

NAME, ADDRESS AND TELEPHONE NUMBER OF ATTORNEY OR PARTY WITHOUT ATTORNEY:

STATE BAR NUMBER

Reserved for Clerk's File Stamp

Richard Riess  
 Lincoln St.  
 Carson, CA 90745

ATTORNEY FOR (NAME): Richard Riess

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES**

COURT HOUSE ADDRESS:

200 W. Compton Blvd., Compton, CA 90220

PETITIONER / PLAINTIFF:

Richard Riess

RESPONDENT / DEFENDANT:

Desiree Capuano

CHILD'S NAME: (If more than one child, please attach list)

Ga [REDACTED] Riess

CHILD'S DATE OF BIRTH:

[REDACTED]/2000

CASE NUMBER:

TD035397

RELATED CASES (IF ANY):

**DECLARATION OF EX PARTE NOTICE  
(Temporary Restraining Order)**

I, Richard Riess, declare that:

(PRINT NAME)

**1) I informed the other party in this action that I would be seeking a temporary restraining order as follows:**

Person informed: Desiree Capuano Date and time informed: 2/7/12 6:00pm

☒ By telephone to the partyHow informed: ☐ By telephone to the attorney☐ By personally informing: \_\_\_\_\_☒ Other: by email to the party

I informed the person listed above that I would be seeking a temporary restraining order in Dept. M of the Superior Court located at 200 W. Compton Blvd, Compton, CA on 2/14/12, 20012 at 8:30 a.m.

**2) I told him/her the orders requested included, but were not limited to the following:**☐ That he/she not annoy, attack, molest, strike, batter, harass, assault, contact or disturb the peace of Petitioner/Respondent.☐ That he/she stay 100 yards away from Petitioner/Respondent and Petitioner's/Respondent's home.☐ That he/she be ordered to immediately move out of Petitioner's/Respondent's house.☐ That Petitioner/Respondent have custody of the minor children.☐ That he/she have no visitation with the children pending hearing.☒ Other: She be required to pass a drug test prior to contact with Child; not possess or use any drugs during any period of visitation; visitation be supervised.**3) I informed the Petitioner/Respondent that he/she should appear at the above time and place if he/she wished to be heard by the court.**

I declare the foregoing is true and correct under penalty of perjury under the laws of the State of California.

Date: 2-13-12

Signature of Declarant

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): <b>Richard Riess</b> [REDACTED] Lincoln St. Carson, CA 90745  TELEPHONE NO.: 310-[REDACTED] FAX NO. (Optional): E-MAIL ADDRESS (Optional): richardriess@gmail.com ATTORNEY FOR (Name): Richard Riess	FOR COURT USE ONLY			
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles  STREET ADDRESS: 200 W. Compton Blvd. MAILING ADDRESS: 200 W. Compton Blvd. CITY AND ZIP CODE: Compton, CA 90220 BRANCH NAME: South Central District				
PETITIONER/PLAINTIFF: Richard Riess RESPONDENT/DEFENDANT: Desiree Capuano				
<table border="0" style="width: 100%;"> <tr> <td style="width: 50%;"> <b>ORDER TO SHOW CAUSE</b>  <input type="checkbox"/> Child Custody  <input type="checkbox"/> Child Support  <input type="checkbox"/> Attorney Fees and Costs         </td> <td style="width: 50%;"> <input checked="" type="checkbox"/> <b>MODIFICATION</b>  <input checked="" type="checkbox"/> Visitation  <input type="checkbox"/> Spousal Support         </td> <td style="width: 50%;"> <input type="checkbox"/> Injunctive Order  <input type="checkbox"/> Other (specify):  <i>Ex Parte</i> </td> </tr> </table>	<b>ORDER TO SHOW CAUSE</b> <input type="checkbox"/> Child Custody <input type="checkbox"/> Child Support <input type="checkbox"/> Attorney Fees and Costs	<input checked="" type="checkbox"/> <b>MODIFICATION</b> <input checked="" type="checkbox"/> Visitation <input type="checkbox"/> Spousal Support	<input type="checkbox"/> Injunctive Order <input type="checkbox"/> Other (specify): <i>Ex Parte</i>	CASE NUMBER:  TD035397
<b>ORDER TO SHOW CAUSE</b> <input type="checkbox"/> Child Custody <input type="checkbox"/> Child Support <input type="checkbox"/> Attorney Fees and Costs	<input checked="" type="checkbox"/> <b>MODIFICATION</b> <input checked="" type="checkbox"/> Visitation <input type="checkbox"/> Spousal Support	<input type="checkbox"/> Injunctive Order <input type="checkbox"/> Other (specify): <i>Ex Parte</i>		

1. TO (name): Desiree Capuano
2. YOU ARE ORDERED TO APPEAR IN THIS COURT AS FOLLOWS TO GIVE ANY LEGAL REASON WHY THE RELIEF SOUGHT IN THE ATTACHED APPLICATION SHOULD NOT BE GRANTED. If child custody or visitation is an issue in this proceeding, Family Code section 3170 requires mediation before or concurrently with the hearing listed below.

a. Date:	Time:	Dept.:	Room:
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b. The address of the court is ☐ same as noted above ☐ other (specify):

c. ☒ The parties are ordered to attend custody mediation services as follows: *3-9-12, 8:30am, Torrance Court House*

3. THE COURT FURTHER ORDERS that a completed *Application for Order and Supporting Declaration* (form FL-310), a **blank Responsive Declaration** (form FL-320), and the following documents be served with this order:

- a. (1) ☐ Completed *Income and Expense Declaration* (form FL-150) and a **blank Income and Expense Declaration**
- (2) ☐ Completed *Financial Statement (Simplified)* (form FL-155) and a **blank Financial Statement (Simplified)**
- (3) ☐ Completed *Property Declaration* (form FL-160) and a **blank Property Declaration**
- (4) ☐ Points and authorities
- (5) ☐ Other (specify):

b. ☐ Time for ☐ service ☐ hearing is shortened. Service must be on or before (date):  
Any responsive declaration must be served on or before (date):

c. ☐ You are ordered to comply with the temporary orders attached.

d. ☐ Other (specify):

Date:

JUDICIAL OFFICER

**NOTICE:** If you have children from this relationship, the court is required to order payment of child support based on the incomes of both parents. The amount of child support can be large. It normally continues until the child is 18. You should supply the court with information about your finances. Otherwise, the child support order will be based on the information supplied by the other parent.

You do not have to pay any fee to file declarations in response to this order to show cause (including a completed *Income and Expense Declaration* (form FL-150) or *Financial Statement (Simplified)* (form FL-155) that will show your finances). In the absence of an order shortening time, the original of the responsive declaration must be filed with the court and a copy served on the other party at least nine court days before the hearing date. Add five calendar days if you serve by mail within California. (See Code of Civil Procedure 1005 for other situations.) To determine court and calendar days, go to [www.courtinfo.ca.gov/selfhelp/courtcalendars/](http://www.courtinfo.ca.gov/selfhelp/courtcalendars/).



#### Requests for Accommodations

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the proceeding. Contact the clerk's office or go to [www.courtinfo.ca.gov/forms](http://www.courtinfo.ca.gov/forms) for *Request for Accommodations by Persons With Disabilities and Response* (Form MC-410). (Civil Code, § 54.8.)

PETITIONER/PLAINTIFF: Richard Aless

CASE NUMBER:

TD035397

RESPONDENT/DEFENDANT: Desiree Capuano

**TEMPORARY ORDERS****Attachment to Order to Show Cause (FL-300)**1. ☐ **PROPERTY RESTRAINT**

- a. ☐ Petitioner ☐ Respondent is restrained from transferring, encumbering, hypothecating, concealing, or in any way disposing of any property, real or personal, whether community, quasi-community, or separate, except in the usual course of business or for the necessities of life.  
☐ The other party is to be notified of any proposed extraordinary expenditures and an accounting of such is to be made to the court.
- b. ☐ Both parties are restrained and enjoined from cashing, borrowing against, canceling, transferring, disposing of, or changing the beneficiaries of any insurance or other coverage including life, health, automobile, and disability held for the benefit of the parties or their minor child or children.
- c. ☐ Neither party may incur any debts or liabilities for which the other may be held responsible, other than in the ordinary course of business or for the necessities of life.

2. ☐ **PROPERTY CONTROL**

- a. ☐ Petitioner ☐ Respondent is given the exclusive temporary use, possession, and control of the following property the parties own or are buying (*specify*):
- b. ☐ Petitioner ☐ Respondent is ordered to make the following payments on liens and encumbrances coming due while the order is in effect:
- | <u>Debt</u> | <u>Amount of payment</u> | <u>Pay to</u> |
|-------------|--------------------------|---------------|
|-------------|--------------------------|---------------|

3. ☒ **MINOR CHILDREN**

- a. ☒ Petitioner ☐ Respondent will have the temporary physical custody, care, and control of the minor children of the parties, ☐ subject to the other party's rights of visitation as follows:
- b. ☐ Petitioner ☒ Respondent must not remove the minor child or children of the parties
- (1) ☐ from the State of California.
  - (2) ☒ from the following counties (*specify*): Los Angeles
  - (3) ☐ other (*specify*):
- c. ☐ Child abduction prevention orders are attached (see form FL-341(B)).
- d. (1) Jurisdiction: This court has jurisdiction to make child custody orders in this case under the Uniform Child Custody Jurisdiction and Enforcement Act (part 3 of the California Family Code, commencing with § 3400).
- (2) Notice and opportunity to be heard: The responding party was given notice and an opportunity to be heard as provided by the laws of the State of California.
- (3) Country of habitual residence: The country of habitual residence of the child or children is  
☒ the United States of America ☐ other (*specify*):
- (4) **Penalties for violating this order: If you violate this order you may be subject to civil or criminal penalties, or both.**

4. ☒ **OTHER ORDERS (*specify*):**

Respondent be required to pass a drug test prior to having contact with Child.

Date:

JUDGE OF THE SUPERIOR COURT

5. **The date of the court hearing is (*insert date when known*):****CLERK'S CERTIFICATE**

[SEAL]

I certify that the foregoing is a true and correct copy of the original on file in my office.

Date:

Clerk, by \_\_\_\_\_, Deputy

PETITIONER/PLAINTIFF: Richard Riess

CASE NUMBER:

RESPONDENT/DEFENDANT: Desiree Capuano

TD035397

**APPLICATION FOR ORDER AND SUPPORTING DECLARATION**  
**—THIS IS NOT AN ORDER—**

☒ Petitioner ☐ Respondent ☐ Claimant requests the following orders:

1. ☒ CHILD CUSTODY ☒ To be ordered pending the hearing
- a. Child's name and age b. Legal custody to (name of person who c. Physical custody to (name of  
makes decisions about health, education, etc.) person with whom child will live.)  
 G [redacted] Riess Richard Riess Richard Riess

- d. ☒ Modify existing order  
 (1) filed on (date): 12/6/2011  
 (2) ordering (specify): physical custody to Petitioner, visitation to Respondent
- e. ☐ As requested in form ☐ FL-311 ☐ FL-312 ☐ FL-341(C) ☐ FL-341(D) ☐ FL-341(E)

2. ☒ CHILD VISITATION ☒ To be ordered pending the hearing
- a. As requested in: (1) ☐ Attachment 2a (2) ☒ Form FL-311 (3) ☐ Other (specify):
- b. ☒ Modify existing order  
 (1) filed on (date): 12/6/2011  
 (2) ordering (specify): physical custody to Petitioner, visitation to Respondent
- c. ☐ One or more domestic violence restraining/protective orders are now in effect. (Attach a copy of the orders if you have one.) The orders are from the following court or courts (specify county and state):
- (1) ☐ Criminal: County/state:  
 Case No. (if known):
- (2) ☐ Family: County/state:  
 Case No. (if known):
- (3) ☐ Juvenile: County/state:  
 Case No. (if known):
- (4) ☐ Other: County/state:  
 Case No. (if known):

3. ☐ CHILD SUPPORT (An earnings assignment order may be issued.)
- a. Child's name and age b. Monthly amount requested (if not by guideline)  
 \$

- c. ☐ Modify existing order  
 (1) filed on (date):  
 (2) ordering (specify):

4. ☐ SPOUSAL OR PARTNER SUPPORT (An earnings assignment order may be issued.)
- a. ☐ Amount requested (monthly): \$ c. ☐ Modify existing order  
 b. ☐ Terminate existing order  
 (1) filed on (date):  
 (2) ordering (specify):

**NOTE: To obtain domestic violence restraining orders, you must use the forms *Request for Order (Domestic Violence Prevention)* (form DV-100), *Temporary Restraining Order (Domestic Violence Prevention)* (form DV-110), and *Notice of Court Hearing (Domestic Violence Prevention)* (form DV-109).**



PETITIONER/PLAINTIFF: Richard Riess	CASE NUMBER:
RESPONDENT/DEFENDANT: Desiree Capuano	TD035397

5. ☐ ATTORNEY FEES AND COSTS a. ☐ Fees: \$ b. ☐ Costs: \$
6. ☐ PROPERTY RESTRAINT ☐ To be ordered pending the hearing
- a. The ☐ petitioner ☐ respondent ☐ claimant is restrained from transferring, encumbering, hypothecating, concealing, or in any way disposing of any property, real or personal, whether community, quasi-community, or separate, except in the usual course of business or for the necessities of life.
- ☐ The applicant will be notified at least five business days before any proposed extraordinary expenditures, and an accounting of such will be made to the court.
- b. ☐ Both parties are restrained and enjoined from cashing, borrowing against, canceling, transferring, disposing of, or changing the beneficiaries of any insurance or other coverage, including life, health, automobile, and disability, held for the benefit of the parties or their minor children.
- c. ☐ Neither party may incur any debts or liabilities for which the other may be held responsible, other than in the ordinary course of business or for the necessities of life.
7. ☐ PROPERTY CONTROL ☐ To be ordered pending the hearing
- a. ☐ The petitioner ☐ respondent is given the exclusive temporary use, possession, and control of the following property that we own or are buying (*specify*):
- b. ☐ The petitioner ☐ respondent is ordered to make the following payments on liens and encumbrances coming due while the order is in effect:
- | <u>Debt</u> | <u>Amount of payment</u> | <u>Pay to</u> |
|-------------|--------------------------|---------------|
|             |                          |               |
8. ☒ OTHER RELIEF (*specify*):
- Respondent be required to pass a drug test prior to any contact with Child, and at regular intervals during any period of unsupervised visitation.
9. ☐ I request that time for service of the *Order to Show Cause* and accompanying papers be shortened so that these documents may be served no less than (*specify number*): \_\_\_\_\_ days before the time set for the hearing. I need to have the order shortening time because of the facts specified in item 10 or the attached declaration.
10. ☒ FACTS IN SUPPORT of relief requested and change of circumstances for any modification are (*specify*):
- ☒ Contained in the attached declaration. (You may use *Attached Declaration* (form MC-031) for this purpose).

