 Q Okay. Where did she go to work, according to
2 Ms. Guerrero?

3 A SK Foods.

4 Q Did you continue to work with Ms. Guerrero to
5 develop a budget?

6 A Yes.

7 Q Do you recall where they lived during that
8 period of time from January onward?

9 MS. ELCANO: Can we just clarify years?

10 MR. ELKINS: January 2014.

11 THE WITNESS: They -- Jacqueline moved in
12 with her dad and they moved into a trailer.

13 BY MR. ELKINS:

14 Q So first with her dad and then subsequently
15 into a trailer?

16 A Yes.

17 Q Did she ever tell you where the money came
18 from to pay for the trailer?

19 A I don't recall, but they had TANF benefits at
20 that time.

21 Q And so it was your understanding -- withdraw.
22 Did Ms. Guerrero tell you how much they had
23 to pay down for the trailer?

24 A From the notes that I read, I don't recall if

1 she ever said it to me --

2 Q If she didn't say it to you, then you can't
3 testify.

4 A I don't recall if she told me how much they
5 had to pay.

6 Q Do you recall having a conversation with
7 Ms. Guerrero around April 14th about a bus pass, her
8 asking you for a bus pass?

9 A Is that from the case notes?

10 Q It's just a question.

11 A I don't recall.

12 Q All right. Let me ask you this.

13 In the middle of April when they were working
14 at SK Foods, was -- withdraw. Let me ask another
15 question first.

16 Among the services that Children's Cabinet
17 provided, can you just -- well, can you just tell the
18 Court some of the services that you provided?

19 A So the services I provided for Ms. Guerrero
20 were bus passes, individual -- referred her to individual
21 counseling, Children's Cabinet food bank, referred her to
22 job openings.

23 Q One of the things that the Cabinet would
24 provide would be bus passes; is that correct?

1 A Could you please repeat that?

2 Q I'm sorry. One of the things the Cabinet --
3 one of the services the Cabinet would provide would be
4 bus passes?

5 A Yes. Yes.

6 Q Did you continue to provide bus passes all
7 the way through to the end of April?

8 A Yes.

9 Q After they were employed, did you give them
10 bus passes?

11 A After they were employed, there was a time we
12 did a budget, and they followed through and they asked
13 for a bus pass, and Children's Cabinet said no due to
14 them having checks from the work, but they could not
15 provide where they spent their checks.

16 Q I see. Meaning the TANF and --

17 A And through SK.

18 Q Did Ms. Guerrero tell you how much she was
19 making at SK Foods?

20 A It was not consistent hours, so every
21 paycheck is different.

22 Q What was the largest paycheck you saw, pay
23 stub?

24 A I don't recall.

1 Q So you said you would refer Ms. Guerrero for
2 employment and things like that.

3 Do you recall any conversation with
4 Ms. Guerrero about the Grand Sierra Resort?

5 A Yes.

6 Q Do you recall any conversations with her
7 about Grand Sierra Resort and asking for a bus pass?

8 MS. ELCANO: Objection. Leading.

9 MR. ELKINS: I'm just trying to focus the
10 witness's attention on a conversation, not suggest it.

11 THE COURT: Well, let's --

12 BY MR. ELKINS:

13 Q Do you recall that conversation?

14 A Could you repeat the question?

15 Q Yes. Do you recall ever having a
16 conversation with Ms. Guerrero regarding the bus pass and
17 the Grand Sierra Resort employment?

18 A I don't recall.

19 Q Okay. What are Unity notes?

20 THE COURT: We've been through this. If he
21 made a note, see if it refreshes his memory.

22 MR. ELKINS: Thank you.

23 BY MR. ELKINS:

24 Q Did you keep Unity notes?

1 A Yes.

2 MR. ELKINS: Sorry, Judge. Just give me a

3 minute.

4 I'd like this document marked, I

5 believe -- I'm not sure how far we're up to, Judge, on

6 our -- I think it may be 9.

7 THE CLERK: 10.

8 MR. ELKINS: Respondent's 10 for

9 identification. I'll show this to Ms. Elcano.

10 MS. ELCANO: Are you doing both pages?

11 MR. ELKINS: This has got the date on it.

12 MS. ELCANO: Okay. So it goes like this

13 (indicating)?

