

Audio file

[Rob and DA Pena 3hr conversation.mp3](#)

Transcript

00:00:00 DAI LUIS PENA

To to arrest people because they're fighting for their kids.

00:00:04 DAI LUIS PENA

My job is.

00:00:05 DAI LUIS PENA

To see if this person is willing to go handle it in court and fix what he needs to fix in.

00:00:09 DAI LUIS PENA

Court without us getting.

00:00:11 DAI LUIS PENA

Involved in doing it.

00:00:12 DAI LUIS PENA

I'm like, isn't that what you guys told me?

00:00:14 DAI LUIS PENA

That's why I that's what I signed.

00:00:15 DAI LUIS PENA

Up with like to work.

00:00:16 DAI LUIS PENA

For child abduction case, I'm like you never told me.

00:00:19 DAI LUIS PENA

Oh, everyone's gonna get arrested.

00:00:20 DAI LUIS PENA

Like otherwise I would have stayed in human trafficking task force, where I arrest plenty of people for right or wrong.

00:00:25 DAI LUIS PENA

Right.

00:00:25 DAI LUIS PENA

It's like I wouldn't have done.

00:00:26 DAI LUIS PENA

That so that's I'm.

00:00:27 DAI LUIS PENA

I'm so glad you called.

00:00:28 DAI LUIS PENA

And I I just kind of I definitely hope that you're ready for that.

00:00:32 DAI LUIS PENA

That that that challenge of of of you know being in front of the Court and.

00:00:37 DAI LUIS PENA

In in fighting that fight, because I I don't want to see.

00:00:41 DAI LUIS PENA

That arrest one go through and you're arrested and.

00:00:43 DAI LUIS PENA

Have that. That's that's not.

00:00:45 DAI LUIS PENA

I I don't believe that.

00:00:46 DAI LUIS PENA

Thank you, no. DAI LUIS PENA

00:00:47 DAI LUIS PENA

Needs to happen and I think what needs to, yeah.

00:00:48 Rob Emert

I'll give you a hug.

00:00:49 Rob Emert

No, I do.

00:00:49 Rob Emert

I give you a hug if I could.

00:00:51 Rob Emert

I really I I give you a hug if I could because you know, I I have faith in my fellow man and I, you know, I I just do.

00:00:57 Rob Emert

And I know there's a lot of good people out there that sounds like.

00:01:00 Rob Emert

One of them, and I've just been run over and I keep waiting.

00:01:03 Rob Emert

Look, I know eventually I'm going to get some good people on my side that look at this and say, wait a minute here, there's something.

00:01:10 Rob Emert

There's something here because I just really quick.

00:01:13 Rob Emert

I know you took the time to look at my case, but here's how crazy it is.

00:01:16 Rob Emert

It's really not that complicated.

00:01:19 Rob Emert

Basically, two years.

00:01:20 Rob Emert

We're at 5050. I was a stay at home Dad.

00:01:23 Rob Emert

You know, say to him that you know I've never anything wrong. So two years it was 5050. Commissioner Patty Radkin came in and inside of a month based on nothing really based on some nonsense based on hearsay from by minor council that she brought in. They basically took all of my legal rights.

00:01:42 Rob Emert

aWay and I'm sitting there after two years.

00:01:45 Rob Emert

I'm like, what?

00:01:46 Rob Emert

What are you, what are you guys doing?

00:01:47 Rob Emert

You know, this is ridiculous.

00:01:48 Rob Emert

I've been a stay at home Dad 5050 for two years and she comes in and takes all my rights away.

00:01:54

I mean I don't know if I made this clear or not, but then Patty Radican and you know, she comes in in a month, takes all my.

00:02:00 Rob Emert

And then she brings in minor counsel and they basically rubber stamp it.

00:02:04 Rob Emert

And I didn't do anything.

00:02:05 Rob Emert

They took my rights away.

00:02:06

So then what happens is I fight back and I say no, you're not going to do that.

00:02:09 Rob Emert

You know, I didn't do anything.

00:02:11 Rob Emert

And I file all these motions with the presiding.

00:02:13 Rob Emert

Judge very professional.

00:02:15 Rob Emert

Motions that basically say, look, there's a problem here.

00:02:17 Rob Emert

The Patty Radican.

00:02:19 Rob Emert

My boss's wife works with my ex-wife. The next supervising judge for Patty Radican was a founding member at Dave Schulman's law firm and based on that alone.

00:02:32 Rob Emert

The presiding judge was required under state court rules to basically set aside those orders and to get me a judge and what the presiding judge, Lorna alksne did, is she just basically rubber stamped it all and covered it up because she knows what I have.

00:02:50 Rob Emert

So then so then what she did was.

00:02:53 Rob Emert

She basically said when I when I saw the presiding judge, Lorna alksne, she says you have to abide first by the supervised visitation order of Patty Radican.

00:03:03 Rob Emert

And I said no, that's that's a void order that, I mean, she lost subject matter jurisdiction when she committed fraud upon the court and you were required under state law to set aside.

00:03:13 Rob Emert

Her orders and.

00:03:13 Rob Emert

You never did that, and so they're they know that.

00:03:16 Rob Emert

I know what I'm talking about and they're just basically trying to ram this thing.

00:03:20 Rob Emert

Through and it's it's it's mean, man.

00:03:23 Rob Emert

It's if you sign that, you know, if you sign that that warrant and they came and got me between you and I, I'm not even all that.

00:03:30 Rob Emert

I'm an old man, you know. I'm 54 years old. I'm not all that worried about me that much.

00:03:34 Rob Emert

What I'm worried about is my kids and my son is doing phenomenal now and.

00:03:40 Rob Emert

You can talk to him.

00:03:41

You can FaceTime him as much as you want. He's doing phenomenal and I and I basically he was doing well up until the divorce and then basically I was like, hey, hey ex-wife, I said let's let my you know, let's let the daughter.

00:03:55 Rob Emert

See the mom a little bit more.

00:03:57 Rob Emert

And the son?

00:03:57

See the dad a little bit more, because that's how our our house was kind of set up, you know.

00:04:01 Rob Emert

And I said let's do 5050 and let the kids go back and forth a little bit. And what's weird is that that's what you would think most loving parents would do. And the ex-wife was so bitter and resentful, and the court was willing to.

00:04:17 Rob Emert

Use her resentment and they've paid about \$200,000 to stop me, a prose litigant, and they're really bitter because I put up a decent fight, although it always killed me.

00:04:27 Rob Emert

You know, I put up.

00:04:28 Rob Emert

A decent fight and it really ***** him off and I called.

00:04:30 Rob Emert

Them all a bunch.

00:04:31 Rob Emert

Of corrupt losers and I'll see him in federal court.

00:04:34 Rob Emert

So what they want me in jail, because if they can throw me in jail, then I'm kind of stuck.

00:04:39 Rob Emert

You know what I mean and I can't really do too much and that's that's what they're trying to do.

00:04:43 Rob Emert

And really I I filed a citizens arrest of Lorna alksne.

00:04:47 Rob Emert

I'm not sure if you saw that this.

00:04:49 DAI LUIS PENA

Yeah, I read a little.

00:04:50 DAI LUIS PENA

Bit about that, yeah, so I basically.

00:04:52 Rob Emert

I got a.

00:04:52 Rob Emert

Referral from the the the San Diego DOJ, Mr. Grossman

00:04:59 Rob Emert

And so he went through the evidence and he's referred it to the San Diego FBI Public corruption unit to be reviewed.

00:05:08 Rob Emert

And so I'm waiting for a response from them as well.

00:05:11 Rob Emert

So I mean, I'm not sure how much you were able to to gather, but I really do I, I swear I stack of Bibles.

00:05:17 Rob Emert

I I haven't done anything other than being a good parent.

00:05:19 Rob Emert

And again, if I if I thought that in A and if I thought in a minute that I if I got out of my son's.

00:05:25 Rob Emert

Life that he would be better.

00:05:27 Rob Emert

Between you and I, man, I'll do it.

00:05:29 Rob Emert

You know, I I that's how much I love my kids.

00:05:31 Rob Emert

You know, I just, you know.

00:05:32 Rob Emert

But he's doing so well now that if if if his mom were to gain custody of him.

00:05:41 Rob Emert

I'm telling you, and again, you don't know this, but I just in my heart, he would basically, it'd be messed up.

00:05:46 Rob Emert

He'd be messed up for a very long time and they were trying to put him in a residential home.

00:05:50 Rob Emert

It was bizarre.

00:05:52 DAI LUIS PENA

Was that um

00:05:55 DAI LUIS PENA

I guess when I read that in my mind was was that ever written on any court document or was that just verbally kind of a conversation where we would need, we would need to get basically the the Court basically.

00:06:07 Rob Emert

It's so it's so.

00:06:09 Rob Emert

So I'm glad you asked that question because I can see now my ex-wife is backpedaling, saying that there's no evidence of that.

00:06:14 Rob Emert

And the evidence is so overwhelming.

00:06:17 Rob Emert

It's actually that's.

00:06:18 DAI LUIS PENA

We were able to to go to court and basically.

00:06:23 DAI LUIS PENA

Get a written.

00:06:24 DAI LUIS PENA

Should not forget the.

00:06:25 DAI LUIS PENA

Words right now.

00:06:26 DAI LUIS PENA

Basically, you know you can get everything.

00:06:28 DAI LUIS PENA

That's in court.

00:06:29 DAI LUIS PENA

I doubt bringing basically as far as whatever was said in court during that day.

00:06:34 DAI LUIS PENA

I mean it's it's.

00:06:35

It's pretty much documented cause you have someone who's typing.

00:06:37 DAI LUIS PENA

Everything out right?

00:06:38 Rob Emert

Yeah, well, here's what I can do. Here's here's here's how crazy this is. So regarding them trying to. So what happened is 2, and here's here's the here's The thing is that two years it was 5050, and basically Dave Schulman.

00:06:48 DAI LUIS PENA

OK.

00:06:50 Rob Emert

Has a big fat ego and he he basically doesn't give a crap about families or their or their children.

00:06:55 Rob Emert

He just wants to win. So what happened was, after two years of him digging my ex-wife into a hole.

00:07:02 Rob Emert

He needed to win, you know.

00:07:04 Rob Emert

He he needed to deliver.

00:07:06 Rob Emert

And So what happened was I called him out for fraud and abuse of process and then Commissioner Radican comes in.

00:07:11 Rob Emert

And it was obvious that they did the wink and the nod, and she basically then after two years, basically took all my rights away based on nothing.

00:07:19 Rob Emert

So the reason why they're all pushing to get me in jail.

00:07:22 Rob Emert

Because they know what I've got.

00:07:23 Rob Emert

They know I have a bunch of recordings

00:07:24 Rob Emert

of pretty much everything, and they're they're they don't want that disclosed because in the appellate court in California, the way that works is I'll be able to play my recordings in the appellate court and they know it.

00:07:38 Rob Emert

So they don't want that coming up because they're just gonna look like the losers and liars they are.

00:07:42 Rob Emert

But regarding your earlier question of.

00:07:45 Rob Emert

Can I prove they were gonna try to put in a residential home? Absolutely. So here's how crazy this is. So two years, 5050 Ratekin comes in on the first day and she says something bizarre.

00:07:57 Rob Emert

Like my son belongs in a residential home and I was like, I actually, no kidding.

00:08:02 Rob Emert

I thought she had the wrong file and I'm like, your Honor, I think you have the wrong file.

00:08:05 Rob Emert

And she slammed me, she says.

00:08:06 Rob Emert

No, you're you're you're wrong and she.

00:08:09 Rob Emert

Basically chastised me a bunch.

00:08:11 Rob Emert

And So what I did was I talked with a lawyer and the facilitators office at the courthouse, and they said no.

00:08:17 Rob Emert

File your peremptory challenge, because she hasn't made any orders yet.

00:08:21 Rob Emert

So I filed my peremptory challenge the next day on Commissioner Radican and Commissioner Radican was required under the Court rules, to have honored the peremptory challenge, and she didn't, which is shocking.

00:08:35 Rob Emert

When I tell people that they're like what she didn't honor, the peremptory challenge, and so she denied my peremptory challenge.

00:08:41 Rob Emert

And then I filed like 4 motions.

00:08:44 Rob Emert

2 two or three motions with the presiding judge to have her recuse and the presiding judge again didn't go by court procedure and just basically pushed it through.

00:08:54 Rob Emert

But again, I I didn't answer your question.

00:08:56 Rob Emert

So to answer your specific question about what can I give you to prove that they're going to try to put him in a home, here's how.

00:09:02 Rob Emert

Here's how clear this record is.

00:09:04 Rob Emert

And I can prove it in audio recordings and in court transcripts. So the first day ratican after two years, my son being 5050.

00:09:12 Rob Emert

She wants to put him in a home that's right in the court transcript.

00:09:15 Rob Emert

OK, then what happens is so the first day she said it.

00:09:21 Rob Emert

And even on the last day, the day she finally recused herself from the case, she basically said she was going to shut the ex parte down early.

00:09:30 Rob Emert

And I have.

00:09:30 Rob Emert

An audio recording of this you have access.

00:09:32 Rob Emert

To it, it's in that.

00:09:33 Rob Emert

It's in that.

00:09:33

Folder of my documents, but in that folder of documents you'll hear that that hearing where she basically says.

00:09:41 Rob Emert

I'm shutting down this hearing early to go find a facility to place bryce.

00:09:46 Rob Emert

That's when I finally said to my that's when I finally called her out for fraud upon the court.

00:09:50 Rob Emert

Right in the courtroom.

00:09:52 Rob Emert

And uh and I said she goes and then she basically recused herself right after I called her out for fraud.

00:10:00 Rob Emert

So the first day she said it, the last day she said it.

00:10:03 Rob Emert

It's in the court transcript and it's in audio recordings.

00:10:06 Rob Emert

Now, here's what's really bizarre is I think it's because they were all colluding.

00:10:12 Rob Emert

Have some documentation that easily proves to ease to any reasonable person that they were colluding.

00:10:17 Rob Emert

It's not even hard to prove with these guys, they're they're really stupid.

00:10:20 Rob Emert

They're not that smart.

00:10:21 Rob Emert

They thought they're gonna get away with it.

00:10:25 Rob Emert

The day Commissioner, Patty Radkin, recused herself from the case, she said she was going to shut the case down.

00:10:32 Rob Emert

The hearing down to go find a facility.

00:10:33 Rob Emert

Put my son in.

00:10:34 Rob Emert

Well, luckily, he wasn't in school and he had called my sister and my sister picked him up.

00:10:40 Rob Emert

Once I realized we're going to put him in a home that day, I'm like, yeah.

00:10:43 Rob Emert

And that's not going to happen.

00:10:45 Rob Emert

And I and I called the FBI. I called the DA's office. I called the police, and everybody said he's 15. He can make up his own mind.

00:10:53 Rob Emert

And you know, and that's where we're at.

00:10:57 DAI LUIS PENA

And and I get you about the.

00:10:58

Age, because that was my first question.

00:11:00

Like, why are we?

00:11:01

Involved, they're like well.

00:11:02

We're too deep in it.

00:11:03

So we can't, we can't turn around now.

00:11:05

I'm like, why are we even involved in this case?

00:11:07

I'm like, we don't take anything over 14.

00:11:09

I said it doesn't matter if the child, the child.

00:11:16

His as far as what we're considering as far as I think what was he in in school, your home schooling him, right?

00:11:23 Rob Emert

Well it it check this out.

00:11:25 Rob Emert

This is how despicable these people are.

00:11:26 Rob Emert

So basically, I've always homeschooled him, even when he was in school.

00:11:30 Rob Emert

Because I've been a hands on Dad.

00:11:33 Rob Emert

I was a I used to make decent money as a loan guy.

00:11:35 Rob Emert

Right.

00:11:35 Rob Emert

But 14 year marriage, seven years into the the marriage, I I became a stay at home Dad.

00:11:42 Rob Emert

And that's mainly the reason why my wife hates me and she just hated that that I became a stay at home dad but and she's really resentful about it.

00:11:49 Rob Emert

But anyways, so seven years into the marriage, it became a stay home dad and I was helping our son.

00:11:55 Rob Emert

Kind of get up to speed because he was a little bit behind.

00:11:57 Rob Emert

And stuff, you know, and I best job I ever had and stay at home, Dad.

00:12:02 Rob Emert

But anyways, he was doing really, really well. Divorce came and he started to kind of tank a little bit and I asked the ex-wife, I said hey, when you need some help and you can't help him send him.

00:12:11 Rob Emert

Well, she was so resentful and bitter.

00:12:13 Rob Emert

She was kind of like, yeah, **** you now.

00:12:15 Rob Emert

You know, that kind of nonsense.

00:12:17 Rob Emert

So Bryce or son was starting to go down the tubes a little bit, starting to act out.

00:12:23

He was acting out because of the scenario and they pulled.

00:12:28 Rob Emert

I was the primary caregiver and they pulled him.

00:12:30 Rob Emert

You know, I mean, they pulled him.

00:12:31 Rob Emert

So he was acting out a little bit.

00:12:33 Rob Emert

And so the best analogy I made to everybody to to the, to the court and to minor counsel, I said look, here's what you're doing to this poor kid.

00:12:42 Rob Emert

I said he basically was.

00:12:44 Rob Emert

I had him on training wheels, you know, a little bit longer than I.

00:12:48 Rob Emert

Good for various reasons and basically with the divorce you guys tore off his training wheels and kicked him down a hole with potholes, and he's getting stuck in these potholes and you're trying to blame him.

00:13:00 Rob Emert

I blame you.

00:13:01 Rob Emert

I blame the system.

00:13:02 Rob Emert

Give him, you know, let me have a little bit more time with him.

00:13:04 Rob Emert

Then I can bring him back on point and everybody basically said no and they're going to throw him in a residential home and medicate.

00:13:11 Rob Emert

And there's lots of proof for that.

00:13:13 Rob Emert

And so I said, no, it's over my dead body that's never going to happen.

00:13:17 Rob Emert

And so that again, that's why I have him.

00:13:20 Rob Emert

And when you talk to him, FaceTime him.

00:13:22

You're gonna be like you're gonna be.

00:13:23

Oh my gosh, what a sweet boy.

00:13:25 Rob Emert

You know what I mean?

00:13:25 Rob Emert

Such a sweet boy.

00:13:26 Rob Emert

And if they got him and you know and put him in a home and medicated him.

00:13:31 Rob Emert

I know in my heart.

00:13:32 Rob Emert

And I'm a spiritual guy.

00:13:33 Rob Emert

I put my hand on the Bible and swear I said no.

00:13:35 Rob Emert

You guys would have ruined this boys life.

00:13:38 Rob Emert

And I'm his father, and over my dead body, I will never, ever allow that.

00:13:42 Rob Emert

Not in my time, not on my watch, you know.

00:13:45 Rob Emert

And so there's plenty of proof of it. Now here's where it gets kind of where my ex-wife is trying to be kind of have her cake and eat it too. She's trying to.

00:13:53 Rob Emert

Say that I.

00:13:54 Rob Emert

Can't prove that that she was OK.

00:13:58 Rob Emert

With the court putting him in a residential home and she's an idiot because I can #1 and #2 even in the court record, it's like.

00:14:08 Rob Emert

And when I saw the full I when I saw everybody just covering me, you know, everybody was against me.

00:14:14 Rob Emert

In this case, it was ridiculous, you know, everybody except the ones that count. Like all the the, the, my son's IEP case manager. She was a witness for me, and she basically disagreed. It's in the court transcript.

00:14:25 Rob Emert

OK.

00:14:28 Rob Emert

The IEP case manager, who has no reason to like me, so here's here's a really big witness for you.

00:14:34 Rob Emert

If you want to reach out to somebody.

00:14:36 Rob Emert

So you know what IEP is.

00:14:37 Rob Emert

Right, OK, cool.

00:14:39 Rob Emert

So the IEP case manager, now I'm an involved dad, maybe again to the point of being slightly a helicopter dad because I love my kids a little bit too much and I'm a little bit of a helicopter dad.

00:14:49 Rob Emert

And you know, that's who I was.

00:14:52 Rob Emert

Now the helicopter dad is going to typically annoy.

00:14:56 Rob Emert

You know, teachers and case managers because they're pushing for their, you know, their kids, right?

00:15:02 Rob Emert

So I did that a little bit too much for Bryce, you know, and this case manager still was on my side.

00:15:09 Rob Emert

So like with something, if there was a problem with the school, I would, you know, I would call this case manager and be like, hey, you know.

00:15:17 Rob Emert

You know, I I think you guys.

00:15:18 Rob Emert

Need to do.

00:15:19 Rob Emert

This and this and this for my for my son and you know, sometimes you'd agree and sometimes she wouldn't.

00:15:23 Rob Emert

You know, the way it should be, you know.

00:15:25 Rob Emert

But this case manager IEP case manager, she is a witness for me.

00:15:32 Rob Emert

She agreed with basically everything I said.

00:15:35

She disagreed with minor counsel.

00:15:37 Rob Emert

She disagreed with Patty ratekin and they tried to shut her down in the case.

00:15:42 Rob Emert

And so in the in the trial.

00:15:45 Rob Emert

This is in the court transcript and and it's in the, it's in the documents you have too.

00:15:50 Rob Emert

They all basically tried to shut her down.

00:15:53 Rob Emert

In the, also in the documents you have when I thought.

00:15:59 Rob Emert

Maybe I should just try to walk away.

00:16:02 Rob Emert

You know what?

00:16:03 Rob Emert

And just just walk away.

00:16:05 Rob Emert

Just say fine, take everything, whatever, and I'll and I'll try to reconnect with my kids when they're 18.

00:16:10 Rob Emert

I just this is I I can't do this almost die kind of thing and I, you know, I couldn't live with myself if I did that, but I was considering trying to give my wife whatever she wanted so she would just stop with the attack.

00:16:23 Rob Emert

And so one of the things they they sent over a.