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 1-13-12

Richard Riess

(TYPE OR PRINT NAME)



(SIGNATURE OF APPLICANT)

PETITIONER/PLAINTIFF: Richard Riess  
 RESPONDENT/DEFENDANT: Desiree Capuano

CASE NUMBER:

TD035397

## CHILD CUSTODY AND VISITATION APPLICATION ATTACHMENT

- TO ☒ Petition, Response, Application for Order or Responsive Declaration ☐ Other (specify):  
☒ To be ordered now and effective until the hearing

1. ☒ **Custody.** Custody of the minor children of the parties is requested as follows:

<u>Child's Name</u>	<u>Date of Birth</u>	<u>Legal Custody to</u> (person who makes decisions about health, education, etc.)	<u>Physical Custody to</u> (person with whom the child lives)
G [redacted] Riess	[redacted]/2000	Richard Riess	Richard Riess

2. ☒ **Visitation.**

- a. ☒ Reasonable right of visitation to the party without physical custody (not appropriate in cases involving domestic violence)  
 b. ☐ See the attached \_\_\_\_\_-page document dated (specify date):  
 c. ☒ The parties will go to mediation at (specify location): Torrance Courthouse  
 d. ☐ No visitation  
 e. ☐ Visitation for the ☐ petitioner ☐ respondent will be as follows:

- (1) ☐ **Weekends starting (date):**

(The first weekend of the month is the first weekend with a Saturday.)

☐ 1st ☐ 2nd ☐ 3rd ☐ 4th ☐ 5th weekend of the month

from \_\_\_\_\_ at \_\_\_\_\_ ☐ a.m. ☐ p.m.  
 (day of week) (time)

to \_\_\_\_\_ at \_\_\_\_\_ ☐ a.m. ☐ p.m.  
 (day of week) (time)

- (a) ☐ The parents will alternate the fifth weekends, with the ☐ petitioner ☐ respondent having the initial fifth weekend, which starts (date):

- (b) ☐ The petitioner will have fifth weekends in ☐ odd ☐ even months.

- (2) ☐ **Alternate weekends starting (date):**

The ☐ petitioner ☐ respondent will have the children with him or her during the period

from \_\_\_\_\_ at \_\_\_\_\_ ☐ a.m. ☐ p.m.  
 (day of week) (time)

to \_\_\_\_\_ at \_\_\_\_\_ ☐ a.m. ☐ p.m.  
 (day of week) (time)

- (3) ☐ **Weekdays starting (date):**

The ☐ petitioner ☐ respondent will have the children with him or her during the period

from \_\_\_\_\_ at \_\_\_\_\_ ☐ a.m. ☐ p.m.  
 (day of week) (time)

to \_\_\_\_\_ at \_\_\_\_\_ ☐ a.m. ☐ p.m.  
 (day of week) (time)

- (4) ☐ **Other (specify days and times as well as any additional restrictions):**

☐ See Attachment 2e(4).

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PETITIONER: Richard Riess

CASE NUMBER:

RESPONDENT: Desiree Capuano

TD035397

3. ☒ **Supervised visitation.**

I request that (name): Desiree Capuano have supervised visitation with the minor children according to the schedule set out on page 1 and that the visits be supervised by (name):  
who is a ☐ professional ☐ nonprofessional supervisor. The supervisor's phone number is (specify):

I request that the costs of supervision be paid as follows: petitioner: percent; respondent: 100 percent.

If item 3 is checked, you must attach a declaration that shows why unsupervised visitation would be bad for your children. The judge is required to consider supervised visitation if one parent is alleging domestic violence and is protected by a restraining order.

4. ☐ **Transportation for visitation and place of exchange.**

- a. ☐ Transportation to the visits will be provided by (name):
- b. ☐ Transportation from the visits will be provided by (name):
- c. ☐ Drop-off of the children will be at (address):
- d. ☐ Pick-up of the children will be at (address):
- e. ☐ The children will be driven only by a licensed and insured driver. The car or truck must have legal child restraint devices.
- f. ☐ During the exchanges, the parent driving the children will wait in the car and the other parent will wait in his or her home while the children go between the car and the home.
- g. ☐ Other (specify):

5. ☒ **Travel with children.** The ☐ petitioner ☒ respondent ☐ other (name):  
**must** have written permission from the other parent or a court order to take the children out of

- a. ☐ the state of California.
- b. ☒ the following counties (specify): Los Angeles
- c. ☐ other places (specify):

6. ☐ **Child abduction prevention.** There is a risk that one of the parents will take the children out of California without the other parent's permission. I request the orders set out on attached form FL-312.

7. ☐ **Children's holiday schedule.** I request the holiday and visitation schedule set out on the attached ☐ form FL-341(C)  
☐ other (specify):

8. ☐ **Additional custody provisions.** I request the additional orders regarding custody set out on the attached  
☐ form FL-341(D) ☐ other (specify):

9. ☐ **Joint legal custody provisions.** I request joint legal custody and want the additional orders set out on the attached  
☐ form FL-341(E) ☐ other (specify):

10. ☒ **Other.** I request the following additional orders (specify):

Respondent be required to pass a drug test within 48 hours of having contact with Child and at regular intervals during any period of unsupervised visitation; Respondent be precluded from possessing or using any drugs during any period of unsupervised visitation; Kristopher Lauchner be prohibited from being within 100 yards of Child.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): <b>Richard Riess</b> [REDACTED] Lincoln St. Carson, CA 90745 TELEPHONE NO.: 310-[REDACTED] FAX NO. (Optional): E-MAIL ADDRESS (Optional): richardriess@gmail.com ATTORNEY FOR (Name): Richard Riess	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles STREET ADDRESS: 200 W. Compton St. MAILING ADDRESS: 200 W. Compton St. CITY AND ZIP CODE: Compton, CA 90220 BRANCH NAME: South Central District	
PETITIONER/PLAINTIFF: Richard Riess  RESPONDENT/DEFENDANT: Desiree Capuano  OTHER PARENT:	
<b>RESPONSIVE DECLARATION TO ORDER TO SHOW CAUSE OR NOTICE OF MOTION</b>	CASE NUMBER:  <b>TD035397</b>
HEARING DATE: _____ TIME: _____ DEPARTMENT OR ROOM: _____	

1. ☐ CHILD CUSTODY
  - a. ☐ I consent to the order requested.
  - b. ☐ I do not consent to the order requested, but I consent to the following order:
  
2. ☐ CHILD VISITATION
  - a. ☐ I consent to the order requested.
  - b. ☐ I do not consent to the order requested, but I consent to the following order:
  
3. ☐ CHILD SUPPORT
  - a. ☐ I consent to the order requested.
  - b. ☐ I consent to guideline support.
  - c. ☐ I do not consent to the order requested, but I consent to the following order:
    - (1) ☐ Guideline
    - (2) ☐ Other (specify):
  
4. ☐ SPOUSAL OR PARTNER SUPPORT
  - a. ☐ I consent to the order requested.
  - b. ☐ I do not consent to the order requested.
  - c. ☐ I consent to the following order:
  
5. ☐ ATTORNEY FEES AND COSTS
  - a. ☐ I consent to the order requested.
  - b. ☐ I do not consent to the order requested.
  - c. ☐ I consent to the following order:

PETITIONER/PLAINTIFF: <b>Richard Riess</b>	CASE NUMBER:
RESPONDENT/DEFENDANT: <b>Desiree Capuano</b>	<b>TD035397</b>
OTHER PARENT:	

6. ☐ PROPERTY RESTRAINT

- a. ☐ I consent to the order requested.  
 b. ☐ I do not consent to the order requested.  
 c. ☐ I consent to the following order:

7. ☐ PROPERTY CONTROL

- a. ☐ I consent to the order requested.  
 b. ☐ I do not consent to the order requested.  
 c. ☐ I consent to the following order:

8. ☐ OTHER RELIEF

- a. ☐ I consent to the order requested.  
 b. ☐ I do not consent to the order requested.  
 c. ☐ I consent to the following order:

9. ☐ SUPPORTING INFORMATION

- ☐ Contained in the attached declaration. (You may use *Attached Declaration* (form MC-031) for this purpose).

**NOTE:** To respond to domestic violence restraining orders requested in the *Request for Order (Domestic Violence Prevention)* (form DV-100), you must use the *Answer to Temporary Restraining Order (Domestic Violence Prevention)* (form DV-120).

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

\_\_\_\_\_  
 (TYPE OR PRINT NAME)

\_\_\_\_\_  
 (SIGNATURE OF DECLARANT)

Richard Riess  
[REDACTED] Lincoln St.  
Carson, CA 90745  
310-[REDACTED]  
Pro Per

**SUPERIOR COURT OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES**

Richard Riess,  
Petitioner,

v.

Desiree Capuano,  
Respondent.

Case No.: TD035397

**DECLARATION OF RICHARD RIESS IN  
SUPPORT OF EX PARTE REQUEST TO  
MODIFY CHILD VISITATION SCHEDULE**

I, Richard Riess, hereby declare under penalty of perjury that I am the Petitioner in the captioned matter and that all statements made herein are true and correct to the best of my knowledge.

1. I am the biological father of G [REDACTED] Riess.
2. Desiree Capuano is the biological mother of G [REDACTED] Riess.
3. I have sole physical custody of G [REDACTED], as ordered by this Court on December 6, 2011.
4. Desiree has visitation with G [REDACTED] during the summer, winter and spring school breaks, and alternating long weekends, as ordered by this Court on December 6, 2011.
5. During Desiree's periods of visitation, G [REDACTED] stays at her residence in Arizona for the duration of the visitation period.
6. Desiree and I resided together from January 2000 until October 2001.



7. I do not currently use, nor have I at any time during the course of my relationship with Desiree used, illegal drugs.
8. Prior to becoming pregnant with G [REDACTED] in 2000, Desiree regular used marijuana and methylenedioxymethamphetamine (MDMA). I personally witnessed Desiree smoke marijuana on numerous occasions and have witnessed her under the influence of MDMA.
9. In March 2000 Desiree was arrested in Santa Monica, on the 3<sup>rd</sup> Street Promenade, for being under the influence of a controlled substance in a public place (CPC 647(F)). Desiree falsely provided and was booked under the name Virginia Tomlin.
10. On March 17, 2000 Desiree was found guilty of the charge of being under the influence of a controlled substance (case no. SM0SM00882-01). She was subsequently confined, by court order, to a psychiatric hospital, due to her behavior in the courtroom. Desiree falsely provided the Court the name Virginia Tomlin.
11. Desiree's drug use prior to her pregnancy with G [REDACTED] was repeatedly the source of tension between her and I, and on one occasion in March 2000 resulted in the brief termination of our relationship and my insistence she move out. Later that day Desiree promised me that she would stop using drugs.
12. I have no knowledge of, or reason to believe, Desiree used any illegal drugs during her pregnancy with G [REDACTED] or for the first nine months following G [REDACTED]'s birth.
13. In the summer of 2001 I became aware that Desiree had started using drugs again when I noticed changes in her behavior and attitudes.
14. Desiree's relapse into drug use in the summer of 2001 was the catalyst for our separation and my

subsequent petition for dissolution of our marriage, and for custody of G [REDACTED].

15. In October 2001, after we had separated, Desiree admitted to me that she had been using marijuana again. She stated that since we had separated she didn't have to hide her marijuana use anymore and that she was an adult and could do what she wanted.
16. When I established contact with Desiree in January 2011, after having no significant contact for nine years, I assumed, based on the statements in her letters, that she was no longer using drugs.
17. In a letter Desiree wrote me in the spring of 2011, after she had been in contact with G [REDACTED], she alluded to her continued and present use of marijuana. However, when I asked her about it directly she denied that she was still using marijuana or any other drugs.
18. Based on my conversations and dealings with Desiree from August 2011 through the present, I have suspected she has been using marijuana and crystal methamphetamine because her behavior was often irrational, she would become easily agitated and very hostile from the smallest provocation, and she would repeatedly make preposterous and grandiose claims and allegations. However, because she insisted she was not using drugs and I had no further evidence to support my suspicions I provided her the benefit of the doubt.
19. On December 30, 2011 Desiree drove from Phoenix, Arizona to Carson, California to pick G [REDACTED] up for her period of visitation. She left Phoenix at approximately midnight and drove all night, arriving at my residence at approximately 7:00 am. Upon her arrival she did not appear tired, or show any signs of fatigue. She was very alert, rambled about irrelevant, disparate topics and continually paced back and forth. I suspected she was under the influence of a stimulant but had no evidence to support my suspicions. I asked Desiree if she was sure she was alright to

drive back to Phoenix without first resting and she assured me she was fine. G [REDACTED] called me at 2:00 pm to inform me they had arrived at Desiree's house.