14 MR. ELKINS: It goes like that.

15 THE COURT: These aren't going to be

16 admitted?

17 MR. ELKINS: No. Correct.

18 THE COURT: When I was U.S. Attorney we had

19 one case where there was 4,000 exhibits.

20 MR. ELKINS: RICO case?

21 THE COURT: A bank case, a bank fraud case.

22 MS. ELCANO: That's fine. Thank you.

23 (Respondent's Exhibit 10 was marked.)

24 /////

1 BY MR. ELKINS:

2 Q I'll show you what's been marked -- may I
3 approach the witness -- Respondent's 10 for
4 identification, and I'd just ask you if you'd look at
5 that and see whether you recognize that.

6 Can you tell me what that is? What is that
7 that you're looking at?

8 A It's a case note.

9 Q And who made it?

10 A Me.

11 Q Just read that to yourself and see if that
12 refreshes your recollection about conversations you may
13 have had with Ms. Guerrero.

14 Does that refresh your memory?

15 A Yes.

16 Q Did you have such a conversation?

17 MS. ELCANO: I would request the witness --

18 MR. ELKINS: I'll take the document back.

19 BY MR. ELKINS:

20 Q So you recall having a conversation with
21 Ms. Guerrero about a bus pass?

22 A Yes.

23 Q And do you recall anything about the
24 conversation about employment at GSR?

1 A Could you please repeat that?

2 Q Yes. Do you recall her mentioning the GSR
3 and a job in that conversation?

4 A If she had that job or --

5 Q No. Just anything about it?

6 A About GSR, yes.

7 Q And what did she say?

8 A She said -- she said she had the job from
9 GSR, but she doesn't have transportation.

10 Q Okay. And did she -- I'm sorry. Okay.
11 So what else did she say in relation to
12 transportation?

13 A So with the transportation, we'd talk about
14 budgeting, that they -- we did a budget, and part of the
15 budgeting is them buying their own bus passes, but she
16 didn't follow through with budgeting even though the bus
17 pass is included in the budgeting. That's why she didn't
18 have any transportation.

19 Q And did she ask you for anything?

20 A Did she ask me for -- from the case note
21 there's no request.

22 Q No. Not just from the case note. Do you
23 recall her asking you for something at that point?

24 A I don't recall.

1 Q Well, what was the conversation about
2 transportation?

3 A So she needed transportation to go to work,
4 to go to GSR, but from what I read, she assumed that she
5 didn't have any -- she didn't have the job anymore.

6 Q Because?

7 A Because she had no transportation.

8 Q Okay. Did you ask where the money went,
9 whatever money they had?

10 A Yes.

11 Q And where did she say?

12 A She said, from what I recall, diapers.
13 That's the only --

14 Q Mr. Mateo, where were they living at the
15 time?

16 A What's the date on the --

17 Q April, middle of April.

18 A April --

19 Q 2014.

20 A I don't recall April. I don't recall.

21 Q You just testified that sometime in January
22 she moved into her father's home; correct?

23 A 2014, yes.

24 Q And then where did she go from the father's

1 home?

2 A She moved out and moved into a trailer.

3 Q Do you know when they moved into the trailer?

4 A I don't recall.

5 Q Mr. Taylor, again, if I showed you your Unity
6 note, would that refresh your recollection in this
7 regard?

8 THE COURT: Just to save time, was she living
9 in a trailer at the time?

10 THE WITNESS: Yes.

11 THE COURT: So she's living in a trailer at
12 the time. Assume that. Let's move on.

13 BY MR. ELKINS:

14 Q Did you have a conversation with them while
15 they were living in the trailer about what happened to
16 some of the money?