00:16:28 Rob Emert

A partial settlement and I basically said fine to the partial settlement I said fine, but I just want in writing that you won't put or threaten to put my son in a residential home.

00:16:42 Rob Emert

That's that's off the table.

00:16:44 Rob Emert

And that was all I that's all I put.

00:16:46 Rob Emert

Pretty much in.

00:16:47 Rob Emert

A in a.

00:16:48 Rob Emert

Counter offer and they wouldn't take it.

00:16:52 Rob Emert

I mean, it's really weird.

00:16:53 Rob Emert

Also, here's really a big deal.

00:16:56 Rob Emert

I'm not sure.

00:16:58 Rob Emert

So I'm not.

00:16:59 Rob Emert

Sure, if you realize this.

00:17:00 Rob Emert

But basically the orders against me right now.

00:17:05 Rob Emert

They're only based on default judgments.

DAI LUIS PENA

Exactly

00:17:09 Rob Emert

So the the two, there's two default judgments that came from Patty Radican, which she made on the day she recused herself from the case.

00:17:18 Rob Emert

That by itself is, I mean, just a cannon violation.

00:17:21 Rob Emert

I mean, it's just this, it's despicable the other.

00:17:25 Rob Emert

The other judgement is the the judge.

00:17:28 Rob Emert

The judgment from my trial that me, my evidence, my witnesses was all denied access to.

00:17:36 Rob Emert

Now the reason why I know they did that and this is everything I've told you so far, I can prove if I can't prove something, I'll say I really can't prove it.

00:17:44 Rob Emert

This is something I can't.

00:17:45 Rob Emert

Probably prove here what I'm about to tell you, which is.

00:17:47 Rob Emert

This the reason why I stopped showing up.

00:17:51 Rob Emert

To court down there at the courthouse is because I talked to two retired judges and they told me straight up.

00:18:00 Rob Emert

Rob, if you go there, you're gonna be held in.

00:18:02 Rob Emert

Contempt. And they're gonna.

00:18:03 Rob Emert

Toss you in jail and then they're going to ***** your kid.

00:18:07 Rob Emert

So I knew that that that's what I told.

00:18:09 Rob Emert

They were probably going to do.

00:18:11 Rob Emert

And so I I basically have filed, but I'm in the process of filing.

00:18:21 Rob Emert

What is it called?

00:18:24 Rob Emert

Under color of law, deprivation of rights under color of law, which the federal what's the felony?

00:18:30 Rob Emert

So I'm proceeding with felony charges against Patty Radican and the presiding judge lorna alksne.

00:18:40 Rob Emert

The prior presiding judge, lorna alksne.

00:18:42 Rob Emert

And I said.

00:18:43 Rob Emert

You know, this is no, you're not gonna get away with it.

00:18:45 Rob Emert

And your judicial immunity doesn't cover doesn't cover fraud, which I can, which I can show easily to any jury.

00:18:53 Rob Emert

So if you're getting the pressure to basically toss me in jail, it's because these guys, somebody they really need me to go.

00:19:00 Rob Emert

Way because I have so much evidence they they know they're going to look really bad when I get in front of a in front of a jury and that's what they really don't want.

00:19:10 Rob Emert

They can toss me in jail, so I actually I I you know, I'm trying to do everything lawfully, but I'm not gonna let them in the.

00:19:16 Rob Emert

Throw me in jail and.

00:19:18 Rob Emert

And ruin my child.

00:19:19 Rob Emert

You know again, please.

00:19:20 Rob Emert

You know, whatever you can do to help because he's doing well and you know, there's no way I'm going to let them take him and ruin his life.

00:19:27 Rob Emert

He's doing So what he'd be.

00:19:28 Rob Emert

He'd be crushed.

00:19:29 Rob Emert

He'd be so crushed.

00:19:30 Rob Emert

And you know.

00:19:31 DAI LUIS PENA

Well, one thing that that I thought about having an IEP that doesn't, I've talked to several people and like that doesn't matter why we take the case or not like otherwise every child that's over 14 would have an IEP.

00:19:44 DAI LUIS PENA

I mean, considering we're dealing with divorces and we're dealing, like almost every child's on an IEP, it doesn't matter. So I think.

00:19:52 DAI LUIS PENA

What happened in the beginning is where there was and I read from the beginning when the big question was to me was why did we take this case anyways?

00:20:02 DAI LUIS PENA

It had nothing to do, but if the child was 14, I was 15.

00:20:05 DAI LUIS PENA

It's like, why are we taking this?

00:20:07 DAI LUIS PENA

Like, I don't see why and.

00:20:08 DAI LUIS PENA

I'm just told like well.

00:20:10 DAI LUIS PENA

We're like too deep.

00:20:10 DAI LUIS PENA

In it now and the attorneys.

00:20:12 DAI LUIS PENA

Pressure to file charges criminal charges.

00:20:15 DAI LUIS PENA

For what was done in in, you're right. I mean the only reason because of default judgment is the only reason she does get that 100% custody is because.

00:20:24 DAI LUIS PENA

You didn't show up to court so of.

00:20:25 DAI LUIS PENA

Course the judge.

00:20:26 DAI LUIS PENA

Is gonna say, well, that's default.

00:20:27 DAI LUIS PENA

He didn't show.

00:20:28 DAI LUIS PENA

Up so now.

00:20:29 DAI LUIS PENA

You have 100.

00:20:30 DAI LUIS PENA

And so now everything else is.

00:20:32 DAI LUIS PENA

Like, well, he doesn't show.

00:20:33 DAI LUIS PENA

Up he doesn't have custody.

00:20:36 DAI LUIS PENA

I look at that like, well, OK, that.

00:20:40 DAI LUIS PENA

That's default judgment.

00:20:43 DAI LUIS PENA

Where is the meat and potatoes of?

00:20:44 DAI LUIS PENA

Why she should have more than 50% custody.

00:20:47 DAI LUIS PENA

Or where was that in my thing?

00:20:49 DAI LUIS PENA

That I wanted.

00:20:50 DAI LUIS PENA

To find was.

00:20:52 DAI LUIS PENA

I want to.

00:20:53 DAI LUIS PENA

Know if someone tells anybody we're going to put your child in the facility.

00:20:58 DAI LUIS PENA

What do you expect that parent to do.

00:21:00 DAI LUIS PENA

Like, especially if they care and I'm.

00:21:02 DAI LUIS PENA

Like I I need to find these transcripts I need.

00:21:04 DAI LUIS PENA

To find court transcripts.

00:21:06 DAI LUIS PENA

Anything either factual without me, like introducing too much.

00:21:11 DAI LUIS PENA

But just to say, look, here's the transcripts.

00:21:14 DAI LUIS PENA

Here's what this judge said, and what do you expect him to do then.

00:21:18 DAI LUIS PENA

Like this is this is what I'd like to just show them and and have because we can as far as the way I've been explained to do my job here.

00:21:18 DAI LUIS PENA

Right.

00:21:27 DAI LUIS PENA

If there's a reason why a parent did something, if there's a good reason why, then we can move forward.

00:21:33 DAI LUIS PENA

But and your ex-wife statement is like.

00:21:35 DAI LUIS PENA

Well, no, he's lying about.

00:21:36 DAI LUIS PENA

It no one ever threatened to put my child.

00:21:38 DAI LUIS PENA

To into anywhere it's like so that is a lie.

00:21:42 DAI LUIS PENA

I've been trying.

00:21:43 DAI LUIS PENA

To find that idea of like, well, where, where can we find the facts and being like are they in the court transcripts?

00:21:50 DAI LUIS PENA

Are they written anywhere?

00:21:52 DAI LUIS PENA

Was it ever put down on paper or why this person decided to say screw you court like your decision is gonna be to take the child from you for one.

00:22:01 Rob Emert

Well, it gets even worse.

00:22:02 Rob Emert

You know, in Mr.

00:22:03 Rob Emert

Pena, I I really appreciate it.

00:22:06 Rob Emert

I mean, I'm almost going to cry.

00:22:07 Rob Emert

I mean, it's just thank you that because again, I I was waiting for somebody with integrity to finally pick up the file and say let's, let's wait a minute here.

00:22:14 Rob Emert

Let's let's do so.

00:22:15 Rob Emert

Let's do some due process here.

00:22:17 Rob Emert

So thank you.

00:22:19 Rob Emert

Two things is that I can absolutely you actually have it, but I'll send it again.

00:22:23 Rob Emert

It's in one of those in that file folder that you have in the in the PDF that says most evidence can be found here in that PDF that's bookmarked, you'll see court transcripts and it's even highlighted where basically.

00:22:41 Rob Emert

Patty ratekin on day one, she said she was going to put.

00:22:44 Rob Emert

At home and it was bizarre.

00:22:45 Rob Emert

I, I and then I and then she.

00:22:47 Rob Emert

And then she denied my peremptory challenge, which is against.

00:22:50 Rob Emert

The rules of court.

00:22:51 Rob Emert

I I can't believe she did that.

00:22:53 Rob Emert

The more I learned, the more I'm shocked and the more it makes me not shocked that they've been trying to put me in jail to shut me down.

00:23:00 Rob Emert

And so it, you know, it's in the court transcripts.

00:23:04 Rob Emert

And then there's only one audio recording in that file, and you'll hear Commissioner ratekin herself basically say that she's shutting down the hearing to go find a facility to put my son in.

00:23:15 Rob Emert

I mean, it's that the the fact they're denying it.

00:23:21 Rob Emert

That I have it in.

00:23:22 Rob Emert

It's in black and white and in audio.

00:23:24 Rob Emert

The fact I think they can't dispute it.

00:23:27 Rob Emert

I can't believe they think they're gonna get away with it, but that's what's the scary part is, if I didn't have you, somebody with integrity, they would have that.

00:23:34 Rob Emert

That's what I keep finding out is that somebody keeps kind of rubber stamping the nonsense.

00:23:39 Rob Emert

And if you look at the court transcripts.

00:23:42 Rob Emert

The principal at the school, who is now the UM.

00:23:47 Rob Emert

I think he's the human resources director at San Marcos Unified. He was the principal at my son's school and he's a good guy.

00:23:57 Rob Emert

You could even reach out to him if you want, but he told everybody in this case that if they wanted to find out, find out about the minor.

00:24:04 Rob Emert

Bryce emert, my son, they needed to go through the.

00:24:08 Rob Emert

Case manager of the IEP case manager because she knows the case.

00:24:11 Rob Emert

She knows my son very well.

00:24:14 Rob Emert

Now here's the here's the most meat and potatoes right here that you're going to be blown away by.

00:24:20 Rob Emert

The opposing counsel.

00:24:23 Rob Emert

Never reached out. Not. I'm not opposing counsel. Minor counsel for my son, Matt Cord. He never reached out to this IEP case manager or anybody on my son's IEP case team.

00:24:38 Rob Emert

And so, since you know what IEP is, you know that's pretty impressive team of brainiacs.

00:24:42 Rob Emert

You know, if, and he he wouldn't reach out to anybody.

00:24:45 Rob Emert

Because he didn't want them to tell them.

00:24:48 Rob Emert

That what the what Commissioner ratekin wanted to do and he was going to rubber stamp.

00:24:52 Rob Emert

He didn't want to hear the truth, so he he wouldn't talk to.

00:24:56 Rob Emert

And this is in the court transcript, too.

00:24:58 Rob Emert

I asked him, did you ever?

00:25:00 Rob Emert

I said it's in the court transcript.

00:25:02 Rob Emert

It proves that that he he didn't reach out to her, the IEP case manager or anybody on the IEP team.

00:25:08 Rob Emert

The team and also the.

00:25:13 Rob Emert

Well, it was something really important was going to mention the.

00:25:15 Rob Emert

Meat and potatoes.

00:25:16 Rob Emert

Of the IEP case manager, so yeah, they, they, they would reach out to the.

00:25:23 Rob Emert

The IEP case manager, but then also in the court transcript is when I started asking questions to the IEP case manager.

00:25:34 Rob Emert

Like, well, do you think that Bryce belongs in a residential?

00:25:38 Rob Emert

It was embarrassingly obvious that Commissioner ratekin was trying to shut down the IEP case manager.

00:25:46 Rob Emert

You know, any question that I would ask the IEP case manager, Commissioner ratekin, wouldn't basically, I mean, this is embarrassing.

00:25:52 Rob Emert

She just looks like a corrupt, A corrupt fool, and she wouldn't let her answer because this case manager.

00:25:58 Rob Emert

And no, of course not.

00:25:59 Rob Emert

You know, she just she knows he doesn't belong there.

00:26:01 Rob Emert

She knows he's a typical kid for the most part.

00:26:04 Rob Emert

So because there's a lot of talk about my son being on the spectrum **when you.**

00:26:08 Rob Emert

Talk to him.

00:26:09 Rob Emert

You're probably not even going to see it.

00:26:12 Rob Emert

Most people these days say bryces is typical, you know, maybe he, you know, he he just says he's a very sweet, very smart boy.

00:26:20 Rob Emert

And you know, like everybody, you know, we've all got our, our, our issues in life that we need to overcome.

00:26:26 Rob Emert

But if they threw him in a in a home and medicated him, that would have just put him on down the wrong path and.

00:26:32 Rob Emert

Again, he's doing fantastic now.

00:26:33 Rob Emert

So again, again, they'd have to take my dead body before they they they abuse him that way.

00:26:39 Rob Emert

It's just it's horrific.

00:26:40 Rob Emert

I I can't believe they're trying to do it.

00:26:43 DAI LUIS PENA

So where are you right now with your attorneys?

00:26:46 DAI LUIS PENA

Cause I mean I I I.

00:26:47 DAI LUIS PENA

I'd love to.

00:26:48 DAI LUIS PENA

I mean, I could probably delay this a week or so because they wanted me to have this done last week, but I've had some other things come up in other cases and I've tried to push it out because the ideas I'm not done reviewing everything.

00:27:00 DAI LUIS PENA

But when do you believe that you can have your counsel?

00:27:03 DAI LUIS PENA

Or if you're representing yourself, that you can have that information so.

00:27:07 DAI LUIS PENA

I could at least present it before they tell me.

00:27:12 DAI LUIS PENA

Well, just finish the damn warrant.

00:27:14 DAI LUIS PENA

And don't worry about it.

00:27:15 DAI LUIS PENA

And I'd love to say, you know what?

00:27:19 DAI LUIS PENA

You asked me not to reach out to him.

00:27:20 DAI LUIS PENA

He reach out to me.

00:27:21 DAI LUIS PENA

So there's that.

00:27:22 DAI LUIS PENA

And I'm not gonna.

00:27:24 DAI LUIS PENA

Not speak with someone.

00:27:26 DAI LUIS PENA

And you know that's not who I am.

00:27:27 DAI LUIS PENA

That's not who we are.

00:27:28 DAI LUIS PENA

As as District Attorney office.

00:27:30 DAI LUIS PENA

So we talked and this is what the plan is.

00:27:34 DAI LUIS PENA

This is what we have.

00:27:35 DAI LUIS PENA

This is what I've heard from.

00:27:38 DAI LUIS PENA

And and I've only been in this unit since for six months or so.

00:27:41 DAI LUIS PENA

So it's always been talked about that if the people are willing to come to the table and talk and negotiate something, there's no need to arrest.

00:27:51 DAI LUIS PENA

That's that's what I.

00:27:51 DAI LUIS PENA

Was taught, so I'm I'm speak.

00:27:52

And I've been trying to.

00:27:53 Rob Emert

I've been trying to do.

00:27:54 Rob Emert

I've been trying to do this.

00:27:55 Rob Emert

I'm sorry to interrupt, but I've been trying to mediate this for.

00:27:57 Rob Emert

I I I promise.

00:27:58 DAI LUIS PENA

Yeah, but I.

00:27:59 DAI LUIS PENA

But I I definitely think that now I guess to kind of put it frankly, the shits hit the fan and they they want to push this.

00:28:09 DAI LUIS PENA

I don't believe it's the best.

00:28:10 DAI LUIS PENA

Thing, I just believe that.

00:28:11 DAI LUIS PENA

We need to get.

00:28:12 DAI LUIS PENA

You back up big, basically talking.

00:28:17 DAI LUIS PENA

Basically, come up to the.

00:28:18 DAI LUIS PENA

Table and say.

00:28:18 DAI LUIS PENA

Hey, I'm here. I.

00:28:19 DAI LUIS PENA

Need to talk.

00:28:20 DAI LUIS PENA

I need to do this.

00:28:21 DAI LUIS PENA

I need representation.

00:28:22 DAI LUIS PENA

I need this and that whatever whatever it is and The thing is that she has representation.

00:28:26 DAI LUIS PENA

You're representing yourself, I think if we can bring up some court documents, some evidence, to prove just the idea.

00:28:34 DAI LUIS PENA

And this is all.

00:28:35 DAI LUIS PENA

I'm basically gonna ask of you.

00:28:38 DAI LUIS PENA

I'm gonna look, but I think you can find it faster than I can by looking at all the.

00:28:43 DAI LUIS PENA

Anything that says that they were going to put him in a facility cause I think that's arguable to say.

00:28:47 DAI LUIS PENA

What do you expect?

00:28:48 DAI LUIS PENA

A person to do if you tell.

00:28:49 DAI LUIS PENA

Them that they can, they're gonna put.

00:28:50 DAI LUIS PENA

Their child into it.

00:28:52 DAI LUIS PENA

They're trying to do as much as they can.

00:28:54 DAI LUIS PENA

They're trying to fight in court and do as much as they can with it.

00:28:57 DAI LUIS PENA

But you have one person who's represented.

00:28:59 DAI LUIS PENA

Then you have a child.

00:29:00 DAI LUIS PENA

Now that has basically an attorney.

00:29:02 DAI LUIS PENA

And that attorney for the child is is basically not, you know, I I I've dealt with the child attorneys.

00:29:08 DAI LUIS PENA

I I personally don't like some of them they they really.

00:29:12 DAI LUIS PENA

They have biases because they'll start because right now I think they lined up with with your ex-wife. I don't believe they're strictly just by themselves trying to do the best for him.

00:29:20 DAI LUIS PENA

I think now they line line together with your basically ex wives attorney and now they're trying to put something together.

00:29:26 DAI LUIS PENA

I'm like that does not make sense to me when you have an attorney and basically that's supposed to be just.

00:29:30 DAI LUIS PENA

A child's attorney.

00:29:32 DAI LUIS PENA

It's like that attorney should be talking to you.

00:29:35 DAI LUIS PENA

It they should not just be trying to figure things out with other attorney and pushing, pushing and pushing and pushing.

00:29:42 DAI LUIS PENA

So I think I'm not sure. Have you talked to that attorney at all your your son's attorney like?

00:29:48

Well, he said.

00:29:49 Rob Emert

Well, he said he's not. And here's what's really bad about the minor council. My son's attorney is that again, these, the two minor councils, both my daughter and my son.

00:29:59 Rob Emert

As far as I'm concerned, they're they're criminals.

00:30:02 Rob Emert

Because and again I don't use that word lightly.

00:30:04 Rob Emert

Because when they first got brought on board, I was naive and I thought they.

00:30:08 Rob Emert

Were going to help.

00:30:09 Rob Emert

And I was giving them all this information.

00:30:12 Rob Emert

And they they just.

00:30:14 Rob Emert

They just ignored it.

00:30:15 Rob Emert

They they didn't call IEP case managers, they didn't call karate instructors.

00:30:21 Rob Emert

It was weird and it, but it it's not weird.

00:30:23 Rob Emert

And at the time, I thought it was weird.

00:30:25 Rob Emert

But then in retrospect, I was like, oh, well, yeah, now I I get it.

00:30:28 Rob Emert

It's a rubber stamp for what the Commissioner brought them in for.

00:30:32 Rob Emert

You know, they're just doing because they want that.

00:30:35 Rob Emert

And they don't want, you know.

00:30:36 Rob Emert

And here's, here's a crude termite that I was told by a retired judge.

00:30:40 Rob Emert

Rob, don't be so shocked.

00:30:42 Rob Emert

Do you do you really?

00:30:43 Rob Emert

Think these minor councils and these attorneys are going to **** in their own pool?

00:30:48 Rob Emert

No, when you're gone.

00:30:50 Rob Emert

Your case is gone.

00:30:51 Rob Emert

These these other attorneys and commissioners and judges, they all have to wheel and deal and and make deals and stuff and and work together so nobody is going to really take your case if it's going against the grain because then when you're gone, everybody's going to remember that, you know, I mean that this person.

00:31:11 Rob Emert

Stuck their neck out for you and you're not one of the team players.

00:31:15 Rob Emert

And when I, you know, and I was like, oh, that's ugly.

00:31:17 Rob Emert

And he's like, well, that's the truth, man, you know?

00:31:19 DAI LUIS PENA

Yeah, I had one one.

00:31:21 DAI LUIS PENA

Of the minors, councils tell me.

00:31:23 DAI LUIS PENA

That they get paid very minimally to do the job.

00:31:25 DAI LUIS PENA

They do it just because their names on the list and they they don't want to waste a lot of their time doing it because they don't really get paid much my minor.

00:31:37 DAI LUIS PENA

Yeah, well, yeah.

00:31:38 DAI LUIS PENA

So minor council, too.

00:31:39 Rob Emert

Check this out.

00:31:41 Rob Emert

Basically, my son filed A restraining order against him and also a police report.

00:31:48 Rob Emert

There's a if.

00:31:50 Rob Emert

My son wrote a letter.

00:31:51 DAI LUIS PENA

Against the minors council.

00:31:52 Rob Emert

Yeah, there's a in the in the file that you have my son wrote.

00:31:59

I filed that as a judicial notice.

00:32:01 Rob Emert

But what happened was my son, you know, he's he's he's pretty smart and you know.

00:32:06 Rob Emert

He's got he's got friends whose parents are divorced.

00:32:09 Rob Emert

And he was really upset about a lot of stuff.

00:32:12 Rob Emert

And, you know, I was trying to be really, I I promised again on a stack of Bibles.

00:32:16 Rob Emert

I was trying to do everything that I was supposed to do it no matter how dumb.