20. On January 26, 2012 I discovered, through my own independent research, that Desiree had been arrested by the Scottsdale Police Department for possession of marijuana (ARS 13-3405) and possession of drug paraphernalia (ARS 13-3415) on September 27, 2011. The Maricopa County Attorney's Office filed a Direct Complaint in the Superior Court of Arizona, against Desiree (case no. CR2012-103751) on January 18, 2012. The case is currently pending before the Court.
21. September 27 is G [REDACTED]'s birthday and G [REDACTED] was in Desiree's custody and care at the time of her arrest for possession of a controlled substance. That was the first time Desiree had been present for any of G [REDACTED]'s birthdays.
22. On January 20, 2012 Desiree admitted that after her arrest on September 27, 2011 she applied for and obtained an Arizona Medical Marijuana Program ID card. She obtained the card on November 7, 2011.
23. Arizona law requires a person to suffer from a debilitating condition in order to qualify for a medical marijuana card (ARS 36-2801). When I asked Desiree what debilitating condition she is suffering from she became defensive and refused to tell. I believe that information is relevant because it may affect her ability to care for G [REDACTED] when he is with her.
24. Desiree's current boyfriend, Kristopher Lauchner, lives at Desiree's home in Peoria, Arizona.
25. Lauchner has an extensive, violent criminal history which includes multiple convictions, in multiple states, for Attempted Aggravated Assault; Theft of Means of Transportation; Shoplifting; Possession of Dangerous Drugs; Receiving and Transferring Stolen Vehicles;

Assault with a Deadly Weapon; Petit Larceny; Trespassing; Conspiring to Commit Grand Larceny; Conspiring to Commit Burglary, as well as arrests for Unlawful Flight from Law Enforcement; Taking Identity of Another; Obstructing Public Officer; Attempted Murder with a Deadly Weapon; Manufacture or Importation of Dangerous Weapons; Unlawful Possession of a Controlled Substance; Burglary; and Grand Larceny.

26. Desiree copied onto G[REDACTED]'s iPod two photographs of Lauchner and her other son, S[REDACTED] who was eight years old at the time, handling/aiming a pistol. The pistol did not have an orange muzzle. I believe the pistol to be real. Due to Lauchner's felony convictions he is prohibited from possessing or controlling a firearm.
27. On November 8, 2011 this Court ordered Desiree to immediately return G[REDACTED] to California and to my custody. The Court ordered Desiree and me to work out the details of G[REDACTED]'s return in such a way that each party would bear half the burden.
28. Following the Court's order to return G[REDACTED] I attempted to communicate by telephone and email with Desiree to execute his return as soon as possible. Desiree refused to cooperate or to return G[REDACTED] at that time.
29. On November 9, 2011 Desiree was still refusing to return G[REDACTED] as directed by the Court. After a number of telephone calls and emails to her I received a telephone call from Lauchner. Lauchner told me that if I called Desiree again he would "come to LA and take care of [me] [himself]". Lauchner was hostile, yelled, and repeatedly used profanities, and menacing tones.
30. I later learned that while they were refusing to return G[REDACTED] on November 8 and 9, 2011 Desiree and Lauchner were actively contacting attorneys to try to find a way to not have to return G[REDACTED].

31. At approximately noon on November 9, 2011 Desiree was advised by her new attorney to comply with the Court's order to immediately return G [REDACTED] to me.
32. Desiree continued to refuse to comply with the Court's order to bear half the burden of G [REDACTED]'s return and she further refused to speak to me. Lauchner addressed me on Desiree's behalf. They refused to meet me half way and insisted I drive all the way to Arizona to pick up G [REDACTED]. I ultimately purchased G [REDACTED] a plane ticket for that evening and Lauchner escorted G [REDACTED] to Sky Harbor Airport in Phoenix.
33. In late November I received a telephone call from Lauchner. The purpose of the call was to attempt to sell me an XBox 360 console he claimed he and Desiree had purchased G [REDACTED] for Christmas. I informed Lauchner that I had no interest in communicating with him or purchasing anything from him.
34. On November 11, 2011 I sent Desiree an email requesting her medical insurance information for the purpose of G [REDACTED]'s coverage. She responded that G [REDACTED]'s coverage would commence on January 1, 2012. She did not provide the requested information.
35. On January 9, 2012 I sent another email to Desiree requesting the medical insurance information for G [REDACTED]. Desiree did not respond.
36. On January 16, 2012 I sent a third email to Desiree requesting the medical insurance information for G [REDACTED]. Desiree responded, refusing to provide her medical insurance information. I attempted to express to Desiree that she had a legal and moral obligation to provide the information for G [REDACTED]'s benefit. Shortly thereafter I received a threatening email from Lauchner, stating that he has "resources [I] couldn't possibly imagine" and that if I mentioned his

name again he would get personally involved. Lauchner further insisted that Desiree and I are not now, nor ever were married, and ordered me to never refer to Desiree as my wife again.

37. Based on Lauchner's criminal history and his illegal possession of at least one firearm I considered his threats very credible.
38. On January 20, 2012 I filed a request for a Temporary Restraining Order against Lauchner. The Court granted the Order, prohibiting Lauchner from attempting to contact me or to be within 100 yards of me (case no. TS015675).
39. Upon receiving the Temporary Restraining Order I contacted Desiree by telephone to inform her. She became very hostile, yelled at me and made numerous irrational, unfounded allegations against me. Desiree then demanded to speak to G[REDACTED]. She asked G[REDACTED] if he wanted to continue seeing her and said "everything would be so much easier for [her] if he just said no".
40. Shortly thereafter I received a telephone call from Lauchner but I did not answer it. That evening I received another derogatory and threatening email from Lauchner. I did not respond.
41. When G[REDACTED] left with Desiree, for his eight day visit in Phoenix, on December 30, 2011 he had a suitcase packed with six clean outfits to wear while in Phoenix.
42. Upon G[REDACTED]'s return from his eight day visit with Desiree, on January 7, 2012, I noticed the clothes he was wearing were dirty and stained and his hair was oily. Later that evening I noticed a picture of G[REDACTED], Desiree had posted on her Facebook page on January 5, 2012 wherein G[REDACTED] was wearing the same clothes. I pointed that out to G[REDACTED] and he admitted he had been wearing the clothes and had not showered since January 4, 2012.
43. G[REDACTED] recently told me that when he was living with Desiree in Phoenix (August 2011 to



November 2011) she told him that she uses marijuana.

44. Since Desiree has been present in G[REDACTED]'s life (March 2011), she has frequently made him promises which she has failed to follow through on. In particular:

- 
- A. For the first couple of months that Desiree was in contact with G[REDACTED] she consistently assured him that she would not "take him from the only home he has ever know" and that it was not her intention to take him to Phoenix. She further assured him that she would not pressure him and that she would only move as fast as he was comfortable with. In June 2011 Desiree then told G[REDACTED] that she was going to bring him to live with her in Phoenix regardless of what he wanted. In August Desiree showed up with no notice and took G[REDACTED] to Phoenix in spite of his pleas not to do so.
- B. When Desiree took G[REDACTED] to Phoenix in August 2011 she told him she would take him to visit me in Eloy, AZ (when I was still in Administrative Detention). However, she failed to make any attempt to do so.
- C. In September 2011 Desiree, G[REDACTED] and I came to an agreement regarding custody and visitation (essentially the same agreement entered by this Court on December 6, 2011). But on the following day Desiree sought and obtained a restraining order barring me from having any visitation with G[REDACTED] pending the outcome of the proceedings in Arizona (FC 2011-093719).
45. In June 2011 Desiree informed G[REDACTED] of her intention to take him to San Diego for a one week vacation in July. Desiree failed to inform me of the trip. The day before she was planning to pick G[REDACTED] up to take him to San Diego I told her I could not agree to it because I had received no

notice and her withholding the information from me made her intentions seem very questionable. Also, she had only been in G■■■■'s life for less than four months at that point and had only visited him twice. Desiree became incredibly hostile toward both me and G■■■■ and accused me of trying to keep G■■■■ from her. She also called G■■■■ directly and accused him of "ruining S■■■■'s birthday" and messing up her plans. G■■■■ was very upset and hurt by her behavior and accusations. Desiree's next contact with G■■■■ was when she came to Carson to take him to Phoenix in August.

46. Desiree has stated that S■■■■ has had numerous problems at school due to violent and/or aggressive behavior and that one time he tried to strangle another child in his class.
47. Desiree has stated that when she was with her ex-husband, Michael Capuano (2001 – 2009), they used to get into physical fights which often resulted in both parties hitting and throwing objects at the other.
48. Since G■■■■'s return from Phoenix on January 7, 2012 Desiree has not contacted him either by telephone, email or otherwise.
49. Desiree has still not provided the information for G■■■■'s dental or vision insurance.
50. In January 2012 I learned that Desiree had been giving G■■■■'s clothes, which were purchased by me, to her other son, S■■■■. When I requested she return them to me she stated they had been donated to Goodwill.
51. I believe Desiree's recent arrest for possession of a controlled substance demonstrates that she has had a very long drug problem which started in her childhood and has continued all through her adult life.

52. I believe Desiree is currently using drugs including marijuana and crystal methamphetamine (based on her erratic behavior, grandiose allegations/claims, ability to stay awake for long periods, and her live-in boyfriend's admitted and documented history with it). And that her drug use places G [REDACTED] in danger of being harmed and/or neglected when he is in her care.
53. I believe Desiree's current live-in boyfriend has the capacity for extreme violence.
54. I believe Desiree's repeated failure to keep her promises to G [REDACTED] is, or will be, harmful to his psychological and emotional well-being if it continues.

Dated this 10<sup>th</sup> day of February 2012.



---

Richard Riess

# **Exhibit 1**

**The Judicial Branch of Arizona, Maricopa County****Criminal Court Case Information - Case History****Case Information**

Case Type: Criminal

Location: Downtown

**Party Information**

Party Name - Number	Relationship	Sex	Attorney	Judge	Case #
State Of Arizona - (1)	Plaintiff	N/A	COUNTY ATTORNEY CRIMINAL -CCC,		
Desiree Yvonne Capuano - (2)	Defendant	F	To Be Determined	Richter	CR2012-103751-001

**Disposition Information**

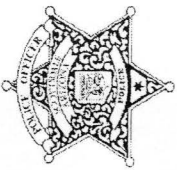
Party Name	ARSCode	Description	Crime Date	Disposition Code	Disposition	Date
Desiree Yvonne Capuano	13-3415 (F6)	DRUG PARAPHERNALIA VIOLATION	9/27/2011			
Desiree Yvonne Capuano	13-3405 (F6)	MARIJUANA VIOLATION	9/27/2011			

**Case Documents**

Filing Date	Description	Docket Date	Filing Party
1/24/2012	RTM - Returned Mail - Party (001)	1/24/2012	
1/18/2012	DCO - Direct Complaint - Party (001)	1/18/2012	
1/18/2012	SUM - Summons - Party (001)	1/19/2012	

**Case Calendar**

Date	Time	Event
2/15/2012	13:30	Initial Appearance



# Scottsdale Police Department

## Weekly Arrest Report - Public Release

Date Range: 09/25/2011-10/01/2011 Total Number Of Pages: 22

Districts: ALL

Date/Time	DR	Arrestee and Charges	Race	Sex	Age	Arrest Location	Dist	Beat	City of Residence	Serial #
09/25/2011 0009	11-22441	VARGAS, STEVEN ANTHONY M - 19-20A, LOUD STEREO IN VEHICLE F - 13-3407A1, DANGEROUS DRUG-POSSESS/USE F - 13-3415A, DRUG PARAPHERNALIA-POSSESS/USE	B	M	21	N BROWN AV	D2	06	CHANDLER, AZ 85412	745
09/25/2011 0021	11-22440	BENSON, JOHNATHAN DEAN M - 28-1381A1, DUI-IMPAIRED TO SLIGHTTEST DEGREE M - 28-1381A2, DUI-BAC OF .08 OR MORE M - 28-1382A1, EXTREME DUI-BAC .15 OR MORE	W	M	24	N SCOTTSDALE RD	D3	10	PHOENIX, AZ 85086	1337
09/25/2011 0028	11-22441	SENSE, DOROTHY YIM M - 4-251A2, LIQUOR-POSSESS OPEN CONTAINER IN VEHICLE	A	F	29	N BROWN AV	D2	06	CHANDLER, AZ 85248	745
09/25/2011 0036	11-22444	KUJAWSKI, TIMOTHY ROBERT M - 19-8A, ALCOHOL/TOXIC VAPORS/ DRUG INCAPACITATION IN PUBLIC	W	M	30	N DRINKWATER BL	D2	06	SCOTTSDALE, AZ 85259	1288
09/25/2011 0054	11-22445	LEWIS, DERRICK G M - 28-1381A1, DUI-IMPAIRED TO SLIGHTTEST DEGREE M - 28-1381A2, DUI-BAC OF .08 OR MORE M - 28-1382A1, EXTREME DUI-BAC .15 OR MORE M - 28-1382A2, EXTREME DUI-BAC .20 OR MORE	B	M	50	E MCDOWELL RD / N MILLER RD	D1	01	PHOENIX, AZ 85021	826
09/25/2011 0107	11-22446	AVERILL-EDWARDS, VANESSA BRIANNE M - 4-244.41, LIQUOR-UNDER 21 ANY LIQUOR IN BODY	W	F	18	N BROWN AV	D2	06	TEMPE, AZ 85251	1312
09/25/2011 0107	11-22446	BYRD, KAYLA MARIE M - 4-244.41, LIQUOR-UNDER 21 ANY LIQUOR IN BODY	W	F	18	N BROWN AV	D2	06	PHOENIX, AZ 85048	1312
09/25/2011 0121	11-22448	WETZEL, ALANNA BETH M - 28-1381A1, DUI-IMPAIRED TO SLIGHTTEST DEGREE M - 28-1381A2, DUI-BAC OF .08 OR MORE	W	F	21	N 78TH ST / E INDIAN SCHOOL RD	D2	06	SURPRISE, AZ 85379	1261
09/25/2011 0143	08-02209	HERNANDEZ, ROBERTO OSORIO M - 13-3904A, VIOLATION OF PROMISE TO APPEAR	W	M	29	E BROADWAY RD			PHOENIX, AZ 85042	1305
09/25/2011 0151	11-22449	TSO, ASHLEY JUSTINE M - 4-244.41, LIQUOR-UNDER 21 ANY LIQUOR IN BODY M - 4-244.34, LIQUOR-MINOR DRIVE AFTER DRINKING	W	F	20	N BROWN AV	D2	06	TUBA CITY, AZ 86045	1272
09/25/2011 0151	11-22449	JOHN, KATALINA K M - 4-244.41, LIQUOR-UNDER 21 ANY LIQUOR IN BODY	W	F	20	N BROWN AV	D2	06	CAMERON, AZ 86020	1272
09/25/2011 0151	11-22449	CARTER, LEANDRA NICOLE M - 4-244.41, LIQUOR-UNDER 21 ANY LIQUOR IN BODY	W	F	19	N BROWN AV	D2	06	TUBA CITY, AZ 86045	1272
09/25/2011 0151	11-22449	HUDGINS, STEPHANIE ADLENE	W	F	20	N BROWN AV	D2	06	TUBA CITY, AZ 86045	1272