17 A Yes.

18 Q And what was that?

19 A Robert was fixing pipes and air conditioning,
20 so -- and I don't recall if he'd talk about using that
21 money to --

22 Q No. I'm talking now about Ms. Guerrero.

23 Judge, may I just refresh the witness's
24 recollection?

1 THE COURT: Go ahead.

2 BY MR. ELKINS:

3 Q I'm referring to this note right here
4 (indicating).

5 I'll take that back.

6 Again, did she tell you where the money went?

7 A She did not. Oh. So it talked about their
8 money going into the trailer.

9 Q Thank you. Okay.

10 I'm going to return the exhibit to the Court,
11 Judge.

12 And what else happened with regard to this
13 case, Mr. Mateo, in the middle of April of 2014; do you
14 recall?

15 A I don't recall.

16 Q Well, when did you start -- I'm sorry.

17 When did you stop working on the case?

18 A April.

19 Q Of?

20 A 2014.

21 Q And why did you stop working on the case in
22 April of 2014?

23 A Because the case was -- the plan changed to
24 TPR adoption.

1 MR. ELKINS: Thank you, Judge. I have no
2 further questions of this witness.

3 THE COURT: Ms. Elcano.

4 MS. ELCANO: Thank you, Your Honor.

5

6 CROSS-EXAMINATION

7 BY MS. ELCANO:

8 Q Good morning.

9 Can you please spell your name just so the
10 court reporter has it?

11 A R-o-c-k-y M-a-t-e-o.

12 Q Thank you, Mr. Mateo.

13 So you testified you were the caseworker from
14 August of 2013 to April of 2014; is that correct?

15 A Yes.

16 Q And who was the case manager prior to having
17 the case?

18 A It was Cassondra Pasley.

19 Q Thank you.

20 And you identified two conditions for return,
21 I believe: Maintaining residence and sustaining that
22 residence, as well as being planful with resources.

23 Were there any other conditions for return
24 identified?

1 A When I was the case manager, those two. I
2 didn't say the last one because it was for -- it was
3 for -- it was safety provider for the in-home safety
4 plan, but the in-home safety plan never happened.

5 Q So throughout the life of this case -- pardon
6 me.

7 While you were assigned to this case, did you
8 ever recommend an in-home safety plan for this family?

9 A I did not.

10 Q And why not?

11 A Every time I'd do a home visit, there would
12 be clutter in the home. There's a smell. It was cat
13 urine or something. It wasn't safe for the kids to be.

14 Q In the home?

15 A In the home.

16 Q Okay. And are you referring to the Linden
17 Street apartment or would that also include the trailer
18 that the family subsequently moved to?

19 A It's for the Linden apartment, and for the
20 trailer it was through case notes.

21 Q And why was maintaining the residence and
22 sustaining the residence identified as a required
23 condition for return?

24 A Could you please repeat that?

1 Q Of course. Why did you identify maintaining
2 and sustaining a residence as a condition for return for
3 this family?

4 A It was identified before we got assigned to
5 the case, and it was assigned because, from what I can
6 remember, the kids were taken away because of no
7 residence.

8 Q Okay. And throughout the time you were
9 assigned to the case, so August 2013 to April of 2014,
10 did Ms. Guerrero accomplish maintaining a residence and
11 sustaining a residence?

12 A The first few months, yes, with late payment,
13 and then lost the apartment after five months.

14 Q So it would be fair to say that there was a
15 threat of eviction while the parents were at the Linden
16 Street apartment?

17 A Yes.

18 Q And would it be fair to say that there was a
19 concern with the power bill not being paid while they
20 were at the Linden Street apartment?

21 A Yes.

22 Q Would it also be fair to say that the power
23 was turned off while the family was at the Linden Street
24 apartment?

1 A Yes.

2 Q Thank you.

3 And why was being planful with resources,
4 based on your experience with the family, identified as a
5 condition for return?

6 A With their resources, they -- when they have
7 their TANF benefits, they don't -- they have to be
8 planful with their resources, because when they have
9 their resources, they don't think about where the money
10 goes.

11 Q I see. So it would be fair to say that the
12 family wasn't putting their resources towards what was
13 needed and instead spent money on other things?

14 A When I got the case, yes. And then
15 throughout we planned on where they would need to put the
16 money.

17 Q And in budgeting with the family, did you
18 require that the family and Ms. Guerrero specifically
19 demonstrate or provide to you proof of where they were
20 spending money?