00:32:21 Rob Emert

I thought it was.

00:32:22 Rob Emert

I was doing it and.

00:32:26 Rob Emert

Finally, up into the point where I saw the the criminal aspect of what was going on, and that's when I'm like, no, no more.

00:32:31 Rob Emert

I'm not doing this anymore. You guys, you need to. You need to to do something here. But there's what's called a judicial notice that's in the documents that you have. And my son wrote a A2 page letter.

00:32:44 Rob Emert

And here's the most important part about the two page letter he wrote.

00:32:51 Rob Emert

After he wrote it, I read it.

00:32:54 Rob Emert

And the only suggestion I made I said, Bryce, this is your words.

00:32:58 Rob Emert

I said, you know, you know, these are your words.

00:33:00 Rob Emert

But I said the only thing I would suggest is that maybe your mom's going to read this.

00:33:06 Rob Emert

You know, why don't you tell her how much you love her?

00:33:08 Rob Emert

You know, I know you're angry with her for a lot of things.

00:33:10 Rob Emert

But you know, why don't you tell her how much you love her?

00:33:12 Rob Emert

Cause I know.

00:33:13 Rob Emert

So that's the only the only thing that I told him about writing his letters.

00:33:16 Rob Emert

That he may want to consider telling his mom how much you know he does love her, but he's a smart kid and he knows what she tried to do to.

00:33:26 Rob Emert

And he was living there 50% of the time. And you know, I don't know if you saw this yet in the emails, but his mom said things to him like.

00:33:35 Rob Emert

When he was saying that he wanted to live with me a little bit more to get help with homework and all that kind of stuff, she said to him one time.

00:33:42 Rob Emert

Well, if you go live with your dad more, I'm going to sell your bed and your stuff so you know.

00:33:47 DAI LUIS PENA

Yeah, I saw that.

00:33:50 Rob Emert

and she told him I don't think you're on the autism spectrum.

00:33:52 Rob Emert

I think you're just really stupid.

00:33:53 Rob Emert

But I mean, that's the kind of stuff I mean, she she just is beat down this poor kid and between you and I and you know, I'll tell anybody this.

00:34:00 Rob Emert

But it's not, you know.

00:34:01 Rob Emert

But the truth is, is that I raised the kids mostly.

00:34:06 Rob Emert

And what happened was they my son does act like me a lot for various reasons, both good and bad, you know.

00:34:13 Rob Emert

I mean, you see, I don't know if you have kids or not, but I I see.

00:34:15 DAI LUIS PENA

Yeah most kids do

00:34:18 Rob Emert

But because he acts like me a lot.

00:34:21 Rob Emert

And talks like me a lot.

00:34:23 Rob Emert

It my wife, my wife treated him really badly for it.

00:34:26 Rob Emert

It was really sad because, you know, she hates me.

00:34:29 Rob Emert

So she sees me in her son

00:34:30 Rob Emert

In her son, you know, it just ***** her off even more, you know.

00:34:33 Rob Emert

I'm laughing cause it's just.

00:34:35 Rob Emert

It's it's, it's, it's horrific, it's horrible.

00:34:36 Rob Emert

But here's something else really, really important that I I want you to.

00:34:41 Rob Emert

And I'll send you all the information about putting my son in a residential home that it's never going to happen.

00:34:47 Rob Emert

The I'll I'll send that all that over to you on an e-mail, but here's what's something also really important is basically all of everything that happened that went bad in this case is based on one bogus order.

00:35:04 Rob Emert

So basically what happened was my son Bryce wrote a letter and I filed it as a judicial notice.

00:35:13 Rob Emert

At the same time, within about the same week of time that was filed with the court that made Matt Court his attorney look like an idiot.

00:35:23 Rob Emert

I also filed a witness affidavit.

00:35:26 Rob Emert

That witnessed crime of the my son's child psychologist.

00:35:33 Rob Emert

Now when both of those were submitted to the court.

00:35:37 Rob Emert

That really showed this.

00:35:40 Rob Emert

It showed these guys, it really looks like a Rico collusion violation, but I, you know, I'm not going.

00:35:45 Rob Emert

To go after that.

00:35:45 DAI LUIS PENA

You're saying the psychologist wrote a declaration?

00:35:48 Rob Emert

No, my I have a witness affidavit that basically listened to the my my son, psychologist.

00:35:55 Rob Emert

One of them.

00:35:56 Rob Emert

He had two of them, but this one.

00:35:58 Rob Emert

So what happened was my the the child psychologist was out of insurance network.

00:36:05 Rob Emert

So my ex-wife instead of paying 10 bucks.

00:36:09 Rob Emert

For a psychologist out off of a Blue Shield, she is paying this guy out of.

00:36:13 Rob Emert

Pocket, I mean, give me a break.

00:36:14 Rob Emert

I mean, how much more of a higher gun do you need to say than that pay 10 bucks or 300 bucks. Give me a break.

00:36:20 Rob Emert

So I knew I knew that this.

00:36:22 Rob Emert

I was going to basically go against me.

00:36:26 Rob Emert

I knew it.

00:36:26 Rob Emert

So on purpose, what I did was I was extra cause I I I do come off kind of abrasive sometimes if I do to you, let me apologize in advance.

00:36:34 Rob Emert

I'm really I'm.

00:36:36 Rob Emert

I'm a good guy, I really am.

00:36:37 Rob Emert

But I'm pissed off, so I sometimes I say things like, you know, if you.

00:36:40 Rob Emert

You know, but.

00:36:43 Rob Emert

What happened was I knew that the child psychologist, I knew what he was about, so I was extra extra nice to him.

00:36:49 Rob Emert

And when I met with him two times, I made sure that I was extra extra nice, #1 and #2.

00:36:58 Rob Emert

I have witness.

00:37:00 Rob Emert

To both of the calls, both the meetings that I had with this child psychologist now in a nutshell, I.

00:37:07 Rob Emert

So he's going to get in trouble.

00:37:08 Rob Emert

The child psychologist is going to get in trouble because I've already made a report with the the Department of Psychology for California because what the child psychologist did when I first met with him, I said, hey, look.

00:37:22 Rob Emert

This is an ugly divorce.

00:37:23 Rob Emert

You're the pro for our psychologist and you know, for kids, I said, why don't you just tell?

00:37:27 Rob Emert

What you think I should do?

00:37:29 Rob Emert

And I'll just make sure I do it.

00:37:32 Rob Emert

You know, and the story.

00:37:33 Rob Emert

I'll do whatever you say.

00:37:34 Rob Emert

And so he then says to me his name is Jesse Olague.

00:37:39 Rob Emert

Then basically says, well, I filed paperwork with my office, and I'm not gonna get involved in anything divorce related.

00:37:47 Rob Emert

I am not going to get involved in that whatsoever.

00:37:50 Rob Emert

So please feel free to be open with me and tell me what you think your concerns are, because I'm just here to help your son.

00:37:57 Rob Emert

I want you and your wife to be able to work together to help your son.

00:38:01 Rob Emert

Now and again I was very careful because I saw what he was trying to do.

00:38:04 Rob Emert

It was obvious he was trying to rubber stamp putting my son in the home too.

00:38:09 Rob Emert

He was blowing out of.

00:38:10 Rob Emert

Proportion a lot of issues, so I knew what he was trying to do.

00:38:14 Rob Emert

So I was very careful, very nice, very professional.

00:38:17 Rob Emert

And I had witnesses that they that him and my wife didn't know about.

00:38:21 Rob Emert

And people can say, well, is that ethical or not?

00:38:24 Rob Emert

I mean, I knew they were going to commit fraud.

00:38:26 Rob Emert

So you can record a fraud period. You can, and the appellate court sees it that way in California. So the, the, my son's attorney. And I'm sorry. My son's psychologist basically says he will not be involved.

00:38:41 Rob Emert

In anything court related, period.

00:38:43 Rob Emert

Now when my son writes that letter.

00:38:46 Rob Emert

To the court, then, all of a sudden, the child psychologist changed his mind and he sends all these letters to my ex-wife, basically saying how I'm basically just a menace to society and a menace to my ex-wife and a menace to my children, basically.

00:39:04 Rob Emert

Now a lot of people might not think that's a big deal, but according to the Department of Psychology of California, that's.

00:39:10 Rob Emert

A really big.

00:39:11 Rob Emert

Deal because he told me specifically I will not get involved in anything court related.

00:39:18 Rob Emert

Please feel free to be open and talk to me now.

00:39:22 Rob Emert

Now what he does is as soon as you know then he.

00:39:24 Rob Emert

So clearly he's a hired gun, so I have a I have witnesses that basically heard him say that he wouldn't get involved, and then two days later he turns around and writes all this horrible stuff about me and those witnesses saying no, that's not what happened. This guy's lying straight up.

00:39:41 DAI LUIS PENA

So they witnessed that conversation.

00:39:42 Rob Emert

Yeah, witnesses to that conversation.

00:39:44 DAI LUIS PENA

OK.

00:39:45 Rob Emert

And So what happened was I filed that witness affidavit that heard what happened to discredit the child psychologist.

00:39:51 Rob Emert

Because I knew three months in advance they were.

00:39:53 Rob Emert

That's what they were going to do.

00:39:54 Rob Emert

I mean, it's just these guys, they have a divorce.

00:39:56 Rob Emert

I mean I, you know, I know there's good people out there, but when I when I finally realized what was going on here.

00:40:03 Rob Emert

These guys have a corrupt court.

00:40:04 Rob Emert

You know what I call the corrupt divorce playbook

00:40:08 Rob Emert

I mean it's got pay.

00:40:09 Rob Emert

I mean play for play.

00:40:10 Rob Emert

That is what they do.

00:40:12 Rob Emert

So that's why I was really careful with the child psychologist and I got that witness affidavit to show that he was he's he's a liar and he's getting getting hopefully gets license yanked for what he did but anyways so I filed the judicial notice and here's the important part I filed the judicial notice that my son wrote.

00:40:29 Rob Emert

And there's five witness affidavits.

00:40:32 Rob Emert

Sworn witness affidavits that basically attest.

00:40:36 Rob Emert

That my son wrote that letter. What I did was I it was my own, my son's letter. So I I went to five people that have known my son for five years.

00:40:44 Rob Emert

Plus, you know karate instructors, people that they really that I'm friendly with, but they're not friends of mine, you know.

00:40:50 Rob Emert

And they'll tell you that they're just not.

00:40:52 Rob Emert

But they I dropped.

00:40:53 Rob Emert

My son off and.

00:40:54 Rob Emert

Said hey, talk to Bryce and if you believe.

00:40:57 Rob Emert

That these are his words and I didn't influence him.

00:41:00 Rob Emert

Quiz him as much as you want.

00:41:02 Rob Emert

Uh, you know, write the affidavit to that effect.

00:41:05 Rob Emert

If you don't.

00:41:05 Rob Emert

Believe it, you know, don't write it, you know?

00:41:06 Rob Emert

So I have 5 sworn with witness affidavit.

00:41:10 Rob Emert

So when I filed that with the witness affidavit witnessing the crime of my son psychologist, I filed that to the court.

00:41:17 Rob Emert

Right.

00:41:18 Rob Emert

The minor counsel, then who's only met my son three or four times and is basically suggesting that I have no contact with my own son. This knucklehead, Matt cord. He's met Bryce, like three times for like 1/2 a.

00:41:32 Rob Emert

I mean, he's like, are you?

00:41:34 Rob Emert

Are you kidding me?

00:41:34

Dude, I mean, this guy is this guy.

00:41:36 Rob Emert

I'm gonna make sure he's disbarred.

00:41:37 Rob Emert

I mean, I can't believe that he's doing this.

00:41:39 Rob Emert

So basically when I file that all that solid evidence with the court, then they file that court file as an ex parte to pull custody from me.

00:41:51 Rob Emert

Now at this point I'm getting it from.

00:41:52 Rob Emert

All angles I've got, I've got minor counsel for my son, minor counts for my daughter and my opposing counts for my wife, who is a who's basically one of the biggest law firms in in San Diego.

00:42:06 Rob Emert

I've got everybody coming down on me, and I have a massive heart attack.

00:42:12 Rob Emert

So that was on a Thursday and this is important and I have this in my recording.

00:42:17 Rob Emert

So if you go back to my recording that I that you have, you know, listen to it and kind of Fast forward to this part because this timeline is the most important part that it shows the collusion of these idiots.

00:42:28 Rob Emert

So what happens is I file the, the the.

00:42:33 Rob Emert

Witness affidavit that heard the fraud of the child psychologist.

00:42:37 Rob Emert

I filed the two page letter my son wrote with five sworn witness affidavits.

00:42:42 Rob Emert

I get that into the court on a Thursday.

00:42:45 Rob Emert

I have a massive heart attack, 12% survival rate and I'm in the hospital, you know, on on that Thursday with.

00:42:52 Rob Emert

A heart attack.

00:42:55 Rob Emert

And and Matt cord files the.

00:42:59 Rob Emert

The ex party on that Thursday for the for.

00:43:03 Rob Emert

Wednesday I have a heart attack on Wednesday and then the ex parties for that Thursday the following day.

00:43:09 Rob Emert

Now they're trying to pull all custody from me, so I'm in court on that Thursday while I'm in the hospital.

00:43:15 Rob Emert

But I I log in through teams on my phone and I say I'm in the hospital, I show everybody the hospital.

00:43:20 Rob Emert

Setting and I tell Commissioner Patty Radkin, I said, look, I I'm in the hospital, I have a massive heart attack.

00:43:27 Rob Emert

You can talk to my cardiac specialist here.

00:43:29 Rob Emert

I'm lucky to be alive.

00:43:31 Rob Emert

And uh, you should.

00:43:32 Rob Emert

You should basically get rid of these.

00:43:35 Rob Emert

Uh this ex party because there's nothing.

00:43:38 Rob Emert

That the minor Council is bringing to the table that would suggest supervised visitation.

00:43:44 Rob Emert

There's nothing that's the crazy part too.

00:43:45 Rob Emert

From your perspective, they don't have all, all you.

00:43:49 Rob Emert

I mean, you have nothing to take away my parental rights at all.

00:43:51 Rob Emert

They there's nothing there.

00:43:52 Rob Emert

It's a joke.

00:43:53 Rob Emert

So they want to do it and they try to say I'm a horrible person.

00:43:57 Rob Emert

I'm some kind of maniac.

00:43:59 Rob Emert

But if I wasn't a maniac going into this or, you know, I might be 1 coming out.

00:44:04 Rob Emert

But it just I've just been harassed nonstop.

00:44:08 Rob Emert

So on that Thursday, we're in the ex party and these dates are important and I got a timeline of this in most of my paperwork.

00:44:15 Rob Emert

So you can look at it later.

00:44:16 Rob Emert

But so Thursday, ex parte hearing and I say, Commissioner ratekin, there's no evidence to suggest supervised visitation.

00:44:26 Rob Emert

You know, you need to get rid of these orders.

00:44:28 Rob Emert

She says no, I'm going to allow it. And you need to come into court today. And I'm like, well, I can't, you know, 12% survival rate almost died, you know? And so she says, OK, well, I'll push the ex party until Monday.

00:44:47

And so and this is real important.

00:44:49 Rob Emert

So I have a recording of that hearing on that date and there's witnesses that date and there's that's important to to just note.

00:44:58 Rob Emert

I'll circle back to that, but just keep that in in your mind.

00:45:01 Rob Emert

That's on the Thursday.

00:45:02 Rob Emert

Now, on Friday, opposing counsel writes a motion.

00:45:08 Rob Emert

For supervised visitation.

00:45:10 Rob Emert

OK.

00:45:11 Rob Emert

So again, keep that in mind.

00:45:13 Rob Emert

File that away.

00:45:16 Rob Emert

Is that 12 nine is that December 9th?

00:45:19 DAI LUIS PENA

What was the December 9th date?

00:45:21 DAI LUIS PENA

I'm trying to I'm.

00:45:22 DAI LUIS PENA

Trying to pick because I'm.

00:45:23 DAI LUIS PENA

Looking at some paperwork here that was given to, to me it says ex parte Robert Ex parte 1124 ex parte declaration ex parte.

00:45:32 Rob Emert

Yeah, the best you know, the best documents to look at there is there's one really huge document like 1000 pages, but it's bookmarked.

00:45:40 Rob Emert

It'll say most evidence can be found here and then open the bookmarks and I labeled everything really well.

00:45:48 Rob Emert

And here's the sad part.

00:45:50 Rob Emert

It's overall such a waste of time.

00:45:52 Rob Emert

I mean, I could be, you know, doing stuff for my kids, you know, that's what's really horrible about this is, you know, this is taking so much time.

00:46:02 Rob Emert

You know, it's sad and even from my ex wife's perspective, it's like I don't want her spending money on this.

00:46:07 Rob Emert

That could have been, you know, money towards my kids, college education.

00:46:11 Rob Emert

You know, it's like, I mean, I I think she's an Idiot.

00:46:13 Rob Emert

But you know, you know, I really don't want to see harm come to her because she's the mother of my children and you know, it's just, you know, I just, that's how I look at it.

00:46:22 Rob Emert

You know, she's wasting money that could be going to.

00:46:24 Rob Emert

Our our kids it.

00:46:25 Rob Emert

Just ***** me off, so let me do this timeline cuz and I'll point you to it and it's really disgusting what you're going to find.

00:46:32 Rob Emert

And again I can prove all of this if I.

00:46:34 Rob Emert

Can't prove something?

00:46:35 Rob Emert

I'll say I can't prove it.

00:46:36 Rob Emert

So I'm almost Wednesday almost croak in the hospital Thursday ex parte, there's clear record of that hearing.

00:46:45 Rob Emert

Late Friday, basically I file a stay motion with the presiding judge.

00:46:51 Rob Emert

File that away.

00:46:52 Rob Emert

I'll circle back to that on that Friday, the opposing counsel files a.

00:46:59 Rob Emert

A motion for supervised visitation.

00:47:02 Rob Emert

So on the on the Thursday.

00:47:04 Rob Emert

Again when I had the heart attack.

00:47:06 Rob Emert

It's very clear in the court record and in the minute order that there was no change to any custody orders on that Thursday.

00:47:13 Rob Emert

Very clear record of that witnesses.

00:47:16 Rob Emert

It's in the court record and there's a audio recording of it.

00:47:19 Rob Emert

Can't be disputed now.

00:47:21 Rob Emert

Monday comes around.

00:47:24 Rob Emert

Monday morning comes around and the ex party continues, I think is about 8:30. I'm doing this from memory, but it's about 8:30.

00:47:30 Rob Emert

And then also I knew from over the weekend my son didn't have his phone because my ex-wife takes his phone away and she uses harassing him. non-stop. But my my son's friends and my sons.

00:47:46 Rob Emert

Are all concerned about bryce, and they're calling me because they know I've been very involved dad and, you know, and I've I've been there for a lot of the kids, you know.

00:47:53 Rob Emert

I mean, I've been very involved in the community.

00:47:56 Rob Emert

Helpful that way.

00:47:57 Rob Emert

And so I've got parents calling me kids, calling me, telling me that Bryce had a really rough weekend with his mom, and he's going to call me.

00:48:06 Rob Emert

Reach out to me first thing Monday morning.

00:48:08 Rob Emert

So Monday morning comes around Ex parte is being picked up by Commissioner, ratekin and everybody wants to take my kids away with no evidence at all.

00:48:17 Rob Emert

UM and I am getting calls that my from my son that he's at Starbucks right across from the school.

00:48:29 Rob Emert

When I go into the ex party hearing, I I think I say something to the point where, hey, I know Bryce isn't in school and I think he's over at Starbucks or whatever and and that this is the recording I have that you have actually there in that document, but it basically Patty Radkin says this is what I was worried about the whole time.

00:48:46 Rob Emert

You know, he, he he belongs in a residential.

00:48:49 Rob Emert

I'm shutting down this hearing now to put him in a home, you know, find a facility to put him in.

00:48:54 Rob Emert

Moment and at that point was the only time I may have been slightly overly aggressive in court because I've always been very professional and and and and courteous in court.

00:49:04 Rob Emert

But I finally say to Commissioner ratekin and I said, Commissioner, ratekin you're committing.

00:49:08 Rob Emert

Fraud upon the.

00:49:08 Rob Emert

Court, I said.

00:49:10 Rob Emert

There's there's a recording of this.

00:49:12 Rob Emert

I said there is zero evidence.

00:49:15 Rob Emert

That minor counsel has or you have, or his mom has. That would ever suggest to put him into a facility. In addition to that, you have his IEP Case manager, karate instructors? Nobody.

00:49:30 Rob Emert

Is suggesting a residential facility for this boy and everybody says the the suggestion is just bizarre.

00:49:39 Rob Emert

I mean it's it's so out in left field that basically everybody saying no, that is never that it's not even an option for this kid.

00:49:48 Rob Emert

I even have people that I talked to over at the regional center.

00:49:52 Rob Emert

I have people that I talked to at the UM, the District Office for the San Marcos Unified.

00:49:59 Rob Emert

Nobody thinks that he belongs in a residential, and so I finally call the Commissioner for blatant fraud.

00:50:04 Rob Emert

Now what the Commissioner does is she finally recuses from the case right before she recuses from the case.

00:50:11 Rob Emert

She sneaks in in order for supervised visitation and two default judgments.

00:50:18 Rob Emert

Now, now what she does is that she sneaks in the supervised visitation.

00:50:24 Rob Emert

Order on this Monday and how it's obvious that she did that is because she said she did it.

00:50:30 Rob Emert

She put that order in on Thursday when I was actually the day after recovering from the heart attack.

00:50:35 Rob Emert

Well, she hadn't even heard the the ex parte at that point.

00:50:39 Rob Emert

So she had no evidence to to do anything.

00:50:41 Rob Emert

At that point.

00:50:43 Rob Emert

So then what she does is she bases the UM, supervised visitation order.

00:50:50 Rob Emert

She bases it on the witness affidavit that caught the child psychologist.