# Districts: ALL

Date/Time	DR	Arrestee and Charges	Race	Sex	Age	Arrest Location	Dist	Beat	City of Residence	Serial #
09/27/2011 0850	11-22628	GARCIA, DEREK ANTHONY	W	M	18	E MAIN ST	D2	06	QUEEN CREEK, AZ 85142	881
		M - 13-2904A1, DISORDERLY CONDUCT-FIGHTING								
		M - 13-1203A1, ASSAULT-INTENTIONAL/RECKLESSLY INJURE								
09/27/2011 0905	11-22631	HOSMAN, DAVID JAMES	W	M	39	W BOSTON			TEMPE, AZ 85282	761
		F - WARRANT, WARRANT - FEL - OTHER JURISDICTION								
		F - WARRANT, WARRANT - FEL - OTHER JURISDICTION								
		F - WARRANT, WARRANT - FEL - OTHER JURISDICTION								
		F - 13-1802A3, THEFT-OBTAIN BY MISREPRESENT								
		F - 13-2307A, TRAFFICKING STOLEN PROPERTY 2ND DEG								
		F - 13-2002A3, FORGERY-OFFERS FORGED INSTRUMENT								
		F - 13-2002A3, FORGERY-OFFERS FORGED INSTRUMENT								
		F - 13-1802A2, THEFT-UNAUTHORIZED SERVICE/PROPERTY								
		F - 13-2307A, TRAFFICKING STOLEN PROPERTY 2ND DEG								
09/27/2011 1128	11-22636	SENER, CHRISTOPHER JAMES	W	M	23	N GRANITE REEF RD / E INDIAN SCHOOL RD	D2	05	SCOTTSDALE, AZ 85257	1113
		M - 13-3415A, DRUG PARAPHERNALIA-POSSESS/USE								
09/27/2011 1147	11-22638	MCGUIRE, SHERMAN JOSEPH JR	W	M	24	N SCOTTSDALE RD		99	PHOENIX, AZ 85022	1329
		M - 28-3473A, SUSPENDED/REVOKED D.L.								
09/27/2011 1200	11-22639	CAPUANO, DESIREE YVONNE	W	F	30	N 78TH PL	D4	19	SCOTTSDALE, AZ 85255	704
		F - 13-3405A1, MARIJUANA-POSSESS/USE								
		F - 13-3415A, DRUG PARAPHERNALIA-POSSESS/USE								
09/27/2011 1312	11-22645	BELSCHER, CHRISTOPHER L	W	M	39	N SCOTTSDALE RD	D2	06	GOLD CANYON, AZ 85218	800
		M - 18-6A, LITTERING								
09/27/2011 1352	11-22648	MAY, JEFFREY RYAN	W	M	26	N SCOTTSDALE RD / E THUNDERBIRD RD	D4	15	PHOENIX, AZ 85032	1236
		M - 28-3473A, SUSPENDED/REVOKED D.L.								
09/27/2011 1419	11-22651	PAUL, MICHAEL PATRICK	W	M	23	N SCOTTSDALE			SCOTTSDALE, AZ 85250	786
		M - 13-3415A, DRUG PARAPHERNALIA-POSSESS/USE								
09/27/2011 1419	11-22651	HORVATH, CHRISTOPHER BRANDON	W	M	20	N SCOTTSDALE RD			SCOTTSDALE, AZ 85255	786
		M - 13-3415A, DRUG PARAPHERNALIA-POSSESS/USE								
09/27/2011 1659	09-10594	MALONE, JOSHUA A	W	M	31	N COUNTRY CLUB DR / E MCKELLIPS RD		99	GAMERCO, NM 95317	650
		M - 13-3904A, VIOLATION OF PROMISE TO APPEAR								
09/27/2011 1722	11-20601	WIRTH, JACKSON TYLER	W	M	20	E FRANK LLOYD WRIGHT BL	D4	15	SCOTTSDALE, AZ 85251	856
		M - 13-3904A, VIOLATION OF PROMISE TO APPEAR								
09/27/2011 1725	11-19070	LOVELADY, KELLY MICHAEL	W	M	44	N COUNTRY CLUB DR / E MCKELLIPS RD		99	APACHE JUNCTION, AZ 85120	1121
		M - 13-3904A, VIOLATION OF PROMISE TO APPEAR								
09/27/2011 1728	11-22664	GREEN, DANIEL ANNETTE	W	F	28	E FRANK LLOYD WRIGHT BL	D4	15	PHOENIX, AZ 85043	1328
		M - 28-3473A, SUSPENDED/REVOKED D.L.								
09/27/2011 1742	11-22661	DELGREGO, GERALD THOMAS	W	M	41	E CHRISTMAS CHOLLA DR	D4	20	SCOTTSDALE, AZ 85255	1346
		M - 13-1203A1, ASSAULT-INTENTIONAL/RECKLESSLY INJURE-DV								



**From:** Desiree Capuano <Desiree.Capuano@apollogrp.edu>

**To:** Richard Riess <richardrie@gmail.com>

**Subject:** Re: further curiosity

**Date:** Tue, 31 Jan 2012 23:12:43 -0700 (01/31/2012 10:12:43 PM)

Richard, you are not my prosecuting attorney. You are the father of my child. That's it. Please limit yourself to items concerning G[REDACTED] and his current needs.

Thank you.

---

Desiree Capuano  
Product Support Owner  
602.713.2193  
480.455.2086  
desiree.capuano@apollogrp.edu

On Jan 31, 2012, at 10:40 PM, "Richard Riess" <richardriess@gmail.com> wrote:

> Desiree:

>

> This is only for my own curiosity, not an interrogatory: In order to  
> qualify for a medical marijuana card a person has to be diagnosed with a  
> "debilitating condition" (cancer, glaucoma, MS, HIV/AIDS, hepatitis C,  
> etc). So, I'm curious, what debilitating condition are you claiming?

>

> Thanks,

> Richard

>

>

>

>

>

> On Tue, 2012-01-31 at 14:54 -0700, Desiree Capuano wrote:

>>

>>

>> This message is private and confidential. If you have received it in error, please notify the sender and remove it from your system.

>>

>

>

>

This message is private and confidential. If you have received it in error, please notify the sender and remove it from your system.

# Index of Defendants in Criminal Cases

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The following list might contain records of different people of the same name, and it may not contain records of the person for whom you are searching.

**Result of query on Thursday, February 02, 2012 7:24:46 AM**

**Last Name:** Tomlin(Exact Match)

**First Name:** Virginia(Exact Match)

(A Date of Birth was provided for this search)

**Filing Date Range:** 01/01/2000-07/01/2000

[Print this page](#)

**Name:** TOMLIN , VIRGINIA

**Case Number** SM05M00882-01

**Filed At** Santa Monica Courthouse

**Filing Date** 03/14/2000

Limited Jurisdiction

Count	Charge Section	Charge Statute	Disposition	Disposition Date
01	647(F)	<a href="#">Penal Code</a>	Guilty/Convicted	03/17/2000

If the Charge Statute link is available, click on it to search for the Charge description.

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## **Exhibit 2**

**From:** Kris Lauchner <klauchner@gmail.com>  
**To:** Richard Riess <richardrie@gmail.com>  
**Subject:** Reminder  
**Date:** Tue, 17 Jan 2012 09:58:18 -0700 (01/17/2012 08:58:18 AM)

You have once again crossed the line, Desiree is not nor has ever been your wife, not on any level. You were and are currently still married to the woman you traumatized before Desiree. You seem to feel comfortable talking to and threatening to take court actions when you communicate with Desiree, however I will once again discourage that practice and remind you ~~that the game you are playing is one I'm all too familiar with, and If you want me involved~~ just mention my name one more time. I have resources you couldn't possibly imagine which are ironically suited to expose you, I've only refrained contacting them for 2 reasons

1. I thought you and I had an understanding and you would respect certain boundaries
2. I'm not a cop caller, even with people I dislike.

I'm sure I'll get flak for sending you this email, but I wanted to give you one last warning before I get involved and cause as many headaches for you as you do Desiree. On a personal note, don't ever refer to Desiree as your wife again.

Sent from my iPhone



**From:** Kris Lauchner <[klauchner@gmail.com](mailto:klauchner@gmail.com)>

**To:** Richard Riess <[richardrie@gmail.com](mailto:richardrie@gmail.com)>


**Subject:** Weak

**Date:** Fri, 20 Jan 2012 19:09:05 -0700 (01/20/2012 06:09:05 PM)

Sorry bud, you're too much like a chick for me to fight with. But heads up, my uncle works with ICE and had a pretty interesting conversation with someone down at Eloy. I can't wait for our next court date. Did you know you had a felony check fraud warrant? Extraditable. Besides the new investigation into identity theft. Dumbass chicks, they just don't listen.  
Sent from my iPhone

---



RETURN TO SEARCH RESULTS		RETURN TO DATASEARCH FORM	
	Last Name	First Name	Middle Initial
	LAUCHNER	KRISTOPHER	M
	Gender	Height (inches)	Weight
	MALE	68	180
	Eye Color	Ethnic Origin	Custody Class
	HAZEL	CAUCASIAN	MIN
	Inmate / Detainee		
	INMATE		
	Sentence (yyyymmdd)	Admission	Prison Release Date
	007/00/00	02/23/2005	11/02/2009
	Max End Date		
	01/30/2011		
	Cur. Absconded	Hist. Absconded	Release Type
	--	--	COM SUPERV RLSE [Info]
	Most Recent Loc.		Unit
	ASPC - LEWIS		
	Community Supervision/ Parole/ Last Movement		Commitment Status
	Y		11/02/2009
	COMPLETE AND VERIFIED		INACTIVE

Earned Credit Release Date is provided for guidance. Confirmation can be sought by contacting ADC.

Details of inmate offenses can be accessed by reviewing the case file at the Office of the Clerk of the Court where the case was adjudicated.

- If you are the victim of a crime please visit [\[Victim Services\]](#).
- For family and friends inmate issues, please visit [\[Inmate Services\]](#).
- For public records or reports, please visit [\[Public Access\]](#) or contact the Public Access Office via [\[email\]](#).

#### Commitment Information 4 record(s)

Commit#	Sentence	Sentence County	Court Cause#	Offense Date	Sentence Status	Crime	Crime Info	Felony Class	Ruling	Verified
A01	0030000	MARICOPA	20030362560	07/14/2003	IMPOSED	[1]:AGGRAVATED ASSAULT [2]:ATTEMPT TO COMMIT	ND/NR	CL4	N	YES
B01	0070000	MARICOPA	20040130170	01/17/2004	IMPOSED	[1]:THEFT MEANS OF TRANSPORTATION [2]:DANGER/ REPETIT/ ENHANCE	ND/R1	CL3	Y	YES
C01	0020000	MARICOPA	20040064470	07/17/2004	IMPOSED	[1]:SHOPLIFTING [2]:DANGER/ REPETIT/ ENHANCE	ND/R1	CL6	N	YES
C03	0050000	MARICOPA	20040064470	01/17/2004	IMPOSED	[1]:DANGEROUS DRUG VIOLATION [2]:DANGER/ REPETIT/ ENHANCE	ND/R1	CL4	N	YES

#### Sentence Information 4 record(s)

Commit#	Sentence yyyymmdd	Admit Date	Consec/ Concur	Release Date(s)	Supervision End	Sentence Expiration	Flat Maximum
A01	003/00/00	02/02/2005				07/10/2006	12/13/2006
B01	007/00/00	02/02/2005	Concurrent:A01	Supervised:11/02/2009	01/30/2011	01/30/2010	01/17/2011
C01	002/00/00	02/02/2005	Concurrent:B01			10/05/2005	01/17/2006
C03	005/00/00	02/02/2005	Concurrent:B01			05/01/2008	01/16/2009

#### Disciplinary Appeals 0 record(s) note: display will be limited to most recent 5

**Parole Action** 2 record(s) note: display will be limited to most recent 5

Hearing Date	Statute	Action	CS Sent
04/02/2007	COMMUTATION PHASE I	NOT PASSED TO PHASE II	
04/02/2007	COMMUTATION PHASE I	NOT PASSED TO PHASE II	

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SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2003-036256-001 SE

02/02/2005

HONORABLE DAVID M. TALAMANTE

CLERK OF THE COURT  
B. Giles  
Deputy

FILED: 02/07/2005

STATE OF ARIZONA

N VICTOR COOK

v.

KISTOPHER MICHAEL LAUCHNER (001)  
DOB: 07/07/1974

GEORGE G GAZIANO

APO-SENTENCE IMPRISON-SE  
APPEALS-SE  
DISPOSITION CLERK-SE  
RFR  
VICTIM SERVICES DIV-CA-SE

SENTENCE OF IMPRISONMENT

State's Attorney:	N. Victor Cook
Defendant's Attorney:	George G. Gaziano
Defendant:	Present
Court Reporter:	Helene Paustian

WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

OFFENSE: Count 1 (Amended): Attempted Aggravated Assault  
Class 4 designated felony  
A.R.S. § 13-1001, 1204(A)(2), (B), 1203(A)(1), (B), 701, 702, 702.01 and 801  
Date of Offense: 07/14/2003  
Non Dangerous - Non Repetitive

AS PUNISHMENT, IT IS ORDERED Defendant is sentenced to a term of imprisonment and is committed to the Arizona Department of Corrections as follows:

UPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2003-036256-001 SE

02/02/2005

Count 1 (Amended): 3 year(s) from 02/02/2005  
Presentence Incarceration Credit: 416 day(s)  
Aggravated  
Sentence is concurrent with CR 2004-013017-001 SE and CR 2004-006447-001 DT.

IT IS ORDERED the Defendant shall pay through the Clerk of the Superior Court:

ASSESSMENTS:

Count 1 (Amended): PROBATION SURCHARGE: \$5.00

The Arizona Department of Corrections shall notify the Clerk of the Court of Maricopa County of Defendant's release from custody. The Clerk of the Court, upon said notification, shall furnish financial information for a Criminal Restitution Order for Judicial signature for any unpaid monies to date.