21 A Yes.

22 Q And did they do so? Did Ms. Guerrero do so?

23 A I got a receipt, one receipt from the whole
24 case, but I don't remember the receipt.

1 Q Okay. Did you ever make referrals for
2 Ms. Guerrero to the diaper bank?

3 A Yes.

4 Q So it would be fair to say she didn't have to
5 spend money on diapers but could have gone to the diaper
6 bank to obtain diapers?

7 A Yes.

8 Q And did you also make referrals to the food
9 banks here in town?

10 A Children's Cabinet, and the prior case
11 manager referred them to St. Vincent.

12 Q Okay. So it would be fair to say that the
13 family could get some food from these resources; correct?

14 A Yes.

15 Q And at the time that you had the case, do you
16 know whether or not --

17 THE COURT: So you can go to St. Vincent's
18 any time you want to and get food? Is there some
19 limitation on that?

20 THE WITNESS: I think -- so it was the prior
21 case manager who did the process. I only did the
22 Children's Cabinet food bank process.

23 THE COURT: But St. Vincent's, can anybody go
24 there and get food?

1 THE WITNESS: Yes.

2 THE COURT: And is there any limit on how
3 many times you can go or -- that you know of? I'm just
4 asking. That name has come up. I'm wondering if there's
5 any limit.

6 THE WITNESS: I don't -- I don't know.

7 THE COURT: Okay.

8 BY MS. ELCANO:

9 Q How does the Children's Cabinet food bank
10 work?

11 A So if they're a client, they can access the
12 food bank once a week.

13 Q I see. And to your knowledge was
14 Ms. Guerrero receiving food stamps in August of 2013, if
15 you recall?

16 A Yes.

17 Q So those food stamps would cover some of the
18 food costs as well; correct?

19 A Yes.

20 Q Thank you.

21 And you indicated that you offered some
22 services related to employment, including identifying job
23 openings.

24 Were any other services provided, such as

1 résumé building or --

2 A Résumé building was with the prior case
3 managers as well.

4 Q I'm sorry. I just mean in regards to
5 services you offered the family.

6 A Could you --

7 Q Were any other services provided to
8 Ms. Guerrero associated with employment, such as résumé
9 building or getting professional clothes or Walmart gift
10 cards to purchase clothes?

11 A Walmart gift cards, yes. I don't recall.

12 Q Okay. And you indicated that there was an
13 incident where the family failed to follow through on
14 budgeting as they did not allocate money appropriately;
15 is that correct?

16 A Yes.

17 Q Approximately how many times did that happen
18 throughout the time you were assigned as a caseworker?

19 A Every month, every budget, budgeting --

20 Q So it's fair to say the family didn't follow
21 the budgets?

22 A They were following the budget sometimes, but
23 it's not fully followed.

24 Q Thank you.

1 And you also indicated that you referred
2 Ms. Guerrero for individual counseling. Did you refer
3 Ms. Guerrero to Brianna Carter for counseling?

4 A She was -- she was referred by the prior case
5 manager, and then when I -- when I got assigned the case,
6 yes.

7 Q And so you referred Ms. Guerrero to Brianna
8 Carter a second time; correct? She had previously been
9 referred to her, and you re-referred her to her?