00:50:58 Rob Emert

Committing fraud basically lying.

00:51:01 Rob Emert

So here's how desperate these people are to put me in jail and to take my kid from me.

00:51:06 Rob Emert

She Patty ratekin.

00:51:08 Rob Emert

This is in the court record.

00:51:10 Rob Emert

She actually said she was ordering supervised visitation of me with my child.

00:51:15 Rob Emert

Because I had witnesses listen.

00:51:20 Rob Emert

To the conversations.

00:51:23 Rob Emert

Of me, with the with the child psychologist.

00:51:27 Rob Emert

That's how desperate she is.

00:51:28 Rob Emert

I've talked to people, other lawyers, and they're saying, well, that's not.

00:51:31 Rob Emert

I mean, that's not a big deal because your, you know, your son wasn't there.

00:51:35 Rob Emert

So you're not a covered party and neither is the psychologist.

00:51:39 Rob Emert

So, you know, somebody could debate ethics on that.

00:51:43 Rob Emert

But again, when you're recording a fraud.

00:51:46 Rob Emert

You're fine, you know, that's that's how the appellate court looks at it.

00:51:49 Rob Emert

If you're recording a fraud.

00:51:50

And I recorded a fraud.

Sure DAI LUIS PENA

00:51:51 Rob Emert

So basically, Patty Radkin is so desperate she she backdates the supervised visitation order to the Thursday.

00:51:58 Rob Emert

Now I can prove it was backdated because on that Thursday it was never even talked about.

00:52:03 Rob Emert

Now, and here's where the collusion comes in.

00:52:06 Rob Emert

So on that Monday, now Patty Radkin Recuses.

00:52:10 Rob Emert

And it the the the case gets kicked over to another judge in the Vista courthouse.

00:52:17 Rob Emert

Now we're in front of another judge and.

00:52:20 Rob Emert

Is October 4th.

00:52:22 Rob Emert

Yeah, that's on. Yeah.

00:52:24 DAI LUIS PENA

October 4th, correct.

00:52:25 Rob Emert

So yeah, the day that Patty Radkin recused.

00:52:27 Rob Emert

On the 4th.

00:52:28 Rob Emert

So now we're in front of another judge.

00:52:30 Rob Emert

And remember, I don't know anything about this supervised visitation order.

00:52:33 Rob Emert

At this point, it was snuck in.

00:52:36 Rob Emert

There's, I mean, and.

00:52:37 Rob Emert

And it can be proved it was snuck in.

00:52:40 Rob Emert

But here's the part that's really concern.

00:52:41 Rob Emert

Right.

00:52:42 Rob Emert

Is that we're in front of the new judge and I filed the peremptory challenge because I wanted to get the case kicked over to Central.

00:52:51 Rob Emert

Because I'm thinking, gosh, I just need to get somebody that's hopefully.

00:52:55 Rob Emert

You know just.

00:52:58 Rob Emert

You know, I mean, I just, I mean, just something unbiased.

00:53:00 Rob Emert

You know, that's all I want is a fair trial.

00:53:01 Rob Emert

To move on with my life, you know?

00:53:03 Rob Emert

So I file the peremptory challenge because I know that's the last judge in there and and Matt Cord attorney for my son Bryce, he tells the judge that I'm in.

00:53:15 Rob Emert

Violation of a court order of supervised visitation.

00:53:20 Rob Emert

And I'm like, Mr.

00:53:21 Rob Emert

Court, your assistant.

00:53:23 Rob Emert

You know, I probably say something like you're just a fraud, dude.

00:53:25 Rob Emert

You're just lying.

00:53:26 Rob Emert

Just making stuff up now.

00:53:27 Rob Emert

You know, I finally break down and become slightly unprofessional.

00:53:31

I'm just you're just lying, man.

00:53:32 Rob Emert

You're just, you know, come on.

00:53:34 Rob Emert

And so the.

00:53:38 Rob Emert

And I'm saying that's not, that's not it.

00:53:39 Rob Emert

It was never made.

00:53:41 Rob Emert

So they send me a piece of paper that shows the minute order from the Thursday and it's embarrassing.

00:53:47 Rob Emert

You have a copy of it there and I'll point it out to you.

00:53:49 Rob Emert

But in the minute order for that Thursday, it basically you can see it, the order is just embarrassing it it the order contradicts itself and in the first sense it says we're not changing orders.

00:54:01 Rob Emert

There's no change in custody, but then the the sentence right after.

00:54:06 Rob Emert

That you can tell it was obviously added in after the fact.

00:54:09 Rob Emert

She basically put Commissioner Patty ratekin says that she's going to order.

00:54:13 Rob Emert

Supervised visitation based on the witness affidavit that.

00:54:16 Rob Emert

Saw a crime?

00:54:17 Rob Emert

So again, it it's so ludicrous she wants to use a witness affidavit as as saying that I'm a reckless, horrible dad that requires supervised visitation.

00:54:26 Rob Emert

Because I was trying to protect my son from this Rico crew of of colluders.

00:54:31 Rob Emert

That was just trying.

00:54:33 Rob Emert

That was so desperate to get my son out of my custody.

00:54:36 Rob Emert

It's it's it's crazy.

00:54:37 DAI LUIS PENA

And the witness being the psychologist.

00:54:40 Rob Emert

No the psychologist was the one that committed the fraud.

00:54:43 Rob Emert

There is a witness that listened to the fraud, and his name is Mark Fidelman.

00:54:48 Rob Emert

So he wrote the witness affidavit.

00:54:48 DAI LUIS PENA

So. So they're using.

00:54:51 DAI LUIS PENA

your witness statement to say that you don't deserve to have your child, like, basically the witness they heard.

00:54:58 Rob Emert

The witness that heard the whole conversation.

00:54:58 Rob Emert

That's the order.

00:54:59 Rob Emert

That's the order.

00:55:00 Rob Emert

So that's the order.

00:55:01 Rob Emert

So when you look at it, so that and that's the domino, that's the domino where everything starts is they were so desperate to take my son from me.

00:55:09 Rob Emert

That the Patty ratekin what I call throws in a Hail Mary pass and says, well, I don't have any reason to take your son from you.

00:55:18 Rob Emert

But based on your reckless behavior of letting a witness listen to that conversation, I'm going to basically pull.

00:55:27 Rob Emert

I'm going to make you have supervised visitation now.

00:55:30 Rob Emert

Now again so and and that that's all that's right there in the court record.

00:55:33 Rob Emert

They can't deny it, it it, it can be proven to any reasonable person.

00:55:38 Rob Emert

Now here's the part what I believe they were trying to do and it's pretty obvious.

00:55:44 Rob Emert

What they're going to do is they, they, they, they took all my rights away.

00:55:47 Rob Emert

So basically once they got Bryce out of my custody, I had no parental rights left.

00:55:52 Rob Emert

So I would have.

00:55:53 Rob Emert

I wouldn't be able to see him or have him.

00:55:58 Rob Emert

That's what these idiots were setting up for me.

00:56:00

And so, I mean anybody, I mean retired judges basically that we're looking at this people are all saying, Oh my gosh, I can't believe these guys think they're going to get away with this.

00:56:11 Rob Emert

And I said, I know right, I said it's it's it's it's it's it's.

00:56:14 Rob Emert

Right here, the evidence is so overwhelming.

00:56:16 Rob Emert

So So what happens now is that the case gets kicked down to central and we see a judge there and she says I'm not going to be ruling on your case, but I need to find a judge to that's going to do your case.

00:56:35 Rob Emert

And again, Matt.

00:56:36 Rob Emert

Or attorney for my son and minor counts for my daughter and opposing counsel.

00:56:41 Rob Emert

They're all jumping up and down saying that I'm in violation of this supervised visitation order.

00:56:47 Rob Emert

And UM. And I'm like, I'm still at this point. I'm like, you guys are idiots. Your just idiots.

00:56:52 Rob Emert

I said there's no order for supervised visitation, and even if there was, there's not any shred of proof that would suggest.

00:56:59 Rob Emert

That's in order.

00:57:00 Rob Emert

Have you guys really not read all the witness affidavits in the file of of me in action in the community?

00:57:07 Rob Emert

I'm a good guy.

00:57:08 Rob Emert

Why this is?

00:57:08 Rob Emert

Ridiculous, you know.

00:57:10 Rob Emert

And so that judge then tells me that's there she goes, Mr.

00:57:14 Rob Emert

Emmert, there is.

00:57:14 Rob Emert

An order in here I'm.

00:57:16 Rob Emert

Looking at it and it says supervised visitation, I'm like, well, I I don't know anything about that.

00:57:21 Rob Emert

And they they sent me something but that, you know what they sent me looks ridiculous.

00:57:25 Rob Emert

And it looks like it was something that was snuck in after the fact right before the Commissioner recused herself.

00:57:32 Rob Emert

And I'm pretty sure rules of court would say that.

00:57:36 Rob Emert

She can't slip something in on the day she recuses it looks it's smacks of a of an ethics violation.

00:57:41 Rob Emert

But I said also she should never have been hearing the.

00:57:44 Rob Emert

Case to begin with.

00:57:45 Rob Emert

Because I filed the peremptory challenge and I filed 3 motions for.

00:57:53 Rob Emert

Patty Radkin to recuse, and I sent them to the presiding judge of Lauren alksne.

00:57:57 Rob Emert

Now again, I think I mentioned before, but there's rules that Lorna alksne presiding judge, was required to follow.

00:58:03 Rob Emert

With a with a Commissioner, she's supposed to set those aside or those orders aside and and hand me off to a judge.

00:58:10 Rob Emert

Well, now, this case is such a.

00:58:12 Rob Emert

Mess and it's such a cluster F.

00:58:15 Rob Emert

That now the presiding judge takes the case.

00:58:19 Rob Emert

Now she shouldn't be hearing the case at all, because she basically took my motions to have Patty Radkin recuse and.

00:58:29 Rob Emert

Struck him from the record illegally.

00:58:33 Rob Emert

And she's not allowed to do that.

00:58:34 Rob Emert

She knows she knows better.

00:58:35 Rob Emert

So she struck my all my stuff from the record.

00:58:39 Rob Emert

And so she's blatant ethics violation.

00:58:43 Rob Emert

She even I filed them at the stay that I mentioned on that Friday, the day after the the, you know, couple days after my heart attack, I filed the stay with Lauren alksne.

00:58:54 Rob Emert

Her her peep.

00:58:56 Rob Emert

I I had it served on her office.

00:58:58 Rob Emert

Her peep, her lawyers in the back read it and then they declined to actually sign for it.

00:59:04 Rob Emert

So they actually declined service of a stay because she knew at that point I will again this is my.

00:59:09 Rob Emert

Speculation right here.

00:59:11 Rob Emert

Is because she knew she was going to take the case, so she declined to sign for the stay order.

00:59:18 Rob Emert

So now Fast forward to the day that the next.

00:59:24 Rob Emert

So I'm still within a week of my heart attack.

00:59:26 Rob Emert

So here's the most important part.

00:59:27 Rob Emert

I'm still within a week of my heart attack, and Lorna alksne, the presiding judge, takes over the case.

00:59:33 Rob Emert

Now I filed with the.

00:59:36 Rob Emert

Here's again, really important.

00:59:37 Rob Emert

I remember I almost died of a massive heart attack on the Wednesday.

00:59:40 Rob Emert

Before my I'm not doing well health wise and my doctor tells me that I need help and he's afraid I'm going to die basically.

00:59:50 Rob Emert

And he says you need to calm down, you need to, you know, take your medicine.

00:59:53 Rob Emert

You know, get some ADA coordinators to help you because you know they can take notes and they can help you with some of this stuff, you know.

01:00:02 Rob Emert

Are you are you familiar with ADA?

01:00:06

Yes. DAI LUIS PENA

OK, cool. Awesome.

01:00:07 Rob Emert

So I filed my ADA and not that you even need ADA, but because even under.

01:00:13 Rob Emert

Just basic rules.

01:00:15 Rob Emert

When somebody has a heart attack, they could typically just call everybody and say, hey, I need a continuance.

01:00:19 Rob Emert

And most people are going to be like, oh, OK, well, that's yeah.

01:00:22 Rob Emert

Whatever I went above and beyond that.

01:00:25 Rob Emert

I called everybody.

01:00:27 Rob Emert

I emailed everybody.

01:00:29 Rob Emert

And I even filed motions.

01:00:33 Rob Emert

So from where I had the heart attack up until I met with the presiding judge, I called.

01:00:39 Rob Emert

I emailed and I filed a motion saying, hey you.

01:00:41 Rob Emert

Guys look I had.

01:00:41 Rob Emert

A heart attack.

01:00:42 Rob Emert

Here's 3 letters from my doctors.

01:00:46 Rob Emert

Here's one from my cardiac specialist.

01:00:50 Rob Emert

Because you guys are being making things difficult about me showing up in person.

01:00:56 Rob Emert

I have also filed an ADA request because my my doctor doesn't want me in court, he says.

01:01:02 Rob Emert

I'm gonna, you know, I'm gonna.

01:01:03 Rob Emert

I'm gonna go remote and.

01:01:07 Rob Emert

Which everybody does these days.

01:01:09 Rob Emert

I mean, everybody does remote, you know?

Oh, yeah, from 2020 until present DAI LUIS PENA

01:01:11 Rob Emert

So it's not even a big deal.

01:01:14 Rob Emert

And so it's, it shouldn't be a big deal.

01:01:18 Rob Emert

And I don't think it's a big deal.

01:01:19

And so I say, well I am going to dial in remote like everyone else.

01:01:22 Rob Emert

Well, what these guys did was they knew what their plan was.

01:01:27 Rob Emert

Was again, it's obvious and again you you. I'm only giving you probably 20% of what? The nonsense that I had to deal with so far because I don't wanna keep you on the phone longer than I have to. You know the, you know but.

01:01:38 Rob Emert

Anyways, it was obvious what their end goal was so.

01:01:43 Rob Emert

The the, the, the they say that.

01:01:45 Rob Emert

I have to show up in person.

01:01:47 Rob Emert

To be heard.

01:01:48 Rob Emert

If I don't show up in person, I I don't get to be heard.

01:01:51 Rob Emert

And I'm like, well, I just had a heart attack.

01:01:54 Rob Emert

I almost died.

01:01:56 Rob Emert

My doctor doesn't want me down there.

01:01:59 Rob Emert

I would like to have a continuance #1 and if you really are not going to give me a continuance under the rules of court, I think I memorized.

01:02:05 Rob Emert

I think it's like 3.1221 under California rules of court, I said. I said you should with good cause. I get a continuance and it also says basically that it doesn't say specifically but it kind of alludes to the fact.

01:02:19 Rob Emert

Like a remote hearing.

01:02:21 Rob Emert

Could, if that could alleviate the the issue, then they should go with a remote hearing, so if they're not going to at least give me a continuance, a remote hearing would solve the problem.

01:02:31 Rob Emert

So they deny me my remote my remote hearing.

01:02:36 Rob Emert

They deny me my continuance.

01:02:41 Rob Emert

And they I go actually the one day I do go into the presiding judge's office the first time I go in there and I'm hurting. I say, look, there's no evidence to.

01:02:51 Rob Emert

You know, to take my rights away as a parent and I said, if there's any evidence, I'd love to hear it because there, you know, there's nothing here.

01:02:58 Rob Emert

And I said all I want is my fair hearing.

01:03:00 Rob Emert

I'd like to get on with my.

01:03:01 Rob Emert

Life presiding judge alksne.

01:03:03 Rob Emert

And she said, well, OK, well, I'll give you a fair hearing, but first you need to to, you know, we need to deal with this supervised visitation order.

01:03:11 Rob Emert

And I'm like Miss alksne, you know, I said, you know, with all due respect, I said, you know, exactly what's going on here.

01:03:18 Rob Emert

I I just need a fair hearing where I can come in with my, with my evidence and my witnesses and everyone else, and she's all.

01:03:25 Rob Emert

No, you need to turn over your son.

01:03:30 Rob Emert

And I'm like, you know, and I was respectful.

01:03:32 Rob Emert

I said, your honor, with all due respect, I've talked to the FBI.

01:03:35 Rob Emert

I've talked to the DA's office, people at the DA's office. I've talked to the police. I've talked to my son's.

01:03:40 Rob Emert

IEP case manager.

01:03:43 Rob Emert

And there's something really wrong here.

01:03:45 Rob Emert

I said my son was doing well up until the divorce.

01:03:49 Rob Emert

He's begging to be with me.

01:03:50 Rob Emert

He doesn't want to be abused anymore by this process.

01:03:54 Rob Emert

And UMI don't have to turn him over. He he says he's not coming, you know. And he and he's 15 now.

01:04:00 Rob Emert

At the time.

01:04:00 Rob Emert

Maybe he's 14.

01:04:01 Rob Emert

Maybe, but I I said I said he doesn't have to.

01:04:04 Rob Emert

I don't have to turn him over.

01:04:05 Rob Emert

And the police.

01:04:06 Rob Emert

FBI says I don't have to.

01:04:07 Rob Emert

And he's saying no.

01:04:09 Rob Emert

And so and he, you know, and I said, I I I know he's going to be fine.

01:04:12 Rob Emert

If you guys just leave him alone, he'll be fine.

01:04:14 Rob Emert

And so then she's really ticked.

01:04:17 Rob Emert

Off because she thinks.

01:04:18 Rob Emert

She's she thinks she wasn't elected.

01:04:21 Rob Emert

She thinks, you know, she thinks she's judge jury and executioner.

01:04:25 Rob Emert

I mean, she's high on power, man.

01:04:26 Rob Emert

It's it's, it's it's, it's ugly.

01:04:29 Rob Emert

So she she then proceeds to take all my rights away as a parent and say that she's going to do supervised visitation.

01:04:35 Rob Emert

All this other nonsense.

01:04:36 Rob Emert

So anyways, the you know the you know, I'll Fast forward to the next day where?

01:04:43 Rob Emert

They have another and remember all the the hearings up to this point.

01:04:46 DAI LUIS PENA

At that point, you still have 5050.

01:04:48 Rob Emert

I had I well, I had 5050 except remember back way back when it was always 5050. For two years it was 5050, up until Patty Radkin took the case. And then after a month, she took all of my legal rights away. After a month with no evidence and.

01:05:08 Rob Emert

And and what that's called is she gave my ex-wife. She thinks she's smart. But I I I was. I was educated enough at the point to realize.

01:05:16 Rob Emert

what game they were playing, you know?

01:05:18 Rob Emert

And it was this terrible to see, but she gave all the legal rights to my ex-wife a month after, after hearing.

01:05:26 Rob Emert

So she gave her what's called the veto vote or something like that, where although we were 5050 custody, if there's a dispute, my wife would get the deciding factor.

01:05:37 Rob Emert

So after a month so 2.

01:05:38 Rob Emert

Years were at 5050. I was a.

01:05:40 Rob Emert

Stay at home, dad. Really.

01:05:42 Rob Emert

She takes all my.

01:05:44 Rob Emert

With with nothing.

01:05:46 Rob Emert

And it was crazy.

01:05:47 Rob Emert

So that was done, you know, probably about maybe 8 months before.

01:05:51 Rob Emert

So to answer your question, so technically I think we're still at 5050, but technically I think legally I had you know nothing.

01:05:58 Rob Emert

And and then there is that that ridiculous supervised visitation order.

01:06:03 Rob Emert

But as far as I'm concerned, from a legal standpoint, I know that I'm not going against the law.

Right DAI LUIS PENA

01:06:09 Rob Emert

Because the as far as I'm concerned, these guys lost what's called subject matter jurisdiction when they committed fraud upon the court.

01:06:17 Rob Emert

It's that simple.

01:06:18 Rob Emert

And I'm sure when I get in.

01:06:20 Rob Emert

Front of a.

01:06:20 Rob Emert

Federal court and a jury sees it.

01:06:23 Rob Emert

They're all going to see it too, and that's why I think they want to try to jam me in in.

01:06:27 Rob Emert

In jail first.

01:06:29 Rob Emert

To try to break my spirit, give me another heart attack.

01:06:32 Rob Emert

You know, so I have a harder time putting up putting up the fight and taking care of my son.

01:06:38 Rob Emert

But you know, again, here's the good news from your perspective.

01:06:42 Rob Emert

Is that my son is doing phenomenal.

01:06:46 Rob Emert

So you want to talk to him?

01:06:47 Rob Emert

You call him as much as you want on.

01:06:48 Rob Emert

And and I won't be there, you know.

01:06:50 Rob Emert

You know, he's got his, you know, he's.

01:06:51 Rob Emert

Got his FaceTime, you know, call him as.

01:06:53 Rob Emert

Much as you want with that.

01:06:54 DAI LUIS PENA

Right.

01:06:57 DAI LUIS PENA

Talking about talking.

01:06:57 DAI LUIS PENA

To him, when's the last time his mom talked?

01:07:00 Rob Emert

And that's the that's a bummer.

01:07:03 Rob Emert

What happened was it's been a while.

01:07:09 Rob Emert

I'd have to look at my records and, but I would speculate it's been right around the time that all that stuff blew up like so about maybe six months ago about.

01:07:19 Rob Emert

I would speculate, give or take a little bit of time here or there, but here's what's most important is that is that so going forward all my rights.

01:07:28 Rob Emert

Were taken away even though I had the massive heart attack, so they they basically what they were trying to do and they thought they were clever in doing it.

01:07:35 Rob Emert

They're trying to say, well, he didn't show up in person, so we're not gonna let his voice be heard, but.

01:07:39 Rob Emert

Well, I know what they're trying to do is get me in there so they could slap me with with a contempt order and then throw me in jail and ***** my kid.

01:07:47 Rob Emert

And I'm like, that's that's not the law.

01:07:49 Rob Emert

That's called the deprivation of rights under color of law.

01:07:52 Rob Emert

And I'll see you knuckleheads in federal court if you're not going to, you know, and you know, it's it's not OK you know that you guys are doing this to me and my son and you're not going to you're not going to take them illegally like that.