Additional Monetary Information: IT IS ORDERED leaving the issue of Restitution open.

Community Supervision: Imposed pursuant to A.R.S. § 13-603(I).

IT IS ORDERED granting the Motion To Dismiss the following: Counts 2, 3 and the allegation of dangerousness.

IT IS ORDERED authorizing the Sheriff of Maricopa County to deliver the Defendant to the Arizona Department of Corrections to carry out the term of imprisonment set forth herein.

IT IS ORDERED the Clerk of the Superior Court remit to the Arizona Department of Corrections a copy of this order together with all presentence reports, probation violation reports, and medical and psychological reports that are not sealed in this cause relating to the Defendant.

IT IS ORDERED that the Defendant submit to DNA testing for law enforcement identification purposes.

cc: DOC - Certified Copy via Certification Desk

cc: MCSO-DIS - Certified Copy via Certification Desk

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2003-036256-001 SE

02/02/2005

Defendant's thumbprint is permanently affixed to this sentencing order in open court.

/s/ HONORABLE DAVID M. TALAMANTE  
JUDGE OF THE SUPERIOR COURT

(thumbprint)

## The Judicial Branch of Arizona, Maricopa County

## Criminal Court Case Information - Case History

## Case Information

Case Type: Criminal Location: Southeast

## Party Information

Party Name - Number	Relationship	Sex	Attorney	Judge	Case #
State Of Arizona - (1)	Plaintiff	N/A	COOK, N		
Kistopher Michael Lauchner - (2)	Defendant	M	GAZIANO, GEORGE	Contes	CR2003-036256-001
Clerk Of The Court - (3)	In The Matter Of	N/A	To Be Determined		

## Disposition Information

Party Name	ARSCode	Description	Crime Date	Disposition Code	Disposition	Date
Kistopher Michael Lauchner	13-1204 (F4)	AGGRAVATED ASSAULT	7/14/2003	Pled to Reduced Charge	Pled Guilty To Reduced Charge	10/2/200
Kistopher Michael Lauchner	13-1204 (F3)	AGGRAVATED ASSAULT	7/14/2003	Dismissed - Plea Other	Dismissed Due To Plea On Other Count	2/2/2005
Kistopher Michael Lauchner	13-1204 (F3)	AGGRAVATED ASSAULT	7/14/2003	Dismissed - Plea Other	Dismissed Due To Plea On Other Count	2/2/2005

## Case Documents

Filing Date	Description	Docket Date	Filing Party
2/11/2005	PSR - Presentence Report - Party (001)	2/15/2005	
2/7/2005	193 - ME: Sentence-Imprisonment (monetary Orders Entered) - Party (001)	2/7/2005	
2/2/2005	IAD - Initial Appearance Document - Party (001)	2/4/2005	
2/2/2005	LET - Letter - Party (001)	2/4/2005	
NOTE: AND RELATED CASE CR2004-006447-001 DT CR2004-13017-001 SE			
2/2/2005	LET - Letter - Party (001)	2/4/2005	
NOTE: AND RELATED CASE CR2004-006447 CR2004-013017			
2/2/2005	NRR - Notice Of Rights Of Review - Party (001)	2/4/2005	
2/2/2005	LET - Letter - Party (001)	2/4/2005	
1/27/2005	169 - ME: Sent/Dispo Reset - Party (001)	1/27/2005	
12/16/2004	169 - ME: Sent/Dispo Reset - Party (001)	12/16/2004	
11/8/2004	169 - ME: Sent/Dispo Reset - Party (001)	11/8/2004	
10/22/2004	169 - ME: Sent/Dispo Reset - Party (001)	10/22/2004	



9/22/2004	169 - ME: Sent/Dispo Reset - Party (001)	9/22/2004
9/20/2004	ARC - Adult Probation Request for Continuation - Party (001)	9/23/2004
9/14/2004	169 - ME: Sent/Dispo Reset - Party (001)	9/14/2004
9/8/2004	002 - ME: Hearing Vacated - Party (001)	9/8/2004
9/2/2004	004 - ME: Hearing Continued - Party (001)	9/2/2004
6/3/2004	169 - ME: Sent/Dispo Reset - Party (001)	6/3/2004
4/30/2004	169 - ME: Sent/Dispo Reset - Party (001)	4/30/2004
4/9/2004	SJU - Satisfaction Of Judgment - Party (001)	4/14/2004
3/31/2004	169 - ME: Sent/Dispo Reset - Party (001)	3/31/2004
3/29/2004	NRD - Notice Of Release Of Deposit - Party (001)	8/9/2004
NOTE: \$4000 TO CLERK OF COURT-RFR		
3/15/2004	169 - ME: Sent/Dispo Reset - Party (001)	3/15/2004
3/12/2004	196 - ME: Bond Exonerated - Party (001)	3/12/2004
3/4/2004	NRD - Notice Of Release Of Deposit - Party (001)	5/14/2004
NOTE: \$5000 TO DENNIS LAUCHNER BY MAIL		
3/4/2004	ORE - Order To Release/Exonerate Bond - Party (001)	5/13/2004
3/3/2004	BFJ - Bond Forfeiture Judgment - Party (001)	3/31/2004
2/26/2004	056 - ME: Hearing Set - Party (001)	2/26/2004
2/20/2004	ROR - Release Order - Party (001)	7/23/2004
NOTE: NO BOND 02/20/04		
2/20/2004	RTM - Returned Mail - Party (001)	8/3/2004
2/16/2004	176 - ME: Continuance - Party (001)	2/16/2004
2/10/2004	BWA - Bench Warrant - Party (001)	7/19/2004
NOTE: SERVED 1/30/04		
1/14/2004	133 - ME: Bw Issued Hrg/Tri Vacate - Party (001)	1/14/2004
12/4/2003	169 - ME: Sent/Dispo Reset - Party (001)	12/4/2003
10/10/2003	105 - ME: Plea Agreement/Change Of Plea - Party (001)	10/10/2003
10/6/2003	005 - ME: Hearing - Party (001)	10/6/2003
10/2/2003	PAG - Plea Agreement - Party (001)	1/22/2004
9/25/2003	MEM - Memorandum - Party (001)	6/11/2004
NOTE: SETTLEMENT CONFERENCE		
9/18/2003	NDC - Notice Of Deposit With Court - Party (001)	4/6/2004
NOTE: \$9000		
9/8/2003	089 - ME: Trial Setting - Party (001)	9/8/2003
8/26/2003	LET - Letter - Party (001)	10/6/2003
8/15/2003	176 - ME: Continuance - Party (001)	8/15/2003
8/14/2003	RQH - Request For Hearing - Party (001)	11/20/2003
NOTE: RULE 609		

8/14/2003	ACO - Allegation of Historical Priors - Party (001)	6/15/2004
8/13/2003	NDR - Notice of Defenses and Request for Notice of Rebuttal Witnesses - Party (001)	7/6/2004
8/5/2003	NDD - Notice of Discovery Disclosure/Witness/Interviews - Party (001)	7/23/2004
7/31/2003	152 - ME: Not Guilty Plea Arraign - Party (001)	7/31/2003
7/28/2003	SUA - Subpoena And Affidavit Of Service - Party (001)	10/30/2003
7/25/2003	INF - Information - Party (001)	10/27/2003
7/24/2003	SUA - Subpoena And Affidavit Of Service - Party (001)	10/24/2003
7/24/2003	SUA - Subpoena And Affidavit Of Service - Party (001)	10/24/2003
7/24/2003	WWP - Waiver With a Plea - Party (001)	10/30/2003
7/22/2003	IAD - Initial Appearance Document - Party (001)	5/25/2004
7/17/2003	DCO - Direct Complaint - Party (001)	7/18/2003

## Case Calendar

Date	Time	Event
7/24/2003	8:30	Preliminary Hearing
7/24/2003	8:31	Original Arraignment Hearing
8/26/2003	8:30	Initial Pretrial Conference
8/27/2003	8:30	Initial Pretrial Conference
9/26/2003	8:00	Settlement Conference
10/2/2003	8:30	Change Of Plea
11/7/2003	8:30	Trial Management Conference
11/10/2003	9:00	Trial
12/1/2003	8:30	Acceptance Of Plea/Snt
1/8/2004	8:30	Acceptance Of Plea/Snt
2/11/2004	8:30	Initial Appearance Hearing Bench Warrant
2/20/2004	8:30	Initial Appearance Hearing Bench Warrant
3/3/2004	13:30	Bond Forfeiture Hearing
3/12/2004	8:30	Sentencing
3/26/2004	8:30	Presentence Hearing/Sentencing
4/26/2004	8:30	Presentence Hearing/Sentencing
5/27/2004	8:30	Presentence Hearing/Sentencing
8/25/2004	11:00	Settlement Conference
8/27/2004	11:00	Settlement Conference
8/30/2004	8:30	Presentence Hearing/Sentencing
9/27/2004	8:30	Sentencing
10/14/2004	8:30	Sentencing
11/4/2004	8:30	Sentencing
12/9/2004	8:30	Sentencing

1/26/2005	8:30	Sentencing
2/2/2005	8:30	Sentencing

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2004-013017-001 SE

02/02/2005

HONORABLE DAVID M. TALAMANTE

CLERK OF THE COURT  
B. Giles  
Deputy

FILED: 02/07/2005

STATE OF ARIZONA

N VICTOR COOK

v.

KRISTOPHER MICHAEL LAUCHNER (001)  
DOB: 07/07/1974

GEORGE G GAZIANO

APO-SENTENCE IMPRISON-SE  
APPEALS-SE  
DISPOSITION CLERK-SE  
RFR  
VICTIM SERVICES DIV-CA-SE

SENTENCE OF IMPRISONMENT

State's Attorney:	N. Victor Cook
Defendant's Attorney:	George G. Gaziano
Defendant:	Present
Court Reporter:	Helene Paustian

WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

OFFENSE: Count : Theft of Means of Transportation With One Historical Prior Felony  
Conviction

Class 3 designated felony

A.R.S. § 13-1801, 1814, 28-3304, 13-604, 701, 702, 702.01 and 801

Date of Offense: 01/17/2004

Non Dangerous - Repetitive

AS PUNISHMENT, IT IS ORDERED Defendant is sentenced to a term of imprisonment and is committed to the Arizona Department of Corrections as follows:

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2004-013017-001 SE

02/02/2005

Count : 7 year(s) from 02/02/2005  
Presentence Incarceration Credit: 381 day(s)  
Aggravated  
Sentence is concurrent with CR 2003-036256-001 SE and CR 2004-006447-001 DT.

Pursuant to A.R.S. § 13-604, the Court finds that the Defendant has been convicted of the following prior felony offenses:

Count 1: Assault With a Deadly Weapon, a class Category "B" felony committed on 05/22/2000 and convicted on 06/26/2000 in C167233, Clark County, Nevada.

IT IS ORDERED the Defendant shall pay through the Clerk of the Superior Court:

RESTITUTION: Count - \$488.47 to the following victim(s) in the following amounts:

Bell Road Big Automall, Attn: Kathy Pickett (Business) \$488.47

Restitution ledger provided; priority of payment as stated in the restitution ledger.

Payment shall be 30% of Defendant's earnings while incarcerated at the Arizona Department of Corrections.

ASSESSMENTS:

Count : PROBATION SURCHARGE: \$5.00

The Arizona Department of Corrections shall notify the Clerk of the Court of Maricopa County of Defendant's release from custody. The Clerk of the Court, upon said notification, shall furnish financial information for a Criminal Restitution Order for Judicial signature for any unpaid monies to date.

Additional Monetary Information: IT IS ORDERED that any Restitution balance is payable at \$40.00 per month beginning on the first day of the second month after release from prison.

Community Supervision: Imposed pursuant to A.R.S. § 13-603(I).

IT IS ORDERED granting the Motion To Dismiss the following: CR 2004-006446-001 SE and all allegations of prior felony convictions, except the one listed in Paragraph 2 of the Plea Agreement.

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2004-013017-001 SE

02/02/2005

IT IS ORDERED authorizing the Sheriff of Maricopa County to deliver the Defendant to the Arizona Department of Corrections to carry out the term of imprisonment set forth herein.

IT IS ORDERED the Clerk of the Superior Court remit to the Arizona Department of Corrections a copy of this order together with all presentence reports, probation violation reports, and medical and psychological reports that are not sealed in this cause relating to the Defendant.

The presentence investigation report is filed under CR 2004-006447-001 DT.

IT IS ORDERED that the Defendant submit to DNA testing for law enforcement identification purposes.

IT IS ORDERED revoking Defendant's license to drive.

cc: DOC - Certified Copy via Certification Desk

cc: MCSO-DIS - Certified Copy via Certification Desk

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2004-013017-001 SE

02/02/2005

Defendant's thumbprint is permanently affixed to this sentencing order in open court.

