

From my wife's attorney's "Trial Management Certificate":

Petitioner believes that all of her attorney fees and costs should be paid by the Respondent

From my wife's attorney's exhibits for the final hearings:

PETITIONER'S AFFIDAVIT OF ATTORNEY'S FEES AND COSTS

- 4. For total attorney fees incurred by Petitioner of \$21,122.50.
- 5. Copies of the attorney's corrected billing statements are attached hereto.

Petitioner's Exhibit 101

- 6. Additionally Petitioner has incurred the following costs:

Total \$ 6,609.76

- 7. Further, affiant sayeth no.



(My wife's attorney signed this sworn affidavit. It was not included with the original exhibit book provided to my attorney, which contained Exhibits 1-100, and was not entered in as evidence during a hearing, but was instead snuck into the exhibits obviously with the judge's knowledge and likely with the judge's assistance.)

From the divorce judges Permanent Orders of May 30, 2006:

In addition to the assignment of assets the Respondent is to reimburse the Petitioner the following within 60 days: Attorney fees of \$12,000, Back Maintenance and interest of \$6,301.50 and 1/2 of the money removed from the marital assets of \$12,500 for a total of \$30,301.50.

(During the final hearings, my wife testified twice that her attorney had "graciously" waived his fees for her, going into detail about how he is an outstanding member of our mutual Catholic Church and how he felt bad for her, and then getting quite embarrassed when discussing her admiration for him. I think even the judge knew that it was more than just a work relationship, but ordered me to pay \$12,000.00 of the non-existent fees anyway.)

From my wife's attorney's "Trial Management Certificate":

The Respondent may have the Inc. business and the \$100,000.00, plus accrued interest, owed to the parties' by the Respondent's brother, Respondent on the day that The Petitioner would like the \$15,000.00 check deposited into the deceased brother's account by the died be returned to her as marital monies, together with the other sums that the Respondent allegedly surreptitiously removed from the parties' marital accounts. The Petitioner would also like the Respondent to be solely responsible for all of the credit card debt she had accrued prior to the filing of this action and has accrued during the pendency of this action.

Additionally, the Petitioner claims that the Respondent withdrew and secreted marital monies into his now deceased brother's name during the last three years of the marriage.

From my wife's exhibits for the final divorce hearings – 2 of about 30 of my deceased brother Joe's bank statements:

Beginning Balance	1-05-05				3,134.52
+Deposits/Credits					10,935.00
-Checks/Debits					1,231.16
-Service Charge					.00
-Miscellaneous					.00
Closing Balance	2-06-05				12,838.36
Days in Statement Period		32			

DESCRIPTIVE TRANSACTIONS					
Date	Tracer	Description			Amount
1-19	30113	US TREASURY 303 SOC SEC	CR		1035.00
1-26	1	DEPOSIT			9900.00
2-01	45	AO PYMT FR DDA TO			50.37-
		QWEST			
2-01	45	AO PYMT FR DDA TO			14.71-
		COMCAST			
=====					
CHECKS PAID					

Beginning Balance	2-06-05				12,838.36
+Deposits/Credits					8,035.00
-Checks/Debits					11,661.00
-Service Charge					.00
-Miscellaneous					.00
Closing Balance	3-06-05				9,212.36
Days in Statement Period		28			

DESCRIPTIVE TRANSACTIONS					
Date	Tracer	Description			Amount
2-11	1	DEPOSIT			7000.00
2-16	30211	US TREASURY 303 SOC SEC	CR		1035.00
=====					
CHECKS PAID					
No.	Date	Amount	No.	Date	Amount
1286	2-23	500.00	1289	2-18	21.00
1287	2-08	10000.00	*	2-10	200.00
1288	2-17	940.00			

2 deposits
into Joe's
acct. 1-26-05
& 2-11-05
JM PORTANT

(My brother Joe was mentally handicapped and I took care of his finances following my mother's death in 1991. Joe died unexpectedly on February 11 2005 and my wife used him to defraud the judge on a couple key issues. My wife and her attorney started claiming in the fall of 2005 that I had been hiding marital money in his account, and claimed in their Trial Management Certificate that I made a \$15,000 deposit into Joe's account on the day he died. My attorney, the divorce judge, and my wife's attorney all know that bank statements alone are never adequate proof and, in order to prove the assertion, my wife had the burden to produce cancelled checks to substantiate her claims. My attorney and I addressed the scam with my testimony and I explained what each deposit was for, but neither of us expected the divorce judge to go ahead and essentially endorse the fraud in his permanent orders.)