01:08:03 Rob Emert

So they that's what that's where rats.

01:08:05 Rob Emert

So I have a.

01:08:06 Rob Emert

I have a court hearing in November.

01:08:09 Rob Emert

But I'm pretty sure I hope I hope I'm wrong.

01:08:13 DAI LUIS PENA

When in November, do you have the, court hearing and wheres that court?

01:08:15 Rob Emert

Court it's the central courthouse, November 17th.

01:08:23 Rob Emert

No, that's in a city well.

01:08:24 DAI LUIS PENA

Or are you talking county the city?

01:08:26 Rob Emert

Yeah, the the family court.

01:08:29 Rob Emert

So the case was with the presiding Judge alksne, but she retired and then they kicked it over to another judge.

01:08:35 Rob Emert

So I'm I'm pretty sure here's what they're going to do.

01:08:38 Rob Emert

And again, I here's the part I can't prove, but this is what I'm speculating on is what they've done the entire time is they're going to try to tell me against my cardiac specialist that I have to show up in person.

01:08:50 Rob Emert

And then they're just going to railroad through contempt orders and then throw them off on somebody to come try to arrest me.

01:08:56 Rob Emert

Without giving me any due process, no fair hearing, no witnesses, and I mean it's just, it's disgusting.

01:09:04 Rob Emert

I I I just.

01:09:05 Rob Emert

I'm like, Oh my gosh, you guys.

01:09:06 Rob Emert

I mean, I can't believe.

01:09:07 Rob Emert

That you're trying to pull.

01:09:08 Rob Emert

This pull this off, but you know it it's, you know.

01:09:13 DAI LUIS PENA

In the federal side of that, you said that.

01:09:16 DAI LUIS PENA

As you mentioned in the beginning that you you spoke.

01:09:19 DAI LUIS PENA

With like the FBI and a couple other DOJ DOJ.

01:09:24 Rob Emert

So I I, I.

01:09:25 DAI LUIS PENA

Do you have any record of that like in that conversation?

01:09:28 DAI LUIS PENA

But any paperwork or anything that they are working on any case number or any?

01:09:32 DAI LUIS PENA

Agent or anyone that's working on that, that if they're working on it, at least I can call and say, hey, you guys working on this and if they do and say something, then I can at least.

01:09:41 DAI LUIS PENA

Pass on and say hey this.

01:09:42 DAI LUIS PENA

This is this is what's being worked on by.

01:09:45 DAI LUIS PENA

FBI or the?

01:09:48 Rob Emert

And you know I have, you know, a court date in November for you.

01:09:52 Rob Emert

And I think.

01:09:54 Rob Emert

I'm trying to to find a new.

01:09:55 Rob Emert

Yeah, I have the e-mail from the DOJ I have.

01:09:58 DAI LUIS PENA

That e-mail, OK, is that some I guess, instead of me looking forward if you can send me that e-mail from the DOJ, did they give you any case number they opened up anything they say?

01:10:06 DAI LUIS PENA

Hey, here's your number.

01:10:07 DAI LUIS PENA

Here's your case number.

01:10:08 DAI LUIS PENA

Here's your file.

01:10:09

We opened up this case under.

01:10:11 Rob Emert

You know, I wish they would, but they they didn't.

01:10:13 Rob Emert

And I called the FBI and they.

01:10:15 Rob Emert

I talked to them and they said, well, it's going to end up with somebody in our public corruption.

01:10:20 Rob Emert

But here between you and I, I'm not going to hold my breath.

01:10:23 Rob Emert

But you know, because they're, you know, they're dealing with some really serious bad people out there.

01:10:27 Rob Emert

But I'm like my my, you know, I I kind of gave them a hard time, a little bit.

01:10:31 Rob Emert

I'm like, look, I'm a law abiding taxpaying citizen as far as I'm concerned.

01:10:36 Rob Emert

My my kids have been kidnapped from me on paper.

01:10:39 Rob Emert

I didn't do anything. And you know my property's been stolen from me. I mean. And here, here's. Here's something.

01:10:46 Rob Emert

You know, I've told you a lot of just horrible, horrific things.

01:10:48 Rob Emert

But here's what's, you know, here's what's really bad is that, that hearing that's coming up in November, I already know what they're.

01:10:56 Rob Emert

And there again I hope I'm wrong on this part because I can't prove this one part, but I think they're going to say you have to show up in person now.

01:11:03 Rob Emert

You know that I all I have to anybody has to say is they have a a COVID concern and they don't have to show up.

01:11:11 Rob Emert

In person. Period.

01:11:14 Rob Emert

And for me they're making the.

01:11:16 Rob Emert

They're saying no I.

01:11:17 Rob Emert

Have to show up in person.

01:11:19 Rob Emert

And here's what's despicable, they said.

01:11:22 Rob Emert

Are all parties have to show up in person?

01:11:24 Rob Emert

And then the day that I showed up in person, opposing counsel said they had a COVID concern and they didn't have to show up in person.

01:11:31 Rob Emert

I mean, so I think that's an equal equal protection violation right there.

01:11:35 Rob Emert

I mean there's the more I learn, the more I'm just like you guys when I get into federal court.

01:11:41 Rob Emert

I'm gonna wipe your guys's. You know, you guys bumped you just you're not.

01:11:44 Rob Emert

Gonna be able.

01:11:45 Rob Emert

To pull this off, so unless they have a bunch of friends, which I'm sure they do.

01:11:49 Rob Emert

But I'm like, OK, well, I have faith in good people out there too, like you.

01:11:53 Rob Emert

So I'm just like I I just thank God that.

01:11:56 Rob Emert

You're you're taking the time to say, well, let's at least give this guy a fair shot because they're not even giving me a fair shot.

01:12:03 Rob Emert

And seriously, you should ask these knuckleheads.

01:12:06 Rob Emert

What did this guy do for you guys to take his rights away?

01:12:10 Rob Emert

They don't have anything.

You pissed them off DAI LUIS PENA

01:12:12 Rob Emert

Yeah, well, yeah, I know I ***** him off.

01:12:13 Rob Emert

Yeah, I ***** him off.

01:12:14 Rob Emert

Yeah. And I was told.

01:12:16 Rob Emert

Yeah. No, no.

01:12:17 Rob Emert

And I was told.

01:12:18 Rob Emert

And here's the thing.

01:12:21 Rob Emert

And if you read through a lot of my paperwork, I am very long winded and I am very sarcastic.

01:12:27 Rob Emert

But if you were to talk to people that have known me my whole life, I am the fun one.

01:12:33 Rob Emert

I'm typically the funny guy of the group and but, and I'm a nice guy, I I go out of my way for lots of people and you know.

01:12:40 Rob Emert

And I think it shows that when you see all these people that wrote affidavits for me.

01:12:44 Rob Emert

And my son.

01:12:45 Rob Emert

But the I.

01:12:46 Rob Emert

You know, I did in some pleadings, I am very probably rudely sarcastic.

01:12:52 Rob Emert

Stick, but I'm like, wait a minute.

01:12:54 Rob Emert

You guys got to put this in perspective.

01:12:55 Rob Emert

Maybe I crossed the line.

01:12:56 Rob Emert

Maybe I ***** people off, but I I told this to I think a couple of people I'm like, hey, how would you like it?

01:13:01 Rob Emert

How would you like it if I walked into your house with no evidence and try to ***** your kids from you?

01:13:09 Rob Emert

I mean, I'm like, you know, what would you do?

01:13:11 Rob Emert

I mean, I think I'm pretty sure you'd flip.

01:13:13 Rob Emert

Out and do a lot worse.

01:13:16 Rob Emert

You know what?

01:13:16 Rob Emert

I mean, I mean, so you got.

01:13:17 Rob Emert

You know, I'm telling these guys, you gotta put in perspective.

01:13:18 DAI LUIS PENA

Yeah, that's I.

01:13:19 DAI LUIS PENA

I think that I think that.

01:13:21 DAI LUIS PENA

Part comes like as far.

01:13:23 DAI LUIS PENA

As say, any crimes committed because?

01:13:25 DAI LUIS PENA

At the time.

01:13:26 DAI LUIS PENA

The emotional state of mind at that point, right?

01:13:29 DAI LUIS PENA

It's like emotional state of mind at that point.

01:13:30 DAI LUIS PENA

That one one has when ones faced with that challenge, right.

01:13:34 DAI LUIS PENA

Like you're gonna take the child away from.

01:13:36 DAI LUIS PENA

Me would expect me to do.

01:13:37 Rob Emert

But and and medicate them and put them in homes, yeah, so.

01:13:38 DAI LUIS PENA

There's no way.

01:13:43 DAI LUIS PENA

Let me see.

01:13:44 DAI LUIS PENA

I guess the question is or.

01:13:47 DAI LUIS PENA

Just to kind of.

01:13:50 DAI LUIS PENA

Kind of start concluding the conversation of it, because I know I have a lot of evidence.

01:13:54 DAI LUIS PENA

I think that the part.

01:13:55 DAI LUIS PENA

That's gonna help me without.

01:13:57 DAI LUIS PENA

Help me in helping.

01:13:58 DAI LUIS PENA

You is that the the part of?

01:14:03 DAI LUIS PENA

Let me see how do you.

01:14:05

If you had it, send.

01:14:06 DAI LUIS PENA

That one by itself.

01:14:06 DAI LUIS PENA

Because otherwise I'm I don't want to listen to a lot of things because I can't really see.

01:14:10 DAI LUIS PENA

I see audio recordings, but I don't know which ones what.

01:14:13 DAI LUIS PENA

So specifically that audio recording.

01:14:15 DAI LUIS PENA

I don't know if you pulled court.

01:14:17 DAI LUIS PENA

Transcripts or not, or if you have something that says it I.

01:14:21 DAI LUIS PENA

Have your statement that says that that.

01:14:24 DAI LUIS PENA

That's what the court was trying to do was.

01:14:25 DAI LUIS PENA

Sending your child to the facility.

01:14:28 DAI LUIS PENA

But also, did you ever speak with anyone?

01:14:31 DAI LUIS PENA

In the ADA.

01:14:33 DAI LUIS PENA

As far as.

01:14:34 DAI LUIS PENA

The basically them violating your rights as far as having show up to court because of your heart condition and you know.

01:14:43 Rob Emert

No, I haven't.

01:14:43 Rob Emert

I I know.

01:14:45 Rob Emert

There's so many things.

01:14:45 Rob Emert

That's what's crazy is that I never realized.

01:14:47 Rob Emert

I mean it.

01:14:48 Rob Emert

It's like it's so much time that I haven't got to the DOJ for the ADA violations yet.

01:14:55 DAI LUIS PENA

But here's what I'm thinking just from evaluating a couple of things.

01:15:00 DAI LUIS PENA

Here I think.

01:15:01 DAI LUIS PENA

What we need to figure out is the biggest thing is why haven't you done what the court has said to do?

01:15:07 DAI LUIS PENA

So, I mean, you know that and you're doing it because you know that the court was wrong. So with that said is can can you figure out something with the ADA have a conversation with them. Do you remember when you talked to them?

01:15:18 DAI LUIS PENA

Or will you talk to them?

01:15:20 DAI LUIS PENA

Because I think we need.

01:15:21 DAI LUIS PENA

To have something on record that shows.

01:15:24 DAI LUIS PENA

Alright, this is what the court transcript showed at the time he tried to comply.

01:15:27 DAI LUIS PENA

At the same time, I'm looking at court records and and during that time.

01:15:32 DAI LUIS PENA

You were bombarded with tons of court documents bombarded with tons of stuff and and instead of them taking a break, they just continue to bombard bunch bunch of stuff.

01:15:40 DAI LUIS PENA

It's like, yeah, there was no pause in there.

01:15:42 DAI LUIS PENA

There was, like, a continual hey, you need.

01:15:44 DAI LUIS PENA

You need this date.

01:15:45 DAI LUIS PENA

You need to come to court.

01:15:46 DAI LUIS PENA

This you need to do this.

01:15:47 DAI LUIS PENA

You need to do that so there was never like.

01:15:49 DAI LUIS PENA

A break to.

01:15:50 DAI LUIS PENA

To say, hey, you just went to the hospital.

01:15:52 DAI LUIS PENA

Get out and we'll give you.

01:15:53 DAI LUIS PENA

A few two weeks, you know, to to handle what you need to handle with your health.

01:15:57 DAI LUIS PENA

Because I'm looking at here, let me look at something that I looked.

01:16:02 DAI LUIS PENA

At from the court.

01:16:05 DAI LUIS PENA

Register of actions in the court and pretty much.

01:16:09 DAI LUIS PENA

Let me see many actions from November, September. So actions from the court, I mean they start the 29th, they expect the application declaration, plan, pleading, pleading, expert application order.

01:16:20 DAI LUIS PENA

These are all like the same day declaration, pleading, declaration, pleading, proof of electronic service expertise, hearing, expected hearing, and then there's a.

01:16:29 DAI LUIS PENA

See what you had mentioned to me was on the third document rejected the filing.

01:16:36 DAI LUIS PENA

The third is the Sunday.

01:16:37 DAI LUIS PENA

So there's that and the 4th being added to the Family Court three challenge on the 4th of October and these are all things you can pull up yourself and I don't.

01:16:48 DAI LUIS PENA

Know if you have this record or not.

01:16:50 DAI LUIS PENA

That you can pull it up from the courts, e-mail or website itself, But I'm I'm noticing all this stuff in it.

01:16:57 DAI LUIS PENA

You know, if you're going on, if I'm going on the idea that OK, on the 29th, you're top 30th. You know, they're trying to do all this court stuff and then we're continuing.

01:17:07 DAI LUIS PENA

Continuing on with the court, it's the first, the third, the 4th, the 5th, the 6th, 7th to 8th, the 10th to 12th, the 14th, the 15th, the 19th, and it just continues like it's just like a bombarding of proof.

01:17:20 DAI LUIS PENA

Like all these things is going into court, I don't know if half of it is yours or not.

01:17:23 DAI LUIS PENA

Doesn't give, doesn't give a name of who's filing this.

01:17:26 DAI LUIS PENA

Right.

01:17:27 DAI LUIS PENA

But these are all the findings these.

01:17:29

Are all the court stuff so.

01:17:30 DAI LUIS PENA

I think if.

01:17:32 DAI LUIS PENA

If you and and and.

01:17:33 DAI LUIS PENA

Here's what I'm I'm looking.

01:17:34 DAI LUIS PENA

I'm trying to look.

01:17:35 DAI LUIS PENA

At how can we?

01:17:38 DAI LUIS PENA

Not push our office to say we.

01:17:41 DAI LUIS PENA

Have to do this for us. DAI LUIS PENA

01:17:43 DAI LUIS PENA

Know because this is where where they're at.

01:17:45 DAI LUIS PENA

They're they. They're like, yeah.

01:17:46 DAI LUIS PENA

Well, this hasn't been solved and nothing's been in court since the last time we went to court. I mean, the last of it we have.

01:17:53 Rob Emert

Well, no. So I I.

01:17:55 Rob Emert

Yeah, I tried to go in.

01:17:56 Rob Emert

I tried to go into court, but again, they said I had to show up in person.

01:18:00 Rob Emert

And I'm like, well, that's funny, because everything pretty much has been remote.

01:18:03 Rob Emert

So why is it you want me in court so bad and red?

01:18:07 DAI LUIS PENA

To to basically do what you're.

01:18:09 DAI LUIS PENA

Thinking exactly, yeah.

01:18:12 DAI LUIS PENA

I mean that's that's the reason, alright.

01:18:15 DAI LUIS PENA

But I think I'd I'd say there's urgency to get it done because if I don't see anything, I mean I'm gonna start off with.

01:18:25 DAI LUIS PENA

Hey, Robert called me.

01:18:27 DAI LUIS PENA

I didn't reach out to him because they didn't want me to reach out to you, and so he reached out to me and we had a conversation.

01:18:32 DAI LUIS PENA

And here's some information, but at the same time, I think we need to start having basically.

01:18:38 DAI LUIS PENA

The paperwork going two your ex talking about court or talking about basically get that wheel moving again and showing that the wheel is moving and court dates are coming.

01:18:50 DAI LUIS PENA

We have a court date in November basically showing everyone in the court that you know what the wheel is moving.

01:18:56 DAI LUIS PENA

We're we're moving.

01:18:56 DAI LUIS PENA

If it's gonna be November, it's gonna be November.

01:18:58 DAI LUIS PENA

This wheel is.

01:18:59 DAI LUIS PENA

We need it if we need to do an ex parte sooner than that, then it needs to happen and I think it needs to happen.

01:19:04 DAI LUIS PENA

In your part.

01:19:05 DAI LUIS PENA

It does need to happen by the by your.

01:19:07 DAI LUIS PENA

Ex. Trying to do.

01:19:09 DAI LUIS PENA

That I think if.

01:19:10 DAI LUIS PENA

You were to go to court and say, hey, I need this expert to hearing, but you come with the evidence you need.

01:19:15 DAI LUIS PENA

And here's the thing.

01:19:17 DAI LUIS PENA

As far as the judge getting ***** and wanting to arrest you and so forth, this is.

01:19:23 DAI LUIS PENA

I'm going to tell you as a non law enforcement person now, just me as a person, your son.

01:19:28 DAI LUIS PENA

Mary may not be with you.

01:19:31 DAI LUIS PENA

How I put it?

01:19:32 DAI LUIS PENA

You know, the court may tell you one thing, but you know better.

01:19:37 DAI LUIS PENA

He may or may not be with him, but as far as you knowing what may happen and you telling the court and this is where I think the ADA part comes in, if you're gonna file to say I I don't, I can't show up. I want to be part of this hearing. I want to to to do what I.

01:19:52 DAI LUIS PENA

There, but because of this documentation I.

01:19:56 DAI LUIS PENA

Can't show it to court, right?

01:19:58 DAI LUIS PENA

I want to be part of this here and I want us to clear this up.

01:20:01 DAI LUIS PENA

I don't want the.

01:20:03 DAI LUIS PENA

District Attorney's office or you know.

01:20:04 DAI LUIS PENA

Basically to to.

01:20:06 DAI LUIS PENA

File a warrant, you know?

01:20:08 DAI LUIS PENA

Or to put a warrant out for my arrest, I need to to handle this, you know, and you can say.

01:20:13 DAI LUIS PENA

I mean, I don't think there's anything.

01:20:14 DAI LUIS PENA

Wrong with saying.

01:20:15 DAI LUIS PENA

In in the conversation.

01:20:16 DAI LUIS PENA

I had with the.

01:20:17 DAI LUIS PENA

District Attorney investigator at luis pena

01:20:20 DAI LUIS PENA

He explained to me.

01:20:21 DAI LUIS PENA

He's right to work from us and I I don't believe that's important.

01:20:24 DAI LUIS PENA

I don't believe I am here.

01:20:25 DAI LUIS PENA

I want to talk to.

01:20:26 DAI LUIS PENA

Everyone I want to fix what I need to.

01:20:28 DAI LUIS PENA

Next, but I want the court.

01:20:29 DAI LUIS PENA

To hear me about with all.

01:20:30 DAI LUIS PENA

This evidence I.

01:20:33 DAI LUIS PENA

The biggest thing is also.

01:20:35 DAI LUIS PENA

Put out there.

01:20:36 DAI LUIS PENA

That your son is 15 and he was 14 when this started and there was no, there was no reason for us to even open the case.

01:20:43 DAI LUIS PENA

But since it's open now, then what are we going to do, right?

01:20:45 DAI LUIS PENA

Like you understanding that?

01:20:47 DAI LUIS PENA

And mentioning to the court.

01:20:49 DAI LUIS PENA

And I know they're gonna try to make a.

01:20:50 DAI LUIS PENA

Big deal about your son.

01:20:53 DAI LUIS PENA

Talking about son Ohh, disabilities here disabilities there, but I mean you could simply just put the IEP does not raise the level of his, you know spectrum to that level like there's no reason.

01:21:02 DAI LUIS PENA

There's many kids that are that are in the spectrum. There are in IEPs and I don't believe that the DA's office is is doing anything about it, you know, but here for my son.

01:21:13 DAI LUIS PENA

You guys are.

01:21:13 DAI LUIS PENA

You know, there's no reason.

01:21:15 DAI LUIS PENA

You know, there's no reason for that.

01:21:16 DAI LUIS PENA

And I think that's something, you know, it's just my opinion of it.

01:21:19 DAI LUIS PENA

But I believe that's something is and and continue all the facts that you have and I think.

01:21:24 DAI LUIS PENA

The big thing is.

01:21:26 DAI LUIS PENA

There is no reason.

01:21:27 DAI LUIS PENA

For them to take any rights from you as a parent and as far as is it wrong to and and sometimes you know, we gotta eat our words sometimes, but it's the idea of saying apologizing to the court, to everyone here.

01:21:29 DAI LUIS PENA

Right.

01:21:40 DAI LUIS PENA

But This is why I've done this, you know.

01:21:43 DAI LUIS PENA

You know right.

01:21:44 DAI LUIS PENA

And I think sometimes a little.

01:21:46 DAI LUIS PENA

So understanding of that why everyone while you're there and everyone could be ***** at you, it could be like, hey, apologize to everyone that.

01:21:52 DAI LUIS PENA

May be here.

01:21:53 DAI LUIS PENA

Whatever I think that comes out.

01:21:54 DAI LUIS PENA

At least sympathetic.

01:21:56 DAI LUIS PENA

At some point saying, hey, this is, but this is these.

01:21:59 DAI LUIS PENA

Here are the reasons and I think we.

01:22:01 DAI LUIS PENA

Need that evidence?

01:22:01 DAI LUIS PENA

To prove that they wanted to put them in a facility, we need that.

01:22:04 DAI LUIS PENA

That needs to.

01:22:05 DAI LUIS PENA

Be one of the first few things.

01:22:06 DAI LUIS PENA

Because then there's good cause and you can say I do have good cause and I believe that with these other cases good cause is very important which is.

01:22:14 DAI LUIS PENA

We look at good cause for many reasons, right?