/s/ HONORABLE DAVID M. TALAMANTE  
JUDGE OF THE SUPERIOR COURT

(thumbprint)

## The Judicial Branch of Arizona, Maricopa County

Criminal Court Case Information - Case History

## Case Information

Case Type: Criminal Location: Southeast

## Party Information

Party Name - Number	Relationship	Sex	Attorney	Judge	Case #
State Of Arizona - (1)	Plaintiff	N/A	COOK, N		
Kristopher Michael Lauchner - (2)	Defendant	M	GAZIANO, GEORGE	Contes	CR2004-013017-001

## Disposition Information

Party Name	ARSCode	Description	Crime Date	Disposition Code	Disposition	Date
Kristopher Michael Lauchner	13-1814 (F3)	THEFT-MEANS OF TRANSPORTATION	1/17/2004	Pled No Contest	Pled No Contest	8/27/2004

## Case Documents

Filing Date	Description	Docket Date	Filing Party
2/15/2005	ACA - Arizona Department Of Transportation Court Abstract - Party (001)	3/1/2005	
2/14/2005	DRE - Disposition Report - Party (001)	3/7/2005	
2/7/2005	193 - ME: Sentence-Imprisonment (monetary Orders Entered) - Party (001)	2/7/2005	
2/2/2005	NRR - Notice Of Rights Of Review - Party (001)	2/4/2005	
1/27/2005	169 - ME: Sent/Dispo Reset - Party (001)	1/27/2005	
12/16/2004	169 - ME: Sent/Dispo Reset - Party (001)	12/16/2004	
11/8/2004	169 - ME: Sent/Dispo Reset - Party (001)	11/8/2004	
10/22/2004	169 - ME: Sent/Dispo Reset - Party (001)	10/22/2004	
9/22/2004	169 - ME: Sent/Dispo Reset - Party (001)	9/22/2004	
9/14/2004	105 - ME: Plea Agreement/Change Of Plea - Party (001)	9/14/2004	
9/2/2004	004 - ME: Hearing Continued - Party (001)	9/2/2004	
8/27/2004	PAG - Plea Agreement - Party (001)	9/15/2004	
6/3/2004	089 - ME: Trial Setting - Party (001)	6/3/2004	
5/28/2004	NDD - Notice of Discovery Disclosure/Witness/Interviews - Party (001)	6/9/2004	
5/28/2004	ALG - Allegation - Party (001)	6/9/2004	
NOTE: OF FELONY COMMITTED WHILE ON RELEASE/ENHANCED SENTENCING			
5/27/2004	STA - Statement - Party (001)	6/9/2004	
NOTE: JOINTLY PREPARED PRETRIAL/			



5/20/2004	593 - ME: Case Location Change - Party (001)	5/20/2004
5/12/2004	IAD - Initial Appearance Document - Party (001)	5/19/2004
5/7/2004	152 - ME: Not Guilty Plea Arraign - Party (001)	5/17/2004
4/29/2004	WAR - Warrant For Arrest - Party (001)	4/29/2004
NOTE: SERVED 4/28/04		
4/27/2004	IND - Indictment - Party (001)	4/29/2004
4/27/2004	604 - ME: GJ True Bill/Warrant Issue - Party (001)	4/29/2004

## Case Calendar

Date	Time	Event
5/5/2004	8:30	Original Arraignment Hearing
5/27/2004	8:30	Initial Pretrial Conference
8/25/2004	11:00	Settlement Conference
8/27/2004	11:00	Settlement Conference
9/21/2004	8:30	Trial Management Conference
9/22/2004	10:30	Trial
9/27/2004	8:30	Sentencing
10/14/2004	8:30	Sentencing
11/4/2004	8:30	Sentencing
12/9/2004	8:30	Sentencing
1/26/2005	8:30	Sentencing
2/2/2005	8:30	Sentencing

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2004-006447-001 DT

02/02/2005

HONORABLE DAVID M. TALAMANTE

CLERK OF THE COURT  
B. Giles  
Deputy

FILED: 02/07/2005

STATE OF ARIZONA

N VICTOR COOK

v.

KRISTOPHER MICHAEL LAUCHNER (001)  
DOB: 07/07/1974

GEORGE G GAZIANO

APO-SENTENCE IMPRISON-CCC  
APPEALS-CCC  
DISPOSITION CLERK-CSC  
RFR  
VICTIM SERVICES DIV-CA-CCC

SENTENCE OF IMPRISONMENT

State's Attorney:	N. Victor Cook
Defendant's Attorney:	George G. Gaziano
Defendant:	Present
Court Reporter:	Helene Paustian

WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

OFFENSE: Count 1: Shoplifting With One Prior Felony Conviction  
Class 6 designated felony  
A.R.S. § 13-1801, 1805, 604, 701, 702, 702.01 and 801  
Date of Offense: 07/17/2004  
Non Dangerous - Repetitive

OFFENSE: Count 3: Possession of Dangerous Drugs (Not Proposition 200) With One Prior Felony Conviction  
Class 4 designated felony

Docket Code 193

Form R193

Page 1

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2004-006447-001 DT

02/02/2005

A.R.S. § 13-3401, 3407, 3418, 604, 701, 702, 702.01 and 801

Date of Offense: 01/17/2004

Non Dangerous - Repetitive

AS PUNISHMENT, IT IS ORDERED Defendant is sentenced to a term of imprisonment and is committed to the Arizona Department of Corrections as follows:

Count 1: 2 year(s) from 02/02/2005

Presentence Incarceration Credit: 381 day(s)

Aggravated

Sentence is concurrent with Count 3, CR 2003-036256-001 SE and CR 2004-013017-001

SE.

Count 3: 5 year(s) from 02/02/2005

Presentence Incarceration Credit: 381 day(s)

Aggravated

Sentence is concurrent with Count 1, CR 2003-036256-001 SE and CR 2004-013017-001

SE.

Pursuant to A.R.S. § 13-604, the Court finds that the Defendant has been convicted of the following prior felony offenses:

Count 1: Assault With a Deadly Weapon, a class Category "B" felony committed on 04/22/2000 and convicted on 06/26/2000 in C167233, Clark County Nevada.

IT IS ORDERED the Defendant shall pay through the Clerk of the Superior Court:

ASSESSMENTS:

Count 1: PROBATION SURCHARGE: \$5.00

The Arizona Department of Corrections shall notify the Clerk of the Court of Maricopa County of Defendant's release from custody. The Clerk of the Court, upon said notification, shall furnish financial information for a Criminal Restitution Order for Judicial signature for any unpaid monies to date.

Additional Monetary Information: IT IS ORDERED leaving the issue of Restitution open.

Community Supervision: Imposed pursuant to A.R.S. § 13-603(I).

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2004-006447-001 DT

02/02/2005

IT IS ORDERED granting the Motion To Dismiss the following: Count 2, CR 2004-006446-001 SE and all allegations of prior felony convictions, except the one listed in Paragraph 2 of the Plea Agreement.

IT IS ORDERED authorizing the Sheriff of Maricopa County to deliver the Defendant to the Arizona Department of Corrections to carry out the term of imprisonment set forth herein.

IT IS ORDERED the Clerk of the Superior Court remit to the Arizona Department of Corrections a copy of this order together with all presentence reports, probation violation reports, and medical and psychological reports that are not sealed in this cause relating to the Defendant.

The presentence investigation report is filed under CR 2004-006447-001 DT.

IT IS ORDERED that the Defendant submit to DNA testing for law enforcement identification purposes.

cc: DOC - Certified Copy via Certification Desk

cc: MCSO-DIS - Certified Copy via Certification Desk

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2004-006447-001 DT

02/02/2005

Defendant's thumbprint is permanently affixed to this sentencing order in open court.

/s/ HONORABLE DAVID M. TALAMANTE  
JUDGE OF THE SUPERIOR COURT

(thumbprint)

## The Judicial Branch of Arizona, Maricopa County

Criminal Court Case Information - Case History

## Case Information

Case Type: Criminal Location: Downtown

## Party Information

Party Name - Number	Relationship	Sex	Attorney	Judge	Case #
State Of Arizona - (1)	Plaintiff	N/A	COOK, N		
Kristopher Michael Lauchner - (2)	Defendant	M	GAZIANO, GEORGE	Contes	CR2004-006447-001

## Disposition Information

Party Name	ARSCode	Description	Crime Date	Disposition Code	Disposition	Date
Kristopher Michael Lauchner	13-1805 (F6)	SHOPLIFTING	1/17/2004	Pled Guilty As Charged	Pled Guilty As Charged	8/27/2005
Kristopher Michael Lauchner	28-622.01 (F5)	UNLAW FLIGHT FROM LAW ENF VEH	1/17/2004	Dismissed - Plea Other	Dismissed Due To Plea On Other Count	2/2/2005
Kristopher Michael Lauchner	13-3407 (F4)	DANGEROUS DRUG VIOLATION	1/17/2004	Pled Guilty As Charged	Pled Guilty As Charged	8/27/2005

## Case Documents

Filing Date	Description	Docket Date	Filing Party
2/11/2005	PSR - Presentence Report - Party (001)	2/15/2005	
NOTE: RELATED CASE: CR2004-013017-001SE			
2/7/2005	193 - ME: Sentence-Imprisonment (monetary Orders Entered) - Party (001)	2/7/2005	
2/2/2005	NOF - Notice Of Filing - Party (001)	2/4/2005	
NOTE: OF CORRESPONDENCE			
2/2/2005	NRR - Notice Of Rights Of Review - Party (001)	2/4/2005	
1/27/2005	169 - ME: Sent/Dispo Reset - Party (001)	1/27/2005	
12/16/2004	169 - ME: Sent/Dispo Reset - Party (001)	12/16/2004	
11/8/2004	169 - ME: Sent/Dispo Reset - Party (001)	11/8/2004	
10/22/2004	169 - ME: Sent/Dispo Reset - Party (001)	10/22/2004	
9/29/2004	NOF - Notice Of Filing - Party (001)	10/18/2004	
NOTE: OF CORRESPONDENCE			
9/22/2004	169 - ME: Sent/Dispo Reset - Party (001)	9/22/2004	
9/14/2004	105 - ME: Plea Agreement/Change Of Plea - Party (001)	9/14/2004	
9/2/2004	004 - ME: Hearing Continued - Party (001)	9/2/2004	

8/27/2004	PAG - Plea Agreement - Party (001)	9/15/2004
6/23/2004	NSI - Notice of Supervening Indictment - Party (001)	7/9/2004
NOTE: AMENDED		
6/3/2004	089 - ME: Trial Setting - Party (001)	6/3/2004
5/27/2004	STA - Statement - Party (001)	6/8/2004
NOTE: JOINTLY PREPARED PRETRIAL		
4/30/2004	172 - ME: Pretrial Conference Reset - Party (001)	4/30/2004
3/31/2004	172 - ME: Pretrial Conference Reset - Party (001)	3/31/2004
3/15/2004	172 - ME: Pretrial Conference Reset - Party (001)	3/15/2004
3/2/2004	NDD - Notice of Discovery Disclosure/Witness/Interviews - Party (001)	7/9/2004
3/2/2004	ALG - Allegation - Party (001)	6/14/2004
NOTE: OF FELONY COMMITTED WHILE ON RELEASE/ENHANCED SENTENCING		
2/19/2004	NDR - Notice of Defenses and Request for Notice of Rebuttal Witnesses - Party (001)	8/2/2004
2/10/2004	152 - ME: Not Guilty Plea Arraign - Party (001)	2/13/2004
2/6/2004	ROR - Release Order - Party (001)	6/11/2004
NOTE: BOND \$4500 02/06/03		
1/27/2004	606 - ME: GJ Not/Supervening Indictment - Party (001)	1/28/2004
1/27/2004	IND - Indictment - Party (001)	1/28/2004
1/27/2004	NSI - Notice of Supervening Indictment - Party (001)	1/28/2004
1/26/2004	IAD - Initial Appearance Document - Party (001)	6/11/2004
1/21/2004	DCO - Direct Complaint - Party (001)	1/22/2004

## Case Calendar

Date	Time	Event
1/27/2004	8:30	Preliminary Hearing
2/6/2004	8:30	Original Arraignment Hearing
3/12/2004	8:30	Initial Pretrial Conference
3/26/2004	8:30	Initial Pretrial Conference
4/26/2004	8:30	Initial Pretrial Conference
5/27/2004	8:30	Initial Pretrial Conference
8/25/2004	11:00	Settlement Conference
8/27/2004	11:00	Settlement Conference
9/7/2004	8:30	Trial Management Conference
9/8/2004	10:30	Trial
9/27/2004	8:30	Sentencing
10/14/2004	8:30	Sentencing
11/4/2004	8:30	Sentencing
12/9/2004	8:30	Sentencing

1/26/2005	8:30	Sentencing
2/2/2005	8:30	Sentencing



## The Judicial Branch of Arizona, Maricopa County

## Criminal Court Case Information - Case History

## Case Information

Case Type: Criminal Location: Southeast

## Party Information

Party Name - Number	Relationship	Sex	Attorney	Judge	Case #
State Of Arizona - (1)	Plaintiff	N/A	COOK, N		
Kristopher Michael Lauchner - (2)	Defendant	M	GAZIANO, GEORGE	Contas	CR2004-006446-001

## Disposition Information

Party Name	ARSCode	Description	Crime Date	Disposition Code	Disposition	Date
Kristopher Michael Lauchner	13-2006 (F4)	TAKING IDENTITY OF ANOTHER	12/26/2003	Dismd Pros Mot	Dismissed By Prosecution Motion	2/2/200

## Case Documents

Filing Date	Description	Docket Date	Filing Party
2/7/2005	111 - ME: Dismissal/Per Plea Agreement - Party (001)	2/7/2005	
1/27/2005	004 - ME: Hearing Continued - Party (001)	1/27/2005	
12/16/2004	169 - ME: Sent/Dispo Reset - Party (001)	12/16/2004	
11/8/2004	169 - ME: Sent/Dispo Reset - Party (001)	11/8/2004	
10/22/2004	004 - ME: Hearing Continued - Party (001)	10/22/2004	
9/22/2004	169 - ME: Sent/Dispo Reset - Party (001)	9/22/2004	
9/14/2004	106 - ME: Motion To Dismiss Pending - Party (001)	9/14/2004	
9/8/2004	089 - ME: Trial Setting - Party (001)	9/8/2004	
9/2/2004	004 - ME: Hearing Continued - Party (001)	9/2/2004	
8/31/2004	SUB - Subpoena - Party (001)	9/7/2004	
8/31/2004	SUB - Subpoena - Party (001)	9/7/2004	
8/31/2004	SUB - Subpoena - Party (001)	9/7/2004	
6/3/2004	089 - ME: Trial Setting - Party (001)	6/3/2004	
5/27/2004	STA - Statement - Party (001)	6/8/2004	
NOTE: JOINTLY PREPARED PRETRIAL			
4/30/2004	172 - ME: Pretrial Conference Reset - Party (001)	4/30/2004	
4/12/2004	DRE - Disposition Report - Party (001)	6/15/2004	
3/31/2004	172 - ME: Pretrial Conference Reset - Party (001)	3/31/2004	

