

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN BERNARDINO

--o0o--

KATIE MARIE TAGLE,)
)
Plaintiff,)
)
-vs-) Case No. FAMVS 903355
)
STEVEN GARCIA,)
)
Defendant.)
)

REPORTER'S TRANSCRIPT OF ORAL PROCEEDINGS
BEFORE HON. ROBERT LEMKAU, JUDGE
DEPARTMENT V12
VICTORVILLE, CALIFORNIA
THURSDAY, JANUARY 21, 2010

APPEARANCES:

For the Plaintiff: IN PRO PER

For the Defendant: PRO PER

Reported by: DENISE STAKES, CSR,
Official Reporter
CSR. No. 12539

COPY

DENISE STAKES, CSR

1 VICTORVILLE, CALIFORNIA; THURSDAY, JANUARY 21, 2010;

2 A.M. SESSION

3 DEPARTMENT V12 HON. ROBERT LEMKAU, JUDGE

4 APPEARANCES:

5 Plaintiff, Katie Marie Tagle, IN PRO

6 PER;

7 Defendant, Steven Garcia, PRO PER.

8 (Denise Stakes, CSR,

9 Official Reporter, CSR No. 12539.)

10 -oOo-

11 (Whereupon the following proceedings

12 were held in open court:)

13 THE COURT: Number 2. Steven Garcia and Kathy Tagle.

14 MS. TAGLE: It's Katie.

15 THE COURT: Okay. Good morning, ma'am. I'm very
16 concerned. You are Kathy Tagle and you're Steven Garcia?

17 MR. GARCIA: I am.

18 THE COURT: And you have an ex parte request
19 calendered for tomorrow which I am advancing to today. One of
20 you is lying, and I'm very concerned. You already have a
21 Family Court Services appearance on February the 2nd; is that
22 correct?

23 MS. TAGLE: February 4th is our mediation date and
24 March 3rd is our next court date that you --

25 THE COURT: Okay. I'm inclined to deny your ex parte
26 request. I feel that, if you're lying, ma'am, there's going to
27 be adverse consequences. Mr. Garcia claims it's total
28 fabrication on your part, but I'm going to deny ex parte basis

DENISE STAKES, CSR

1 and you have mediation and you're back to court. All existing
2 orders remain in full force and effect. I urge you to work out
3 your -- you have visitation plans. I'm going to keep all
4 existing orders in full force and effect. Yes, sir?

5 MR. GARCIA: I'm supposed to get my son back today at
6 10:00 and so far I've not seen him in two weeks or have been
7 able to talk to him.

8 MS. TAGLE: The police officer --

9 THE COURT: I'm denying your request, ma'am. I think
10 -- there's insufficient evidence in my mind. Mr. Garcia claims
11 it's a total fabrication on your part that this is -- but I'm
12 going to leave all existing orders in full force and effect
13 which means the visitation previously ordered which you agreed
14 to, you had an agreement for visitation, which was on December
15 the 14th; correct?

16 MR. GARCIA: Yes.

17 THE COURT: Okay. That's the order. That will remain
18 in full force and effect. So he should have visitation.

19 MS. TAGLE: He didn't threaten to kill our son at that
20 time, though and now he has.

21 THE COURT: Well, ma'am, there's a real dispute about
22 whether that's even true or not. I'm going to deny ex parte
23 basis. He claims this is a total fabrication on your part,
24 that these e-mail communications are total fabrication.

25 MS. TAGLE: He sent my mother a text message asking me
26 to go to the lake with him and Wyatt, and when I get home from
27 work at 11:00 I have these e-mails saying that he's going to
28 take his life and our son's life at the lake the next time he

DENISE STAKES, CSR

1 gets him, and if he doesn't do it that day, he will finish the
2 job later and it says it in the story that he would kill our
3 son with Benadryl, that he will put it in his juice bottle and
4 kill him.

5 MR. GARCIA: Your Honor, I have a time line of all of
6 the little stunts and games I'd like to show you that she's
7 trying to keep me out of my son's life. She even brought her
8 new boyfriend --

9 THE COURT: I'm going to deny it, ma'am. My suspicion
10 is that you're lying, but I'm going to keep the custody orders
11 in full force and effect. You're going to mediation, coming
12 back to court. Okay. In any event your ex parte request is
13 denied. Continue it to -- the next hearing is 3/3 and, sir,
14 your ex parte request, I'm advancing it to today and I'm
15 basically denying it as well, but I'm keeping all orders -- you
16 had an agreement back in December. All orders remain in full
17 force and effect, okay? Yes, sir.

18 MR. GARCIA: So it's my understanding you got my
19 paperwork?

20 THE COURT: Yes, I did. I reviewed it and that's why
21 I'm -- my supposition, ma'am, is that you're lying, but if I'm
22 incorrect, you can always bring another ex parte motion but
23 don't misrepresent the situation. If you're lying about this,
24 there's going to be adverse consequences. My supposition is
25 that you are lying. Yes, sir?

26 MR. GARCIA: Would you like the paperwork that I
27 brought for today?

28 THE COURT: Keep it in hand. In any event, so have

DENISE STAKES, CSR

1 your mediation date and come back to court. Okay. Thank you.

2 (Whereupon an adjournment was taken.)

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

DENISE STAKES, CSR

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

REPORTER'S CERTIFICATE

KATIE MARIE TAGLE,)
Plaintiff,)
-vs-) Case No. FAMVS 903355
STEVEN GARCIA,)
Defendant.)
_____)

I, DENISE STAKES, CSR, Official Reporter of the
above-entitled court, do hereby certify:

That I am a Certified Shorthand Reporter of the State
of California, duly licensed to practice; that I did report in
Stenotype oral proceedings had upon hearing of the
aforementioned cause at the time and place hereinbefore set
forth; that the foregoing pages numbered 1 through 4,
inclusive, constitute to the best of my knowledge and belief a
full, true, and correct computer-aided transcription from my
said shorthand notes so taken for the date of THURSDAY, JANUARY
21, 2010.

Dated at VICTORVILLE, California, this 2ND day of
FEBRUARY, 2010.



Official Reporter, CSR No. 12539

DENISE STAKES, CSR