10 A Yes.

11 Q And did you also refer Ms. Guerrero to Deken
12 Gossett for counseling?

13 A Or Patrick Tanner, yes.

14 Q At Clover Counseling; correct?

15 A Yes. Clover Counseling, yes.

16 Q Is it your understanding that Patrick Tanner
17 is Deken Gossett's supervisor and they work in
18 conjunction?

19 A Yes.

20 Q Thank you.

21 And approximately -- pardon me. Did
22 Ms. Guerrero follow through with treatment with Deken
23 Gossett?

24 A She went twice.

1 Q And nothing else?

2 A From what I can remember.

3 Q So she didn't consistently engage in services
4 with Deken Gossett; correct?

5 A No.

6 Q And with Brianna Carter, did she consistently
7 engage in services with her the second time you referred
8 her?

9 A No.

10 Q How would you characterize Ms. Guerrero's
11 level of engagement with you while you were assigned to
12 this case?

13 A Minimal.

14 Q And how would you characterize Ms. Guerrero's
15 follow-through while you were the assigned case manager?

16 A Minimal.

17 MS. ELCANO: I have no further questions.
18 Thanks very much.

19

20 REDIRECT EXAMINATION

21 BY MR. ELKINS:

22 Q Mr. Mateo, when did you go to the trailer?

23 A I did not go to the trailer.

24 Q So you never saw the trailer?

1 A Yes.

2 Q So you don't know what the conditions of the
3 trailer are like, do you?

4 MS. ELCANO: Objection. Leading. We're not
5 on --

6 MR. ELKINS: I'll withdraw the question,
7 Judge.

8 BY MR. ELKINS:

9 Q Speaking of counseling, do you recall
10 accompanying Ms. Guerrero to the courthouse sometime in
11 November of 2013?

12 A I did -- I do recall me and Ms. Guerrero
13 going to the court. I don't know when.

14 Q And what was the purpose of her going there
15 that day?

16 A For her to attend a mental health court
17 orientation.

18 Q Thank you. And you saw her there?

19 A Yes.

20 Q At the orientation?

21 A I did not.

22 Q Well --

23 A We went to the court, so at the front
24 building or front desk.

1 Q And she was there for what purpose?

2 A For mental health orientation.

3 Q And did you see her again that day?

4 A I don't recall.

5 MR. ELKINS: Judge, if I may.

6 THE COURT: Go ahead.

7 MR. ELKINS: This will be Respondent's 11 for
8 identification, please.

9 (Respondent's Exhibit 11 was marked.)

10 BY MR. ELKINS:

11 Q Mr. Mateo, I'm going to show you a document
12 and ask if that refreshes your recollection about that
13 day?

14 May I, Judge?

15 THE COURT: Yes.

16 BY MR. ELKINS:

17 Q Look at that, and then, when you finish
18 looking at it, tell me if that refreshes your memory.

19 A (Witness nods head.)

20 Q Can you put it down?

21 Does that refresh your recollection?

22 A Yes.

23 Q Can you tell me what happened that day?

24 A So she came by at my office, asked for a bus

1 pass. I provided her a bus pass and I asked how the
2 orientation was, and she said it went well and that
3 NNAMHS will call her to set up an appointment.

4 Q So how many times that day did you see her?

5 A Twice.

6 Q The first time was where?

7 A At the courthouse.

8 Q And the second time was?

9 A At the Children's Cabinet office.

10 Q And in your understanding what was happening
11 the first time you saw her?

12 A Could you please repeat?

13 Q The first time you saw her that day, what was
14 she doing?

15 A To attend a mental health orientation.

16 Q Mr. Mateo, during the time you were the case
17 manager and they were living at the Linden Street
18 apartment, can you just tell me what your understanding
19 of their budget was, in other words, how much money was
20 coming in and where it was going?

21 A The TANF benefits, if I remember correctly,
22 was 513. When I got assigned to the case, the case
23 manager, Pasley, did a budget with them, and when I got
24 the case, it wasn't followed through. That's why they

1 were late for --

2 Q Can you just give me the numbers as you
3 understood them?

4 A Numbers for resources?

5 Q Well, you said TANF was 513. What were the
6 expenses?

7 A Expenses is paying rent and paying Nevada
8 Energy.

9 Q And how much was that; do you know?

10 A Rent, I don't recall. Nevada Energy, I don't
11 recall.

12 Q So you don't recall what --

13 A How much they were --

14 Q So you don't recall the budget?

15 A I don't recall how much exactly they were
16 paying.

17 Q Well, was the income sufficient to meet the
18 expenses?

19 A From previous budgeting, it was enough. From
20 when I took over, it should have been enough.

21 Q Can you explain to me how that is?

22 A Because they were -- they were in the
23 apartment for, I would say, three months before I got --

24 Q So you take over the case, and they're

1 getting 513 in TANF.

2 What are they paying?

3 MS. ELCANO: Your Honor, he's already
4 indicated he doesn't recall the exact number.

5 MR. ELKINS: Let me rephrase the question.

6 BY MR. ELKINS:

7 Q Leaving aside the exact number, do you recall
8 that 513 was enough to cover the rent and the utilities?

9 MS. ELCANO: Objection. Asked and answered.
10 He said it was.

11 THE COURT: Well --

12 MS. ELCANO: We're getting on badgering the
13 witness.

14 THE COURT: Overruled.

15 Answer the question. Was the income enough
16 to meet the expenses that they had, the rent and the
17 utilities, that you remember?