From the divorce judges Permanent Orders of May 30, 2006:

The Court finds that Respondent moved marital property to his brother or to his own benefit totaling \$31,000 and of that amount \$6,000 was used for marital purposes. The remaining \$25,000 is returned to the marital estate for division. Therefore, Respondent is to pay Petitioner 12,500 to account for the marital funds taken.

In addition to the assignment of assets the Respondent is to reimburse the Petitioner the following within 60 days: Attorney fees of \$12,000, Back Maintenance and interest of \$6,301.50 and ½ of the money removed from the marital assets of \$12,500 for a total of \$30,301.50.

(I do not owe my wife an additional \$12,500.00 for this, as I do not owe her \$12,000.00 for her attorney's fees that were graciously waived. In the post-divorce, I obtained copies of the cancelled checks to show that my wife and her attorney had both used my deceased brother Joe to commit this fraud, and presented the evidence to the magistrate during a contempt hearing, but the magistrate completely ignored the evidence and assisted my wife in the completion of another crime.)

From my wife's attorney's "Trial Management Certificate":

The Petitioner's position is that for so long as the Respondent is claiming to be unemployed and without income that he has no need for any of the children as tax exemptions; and that she should get all five children.

From the divorce judges Permanent Orders of May 30, 2006:

THE COURT FINDS that the Respondent's claim on his financial affidavit and his testimony that he has negative monthly income of -\$187.50 lacks credibility. The Court finds that Respondent is voluntarily unemployed and underemployed pursuant to 14-10-115. Furthermore, the Court finds Respondent's stated expenses are overstated.

Notwithstanding the income imputed to the Respondent, Petitioner is to have the tax exemptions for all five children until such time that the Respondent is reporting taxable income. When the Respondent reports taxable income, the parties shall divide the exemptions in relation to their percentages of income to the nearest %20 (1/5).

(The judge knew that I was unemployed due to the hold on my tools and equipment and that my business had a negative monthly income due to the ongoing expenses that needed to be paid. The judge's finding that my testimony "lacks credibility" is false and, as I have discovered, is intentional so that others would consider my testimony questionable in the future. Despite my income since, my wife refuses to divide the exemptions and has taken all five since 2005. She also refuses to provide required copies of her tax returns for judicial and administrative processes, which is another contempt that has been ignored.)

From my wife's attorney's "Trial Management Certificate":

The Petitioner believes that her separate property first needs to be awarded to her, to wit: the \$25000.00 she had put down on her home that was her property prior to the parties' marriage, and the \$25,000.00 awarded to her for her carpal tunnel wrist injury, and the \$18,000.00 she inherited from her mother's estate.

From the divorce judges Permanent Orders of May 30, 2006:

The monies received from her father's estate (\$15,000), that resulted in the loan to her sister (\$10,000) and the Federal Credit Union Account (\$5,058), is her separate property. Petitioner's life insurance and Burial Plans are also separate property.

(Like the money that my wife stated I had deposited in my brother's account on the day he died, the money my wife received from her parents was overstated to be \$18,000.00 in their Trial Management Certificate. The actual money received from her parent's estate was around \$10,000 and my wife admitted on the witness stand to "investing" \$5,000 for marital purposes, but the judge gave her that too. Burial plans were purchased for the three daughters and their spouses to reduce the parent's estate so they would be eligible for County paid nursing home assistance. One of the policies was in my name and had a cash value of over \$6,000.00. See "Fraud – Marital Asset Division Order" for explanations of the frauds regarding the "\$25000.00 she had put down on her home" and the "\$25,000.00 awarded to her for her carpal tunnel wrist injury".)