01:22:16 DAI LUIS PENA

There's a lot of reasons why we pause on arresting people because of good cause.

01:22:19 DAI LUIS PENA

So I think with that said, we.

01:22:21 DAI LUIS PENA

Need we need to have that being?

01:22:23 DAI LUIS PENA

Number one that you have good cause of why this all occurred.

01:22:27 DAI LUIS PENA

And here's the reason.

01:22:29 DAI LUIS PENA

And show that.

01:22:30 DAI LUIS PENA

As far as the evidence and prove it not be too long.

01:22:34 DAI LUIS PENA

That we did on that part, just to say, here's the.

01:22:36 DAI LUIS PENA

Facts this is what it was said here it is on paper.

01:22:39 DAI LUIS PENA

Here it is on here and that is why and I believe I have good cause.

01:22:42 DAI LUIS PENA

In in doing what I did?

01:22:43 DAI LUIS PENA

And you you can give, you can find evidence online to prove your your side of it.

01:22:48 DAI LUIS PENA

To say that you did have good.

01:22:50 DAI LUIS PENA

And then it goes on from.

01:22:51 DAI LUIS PENA

There. But you know that.

01:22:53 DAI LUIS PENA

They're going to.

01:22:53 DAI LUIS PENA

Be using all these other.

01:22:55 DAI LUIS PENA

Things behind you.

01:22:56 DAI LUIS PENA

And I think if you're able to bring someone, they may or may not want to hear from them, but be able to bring people to support you in that matter.

01:23:06 DAI LUIS PENA

I think as you know, the way society is right.

01:23:08 DAI LUIS PENA

Now it's like.

01:23:09 DAI LUIS PENA

You come by.

01:23:10 DAI LUIS PENA

Well, no one else is in here.

01:23:11 DAI LUIS PENA

If you bring plenty of people on your side that are gonna be there for.

01:23:15 DAI LUIS PENA

You on that.

01:23:16 DAI LUIS PENA

Court date specifically.

01:23:17 DAI LUIS PENA

For you on that.

01:23:17 DAI LUIS PENA

Court date to.

01:23:18 DAI LUIS PENA

Back to you and.

01:23:19 DAI LUIS PENA

Your son and for your son to.

01:23:23 DAI LUIS PENA

Make a recording video recording of it or something and give it to the court and give it to someone and him put it in his own words.

01:23:30 DAI LUIS PENA

I mean, writing is one thing that's already written.

01:23:32 DAI LUIS PENA

I think that's, you know, something that the court has have, like a bit of record him talking about him, him being vocal about it.

01:23:39 DAI LUIS PENA

I think we've told plenty of parents, your sons of age, that he can tell the court where he wants to go.

01:23:44 DAI LUIS PENA

Simple as that, if they.

01:23:46 DAI LUIS PENA

Try to make a big.

01:23:47 DAI LUIS PENA

A big deal of his IEP and the spectrum we like that should be no reason why my son cannot basically explain to the Court where he wants to be.

01:23:56 DAI LUIS PENA

And of course, they're gonna try to go around about.

01:23:59 DAI LUIS PENA

Say, well, he can't, you know, make his.

01:24:02 DAI LUIS PENA

He can't do this.

01:24:02 DAI LUIS PENA

He can't do that, but.

01:24:04 DAI LUIS PENA

Who's to say that he can't?

01:24:06 DAI LUIS PENA

Right, like that's that's the biggest thing is who's to?

01:24:08 DAI LUIS PENA

Say that he.

01:24:09 DAI LUIS PENA

Cannot the court or a profession?

01:24:12 DAI LUIS PENA

If you want a professional, here's a professional and you bring that professional.

01:24:15 DAI LUIS PENA

Court that you can't, you know, it's.

01:24:17 Rob Emert

Check this out.

01:24:17 Rob Emert

I mean, there's so many onion slices.

01:24:19 Rob Emert

What has that term go?

01:24:21 Rob Emert

Layers of the onion here is that I actually minor council was and Commissioner ratekin was trying to prevent.

01:24:31 Rob Emert

Me from getting psychologists to meet with the kids so they because they they had their agenda and they basically had their rubber stamps, but they didn't want like put it this way.

01:24:43 Rob Emert

I went to the San Diego Regional Center, really well respected, you know, place here in San Diego.

01:24:51 Rob Emert

And to to.

01:24:52 Rob Emert

Have what's called a wrap around therapy with me and the kids and the.

01:24:54 Rob Emert

Mom, if she wanted.

01:24:55 Rob Emert

To jump in on it.

01:24:57 Rob Emert

But she didn't have to.

01:24:59 Rob Emert

And David Schulman, opposing counsel basically threatened the San Diego Regional Center with an injunction, saying that I don't have any rights as a parent.

01:25:09 Rob Emert

So basically, I wasn't allowed to basically get any kind of a therapy for me and the kids.

01:25:15 DAI LUIS PENA

Was this when you have 50/50

01:25:16 Rob Emert

Yeah, yeah. But it was. Remember, it was after it was 50/50. Then after a month of Commissioner Radican, she took away my legal rights.

01:25:24 Rob Emert

So they were trying to say that the ex-wife was saying that she didn't want me to be able to have therapy with the children.

01:25:33 Rob Emert

And then it gets even worse.

01:25:35 Rob Emert

My, they hit me up with the psychological evaluation, which is to me.

01:25:39 Rob Emert

I have a pretty.

01:25:40 Rob Emert

Good sense of humor.

01:25:41 Rob Emert

So when they said that, I almost sort of laughing, I think the psychological evaluation of you, Mr. emert

01:25:45 Rob Emert

And I'm like.

01:25:46 Rob Emert

Really, the was like just like, are you kidding me?

01:25:49 Rob Emert

You know, OK, whatever, you know, but.

01:25:53 Rob Emert

They ordered with no good cause of psychological evaluation of me and at the time, huh.

01:25:59 DAI LUIS PENA

I I don't see.

01:26:01 DAI LUIS PENA

Where was that written?

01:26:03 Rob Emert

Here's one in one of the orders from Patty Radkin that she.

01:26:05 Rob Emert

Wanted a psychological.

01:26:06 DAI LUIS PENA

I see a 730 evaluation.

01:26:08 Rob Emert

Yeah, they made that later, but check this out. This is ridiculous. So that again, two years that never came up and it came up after Patty Radkin and you know. And again, remember, Patty Radican, supervising judge judges, wife works with my ex-wife.

01:26:11 Rob Emert

OK.

01:26:25 Rob Emert

And that by itself just.

01:26:26 Rob Emert

Blows the whole thing out of the water pretty much.

01:26:28 Rob Emert

I mean, that's a total ethics violation.

01:26:30 Rob Emert

And then the next supervising judge of Patty Radican was Dave Schulman, opposing counsels, business law partner.

01:26:38 Rob Emert

When they found their law firm.

01:26:40 Rob Emert

I mean, it's like, Oh my gosh, you guys, you know, you, you know better.

01:26:43 Rob Emert

And I think that's why they're all trying to shut me down, telling you to.

01:26:45 Rob Emert

Sign off whenever you need to sign offline and throw throw me in jail so they could say haha we won because I've been .

01:26:51 Rob Emert

Basically, basically telling them that they're a bunch of frauds and they're losers and they should know better and they're scumbags than they are because what they've done in my family, my children, is despicable.

01:27:05 Rob Emert

And you know, I say I tell them that daily.

01:27:07 Rob Emert

I said, you're despicable.

01:27:08 Rob Emert

You know, you're you're you're you're scum.

01:27:11 Rob Emert

But uh, and that's why they really hate me as I've called them out for being scum.

01:27:14 Rob Emert

But they are, you know, it's.

01:27:15 Rob Emert

Like dude, you don't.

01:27:16 Rob Emert

You don't do that to people.

01:27:17 Rob Emert

Come on, you.

01:27:18 Rob Emert

Know it's like uh, but anyways, the.

01:27:23 Rob Emert

They they told everybody the family to get into therapies early on and I'm like, OK, whatever, you know, I wasn't gonna fight the system.

01:27:30 Rob Emert

You know, I'll just go with the flow.

01:27:31 Rob Emert

You know, whatever.

01:27:32 Rob Emert

So anyways, I was seeing a psychologist, and the psychologist was nice enough after like 15 visits, you know, there's some guy right off my Blue Shield insurance.

01:27:40 Rob Emert

You know what I mean?

01:27:42 Rob Emert

And he wrote me a nice letter that basically said that.

01:27:47 Rob Emert

I was checked out fine.

01:27:49 Rob Emert

Emotionally and UM, no DSM 5 diagnosis, and I was, you know.

01:27:54 Rob Emert

I was a regular dude.

01:27:57 Rob Emert

Patty Radkin saw that she was all not going to accept this.

01:28:01 Rob Emert

And I'm like, uh, he's right off of my Blue Shield insurance.

01:28:05 Rob Emert

He's a licensed therapist.

01:28:06 Rob Emert

Graduated, I think, for Pepperdine.

01:28:07 Rob Emert

You know what I mean?

01:28:08 Rob Emert

You know, 20 years in practice, why wouldn't you?

01:28:12 Rob Emert

Ohh no, no.

01:28:12 Rob Emert

I'm not gonna accept that.

01:28:13 Rob Emert

And I said, OK, so you're not gonna accept my letter from my therapist?

01:28:17 Rob Emert

Check this part.

01:28:18 Rob Emert

I submitted and then. This is your you. You have this in the paperwork that you have there. I said, do you see that letter from my ex wife's doctor? But anyways, the my ex-wife has a diagnosis and DSM 5 diagnosis.

01:28:36 Rob Emert

And took a bunch of medicine.

01:28:38 Rob Emert

Takes a bunch of medicine for it.

01:28:39 Rob Emert

Patty Radkin says.

01:28:41 Rob Emert

No, we're not going to.

01:28:42 Rob Emert

We're not going to let.

01:28:43 Rob Emert

That into evidence.

01:28:44 Rob Emert

So they're disregarding my wife'll known.

01:28:49 Rob Emert

DSM 5 diagnosis of personality disorder.

01:28:54 Rob Emert

And all the medicines she was taking for.

01:28:57 Rob Emert

They they don't want to allow that, but then they go they they disallow my letter from my therapist as I check out just fine.

01:29:05 Rob Emert

And then further wants to say we're not going to accept that letter. We want you to get a full 730.

01:29:10 Rob Emert

And I'm like, huh?

01:29:11 Rob Emert

Well, that doesn't seem, you know, it doesn't seem that doesn't seem fraudulent at all, does it?

01:29:17 Rob Emert

You know, it's like.

01:29:18 Rob Emert

Come on, you know.

01:29:19 Rob Emert

So that's why these guys hate me is because they do stuff that's so fraudulent.

01:29:23 Rob Emert

And when they have their lawyers kind of going back and forth.

01:29:26 Rob Emert

They get to make deals.

01:29:27 Rob Emert

And you know I'm.

01:29:28 Rob Emert

I'm right there looking at.

01:29:29 Rob Emert

Him going, dude, do.

01:29:30 Rob Emert

I that stupid right in my forehead?

01:29:32 Rob Emert

Or are you kidding me?

01:29:33 Rob Emert

Are you really gonna try to pull that off?

01:29:35 Rob Emert

You, you fraud, you know?

01:29:36 Rob Emert

So that's again, I I kind of dug my hole with that, but these guys were going to do it anyways.

01:29:41 Rob Emert

You know, they really were.

01:29:42 Rob Emert

They were going to do what they're going to do.

01:29:43 Rob Emert

And I just, I was, you know, one of the retired judges that I talked to, that's a friend of a friend.

01:29:50 Rob Emert

Really good guy and he.

01:29:53 Rob Emert

Very, you could tell he has experience in this stuff.

01:29:56 Rob Emert

He knows what's going on and here's what he basically said verbatim.

01:30:00 Rob Emert

He was like this and I said, what do you think I should do?

01:30:02 Rob Emert

And he and he went like this.

01:30:04 Rob Emert

He said he's an older guy and he took a pause, went like this went.

01:30:13 Rob Emert

That's kind of like.

01:30:14 Rob Emert

What he did?

01:30:15 Rob Emert

And he says, Rob.

01:30:19 Rob Emert

I know the people you're dealing with.

01:30:22 Rob Emert

And he said, I'm going to leave it at this.

01:30:24 Rob Emert

You're dealing with some really bad apples.

01:30:27 Rob Emert

And he said.

01:30:32 Rob Emert

Even if you.

01:30:32 Rob Emert

Had \$1,000,000 in the bank.

01:30:35 Rob Emert

You're not going to win.

01:30:36 Rob Emert

This fight, these guys.

01:30:38 Rob Emert

Have a lot of friends in their pocket and they're going to keep.

01:30:41 Rob Emert

Coming after you, he said.

01:30:43 Rob Emert

Is there any way you?

01:30:44 Rob Emert

Can just walk away.

01:30:46 Rob Emert

This is a retired judge that knows most of the players in the San Diego Family Court, he says.

01:30:52 Rob Emert

Can you walk away?

01:30:53 Rob Emert

And I said, you know what I would?

01:30:56 Rob Emert

But I can't do that to my son.

01:30:57 Rob Emert

It would ruin him for the rest of his life.

01:31:01 Rob Emert

And he said then, you know, you're a person of good conscience.

01:31:04 Rob Emert

You gotta do.

01:31:07 Rob Emert

I mean, it's hard.

01:31:10 DAI LUIS PENA

Hey, let me ask.

01:31:10 DAI LUIS PENA

You 730 valuation. I've read on it, tried to understand, get a good I guess.

01:31:19 DAI LUIS PENA

Understanding of it overall, I mean the way I understanding.

01:31:22 DAI LUIS PENA

This is just.

01:31:22 DAI LUIS PENA

Googling kind of stuff to I believe.

01:31:26 DAI LUIS PENA

It was just.

01:31:27 DAI LUIS PENA

The way it reads.

01:31:27 DAI LUIS PENA

It is in depth analysis of the family and their members relationships with one another, what how is it written that the 7:30 valuation?

01:31:37 DAI LUIS PENA

Is just for yourself.

01:31:40 Rob Emert

It's not. Yeah. No, it's harassment. They're they're just harassing me, so there's no they. They're supposed to be good cause for a 7:30. So what happened was.

01:31:49 Rob Emert

They just, these guys know the law, really.

01:31:52 Rob Emert

Well, and to move the football down the field, they basically do it in little pieces.

01:31:59 Rob Emert

And so you get to where we're at right now.

01:32:01 Rob Emert

And then when I bring up, you guys have nothing to take my rights away.

01:32:05 Rob Emert

And they said, well, we've already, like, you're trying to relitigate something.

01:32:08 Rob Emert

We talked about two years ago and I'm like, well, no, it's still valid, I said.

01:32:12 Rob Emert

You guys just keep.

01:32:13 DAI LUIS PENA

Yeah, like it's the same point.

01:32:14 DAI LUIS PENA

Yeah, it's the same.

01:32:15 DAI LUIS PENA

Just happens to be two years later.

01:32:16 Rob Emert

Yeah, you you don't have anything.

01:32:18 Rob Emert

And here's between you and I.

01:32:20 Rob Emert

All they had.

01:32:21 Rob Emert

So this is how desperate they were. So after two years of Dave Schulman, opposing counsel, digging my ex-wife into a hole financially, \$200,000 that they now say is a lot less.

01:32:31 Rob Emert

Which is concerning right there, but we could could subpoena the records and show that they probably paid a lot more, but I'm not going to go down that rabbit hole.

01:32:38 Rob Emert

But I I'm I'm pretty sure they're lying, but after he dug my ex-wife into a financial hole, he needed to win. And so.

01:32:49 Rob Emert

Oh gosh, I forgot what my train of thought was, what was what to say right before that.

01:32:52 Rob Emert

I was going to tell you something real important.

01:32:54 DAI LUIS PENA

Oh, I was just talking about 7:30. I mean, I'm. I'm trying to. I'm trying to grab an understanding, cause it sounds like for for me, they get to talk to everyone, interview everyone and including the children and basically give their opinion to the court.

01:33:07 DAI LUIS PENA

And you can pick on the paper.

01:33:07 DAI LUIS PENA

Right.

01:33:08 DAI LUIS PENA

On there it says that you can pick whoever.

01:33:10 DAI LUIS PENA

Yeah, from whatever list to have someone do that.

01:33:13 DAI LUIS PENA

So basically I would give you opportunity to have an outside person which you get to pick to do the evaluation of your of your custody.

01:33:22 DAI LUIS PENA

Basically a custody evaluation.

01:33:23 Rob Emert

Right. Yeah. Where's the problem with the 7:30? And I told them way early on.

01:33:27 Rob Emert

I said I would do it, but they're they they gotta pay for it because I.

01:33:29 Rob Emert

Was stay at home.

01:33:30 Rob Emert

Dad, I don't have that money.

01:33:32 DAI LUIS PENA

So it says there that you have to pay for.

01:33:34 DAI LUIS PENA

It on your own.

01:33:34 DAI LUIS PENA

If they're forcing you to do it.

01:33:36 Rob Emert

Yeah, and. And there's no good cause for it and that's about it's about 10 or \$15,000.

01:33:41 DAI LUIS PENA

Why wouldn't the court, if they're the ones demanding it, why wouldn't they?

01:33:44 DAI LUIS PENA

Just do exactly so then.

01:33:46 Rob Emert

So then what they tried to they again strong arm me is that?

01:33:50 Rob Emert

And I read the laws on this, but basically I got lucky.

01:33:53 Rob Emert

I have a loving family here in San Diego.

01:33:55 Rob Emert

And my my sister's 56. My parents are like 80 ish. Almost Long story short, they turned their house upside down.

01:34:03 Rob Emert

So I can move in and I'm still, you know, so that I have a nice home.

01:34:08 Rob Emert

Nice, good food, stable environment.

01:34:11 Rob Emert

You know, to live with me and my two kids at my parents house where I could continue where I could home school.

01:34:16 Rob Emert

Bryce and have have a nice life, you know?

01:34:20 Rob Emert

And they were trying to say no, no, no.

01:34:21 Rob Emert

You've got to go to work.

01:34:22 Rob Emert

And I'm like, no, no, no, I don't.

01:34:24 Rob Emert

The the law says that as long as I provide for my kids in a stable, healthy environment that that's what's required.

01:34:30 Rob Emert

So no, I don't have to go get a job to pay you and your salary and your your cronies, you know.

01:34:37 Rob Emert

Because the seven 30s get really, there's only a handful of them that do it in San Diego, right?

01:34:42 DAI LUIS PENA

And that and you know.

01:34:44 DAI LUIS PENA

Yeah, I mean, I'm reading here hourly. She is 100 to \$400.00 and adds up. I mean it can go.

01:34:51 DAI LUIS PENA

I mean, if you got to interview everyone and.

01:34:52 DAI LUIS PENA

Do an evaluation.

01:34:53 DAI LUIS PENA

And everything you know, thousands of dollars and it has to be paid because I I.

01:34:57 DAI LUIS PENA

Just typed in.

01:34:58 DAI LUIS PENA

And this is means.

01:34:59 DAI LUIS PENA

When spouse pays for it or the family reserves the power to the other spouse.

01:35:04 DAI LUIS PENA

So basically between the.

01:35:05 DAI LUIS PENA

Two of you, you have to pay for some.

01:35:07 Rob Emert

Yeah, well, she was the one.

01:35:09 Rob Emert

She was the and.

01:35:10 Rob Emert

And here's what's even uglier.

01:35:11 Rob Emert

I I know because these are more like side notes at this point.

01:35:14 Rob Emert

But just to make you realize the bigger picture here is that 14 year marriage, basically seven years stayed home. I was a I worked out of the house making about 100,000 on.

01:35:25 Rob Emert

Average a year.

01:35:28 Rob Emert

After seven years, I was a stay.

01:35:29 Rob Emert

At home, dad.

01:35:29 Rob Emert

For the last seven years now, for the last seven years, we could have made it on my wifes salary as a teacher.

01:35:37 Rob Emert

She's a drama teacher, so she says.

01:35:39 Rob Emert

I'm a certified teacher, dude.

01:35:42 Rob Emert

She's a freaking drama teacher.

01:35:43 Rob Emert

She doesn't teach anything else other than.

01:35:47 Rob Emert

Unless you she might have changed by now, but she's a drama teacher.

01:35:52 Rob Emert

And if she says she doesn't like drama in her life, be a that's.

01:35:55 Rob Emert

That's all she lives for is drama, but anyways.

01:36:01 Rob Emert

When I decided to be a stay at home parent, I was still trying to work a little bit to make sure that my ex-wife wasn't, you know, carrying the financial burden of the whole family and my parents who are very middle class.

01:36:18 Rob Emert

They came into a little bit of money because my grandmother passed away around that time.

01:36:23 Rob Emert

And my my my mom was able to give me and loan me on average probably about two eighty \$280,000 to be to enable me to be a stay at home parent.

01:36:37 Rob Emert

And there's a lot of strings that were kind of attached to that.

01:36:41 Rob Emert

Regarding what's a loan and what I pay back and what I have to pay back my sister, you know, the whole bunch of stuff that I'll put on the side because it's not relevant.

01:36:47 Rob Emert

But it was money that I'll.

01:36:49 Rob Emert

Never get again.

01:36:50 Rob Emert

Money that I that I basically use.

01:36:53 Rob Emert

For our family unit and the children at that time.

01:36:57 Rob Emert

When the money ran out seven years later.

01:37:00 Rob Emert

Then all of a sudden we have this whole.

01:37:02 Rob Emert

Divorce scenario pop up, you know, I mean, it's like, oh, really?

01:37:06 Rob Emert

What a coincidence and.

01:37:09 Rob Emert

You know, she runs around telling everybody like she was the sole breadwinner.

01:37:13 Rob Emert

It's like, no, you really weren't.

01:37:15 Rob Emert

And you're you're lying because she likes to play the victim.

01:37:18 Rob Emert

I'm not sure if you saw something else in here.