18 THE WITNESS: From previous budgeting, it
19 was.

20 THE COURT: Okay. You started in
21 April -- you started in August of 2013 with them?

22 THE WITNESS: Yes.

23 THE COURT: And you went through August of
24 2014?

1 THE WITNESS: August 2013.

2 THE COURT: So you were only on one month?

3 THE WITNESS: I was the case manager from
4 August 2013 through April 2014.

5 THE COURT: And before you got on the case,
6 their income was enough to meet their expenses. While
7 you were the case manager, was it enough?

8 THE WITNESS: While I was the case
9 manager -- while I was the case manager, we -- while I
10 was the case manager, I was only able to do a home visit
11 after three weeks of scheduling, then canceling, so from
12 what I can remember, it should have been enough.

13 THE COURT: Does that answer your question?

14 BY MR. ELKINS:

15 Q Mr. Mateo, did there come a time -- to your
16 knowledge, do you recall a change in income?

17 A Yes.

18 Q From TANF?

19 A Oh, from TANF? From what I can remember,
20 there was talk where it was going to be suspended or
21 canceled, so I don't -- I don't recall if it was lowered
22 or it was -- I don't recall.

23 Q Mr. Mateo, at the time that they lost the
24 trailer, do you recall how much money they owed to Nevada

1 Energy?

2 A I don't recall.

3 Q Who is Mr. Mowbray, Mr. Mateo?

4 A I don't recall that name.

5 Q Do you have a supervisor?

6 A Oh, Mowbray?

7 Q Mr. Mowbray, who is that?

8 A My supervisor.

9 Q Do you recall having a conversation with

10 Mr. Mowbray about the Nevada Energy expenses?

11 A I don't remember.

12 Q Did Ms. Guerrero ever ask the Children's

13 Cabinet for assistance in paying the energy bill?

14 MS. ELCANO: Objection. He can only answer

15 as to the time he was the assigned case manager.

16 BY MR. ELKINS:

17 Q In late 2013, November, December '13, did

18 Ms. Guerrero ask the Children's Cabinet for assistance in

19 paying the energy bill?

20 A I don't recall.

21 MR. ELKINS: I don't have any further

22 questions of this witness.

23 /////

24 /////

1 RECROSS-EXAMINATION

2 BY MS. ELCANO:

3 Q Mr. Mateo, you did go to the Linden Street
4 apartment; correct?

5 A Yes.

6 Q And the statements you made regarding the
7 condition of the home in regards to urine and clutter and
8 uncleanliness, was that related to the Linden Street
9 apartment only?

10 MR. ELKINS: Objection. Beyond the scope.

11 THE COURT: Objection overruled. Ask the
12 question.

13 BY MS. ELCANO:

14 Q Were the statements regarding the urine
15 smell, the uncleanliness of the house, and the clutter
16 related to the Linden Street apartment only?

17 A Yes.

18 Q And you never went to the trailer on Fourth
19 Street; is that correct?

20 A Yes.

21 Q And, Mr. Mateo, you're aware that with mental
22 health court there's a mini orientation as well as a
23 final orientation; there are two orientations?

24 A I'm not aware.

1 Q Okay. So it's fair to say you don't know
2 what orientation Ms. Guerrero may have been attending;
3 correct?

4 A Yes.

5 Q And is it also fair to say that you did not
6 go with Ms. Guerrero to any orientation; correct?

7 A Yes.

8 Q It was just the information that she had
9 provided to you; correct?

10 A Yes.

11 MS. ELCANO: Thank you. I have no further
12 questions.

13 Thank you, Your Honor.

14 THE COURT: Is this witness excused?

15 MR. ELKINS: Yes.

16 MS. ELCANO: I have no objection, Your Honor.

17 THE COURT: You're excused, Mr. Mateo.

18 Next witness.

19 MR. ELKINS: We call Dustin Hall, Judge.

20 /////

21 /////

22 /////

23 /////

24 /////

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

DUSTIN HALL,
having been first duly sworn,
was examined and testified as follows:

DIRECT EXAMINATION

BY MR. ELKINS:

Q Good morning, Mr. Hall. How are you?