3/19/2004	MTD - Motion To Dismiss - Party (001)	3/19/2004
NOTE: Motion to Dismiss		
3/19/2004	MTD - Motion To Dismiss - Party (001)	6/3/2004
NOTE: WITHOUT PREJUDICE AND PROPOSED ORDER		
3/16/2004	ACO - Allegation of Historical Priors - Party (001)	6/3/2004
3/16/2004	ALG - Allegation - Party (001)	5/14/2004
NOTE: OF FELONY COMMITTED WHILE ON RELEASE/ENHANCED SENTENCING		
3/16/2004	RQH - Request For Hearing - Party (001)	6/8/2004
NOTE: RULE 609		
3/16/2004	NOT - Notice - Party (001)	6/8/2004
NOTE: OF DISCLOSURE AND REQUEST FOR DISCLOSURE		
3/15/2004	172 - ME: Pretrial Conference Reset - Party (001)	3/15/2004
2/27/2004	NDR - Notice of Defenses and Request for Notice of Rebuttal Witnesses - Party (001)	7/26/2005
2/25/2004	593 - ME: Case Location Change - Party (001)	2/25/2004
2/23/2004	042 - ME: Case Dismissed - Full - Party (001)	2/23/2004
2/23/2004	IAD - Initial Appearance Document - Party (001)	7/9/2004
2/19/2004	152 - ME: Not Guilty Plea Arraign - Party (001)	2/23/2004
2/18/2004	ODI - Order Of Dismissal - Party (001)	7/9/2004
NOTE: WITHOUT PREJUDICE		
2/6/2004	WAR - Warrant For Arrest - Party (001)	2/6/2004
NOTE: SERVED 2/5/04		
1/30/2004	IND - Indictment - Party (001)	2/6/2004
1/30/2004	604 - ME: GJ True Bill/Warrant Issue - Party (001)	2/6/2004
1/21/2004	DCO - Direct Complaint - Party (001)	1/22/2004

## Case Calendar

Date	Time	Event
2/13/2004	8:30	Original Arraignment Hearing
3/12/2004	8:30	Initial Pretrial Conference
3/26/2004	8:30	Initial Pretrial Conference
4/26/2004	8:30	Initial Pretrial Conference
5/27/2004	8:30	Initial Pretrial Conference
8/25/2004	11:00	Settlement Conference
8/27/2004	11:00	Settlement Conference
8/30/2004	8:30	Trial Management Conference
8/31/2004	10:30	Trial
9/27/2004	8:30	Status Conference
10/14/2004	8:30	Status Conference

11/4/2004	8:30	Status Conference
12/9/2004	8:30	Status Conference
1/26/2005	8:30	Status Conference
2/2/2005	8:30	Status Conference

Logout My Account Search Menu New District Civil/Criminal Search Refine Search Back

Location : District Court Civil/Criminal Help

**REGISTER OF ACTIONS****CASE NO. 00C169483**

The State of Nevada vs Kristopher M Lauchner

§  
§  
§  
§  
§  
§  
§  
§

Case Type: Felony/Gross Misdemeanor

Date Filed: 08/22/2000

Location: Department 14

Conversion Case Number: C169483

Defendant's Scope ID #: 1319139

Lower Court Case Number: 00F10080

**PARTY INFORMATION**

Defendant Lauchner, Kristopher M

Lead Attorneys  
James L. Gubler*Retained*

7025922683(W)

Plaintiff State of Nevada

Stewart L. Bell  
7024554662(W)**CHARGE INFORMATION**

Charges: Lauchner, Kristopher M	Statute	Level	Date
1. RECEIVING OR TRANSFERRING STOLEN VEHICLES.	205.273	Felony	01/01/1900
1. RECEIVING OR TRANSFERRING STOLEN VEHICLES.	205.273	Felony	01/01/1900
2. OBSTRUCTING PUBLIC OFFICER.	197.190	Misdemeanor	01/01/1900

**EVENTS & ORDERS OF THE COURT**

DISPOSITIONS	
01/01/1900	Plea (Judicial Officer: User, Conversion) 1. RECEIVING OR TRANSFERRING STOLEN VEHICLES. Guilty
06/26/2000	Disposition (Judicial Officer: User, Conversion) 1. RECEIVING OR TRANSFERRING STOLEN VEHICLES. Negotiated NRS 173.035
08/28/2000	Disposition (Judicial Officer: User, Conversion) 2. OBSTRUCTING PUBLIC OFFICER. Negotiated NRS 173.035
10/18/2000	Disposition (Judicial Officer: User, Conversion) 1. RECEIVING OR TRANSFERRING STOLEN VEHICLES. Guilty
10/18/2000	Adult Adjudication (Judicial Officer: User, Conversion) 1. RECEIVING OR TRANSFERRING STOLEN VEHICLES. Converted Disposition: Sentence# 0001: Minimum 12 Months to Maximum 36 Months Placement: NSP Cons/Conc: Consecutive w/Charge Item: 0007 and Sentence#: 0001 in Case#: 00C167233  Converted Disposition:

Sentence# 0002: CREDIT FOR TIME SERVED  
Minimum 5 Days to Maximum 5 Days

Converted Disposition:

Sentence# 0003: ADMINISTRATION FEE  
Amount: \$25.00

OTHER EVENTS AND HEARINGS

08/22/2000 Criminal Bindover  
CRIMINAL BINDOVER Fee \$0.00  
00C1694830001.tif pages

08/22/2000 Hearing  
INITIAL ARRAIGNMENT  
00C1694830002.tif pages

08/24/2000 Information  
INFORMATION  
00C1694830003.tif pages

08/28/2000 Conversion Case Event Type  
SENTENCING  
00C1694830004.tif pages

08/28/2000 Memorandum  
GUILTY PLEA MEMORANDUM/AGREEMENT  
00C1694830005.tif pages

08/28/2000 Initial Arraignment (9:00 AM) ()  
INITIAL ARRAIGNMENT Court Clerk: JUDY NORMAN Reporter/Recorder: MAUREEN SCHORN Heard By: Donald Mosley  
Parties Present  
Minutes  
Result: Matter Heard

10/10/2000 Sentencing (9:00 AM) ()  
SENTENCING Court Clerk: JUDY NORMAN Reporter/Recorder: SHIRLEY PRAWALSKY Heard By: Sobel, Jeffrey  
Parties Present  
Minutes  
Result: Matter Continued

10/18/2000 Sentencing (9:00 AM) ()  
SENTENCING Court Clerk: LINDA SKINNER Reporter/Recorder: JOE D'AMATO Heard By: Donald Mosley  
Parties Present  
Minutes  
Result: Matter Continued

10/26/2000 Judgment  
JUDGMENT OF CONVICTION PLEA OF GUILTY  
00C1694830006.tif pages

10/26/2000 Judgment  
ADMINISTRATION/ASSESSMENT FEE  
00C1694830007.tif pages

11/01/2000 Reporters Transcript  
REPORTER'S TRANSCRIPT UNCONDITIONAL WAIVER OF PRELIMINARY HEARING  
00C1694830008.tif pages

12/28/2000 Motion  
DEFT'S PRO PER MOTION TO DISCHARGE ATTORNEY OF RECORD/PRODUCTION OF ALL PAP  
00C1694830011.tif pages

12/28/2000 Request  
MOTION TO DISCHARGE ATTORNEY OF RECORD AND THE PRODUCTION OF ALL PAPERS DOCUMENTS PLEADINGS AND  
ITEMS OF TANGIBLE PERSONAL PROPERTY TO DEFENDANT DOCUMENTS PLEADINGS AND ITEMS OF TANGIBLE  
PERSONAL PROPERTY TO DEFENDANT  
00C1694830013.tif pages

01/17/2001 Motion (9:00 AM) ()  
DEFT'S PRO PER MOTION TO DISCHARGE ATTORNEY OF RECORD/PRODUCTION OF ALL PAP Court Clerk: JUDY NORMAN  
Reporter/Recorder: MAUREEN SCHORN Heard By: Donald Mosley  
Parties Present  
Minutes  
Result: Granted

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FINANCIAL INFORMATION

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Defendant Lauchner, Kristopher M		
Total Financial Assessment		25.00
Total Payments and Credits		0.00
Balance Due as of 11/01/2011		25.00
11/14/2000	Transaction Assessment	25.00



05/22/2000	Disposition (Judicial Officer: User, Conversion) 3. RECEIVING OR TRANSFERRING STOLEN VEHICLES. Negotiated NRS 173.035
05/22/2000	Disposition (Judicial Officer: User, Conversion) 4. STOP REQUIRED ON SIGNAL OF PEACE OFFICER; Negotiated NRS 173.035
05/22/2000	Disposition (Judicial Officer: User, Conversion) 5. MANUFACTURE OR IMPORTATION OF DANGEROUS WEAPONS, CARRYING CONCEALED Negotiated NRS 173.035
05/22/2000	Disposition (Judicial Officer: User, Conversion) 6. UNLAWFUL POSSESSION OF A CONTROLLED SUBSTANCE NOT FOR PURPOSE OF SALE. Negotiated NRS 173.035
06/26/2000	Disposition (Judicial Officer: User, Conversion) 1. ASSAULT WITH A DEADLY WEAPON (5024) Guilty
06/26/2000	Disposition (Judicial Officer: User, Conversion) 2. RECEIVING OR TRANSFERRING STOLEN VEHICLES. Guilty
06/26/2000	Adult Adjudication (Judicial Officer: User, Conversion) 1. ASSAULT WITH A DEADLY WEAPON (5024) Converted Disposition: Sentence# 0001: Minimum 12 Months to Maximum 30 Months Placement: NSP  Converted Disposition: Sentence# 0002: CREDIT FOR TIME SERVED Minimum 26 Days to Maximum 26 Days  Converted Disposition: Sentence# 0003: ADMINISTRATION FEE Amount: \$25.00
06/26/2000	Adult Adjudication (Judicial Officer: User, Conversion) 2. RECEIVING OR TRANSFERRING STOLEN VEHICLES. Converted Disposition: Sentence# 0001: Minimum 12 Months to Maximum 30 Months Placement: NSP Cons/Conc: Concurrent w/Charge Item: 0007 and Sentence#: 0001

OTHER EVENTS AND HEARINGS

05/16/2000	Criminal Bindover CRIMINAL BINDOVER Fee \$0.00 00C1672330001.tif pages
05/16/2000	Hearing INITIAL ARRAIGNMENT 00C1672330002.tif pages
05/18/2000	Information INFORMATION 00C1672330003.tif pages
05/18/2000	Conversion Case Event Type RELEASE AGREEMENT 00C1672330005.tif pages
05/22/2000	Conversion Case Event Type SENTENCING 00C1672330004.tif pages
05/22/2000	Memorandum GUILTY PLEA MEMORANDUM/AGREEMENT 00C1672330006.tif pages



05/22/2000	Initial Arraignment (8:30 AM) () <i>INITIAL ARRAIGNMENT Court Clerk: NORA PENA Reporter/Recorder: ROBERT MINTUN Heard By: Joseph Bonaventure</i> <u>Parties Present</u> <u>Minutes</u> Result: Matter Heard
06/26/2000	Sentencing (8:30 AM) () <i>SENTENCING Court Clerk: NORA PENA Reporter/Recorder: DEBRA VAN BLARICOM Heard By: Joseph Bonaventure</i> <u>Parties Present</u> <u>Minutes</u> Result: Granted
06/28/2000	Judgment <i>JUDGMENT OF CONVICTION PLEA OF GUILTY</i> 00C1672330007.tif pages
06/28/2000	Judgment <i>ADMINISTRATION/ASSESSMENT FEE</i> 00C1672330008.tif pages
09/06/2000	Reporters Transcript <i>REPORTER'S TRANSCRIPT OF UNCONDITIONAL WAIVER OF PRELIMINARY HEARING</i> 00C1672330009.tif pages

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FINANCIAL INFORMATION

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	Defendant Lauchner, Kristopher M	
	Total Financial Assessment	25.00
	Total Payments and Credits	0.00
	Balance Due as of 11/01/2011	25.00
07/18/2000	Transaction Assessment	25.00

Logout My Account Search Menu New District Civil/Criminal Search Refine Search Back

Location : District Court Civil/Criminal Help

## REGISTER OF ACTIONS

### CASE NO. 98C150808

The State of Nevada vs Kristopher M Lauchner

§  
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§

Case Type: Felony/Gross Misdemeanor

Date Filed: 05/21/1998

Location: Department Unassigned

Conversion Case Number: C150808

Defendant's Scope ID #: 1319139

Lower Court Case Number: 98F06246

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#### PARTY INFORMATION

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Defendant Lauchner, Kristopher M

Lead Attorneys  
Public Defender*Retained*

Plaintiff State of Nevada

Stewart L. Bell  
7024554662(W)

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#### CHARGE INFORMATION

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Charges: Lauchner, Kristopher M	Statute	Level	Date
1. PETIT LARCENY	205.240	Misdemeanor	01/01/1900
2. TRESPASS ON LAND OR IN BUILDING OF ANOTHER AFTER WARNING, WARNING BY	207.200	Misdemeanor	01/01/1900

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#### EVENTS & ORDERS OF THE COURT

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**DISPOSITIONS**

01/01/1900	Plea (Judicial Officer: User, Conversion) 1. PETIT LARCENY Guilty
03/11/1999	Disposition (Judicial Officer: User, Conversion) 1. PETIT LARCENY Guilty
03/11/1999	Disposition (Judicial Officer: User, Conversion) 2. TRESPASS ON LAND OR IN BUILDING OF ANOTHER AFTER WARNING, WARNING BY Guilty
03/11/1999	Adult Adjudication (Judicial Officer: User, Conversion) 1. PETIT LARCENY Converted Disposition: Sentence# 0001: Minimum 6 Months to Maximum 6 Months Placement: CCDC  Converted Disposition: Sentence# 0002: CREDIT FOR TIME SERVED

**OTHER EVENTS AND HEARINGS**

05/21/1998	Criminal Bindover CRIMINAL BINDOVER Fee \$0.00 98C1508080001.tif pages
05/21/1998	Hearing INITIAL ARRAIGNMENT 98C1508080002.tif pages