01:37:19 Rob Emert

That's a really a big.

01:37:22 Rob Emert

But basically, shortly after the divorce was filed.

01:37:27 Rob Emert

And I basically I tried to do mediation offers with my ex-wife. I said look, let's just do it the right way.

01:37:33 Rob Emert

Why don't we just go to a mediator and whatever they say, well, you know, let's make it happen and go out.

01:37:38 Rob Emert

With some class.

01:37:39 Rob Emert

You know I have.

01:37:40 Rob Emert

2 emails I'll show you actually have them.

01:37:42 Rob Emert

They're in that.

01:37:42 Rob Emert

They're in that folder.

01:37:43 Rob Emert

But anyways, she said no and.

01:37:47 Rob Emert

Basically, **** you.

01:37:48 Rob Emert

And she, you know, is obvious.

01:37:49 Rob Emert

She wanted to come after me for whatever reason that she she.

01:37:52 Rob Emert

Here's what it comes down to.

01:37:53 Rob Emert

She's very resentful because.

01:37:56 Rob Emert

He just says I'll.

01:37:56 Rob Emert

Leave it at that, but the.

01:38:02 Rob Emert

What she did this is this is actually a really big deal because I'm going to sue her in civil court.

01:38:08 Rob Emert

And here's one of the main things on how our divorce started is that when she knew that she was going to probably lose.

01:38:17 Rob Emert

Initially because I got 60% custody, family court services recommended that I had 60%.

01:38:22 Rob Emert

Custody right out of the gate.

01:38:25 Rob Emert

So I had that 60% of both.

01:38:27 Rob Emert

Kids right out.

01:38:27 Rob Emert

Of the gate. And then it went to 5050, which was straining on both children.

01:38:33 Rob Emert

So what I did for my daughter, I said, hey, you know, Skyler, I said, if you want to see your mom ever, don't feel guilty about it, I'll make it happen.

01:38:40 Rob Emert

And I don't care if it's two in the morning.

01:38:41 Rob Emert

I'll make it happen.

01:38:42 Rob Emert

You know, that's how much I love you.

01:38:44 Rob Emert

And it made our relationship better.

01:38:46 Rob Emert

You know, I I.

01:38:46 Rob Emert

You know, just did. But my ex-wife was so resentful that she would rather our son sit in his bedroom by himself crying and screaming and being upset and angry than let him be with me. That's how resentful she was. It's just.

01:39:04 Rob Emert

But anyways, the to get something going.

01:39:07 Rob Emert

I was at Disneyland.

01:39:08 Rob Emert

This is pretty COVID right before pre COVID was the.

01:39:10 Rob Emert

Thing and I had Disneyland passes and I would take the kids constantly, you know, two hours here, 2 hours there because you know, you only talking about 45 minutes, you know, to get up there anyways.

01:39:22 Rob Emert

I take the kids to Disneyland one day and I come home.

01:39:26 Rob Emert

And the ex-wife picks a fight.

01:39:29 Rob Emert

It turns out that I mean I can see what she's doing because she's really over exaggerating the fight, so I make sure I keep my distance from her.

01:39:38 Rob Emert

And she ultimately caused the police.

01:39:43 Rob Emert

Luckily, they arrested her.

01:39:46 Rob Emert

And because they took statements from me and the kids and they said OK, she was the aggressor, they arrested her.

01:39:52 Rob Emert

The police officer asks me, do you want to get a restraining order on her to kick her out of the house for the next two weeks?

01:40:00 Rob Emert

Nice guy that I am.

01:40:01 Rob Emert

I say no, I'm not going to do that to her.

01:40:04 Rob Emert

Tell her to come back tomorrow and we'll, you know, try to be nice and play nice, you know, and figure this out.

01:40:10 Rob Emert

You know what that scumbag did?

01:40:13 Rob Emert

The next morning.

01:40:15 Rob Emert

She runs over to the courthouse.

01:40:18 Rob Emert

Lies to the court.

01:40:20 Rob Emert

And files A restraining order against me and doesn't tell him she was arrested the night before for domestic violence.

01:40:28 Rob Emert

I find out through the Grapevine cause she's like ha ha ha.

01:40:31 Rob Emert

I'm gonna get rob

01:40:32 Rob Emert

Kicked out of the house, she tells the wrong people.

01:40:34 Rob Emert

And and I'm I'm kind of.

01:40:35 Rob Emert

So somebody tells me.

01:40:37 Rob Emert

So I talked to a couple of people and they say, you know what you need to do is just be honest, you know, and you know, so call the police, call the CPS, call whoever you need to call the school and tell everybody what.

01:40:49 Rob Emert

You're doing so Long story short.

01:40:52 Rob Emert

I tell everybody, including the police, I said, hey, here's and and the school.

01:40:56 Rob Emert

Here's what I'm doing.

01:40:57 Rob Emert

I said I've got my kids and I'm going to go on a couple days vacation.

01:41:04 Rob Emert

Anybody can talk to me or the kids whenever they want.

01:41:06 Rob Emert

And I'm going to wait for my day in court.

01:41:09 Rob Emert

And legally, I have every right to do this because I'm not going to be kicked out of my my house illegally when she lied to the court for a bogus restraining order.

01:41:18 Rob Emert

And I said if I leave the house without the children, that's going to be considered abandonment.

01:41:23 Rob Emert

And then I can't come back to my own home.

01:41:25 Rob Emert

So I said so, you know, whatever.

01:41:27 Rob Emert

So between you.

01:41:28 Rob Emert

Know I in retro.

01:41:29 Rob Emert

I went back to Disneyland hotel.

01:41:31 Rob Emert

I went back to Disneyland cause I had passes and you know the kids liked it there.

01:41:34 Rob Emert

So go back to.

01:41:35 Rob Emert

Disneyland for a.

01:41:35 Rob Emert

Couple of days and it's a pain in the **** because I'm dealing with the legal stuff, so I couldn't have fun.

01:41:41 Rob Emert

But you know, try to have as much fun as you can.

01:41:43 Rob Emert

And then kind of that in this?

01:41:44 Rob Emert

Scenario. So then what my ex-wife does is now she's ***** because she got arrested.

01:41:50 Rob Emert

She got she got.

01:41:51 Rob Emert

She can't kick me out of the house.

01:41:53 Rob Emert

So then what she does is she goes to.

01:41:55 Rob Emert

Our kids schools.

01:41:57 Rob Emert

And she basically tells friends of hers that she has at the kids schools that I'm a crazy man and that I might that I hijacked our kids and that I might kill them.

01:42:11 Rob Emert

So now what she does is she has her friend at the school that she tells that to.

01:42:15 Rob Emert

She doesn't realize they don't realize there's a record that I talked that I emailed other.

01:42:21 Rob Emert

And they all know exactly what's going on, and the her friend knew it was going on, but her.

01:42:26 Rob Emert

Friend was still.

01:42:26 Rob Emert

Backing her, even though she knew what was going on.

01:42:30 Rob Emert

So then what my ex-wife does is she calls CPS because she has both her brothers are divorced, she got a she knows everything about divorce.

01:42:37 Rob Emert

So she thought she had me.

01:42:39 Rob Emert

That's what this comes down to.

01:42:40 Rob Emert

And they're really pissed off.

01:42:41 Rob Emert

They didn't run me over like they thought.

01:42:43 Rob Emert

They're gonna run me over.

01:42:44 Rob Emert

So she then called CPS.

01:42:48 Rob Emert

And remember, CPS has walked away from this.

01:42:50 Rob Emert

They they they gave me a letter saying.

01:42:52 Rob Emert

No, we're not doing anything.

01:42:54 Rob Emert

But anyways, back then, CPS shows up to the school because my ex-wife called her and CPS talks to my my ex wife's friend at the school and basically they show that share this story about how I'm a crazy man.

01:43:08 Rob Emert

I might kill my kids.

01:43:11 Rob Emert

What a coincidence now opposing counsel.

01:43:15 Rob Emert

Puts this document in front of the court.

01:43:19 Rob Emert

You know, I mean, it's just what they've done this entire time is so shady. It's so despicable. And I think that's why they're trying to shut me down because what they're trying to do is if I get thrown in jail, they're but they're probably hoping is #1. It's going to break my spirit and #2 all the people that have backed me.

01:43:37 Rob Emert

They're probably going to think to themselves.

01:43:40 Rob Emert

Ooh, did we maybe back the wrong horse?

01:43:43 Rob Emert

You know, I'm saying because all those people, because, again, we're all human.

01:43:47 Rob Emert

And it's like if I didn't experience this first hand, if I met you, you know, and you know, and we would know each other, make you at A at a party friend of.

01:43:55 Rob Emert

Mine mutual friend party.

01:43:57 Rob Emert

And you tell me the story I'm telling you.

01:44:00 Rob Emert

Honestly, I would think to myself that guy's full of ****. He did something. He smacked his wife. You know, he he drove drunk with his kids in the car. He did something that he's not telling me because the police.

01:44:13 Rob Emert

And the and the judicial system, they're not going to do that to somebody.

01:44:16 Rob Emert

That that was my thinking before it happened to me.

01:44:20 Rob Emert

And so, you know, and that's, you know, that's it sucks cause that's the perception.

01:44:25 Rob Emert

So I'm pretty sure their game that they're now playing is that OK, put him in jail because then by the time he gets out of jail, he's not gonna have any access to his kid.

01:44:34 Rob Emert

We're going to, we're going to only let him have supervised visitation with his kid.

01:44:37 Rob Emert

They don't care what.

01:44:38 Rob Emert

That's what, that's.

01:44:38 Rob Emert

Going to do to.

01:44:39 Rob Emert

My son, you know what I mean.

01:44:41 Rob Emert

They would kill him and.

01:44:44 Rob Emert

And they don't care about that.

01:44:45 Rob Emert

And they're just thinking, OK, we'll put them in jail.

01:44:47 Rob Emert

It's gonna, you know, where there's fire, where there's smoke, there's fire, and all the people that backed me are gonna think to themselves.

01:44:53 Rob Emert

Oh yeah, we're not gonna.

01:44:54 Rob Emert

We're not gonna be involved anymore again, I'm speculating on that, but that's, you know, that's kind of typical.

01:44:59 Rob Emert

But anyways, back.

01:44:59 Rob Emert

On the the the.

01:45:05 Rob Emert

The the Disneyland thing.

01:45:07 Rob Emert

So I'm back up at Disneyland and I said, look, you know, you guys can talk to the kids, you can talk to me whenever you want.

01:45:12 Rob Emert

I'm just waiting for my day in court so you know, we get back to court and they try to blow out a portion.

01:45:18 Rob Emert

Like I like.

01:45:18 Rob Emert

I bolted and all this other stuff and I'm pretty sure at.

01:45:21 Rob Emert

The time the judge that was hearing the case, Judge mock, I think.

01:45:26 Rob Emert

I wish she stayed on the case because she seemed really impartial, very unbiased, and that that that's that's my opinion.

01:45:34 Rob Emert

But I could tell she was very annoyed with the bogus restraining order.

01:45:40 Rob Emert

And the, you know, the bogus police report were backfired in her face, you know.

01:45:47 Rob Emert

But that's the kind of stuff that's how it started almost three years ago, and I could give you probably 10 more examples just like that of where they keep trying to set me up and it blows up in their face.

01:45:58 Rob Emert

And then they get.

01:45:59 Rob Emert

Even more angry and.

01:46:00 Rob Emert

They just keep trying to come at me.

01:46:02 Rob Emert

Now here's the thing.

01:46:03 Rob Emert

I'm not perfect.

01:46:04 Rob Emert

If you want if.

01:46:04 Rob Emert

You want to.

01:46:04 Rob Emert

Hear my faults.

01:46:07 Rob Emert

I'll give you my faults.

01:46:08 Rob Emert

As a human being and.

01:46:08 Rob Emert

I mean, here's here's the.

01:46:09 Rob Emert

I mean, I know, rob, I know.

01:46:12 DAI LUIS PENA

I think we need to wrap this up a little bit, but I think the biggest thing that I definitely want to mention to you is that come next week, we're gonna have to make a decision here.

01:46:22 DAI LUIS PENA

But I I need to find this information and I need to really have you involved in it knowing that you are.

01:46:31 DAI LUIS PENA

Basically part of.

01:46:33 DAI LUIS PENA

This to to want to make it work and want to go to court and handle it and that way you don't show an arrest warrant for your, you know basically warrant for your arrest and there's no one going to your house looking for.

01:46:47 DAI LUIS PENA

I mean if if you at minimum can do that I think we could prevent at least.

01:46:53 DAI LUIS PENA

That part of it, because I think if we show effort, if we show that you're communicating, you're doing we have a date.

01:46:58 DAI LUIS PENA

And even if we have to do a next party to show the date sooner than than what it is, it's going to show that you want to go to court, handle it.

01:47:06 DAI LUIS PENA

And this is where the attorneys are basing this that.

01:47:09 DAI LUIS PENA

And then the last investigator you know basically finished up and you know he left.

01:47:15 DAI LUIS PENA

Here in July, I didn't.

01:47:16 DAI LUIS PENA

I always started looking at this case and they've been attorneys have been communicating with each other and like I said, they're they, they're just pretty much just some the only investigator work in these cases they're like.

01:47:27 DAI LUIS PENA

Hey, you need to write a warrant for his arrest.

01:47:29 DAI LUIS PENA

Like, well, give me.

01:47:30 DAI LUIS PENA

His file and I'll read it.

01:47:31 DAI LUIS PENA

They're like, no, just don't worry about it.

01:47:33 DAI LUIS PENA

Just write a quick warrant and go on the evidence we.

01:47:35 DAI LUIS PENA

Have our we're.

01:47:36 DAI LUIS PENA

Like, well, that doesn't sound.

01:47:38 DAI LUIS PENA

Doesn't sound like anything that I want to do.

01:47:40 DAI LUIS PENA

So that's where my delay comes in.

01:47:44 DAI LUIS PENA

Looking at all the evidence, but I need you.

01:47:46 DAI LUIS PENA

To to basically.

01:47:47 DAI LUIS PENA

Get it moving.

01:47:48 DAI LUIS PENA

Get this ball rolling so I can say, you know what?

01:47:51 DAI LUIS PENA

He called me and he said.

01:47:52 DAI LUIS PENA

We can't do this and did it now he's going to court.

01:47:54 DAI LUIS PENA

So I I just don't believe we need to put an arrest warrant.

01:47:56 DAI LUIS PENA

Put, you know, put in a.

01:47:58 DAI LUIS PENA

Or for his arrest, because he's handling that.

01:48:01 DAI LUIS PENA

Regardless of how it goes like however you want to handle it.

01:48:04 DAI LUIS PENA

I don't need the details of it, but you need to at least give me the information so I could pass the court saying these are the good cause reasons of why he told me.

01:48:13 DAI LUIS PENA

These are the things that he's going to go to court and find and then.

01:48:17 DAI LUIS PENA

The reality is it's just between you and the court.

01:48:20 DAI LUIS PENA

We don't we don't get involved.

01:48:22 DAI LUIS PENA

The only reason we're getting involved is because there's criminal charges coming.

01:48:25 DAI LUIS PENA

If it does.

01:48:26 DAI LUIS PENA

Doesn't get resolved in court.

01:48:28 DAI LUIS PENA

I don't know what.

01:48:29 DAI LUIS PENA

The district attorney is gonna say.

01:48:30 DAI LUIS PENA

And say regardless the the crime already occurred and this is what we're gonna do now.

01:48:35 DAI LUIS PENA

I have no control of what to do at that point, but I just want to prevent the basically the warrant from going in the system and you having a warrant for your arrest if you have.

01:48:45 DAI LUIS PENA

To deal with the court system.

01:48:47 DAI LUIS PENA

That's that's OK.

01:48:48 DAI LUIS PENA

That's you dealing with.

01:48:49 DAI LUIS PENA

The court system.

01:48:50 DAI LUIS PENA

But not you're going to jail.

01:48:52 DAI LUIS PENA

You know what I mean?

01:48:53 DAI LUIS PENA

Because there's plenty of times people have to deal with the court system.

01:48:55 DAI LUIS PENA

If they want to.

01:48:56 DAI LUIS PENA

Prove the case, right.

01:48:57 DAI LUIS PENA

Right.

01:48:57 DAI LUIS PENA

It means that you're gonna go to court.

01:48:59 DAI LUIS PENA

You're gonna get.

01:49:01 DAI LUIS PENA

Basically someone, and you're gonna go show the.

01:49:03 DAI LUIS PENA

Court what it?

01:49:03 DAI LUIS PENA

Is, which I think you're willing to do.

01:49:05 DAI LUIS PENA

That but for you.

01:49:07 DAI LUIS PENA

To go to jail and be arrested for something you know, unless you wanna.

01:49:10 DAI LUIS PENA

You wanna prove your point to say I'll get.

01:49:12 DAI LUIS PENA

Arrested for it.

01:49:13 DAI LUIS PENA

I don't care, you know then.

01:49:15 DAI LUIS PENA

But I just don't.

01:49:16 DAI LUIS PENA

If they're gonna file a case and they tell me they're gonna file a case.

01:49:20 DAI LUIS PENA

I just want to be able to.

01:49:22

Do what you need to do.

01:49:23 DAI LUIS PENA

As the district attorney's office. But I'm not gonna write this warrant for his arrest because you're telling me to write a warrant because he's not complying with things and.

01:49:31 DAI LUIS PENA

I'm I don't.

01:49:32 DAI LUIS PENA

Feel comfortable with that now if you want to write it with it, you know you want to file.

01:49:36 DAI LUIS PENA

A case with.

01:49:36 DAI LUIS PENA

Evidence you have.

01:49:37 DAI LUIS PENA

They can file it without me I don't have.

01:49:39 DAI LUIS PENA

To say anything to them, but.

01:49:41 DAI LUIS PENA

If they want to file a case without me.

01:49:43 DAI LUIS PENA

And file a case on you at least you have the opportunity to go to court, but that's not an arrest regardless if they file a case, it's.

01:49:49 DAI LUIS PENA

Not an arrest.

01:49:50 DAI LUIS PENA

Basically, it's you're just gonna receive notification that you need to go to court for this criminal case of, you know of child abduction.

01:49:58 DAI LUIS PENA

So that's that battle I believe you would fight.

01:50:01 DAI LUIS PENA

In a heartbeat.

01:50:02 DAI LUIS PENA

But I just don't think that you need to get arrested for it, or I don't think you even wanna get arrested for something that you know you're trying to clear up in the court or.

01:50:12

Or at least want to clear it up in the court so you don't have to be arrested so.

01:50:16 DAI LUIS PENA

I think that's where your.

01:50:17 DAI LUIS PENA

Decision is gonna have to come up in.

01:50:19 DAI LUIS PENA

The next week or so is how do you how do you want to fight this battle?

01:50:23 DAI LUIS PENA

You know, like you could definitely fight it with the court and continue with the court and continue the communication with the court and and kind of go that that side and if the.

01:50:35 DAI LUIS PENA

As far as.

01:50:35 DAI LUIS PENA

The district attorneys office wanting to.

01:50:37 DAI LUIS PENA

File a case.

01:50:39 DAI LUIS PENA

At least it's a.

01:50:39 DAI LUIS PENA

Case and there's no actual physical arrest.

01:50:42 DAI LUIS PENA

It just becomes we are going to move forward with this case in court.

01:50:45 DAI LUIS PENA

You know what I mean?

01:50:46 DAI LUIS PENA

Right.

01:50:47 DAI LUIS PENA

So well so.

01:50:48 Rob Emert

There's actually, so I've I've learned a lot because there's actually two pending appeals, too.

01:50:53 Rob Emert

So if they're saying that I'm not reaching out to them.

01:50:56 Rob Emert

They're they're they're just lying because I've if anything, I've communicated a lot.

01:51:02 Rob Emert

And they're just angry because they look really it they really.

01:51:05 DAI LUIS PENA

Who are you communicating with?

01:51:06 Rob Emert

Do well, I e-mail everybody pretty much everything OK?

01:51:10 DAI LUIS PENA

Yeah, but I just wanna.

01:51:11 DAI LUIS PENA

I just want to know that, I guess here's the facts I need.

01:51:14 DAI LUIS PENA

I need the emails to them, and I need the appeals.

01:51:18 DAI LUIS PENA

Anything that you have that shows that it's an appeal.

01:51:22 DAI LUIS PENA

And that way I can show look, here's emails that he's been sending them, maybe they're not sending it to us and they want to paint.

01:51:27 DAI LUIS PENA

Their own picture, but here's what.

01:51:30 DAI LUIS PENA

Here's what he's communicating to their attorneys.

01:51:33 DAI LUIS PENA

Here's what he's you know basically has done, and he has a court date of this date, and he's been communicating and they can just say, well, he hasn't given back to children.

01:51:43 DAI LUIS PENA

And that could be as easy as like.

01:51:46 DAI LUIS PENA

Well, he feels there's good, there's good cause, and he's gonna show.

01:51:49 DAI LUIS PENA

The court that there is good.

01:51:51 DAI LUIS PENA

So that's why he's doing that.

01:51:52 DAI LUIS PENA

And the only reason he doesn't have custody is because the default judgment to court.

01:51:57 DAI LUIS PENA

He's willing to fight the case and willing to continue the court with a good cause behind it, not just because he says.

01:52:04 DAI LUIS PENA

Just because I wanna do it like that.

01:52:06 DAI LUIS PENA

That's what I want to be explained to say.

01:52:08 DAI LUIS PENA

The reason he's doing this, he's got a good cause.

01:52:10 DAI LUIS PENA

Here's a good cause.

01:52:11 DAI LUIS PENA

We're not to judge a good cause if someone says this is what the cause is.

01:52:16 DAI LUIS PENA

Basically talked hey.

01:52:17 DAI LUIS PENA

Alright, here, here's what we have.

01:52:19 DAI LUIS PENA

He's filed an ex parte

01:52:20 DAI LUIS PENA

He's going to court.

01:52:21 DAI LUIS PENA

He's gonna do what he needs to do in court.