A Good morning. Doing well. How are you?

Q Good. You're here under subpoena?

A Yes, sir.

Q Can you state your name for the record,
please?

A Dustin Hall.

Q Can you spell your first name.

A D-u-s-t-i-n, last name H-a-l-l.

Q Thank you.

Mr. Hall, where are you employed?

A I am employed at the Children's Cabinet.

Q How long have you been employed at the
Children's Cabinet?

A About five years.

Q And what is your position at the Children's
Cabinet?

A I am a SIPS case manager.

1 MR. ELKINS: And, Judge, I'm not going to
2 belabor the record. We've already heard what a case
3 manager is.

4 BY MR. ELKINS:

5 Q Mr. Hall, are you familiar with Jacqueline
6 Guerrero?

7 A Yes.

8 Q And how did you become familiar with
9 Ms. Guerrero?

10 A I was assigned to her case roughly ten months
11 ago, November of 2014.

12 Q Are you sure about that?

13 A Pretty confident, yes.

14 Q Okay. And when you say "assigned to her
15 case," what case is that?

16 A So her -- she has an open case, and it was
17 transferred from a different case manager to myself.

18 Q And what did the case involve?

19 A Well, my specific duties are to work on what
20 are called conditions for return.

21 Q Return of what?

22 A Return of child or children to the home.

23 Q So what child or children were you working
24 with?

1 A Ethan was the specific child that was on the
2 case.

3 Q Do you know when Ethan was born?

4 A Do I know when he was born?

5 Q Yes.

6 A I don't know specifically.

7 Q Okay. That's fine.

8 So in November of 2014 you assume the case.

9 What were the conditions for returning Ethan;
10 do you recall?

11 A At the time that I was assigned the case or
12 currently?

13 Q At the time you were assigned the case.

14 A Specifically, I know that having a home,
15 maintaining a stable home was a big concern; the home had
16 to be free of violence; the home was not to have unknown
17 persons, people that Washoe County doesn't know about, in
18 and out of the home; she had to be able to provide
19 resources to provide basic needs for the children; and
20 then she had to be willing to allow for safety services
21 and work consistently with the social worker and myself.

22 Q Okay. And are you still the Children's
23 Cabinet worker assigned to the case?

24 A I am.

1 Q Were you assigned the case in June of this
2 year?

3 MS. ELCANO: Objection. He already answered
4 he was assigned in November.

5 MR. ELKINS: I'm just trying to draw the
6 witness's attention.

7 BY MR. ELKINS:

8 Q Drawing your attention to June of this year.

9 A I was her case manager during June of this
10 year, yes.

11 Q Thank you.

12 Can you tell the Court, based upon your work
13 as a case manager, what Ms. Guerrero was doing in June of
14 this year?

15 A If I remember correctly, she was staying at
16 CAAW, which is a center for abused women. I'm not sure
17 when she had gained employment, but she had temporary
18 employment at a motel, and I'm not sure if she had just
19 started there or was done there in June. I can't recall
20 specifically, but she was trying to gain full-time
21 employment.

22 Q Was she doing anything else in terms of the
23 case?

24 A I mean, we're supposed to meet once a week,

1 so we were trying to maintain the weekly meetings. She
2 has her visits that she was -- her weekly visits with the
3 children that she was going to or supposed to be going
4 to, I guess.

5 Q Do you recall any other component of the case
6 plan besides --

7 A No.

8 Q Okay. So it was visiting, employment,
9 residence. Anything else required of Ms. Guerrero?

10 A Required of? On my end, no.

11 Q Okay. So at that time was she meeting the
12 criteria that I just mentioned?

13 A Was she -- had she met all of her conditions
14 for return?

15 Q No. The points that I just mentioned. I
16 think I said residence, employment, visiting.

17 A She had a place of residence, she -- she was
18 employed at a motel temporarily, yes, and she had
19 informed me she was making her visits with Ethan.