05/22/1998	Information INFORMATION 98C1508080003.tif pages
06/04/1998	Initial Arraignment (8:30 AM) () INITIAL ARRAIGNMENT Court Clerk: LINDA SKINNER Reporter/Recorder: JAMES HELLESO Heard By: Joseph Pavlikowski <u>Parties Present</u> <u>Minutes</u> Result: Matter Heard
07/07/1998	Reporters Transcript REPORTER'S TRANSCRIPT OF PRELIMINARY HEARING 98C1508080006.tif pages
08/18/1998	Motion DEFT'S REQUEST FOR OR RELEASE 98C1508080007.tif pages
08/25/1998	Motion (8:30 AM) () DEFT'S REQUEST FOR OR RELEASE Court Clerk: LINDA SKINNER Reporter/Recorder: JAMES HELLESO Heard By: Joseph Pavlikowski <u>Parties Present</u> <u>Minutes</u> Result: Denied
09/02/1998	Bond BAIL BOND #/C 78659 \$2,000.00 98C1508080008.tif pages
03/03/1999	Notice NOTICE OF WITNESSES 98C1508080009.tif pages
03/10/1999	Hearing STATE'S REQUEST ENTRY OF PLEA 98C1508080010.tif pages
03/11/1999	Entry of Plea (8:30 AM) () STATE'S REQUEST ENTRY OF PLEA Court Clerk: LINDA SKINNER Reporter/Recorder: JAMES HELLESO Heard By: Joseph Pavlikowski <u>Parties Present</u> <u>Minutes</u> Result: Granted
04/01/1999	CANCELED Calendar Call (8:30 AM) () Vacated Result: Vacate
04/05/1999	CANCELED Jury Trial (9:00 AM) () Vacated Result: Vacate

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FINANCIAL INFORMATION

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	Defendant Lauchner, Kristopher M	
	Total Financial Assessment	4.00
	Total Payments and Credits	4.00
	Balance Due as of 11/01/2011	0.00
04/24/2000	Transaction Assessment	4.00
04/24/2000	Conversion Payment      Receipt # 00582095	(4.00)

Logout My Account Search Menu New District Civil/Criminal Search Refine Search Back

Location : District Court Civil/Criminal Help

## REGISTER OF ACTIONS

CASE No. 96C135290

The State of Nevada vs Kristopher M Lauchner

§  
§  
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§

Case Type: Felony/Gross Misdemeanor

Date Filed: 04/18/1996

Location: Department 3

Conversion Case Number: C135290

Defendant's Scope ID #: 1319139

Lower Court Case Number: 96F01458

### PARTY INFORMATION

Defendant Lauchner, Kristopher M

Lead Attorneys  
Public Defender

*Retained*

Plaintiff State of Nevada

Stewart L. Bell  
7024554662(W)

### CHARGE INFORMATION

Charges: Lauchner, Kristopher M

1. GRAND LARCENY.

Statute

205 220

Level

Felony

Date

01/01/1900

1. CONSPIRE TO COMMIT GRAND LARCENY

C205 220

Gross Misdemeanor

01/01/1900

### EVENTS & ORDERS OF THE COURT

#### DISPOSITIONS

01/01/1900 Plea (Judicial Officer: User, Conversion)

1. CONSPIRE TO COMMIT GRAND LARCENY

Guilty

04/19/1996 Disposition (Judicial Officer: User, Conversion)

1. GRAND LARCENY.

Negotiated NRS 173.035

06/26/1996 Disposition (Judicial Officer: User, Conversion)

1. CONSPIRE TO COMMIT GRAND LARCENY

Guilty

06/26/1996 Adult Adjudication (Judicial Officer: User, Conversion)

1. CONSPIRE TO COMMIT GRAND LARCENY

Converted Disposition:

Sentence# 0001: SUSPENDED

Minimum 1 Years to Maximum 1 Years

Placement: CCDC

Cons/Conc: Concurrent

w/Charge Item: 0003

and Sentence#: 0001

in Case#: 96C135289

Converted Disposition:

Sentence# 0002: PROBATION WITH CONDITIONS

Minimum 3 Years to Maximum 3 Years

Converted Disposition:

Sentence# 0003: COUNSELING PROGRAM

Converted Disposition:

Sentence# 0004: COMMUNITY SERVICE  
Minimum 100 Hours to Maximum 100 Hours

Converted Disposition:  
Sentence# 0005: ADMINISTRATION FEE  
Amount: \$25.00

Converted Disposition:  
Sentence# 0006: PROBATION MODIFIED

Converted Disposition:  
Sentence# 0007: ADDITIONAL CONDITIONS OF PAROLE & PROB  
Minimum 6 Months to Maximum 6 Months  
Placement: CCDC

Converted Disposition:  
Sentence# 0008: CREDIT FOR TIME SERVED  
Minimum 40 Days to Maximum 40 Days

**OTHER EVENTS AND HEARINGS**

04/18/1996 Information  
INFORMATION Fee \$0.00  
96C1352900001.tif pages

04/18/1996 Hearing  
INITIAL ARRAIGNMENT  
96C1352900002.tif pages

04/19/1996 Criminal Bindover  
CRIMINAL BINDOVER  
96C1352900003.tif pages

05/01/1996 Conversion Case Event Type  
SENTENCING  
96C1352900004.tif pages

05/01/1996 Memorandum  
GUILTY PLEA MEMORANDUM/AGREEMENT  
96C1352900005.tif pages

05/01/1996 Initial Arraignment (9:00 AM) ()  
INITIAL ARRAIGNMENT Court Clerk: JEAN McKINLEY Relief Clerk: LINDA VIGIL/LV Reporter/Recorder: DANI ANTONACCI Heard  
By: Joseph Bonaventure  
Parties Present  
Minutes  
Result: Matter Heard

06/07/1996 Reporters Transcript  
REPORTER'S TRANSCRIPT WAIVER OF PRELIMINARY HEARING  
96C1352900006.tif pages

06/26/1996 Sentencing (9:00 AM) ()  
SENTENCING Court Clerk: JEAN McKINLEY Reporter/Recorder: JANIE OLSEN Heard By: Joseph Bonaventure  
Parties Present  
Minutes  
Result: Granted

07/18/1996 Order  
ORDER ADMITTING DEFENDANT TO PROBATION AND FIXING THE TERMS THEREOF  
96C1352900007.tif pages

07/23/1996 Judgment  
JUDGMENT OF CONVICTION - PLEA  
96C1352900008.tif pages

07/23/1996 Judgment  
ADMINISTRATION/ASSESSMENT FEE  
96C1352900009.tif pages

05/15/1998 Motion  
SET TIME CERTAIN: REVOCATION OF PROBATION  
96C1352900011.tif pages

05/26/1998 Hearing (8:30 AM) ()  
SET TIME CERTAIN: REVOCATION OF PROBATION Court Clerk: LINDA VIGIL Relief Clerk: NORMA CHATY/CN  
Reporter/Recorder: ROBERT MINTUN Heard By: Joseph Bonaventure  
Parties Present

	<u>Minutes</u>
	Result: Matter Heard
05/27/1998	Hearing
	REVOCATION OF PROBATION
	96C1352900012.tif pages
06/09/1998	Revocation of Probation (8.30 AM) ()
	REVOCATION OF PROBATION Relief Clerk: JO ANN HANEMAN Reporter/Recorder: ROBERT MINTUN Heard By: Joseph Bonaventure
	<u>Parties Present</u>
	<u>Minutes</u>
	Result: Probation Modified
06/11/1998	Judgment
	AMENDED JUDGMENT OF CONVICTION - PLEA
	96C1352900013.tif pages
06/11/1998	Judgment
	AMENDED JUDGMENT
	96C1352900014.tif pages

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FINANCIAL INFORMATION

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	Defendant Lauchner, Kristopher M	
	Total Financial Assessment	25.00
	Total Payments and Credits	0.00
	Balance Due as of 11/01/2011	25.00
07/18/2000	Transaction Assessment	25.00

Logout My Account Search Menu New District Civil/Criminal Search Refine Search Back

Location : District Court Civil/Criminal Help

**REGISTER OF ACTIONS**

CASE NO. 96CI35289

The State of Nevada vs Kristopher M Lauchner

§  
§  
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§  
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§

Case Type: Felony/Gross Misdemeanor

Date Filed: 04/18/1996

Location: Department 3

Conversion Case Number: C135289

Defendant's Scope ID #: 1319139

Lower Court Case Number: 96F00916

**PARTY INFORMATION**

Defendant Lauchner, Kristopher M

Lead Attorneys  
Public Defender*Retained*

Plaintiff State of Nevada

Stewart L. Bell  
7024554662(W)**CHARGE INFORMATION**

Charges: Lauchner, Kristopher M	Statute	Level	Date
1. BURGLARY.	205.060	Felony	01/01/1900
1. CONSPIRE TO COMMIT A BURGLARY IN/ON AN AUTO	C205.060	Gross Misdemeanor	01/01/1900
2. GRAND LARCENY.	205.220	Felony	01/01/1900

**EVENTS & ORDERS OF THE COURT****DISPOSITIONS**

01/01/1900	Plea (Judicial Officer: User, Conversion) 1. CONSPIRE TO COMMIT A BURGLARY IN/ON AN AUTO Guilty
04/19/1996	Disposition (Judicial Officer: User, Conversion) 1. BURGLARY. Negotiated NRS 173.035
04/19/1996	Disposition (Judicial Officer: User, Conversion) 2. GRAND LARCENY. Negotiated NRS 173.035
06/26/1996	Disposition (Judicial Officer: User, Conversion) 1. CONSPIRE TO COMMIT A BURGLARY IN/ON AN AUTO Guilty
06/26/1996	Adult Adjudication (Judicial Officer: User, Conversion) 1. CONSPIRE TO COMMIT A BURGLARY IN/ON AN AUTO Converted Disposition: Sentence# 0001: SUSPENDED Minimum 1 Years to Maximum 1 Years Placement: CCDC  Converted Disposition: Sentence# 0002: PROBATION WITH CONDITIONS Minimum 3 Years to Maximum 3 Years  Converted Disposition: Sentence# 0003: COUNSELING PROGRAM

Converted Disposition:  
Sentence# 0004: COMMUNITY SERVICE  
Minimum 100 Hours to Maximum 100 Hours

Converted Disposition:  
Sentence# 0005: ADMINISTRATION FEE  
Amount: \$25.00

OTHER EVENTS AND HEARINGS

04/18/1996 Information  
INFORMATION Fee \$0.00  
96C1352890001.tif pages

04/18/1996 Hearing  
INITIAL ARRAIGNMENT  
96C1352890002.tif pages

04/19/1996 Criminal Bindover  
CRIMINAL BINDOVER  
96C1352890003.tif pages

05/01/1996 Conversion Case Event Type  
SENTENCING  
96C1352890004.tif pages

05/01/1996 Memorandum  
GUILTY PLEA MEMORANDUM/AGREEMENT  
96C1352890005.tif pages

05/01/1996 Initial Arraignment (9:00 AM) ()  
INITIAL ARRAIGNMENT Court Clerk: JEAN McKINLEY Relief Clerk: LINDA VIGIL/LV Reporter/Recorder: DANI ANTONACCI Heard  
By: Joseph Bonaventure  
Parties Present  
Minutes

06/07/1996 Result: Matter Heard  
Reporters Transcript  
REPORTER'S TRANSCRIPT WAIVER OF PRELIMINARY HEARING  
96C1352890006.tif pages

06/26/1996 Sentencing (9:00 AM) ()  
SENTENCING Court Clerk: JEAN McKINLEY Reporter/Recorder: JANIE OLSEN Heard By: Joseph Bonaventure  
Parties Present  
Minutes

07/15/1996 Result: Granted  
Judgment  
JUDGMENT OF CONVICTION - PLEA  
96C1352890007.tif pages

07/15/1996 Judgment  
ADMINISTRATION/ASSESSMENT FEE  
96C1352890008.tif pages

07/18/1996 Order  
ORDER ADMITTING DEFENDANT TO PROBATION AND FIXING THE TERMS THEREOF  
96C1352890009.tif pages

FINANCIAL INFORMATION

Defendant Lauchner, Kristopher M	
Total Financial Assessment	25.00
Total Payments and Credits	0.00
Balance Due as of 11/01/2011	25.00
07/18/2000 Transaction Assessment	25.00



MENTAL AGENCY (under Family Code, §§ 17400, 17406)

**FOR COURT USE ONLY**

Lincoln St  
Carson, CA  
90745

TELEPHONE NO.: 310- [REDACTED]

FAX NO.:

ATTORNEY FOR (Name): Richard Riess

SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles

STREET ADDRESS: 200 W. Compton Blvd.

MAILING ADDRESS: 200 W. Compton Blvd.

CITY AND ZIP CODE: Compton, CA 90220

BRANCH NAME: South Central District

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PETITIONER/PLAINTIFF: Richard Riess

RESPONDENT/DEFENDANT: Desiree Capuano

OTHER PARENT:

PROOF OF SERVICE BY ~~MAIL~~ *FEDEX*

CASE NUMBER:

TD035397

ORIGINAL FILED  
FEB 24 2019  
LOS ANGELES  
SUPERIOR COURT

1. I am at least 18 years of age, not a party to this action, and I am a resident of or employed in the county where the mailing took place.

2. My residence or business address is:

Lincoln Street, Carson, CA 90745

3. I served a copy of the following documents (*specify*):

Order to Show Cause (FL-300); Temporary Orders (FL-305); Declaration of Ex Parte Notice (FAM 018); Application for Order and Supporting Declaration (FL-310); Child Custody and Visitation Application Attachment (FL-311); blank Responsive Declaration (FL-320); Declaration of Richard Riess in Support of Ex Parte Request to Modify Child Visitation Schedule; supporting exhibits/documents.

by enclosing them in an envelope AND

a. ☒ **depositing** the sealed envelope with ~~the United States Postal Service~~ with the postage fully prepaid.

b. ☐ **placing** the envelope for collection and mailing on the date and at the place shown in item 4 following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.

4. The envelope was addressed and mailed as follows:

- a. Name of person served: Desiree Capuano  
b. Address: 9153 N. 84th Dr., Peoria, AZ 85345  
c. Date mailed: 2/15/12  
d. Place of mailing (*city and state*): Rancho Palos Verdes, CA

5. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 2-15-12

Liz M

(TYPE OR PRINT NAME)

(SIGNATURE OF PERSON COMPLETING THIS FORM)