

1 DISTRICT COURT, COUNTY OF ARAPAHOE, STATE OF COLORADO
2 Case No. 89DR477, Division 10

3
4 REPORTER'S TRANSCRIPT
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6 In re the Marriage of:

7 SANDRA WILFRED,

8 Petitioner,

9 and

10 HARMON WILFRED,

11 Respondent.
12

13 The above-entitled matter commenced on Tuesday,
14 June 5, 1990, before the HONORABLE JOYCE S. STEINHARDT,
15 District Court Judge.

16 A P P E A R A N C E S

17 FOR THE PETITIONER: Elaine Edinburg
18 Attorney at Law

19 FOR THE RESPONDENT: Harmon Wilfred
20 Pro se

21 GUARDIAN AD LITEM: Susan Dycus
22 Attorney at Law
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MORNING SESSION, TUESDAY, JUNE 5, 1990

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(The Court was in session, and the following proceedings were had, to wit:)

THE COURT: Okay. Wilfred.

MS. EDINBURG: Elaine Edinburg, I'm the attorney for the Petitioner. Mr. Wilfred is here representing himself pro se. Ms. Dycus is present. We're prepared to go forward. We have custody and visitation issues, and property division. We're set for two days.

MS. DYCUS: Your Honor, there is a very current visitation issue. The Court may remember that we were here approximately a month ago on a pretrial, and at that time, I requested that the visitation be supervised only by Bridges or Children's Hospital, and Your Honor felt that that was inappropriate without a hearing.

In the meantime, the gentleman who has been supervising the visitation, has resigned and is no longer willing to do it. I have indicated under the temporary orders which require approval of myself and the Petitioner, that I'm not willing to approve of anyone but a professional supervisor.

I don't know whether the Court feels it's necessary to have a hearing with that as well, but I did want the Court to be aware of that.

THE COURT: Well, I assume I cannot get help. We have checked with other Judges to see if we could get help. I can't hear you today. I'm going to take the out-of-state people first. I'm going to hear Leavitt which is scheduled for 9

1 o'clock, then Burkham, and then we'll do Shunneson.

2 We'll have to start you on the second day. I'm sorry
3 that you came out. I didn't really know about this
4 unfortunately. I'm not scolding anyone, but my clerk really
5 tries hard to know when we have out-of-state people so she can
6 plan ahead, and we didn't know about the out-of-state people
7 until this morning.

8 MR. WILFRED: Your Honor, I might be able to help
9 the scheduling. I just want to make a statement. This
10 statement is on the record.

11 THE COURT: Go ahead. Everything is on the record.

12 MR. WILFRED: This proceeding, Your Honor, is a
13 violation of my constitutional and civil rights for due process
14 and for religious freedom. I have two documents with me that
15 I'm willing to provide as an explanation for this position.
16 One is a temporary restraining order that I filed yesterday in
17 U.S. District Court.

18 THE COURT: Which has been dismissed, Sir.

19 MR. WILFRED: I think because I didn't do it
20 properly because I'm not an attorney. That's one of the
21 reasons I believe this is a violation of my rights. The other
22 is a Complaint. Both were filed in U. S. District Court
23 yesterday. I'd like to distribute these documents to the Court
24 as exhibits if I may. This is obviously not a service, but
25 they were dismissed, but I cannot, Your Honor, in good
conscience take part in this proceeding until I'm satisfied
that my rights are adequately protected. That is not a
defense, Your Honor, that is a position that I must take in

1 good conscience today. So, I will not go forward with this
2 proceeding.

3 THE COURT: This proceeding will go forward. It
4 will go forward tomorrow morning at 9:30.

5 MR. WILFRED: Well, I think --

6 THE COURT: As I told you in your Motion for
7 Continuance, which was denied, not once, but twice, this is a
8 civil action. You have a right to represent yourself. If you
9 wish to be here, you can be here. If you don't, you don't have
10 to be here.

11 MR. WILFRED: Your Honor, I will not go forward
12 with this proceeding.

13 THE COURT: Sir --

14 MR. WILFRED: I will not go forward.

15 THE COURT: Sir, I don't want to have to call the
16 Sheriff because you're in contempt of court, so don't argue
17 with me. The proceeding will go forward on the second day.
18 This was set for two days. We will proceed tomorrow morning at
19 9:30.

20 MR. WILFRED: I want to make myself clear, I will
21 not proceed.

22 THE COURT: Sir, did you hear me?

23 MR. WILFRED: And did you hear me, Judge Steinhardt?

24 THE COURT: Sir, you're bordering on contempt
25 of court. Don't answer me back. My order is that this matter
will proceed at 9:30 tomorrow morning. End of discussion.

MR. WILFRED: I will not be here, Judge. I will
not proceed.

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THE COURT: That's all.

(Whereupon, the Court adjourned this matter at
9:30 a.m.)

REPORTER'S CERTIFICATE

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The above and foregoing is a true and accurate transcription to the best of my ability of my stenotype notes taken in my capacity as the Official Shorthand Reporter, Division 10, Arapahoe County District Court, Englewood, Colorado.

Dated this 18th day of December, 1990.



Sandie Noblitt
Court Reporter
Division 10