20 Q Okay. Did she inform you that she was going
21 anywhere else to do anything else?

22 A Not that I can recall.

23 MR. ELKINS: No further questions, Judge.

24 THE COURT: Ms. Elcano.

1 MS. ELCANO: Thank you, Your Honor.

2 I apologize.

3 THE COURT: What are you apologizing for?

4 MS. ELCANO: I was writing something down and
5 not jumping up to ask questions. I didn't mean to delay
6 by any means.

7 THE COURT: You're forgiven.

8

9 CROSS-EXAMINATION

10 BY MS. ELCANO:

11 Q Good morning, Mr. Hall.

12 Was this case transferred to you from anyone?

13 A Yes. It was transferred to me -- I'm trying
14 to think who it was transferred to me from. I know she's
15 had several case managers.

16 Q Would it have been Emily Hansen?

17 A Emily Hansen, yes.

18 Q And would it be fair to say that the case was
19 opened in September of 2014 and then transferred to you
20 in November of 2014?

21 A It was transferred to me, yes, in November of
22 2014.

23 Q Thank you. And you were asked if
24 Ms. Guerrero was meeting the requirements of having and

1 maintaining a home at CAAW.

2 Was CAAW a stable residence?

3 A Not -- on the condition for return, the
4 stable residence had -- she had to have been there for 90
5 days and paid a power bill and maintained rent.

6 Q And had Ms. Guerrero done that?

7 A No.

8 Q And was the employment Ms. Guerrero had a
9 stable job?

10 A She -- she told me she was doing housekeeping
11 or she was doing cleaning, and then she didn't -- she
12 didn't work there very long. Something involving
13 chemicals that she had inhaled.

14 Q So it would be fair to say it was not a
15 stable job?

16 A Not stable.

17 Q Thank you.

18 While you have been assigned to this case,
19 has Ms. Guerrero demonstrated an ability to provide for
20 the basic needs of Ethan?

21 A No.

22 Q And how would you characterize Ms. Guerrero's
23 level of engagement with you?

24 A I would say inconsistent. She goes -- she

1 would go through spurts where we would meet three or four
2 consecutive weeks, and then there would be a couple weeks
3 where we wouldn't meet.

4 Q And how would you characterize Ms. Guerrero's
5 follow-through while you have been the assigned social
6 worker -- I'm sorry -- case manager to this case?

7 A The same, inconsistent.

8 Q Thank you.

9 And to your knowledge -- pardon me.

10 Based on your conversations with
11 Ms. Guerrero, why did she leave CAAW?

12 A She told me that her time there had expired.
13 I'm not extremely familiar with their policies, but she
14 said that her time had expired at CAAW.

15 Q And while you have been the assigned case
16 manager to this case, have you ever recommended in-home
17 safety planning?

18 A Have I ever recommended in-home safety
19 planning?

20 Q Yes?

21 A No.

22 Q And why not?

23 A In order to do so, the conditions for return
24 have to have been met, and they have not been met.

1 Q And have they been met at all while you've
2 been assigned to the case?

3 A No.

4 MS. ELCANO: I have no further questions.
5 Thank you.

6

7 REDIRECT EXAMINATION

8 BY MR. ELKINS:

9 Q Mr. Hall, do you know if -- do any children
10 live at CAAW?

11 A To be honest, I don't know the policy there.
12 I don't know if they're allowed to have children at CAAW.

13 Q So you never inquired of whether Ethan could
14 go and live with his mom at CAAW?

15 A No.

16 MR. ELKINS: No further questions.

17 MS. ELCANO: I have no questions, Your Honor.

18 Thank you.

19 THE COURT: Is this witness excused?

20 MR. ELKINS: Yes Judge. Thank you.

21 THE COURT: You're excused.

22 Next witness.

23 MR. ELKINS: Judge, at this point the only
24 remaining witness is my client, so do you want to start

1 with her now or do you want to break and start her after
2 lunch?

3 MS. ELCANO: We could come back at 1:00, Your
4 Honor, if you'd like.

5 THE COURT: Let's do that. We'll come back
6 at 1:00.

7 MR. ELKINS: Thank you, Judge.

8 THE COURT: So we're in recess until
9 1 o'clock.

10 (The midday recess was taken.)

11

12

13

14

15

16

17

18

19

20

21

22

23

24