01:52:23 DAI LUIS PENA

We don't need to know the details of what.

01:52:25 DAI LUIS PENA

His plan is to do in court, but he's gonna.

01:52:27 DAI LUIS PENA

Go deal with it in court.

01:52:29 DAI LUIS PENA

However, Rob wants to deal with in court.

01:52:31 DAI LUIS PENA

He's gonna continue doing with it in court and.

01:52:33 DAI LUIS PENA

And that's what I just wanna be able.

01:52:34 DAI LUIS PENA

To explain to to the the district attorney is saying.

01:52:37 DAI LUIS PENA

He's doing, he's dealing with it.

01:52:38 DAI LUIS PENA

Here's evidence showing.

01:52:39 DAI LUIS PENA

That he's emailing.

01:52:40 DAI LUIS PENA

Them that that he's communicating with them.

01:52:44 DAI LUIS PENA

Yes, the facts are that he has not, you know, that Bryce has not seen his mom.

01:52:48 DAI LUIS PENA

Bryce is 15, and and he's telling me Rob is telling me that his son does not want.

01:52:53 DAI LUIS PENA

To and feel.

01:52:54 DAI LUIS PENA

Then if he goes, then he's gonna be able to come back to his dad.

01:52:57 DAI LUIS PENA

So that's why he's doing this.

01:52:59 DAI LUIS PENA

So now we need that somehow you need to have some sort of video or something that shows that your son is good, that he's deciding to do what he's doing on his own, that it's not.

01:53:12 DAI LUIS PENA

You need to put something together because in writing they can say.

01:53:14 DAI LUIS PENA

Well, he didn't like that.

01:53:16 DAI LUIS PENA

Right, someone they need to see something to know that this is what your son Bryce wants.

01:53:22 DAI LUIS PENA

And if they're not in and basically you need to have that professional, even if it's the evaluation, you're only in your psychological evaluation, you bring that they're.

01:53:30 DAI LUIS PENA

You're basically your counselor, who was a therapist.

01:53:33 DAI LUIS PENA

That said, here's here's a letter.

01:53:35 DAI LUIS PENA

You're good to go to worry about it.

01:53:36 DAI LUIS PENA

You need to bring things up and say hey, here's.

01:53:39 DAI LUIS PENA

Evidence, proof so, and so judge didn't want to accept it.

01:53:42 DAI LUIS PENA

Here it is.

01:53:43 DAI LUIS PENA

I I'm clear I'm not a bad person.

01:53:45 DAI LUIS PENA

I I care for my son.

01:53:47 DAI LUIS PENA

Here's the evidence for good cause.

01:53:49 DAI LUIS PENA

For good cause.

01:53:50 DAI LUIS PENA

Everything's being delayed by their end, not mine.

01:53:53 Rob Emert

Oh yeah, no, they they've dragged it out.

01:53:55 Rob Emert

So for sure.

01:53:55 Rob Emert

And there's two.

01:53:56 Rob Emert

So there's two pending.

01:53:57 Rob Emert

So there's two pending appeal.

01:53:58 Rob Emert

Well, so the.

01:53:59 Rob Emert

Two judgements that Patty Radican snuck in right before she recused.

01:54:04 Rob Emert

Those are on appeal right now.

01:54:06 Rob Emert

And appeals are a pain in the ****.

01:54:07 Rob Emert

Man, I you really need to be.

01:54:09 Rob Emert

You know it's not.

01:54:10 Rob Emert

I'm no lawyer and I've been trying to figure out how to do it.

01:54:13 Rob Emert

That. Yeah, it's a lot.

01:54:15 DAI LUIS PENA

Well, try if you can't figure it out yourself, get someone who's at least willing to take take this on.

01:54:22 DAI LUIS PENA

Kind of to help you with it because it needs to get going in court.

01:54:26 DAI LUIS PENA

Otherwise, I mean, I I just don't want to see you get arrested for something.

01:54:30 DAI LUIS PENA

Show as being arrested in court.

01:54:32 DAI LUIS PENA

Now they're filing charges when?

01:54:34 DAI LUIS PENA

You will fight the charges.

01:54:36 DAI LUIS PENA

I know you will.

01:54:37 DAI LUIS PENA

You're gonna go to court and do whatever you need to do in court to show and prove your case to cause.

01:54:42 DAI LUIS PENA

That's for your son and for yourself.

01:54:45 DAI LUIS PENA

But all this needs to get going before they say you need to go arrest.

01:54:48 DAI LUIS PENA

Him he needs to.

01:54:49 DAI LUIS PENA

Need a warrant for his arrest?

01:54:51 DAI LUIS PENA

I'm just trying to prevent that part.

01:54:52 DAI LUIS PENA

Like that is what?

01:54:54 DAI LUIS PENA

I am trying to do is preventing.

01:54:56 DAI LUIS PENA

That part from.

01:54:57 Rob Emert

So if I what do you?

01:54:58 Rob Emert

So here's an idea.

01:54:59 Rob Emert

So how about I file cause I mean I can do a next part a like like within a day or two and if I file an ex parte

01:55:06 Rob Emert

and say look.

01:55:09 Rob Emert

Because I'm willing to basically resolve this and you know again between you and I, people will say that I'm not telling the truth, but I am I I love my son so much that I want him to have a relationship with his mom and she she really did this to herself.

01:55:23 Rob Emert

And he says.

01:55:24 Rob Emert

Yeah, it's ridiculous.

01:55:25 DAI LUIS PENA

Well, I think definitely do that.

01:55:26 DAI LUIS PENA

And and and be ready to to do what we talked about or what I mentioned to you just in those last few minutes, be ready to prove all.

01:55:34 DAI LUIS PENA

And and the good cause.

01:55:35 DAI LUIS PENA

Part they're gonna want to know why?

01:55:38 DAI LUIS PENA

Have you not?

01:55:38 DAI LUIS PENA

Done this well, there's good cause for it.

01:55:41 DAI LUIS PENA

And why have you not done this other part?

01:55:43 DAI LUIS PENA

He not talked.

01:55:44 DAI LUIS PENA

To well, here's my son.

01:55:45 DAI LUIS PENA

Here's the recording of him talking to, to basically to everyone here.

01:55:49 DAI LUIS PENA

He's scared he would not be able to say this in front of you and hearing everybody because he would be nervous to hear this.

01:55:56 DAI LUIS PENA

What he wants.

01:55:57 DAI LUIS PENA

In his his life and what he would love.

01:55:58 DAI LUIS PENA

To see and.

01:55:59 Rob Emert

With the ex party that I filed, what would I like file it under just the judicial notice saying here's kind of where we're at.

01:56:05 Rob Emert

Here's where I'd like to go or.

01:56:07 DAI LUIS PENA

You could start I mean.

01:56:09 DAI LUIS PENA

The idea is that you've been trying to go to court to to figure this out, right?

01:56:12 DAI LUIS PENA

I am calling you saying, hey, there's a chance that we're gonna basically wanna write an warrant for your rest because you have not gone to court to deal with this.

01:56:20 DAI LUIS PENA

Right.

01:56:20 DAI LUIS PENA

Because you're you're not fulfilling what?

01:56:22 DAI LUIS PENA

You're supposed to do.

01:56:23 DAI LUIS PENA

The child hasn't gone.

01:56:23 DAI LUIS PENA

To mom and blah blah blah.

01:56:25 DAI LUIS PENA

So you can say.

01:56:26 DAI LUIS PENA

I was contacted by, you know.

01:56:28 DAI LUIS PENA

Or I contacted.

01:56:29 DAI LUIS PENA

You know you personally contacted and you.

01:56:31 DAI LUIS PENA

Were informed about.

01:56:33 DAI LUIS PENA

Possible warrant coming out.

01:56:34 DAI LUIS PENA

You wanted to clear this?

01:56:35 DAI LUIS PENA

Up as soon as possible.

01:56:37 DAI LUIS PENA

That you don't want to be arrested, that you want.

01:56:38 DAI LUIS PENA

To clear this up however you want to.

01:56:40 DAI LUIS PENA

Word that maybe you?

01:56:41 DAI LUIS PENA

Can call some some people to give you some.

01:56:42 DAI LUIS PENA

Advice on that?

01:56:43 DAI LUIS PENA

I can't really give you advice exactly what's right.

01:56:45 DAI LUIS PENA

The facts are the facts and I am basically saying I am in the process of, you know, if I am forced to write a warning of being a warning system you were made aware of that because you contacted.

01:56:57 DAI LUIS PENA

me to kind of see what you know.

01:57:00 DAI LUIS PENA

What was going?

01:57:00 DAI LUIS PENA

On or hey, you wanted to update me as a new investigator and talk to me as a new investigator.

01:57:06 DAI LUIS PENA

But you were.

01:57:07 DAI LUIS PENA

Basically told that, hey, this is what's happening and you as a concerned person, you don't wanna be arrested.

01:57:12 DAI LUIS PENA

There's no point.

01:57:13 DAI LUIS PENA

Right.

01:57:14 DAI LUIS PENA

You wanna go to court as soon as possible and handle this.

01:57:16 DAI LUIS PENA

And you know, is it is ex parte the best way.

01:57:20 DAI LUIS PENA

So ask for advice. I really can't give you advice if that's the best decision or not, but I can tell you that if they're if we don't get something going, if their attorney and your son's attorney doesn't get notified that you're going to go to court ASAP.

01:57:33 DAI LUIS PENA

Then they're going to be continuing.

01:57:35 DAI LUIS PENA

To push, push, push, push.

01:57:36 DAI LUIS PENA

Push and maybe they do want that to happen.

01:57:39 DAI LUIS PENA

But if you can push the.

01:57:40 DAI LUIS PENA

Hey I have a court date.

01:57:41 DAI LUIS PENA

Hey, lease, here's the here's the court date.

01:57:43 DAI LUIS PENA

We're going next.

01:57:44 DAI LUIS PENA

Here's what here's what's happening.

01:57:45 DAI LUIS PENA

Here's what I'm doing.

01:57:47 DAI LUIS PENA

Happening I I don't.

01:57:48 DAI LUIS PENA

Want to be arrested?

01:57:49 DAI LUIS PENA

Simple as that.

01:57:49 DAI LUIS PENA

Who does I mean and I can.

01:57:51 DAI LUIS PENA

Say you know what I don't.

01:57:52 DAI LUIS PENA

Need to file this?

01:57:53 DAI LUIS PENA

He's he's already.

01:57:55 DAI LUIS PENA

He's already called me and we.

01:57:57 DAI LUIS PENA

Had a conversation about it.

01:57:58 DAI LUIS PENA

I'm not gonna say hey, I don't break into our conversation about it because the same time information you're passing on to me is something that's already is evidence here, right?

01:58:06 DAI LUIS PENA

Like I could see it, I can find it, but please send me that information so I can at least show the District Attorney.

01:58:12 DAI LUIS PENA

Here's here's a few things you know.

01:58:14 DAI LUIS PENA

Here's here's what happened.

01:58:16 DAI LUIS PENA

Here's the transcript.

01:58:18 DAI LUIS PENA

You know what he was doing?

01:58:19 DAI LUIS PENA

Here's something that shows that they wanted.

01:58:21 DAI LUIS PENA

To send bryce to the facility.

01:58:23

Here's the evidence to what we have, and that is why he feels that that's good cause to what he did.

01:58:27 DAI LUIS PENA

And you know, here's where we are.

01:58:29 DAI LUIS PENA

He's gonna go handle it in court.

01:58:31 DAI LUIS PENA

Like we don't mention which.

01:58:32 Rob Emert

Yeah, I actually I I.

01:58:33 Rob Emert

I wanted to do an ex party, but if I follow the RFOs the RFO's for November 17th but I would much I'd rather have it sooner.

01:58:42 Rob Emert

But the problem is.

01:58:43 DAI LUIS PENA

I believe right now your choices have sooner.

01:58:46 DAI LUIS PENA

I just I don't believe waiting till then it's gonna it's gonna solve the the problem with the attorneys here.

01:58:51 DAI LUIS PENA

They're they basically want this warrant written and I delayed it because I need to review everything.

01:58:56 DAI LUIS PENA

So I'm delaying it, but at the same time it's in your hands now to get that.

01:59:00 DAI LUIS PENA

Date and basically say hey here.

01:59:02 DAI LUIS PENA

It is, you know, and sending me an e-mail and telling me, like, hey, this is I'm, I'm getting it going.

01:59:09 DAI LUIS PENA

Man, I don't wanna be rested like I'm getting this **** going like you don't need to write a warrant.

01:59:13 DAI LUIS PENA

You don't need to.

01:59:13 DAI LUIS PENA

Do none of that stuff.

01:59:14

I'm gonna handle it in court and figure this out.

01:59:16 DAI LUIS PENA

Because it's it's kind of the inevitable part, right?

01:59:19 DAI LUIS PENA

If if I write

01:59:19 DAI LUIS PENA

A warrant, whatever you.

01:59:20 DAI LUIS PENA

Go to jail.

01:59:20 DAI LUIS PENA

You know you, you explained.

01:59:21 DAI LUIS PENA

To me, exactly what was gonna happen.

01:59:23 DAI LUIS PENA

So why do that?

01:59:24

So you might as well just.

01:59:25 DAI LUIS PENA

Deal with it without there being an arrest on record at all.

01:59:29 DAI LUIS PENA

And basically not pleasing them or appeasing.

01:59:32 DAI LUIS PENA

To their ohh yeah.

01:59:32 DAI LUIS PENA

You got arrested.

01:59:33 DAI LUIS PENA

Haha, there's record.

01:59:34 DAI LUIS PENA

People are gonna look at you differently than you just going to court handling.

01:59:37 DAI LUIS PENA

It so but.

01:59:39 Rob Emert

Here's my other problem is that if I go in there, they're going.

01:59:41 Rob Emert

They're gonna arrest me, so.

01:59:43 DAI LUIS PENA

I need to be able to.

01:59:43 DAI LUIS PENA

That's what you need to have.

01:59:45 DAI LUIS PENA

All the evidence and I've seen it many ways.

01:59:48 DAI LUIS PENA

Now they can push it.

01:59:50 DAI LUIS PENA

The judge could push.

01:59:51 DAI LUIS PENA

It could do whatever they need.

01:59:53 DAI LUIS PENA

I've seen it both ways, man.

01:59:54 DAI LUIS PENA

I've seen it both ways.

01:59:56 DAI LUIS PENA

I've seen people who I'm asking the lady to come from Texas with their two.

02:00:00 DAI LUIS PENA

Girls and she's asking me, am I gonna get arrested?

02:00:03 DAI LUIS PENA

I don't know.

02:00:04 DAI LUIS PENA

I just know that I'm.

02:00:06 DAI LUIS PENA

I'm writing a

02:00:07 DAI LUIS PENA

Warrant for her too, and I told.

02:00:08 DAI LUIS PENA

Her you have to the end of.

02:00:09 DAI LUIS PENA

The month because if you don't.

02:00:11 DAI LUIS PENA

Show up with a court date with.

02:00:13 DAI LUIS PENA

This nut, basically the children's attorney wants me.

02:00:17 DAI LUIS PENA

To write a warrant.

02:00:17 DAI LUIS PENA

For your arrest and I.

02:00:18 Rob Emert

Bryces attorney said he, so he shouldn't be his attorney anymore. I mean, bryce fired him and he's 15.

02:00:25 DAI LUIS PENA

There you go there.

02:00:26 DAI LUIS PENA

You there's things that can be worked out, you know?

02:00:29 DAI LUIS PENA

So talk to me tomorrow.

02:00:31 DAI LUIS PENA

Figure that out.

02:00:32 DAI LUIS PENA

So you can show the court he doesn't need an attorney.

02:00:34 DAI LUIS PENA

He's 15, he.

02:00:35 DAI LUIS PENA

Can say whatever he wants.

02:00:37 DAI LUIS PENA

Here's a statement he's giving.

02:00:38 DAI LUIS PENA

He gave a written statement.

02:00:39 DAI LUIS PENA

Now he's giving a.

02:00:40 DAI LUIS PENA

Verbal statement, but he's shy.

02:00:41 DAI LUIS PENA

To be here and and they.

02:00:43 DAI LUIS PENA

Can like they can say whatever they want.

02:00:44 DAI LUIS PENA

We we told you to bring them.

02:00:46 DAI LUIS PENA

We can go, sure, but here it is.

02:00:48 DAI LUIS PENA

You have to show the evidence to them like you.

02:00:50 DAI LUIS PENA

Need to prove.

02:00:50 DAI LUIS PENA

To them and basically tell the judge I am doing everything I can.

02:00:53 DAI LUIS PENA

I didn't want to be arrested.

02:00:55 DAI LUIS PENA

I don't want to be.

02:00:55 DAI LUIS PENA

Arrested. The only times I've.

02:00:56 DAI LUIS PENA

Seen people in contempt is when they start and and this is where you have to kind of.

02:01:02 DAI LUIS PENA

Watch your words in.

02:01:04 DAI LUIS PENA

Because if again, if that attorney gets.

02:01:06 DAI LUIS PENA

*****. You're not.

02:01:07 DAI LUIS PENA

***** cause you showed up.

02:01:09 DAI LUIS PENA

If you walk in there and.

02:01:10 DAI LUIS PENA

Say, your Honor, I apologize.

02:01:12 DAI LUIS PENA

This is taking.

02:01:13 DAI LUIS PENA

So long, I just feel that this just what needs to happen.

02:01:15 DAI LUIS PENA

And after the call from the district.

02:01:18 DAI LUIS PENA

Attorney's office.

02:01:19 DAI LUIS PENA

That there was gonna be an warrant for my arrest. I do never.

02:01:21 DAI LUIS PENA

I never want that to happen.

02:01:22 DAI LUIS PENA

And the moment kids to be able to see.

02:01:24 DAI LUIS PENA

Me ever get arrested?

02:01:25 DAI LUIS PENA

For anything and say I am here, I want to clear this up.

02:01:28 DAI LUIS PENA

I want. I want a great relationship with my ex-wife. Basically, you're gonna paint the nice picture in the beginning and you just you have to come up with that. You know, the intro to this and why you're here. If you come with a good intro.

02:01:39 DAI LUIS PENA

Again, it may sound like you.

02:01:42 DAI LUIS PENA

Know what I'm saying?

02:01:42 DAI LUIS PENA

It may sound like hate telling the court apologies.

02:01:45 DAI LUIS PENA

I do believe the judge is gonna take that hell of a lot better and not and and whatever defense says.

02:01:51 DAI LUIS PENA

Oh well, I think we think he needs to be arrested, blah blah blah, because he's bring whatever the courts going to tell you and give you opportunity to say.

02:01:57 DAI LUIS PENA

Next time we need to see him here but.

02:01:59 DAI LUIS PENA

This is gonna be your one opportunity to basically apologize to the court.

02:02:02 DAI LUIS PENA

Say this is what you wanted to prove.

02:02:04 DAI LUIS PENA

You don't believe in the arrest.

02:02:05 DAI LUIS PENA

If needed, you don't believe this was needed by the when you heard from me that there's gonna be warrant that you're like the hell.

02:02:11 DAI LUIS PENA

No, I don't need an arrest.

02:02:13 DAI LUIS PENA

I'm gonna handle this.

02:02:14 DAI LUIS PENA

I'm gonna go to court and be sure.

02:02:16 DAI LUIS PENA

That it's all handled.

02:02:17 DAI LUIS PENA

I I don't see it.

02:02:19 DAI LUIS PENA

Basically saying you're in contempt of this cause.

02:02:23 DAI LUIS PENA

At this point, I think we just want you to go to court.

02:02:26 DAI LUIS PENA

There's there's no reason unless there's other reasons behind it.

02:02:29 DAI LUIS PENA

Unless there's the judges or whatever.

02:02:32 DAI LUIS PENA

A contempt at least, it's just.

02:02:35 DAI LUIS PENA

A little overnight that happens it's it's going to be better and I'm just putting the worst scenario.

02:02:40 DAI LUIS PENA

This is the worst scenario part.

02:02:41 DAI LUIS PENA

Of it, contempt is the least better.

02:02:44 DAI LUIS PENA

Than going to court for a warrant for arrest for chopped up.

02:02:48 DAI LUIS PENA

Right. Well, So what? Yeah.

02:02:49 DAI LUIS PENA

Like like you're but you have to deal with it.

02:02:51 DAI LUIS PENA

It's kind of like you have.

02:02:52 DAI LUIS PENA

To deal with it.

02:02:53 DAI LUIS PENA

It's it's kind of hard, like, hey, I'm gonna.

02:02:55 DAI LUIS PENA

Do this I.

02:02:56 DAI LUIS PENA

Mean you could try to do it on teams or do it on zoom, but at this point it's come down to.

02:03:02 DAI LUIS PENA

You need to deal with it.

02:03:04 DAI LUIS PENA

Like, I'm not saying I'm not going to tell you.

02:03:06 DAI LUIS PENA

Yeah, you're right.

02:03:07 DAI LUIS PENA

Needs to be.

02:03:07 DAI LUIS PENA

There or not?

02:03:09 DAI LUIS PENA

You you can make that decision on your own.

02:03:11 DAI LUIS PENA

But at the same.

02:03:12 DAI LUIS PENA

Time I'm telling you everything.

02:03:15 DAI LUIS PENA

Says needs to be said in.

02:03:16 DAI LUIS PENA

Court now if he says it while.

02:03:18 DAI LUIS PENA

He's there physically.

02:03:19 DAI LUIS PENA

Or if he says it and what any other way you want.

02:03:22 DAI LUIS PENA

You want his to?

02:03:23 DAI LUIS PENA

Come out and.

02:03:24 DAI LUIS PENA

To figure out, does he really need an attorney?

02:03:26 DAI LUIS PENA

Where's the law on that?

02:03:27 DAI LUIS PENA

That he needs an attorney or doesn't need an?

02:03:29 DAI LUIS PENA

Attorney and then bring you need to bring.

02:03:31 DAI LUIS PENA

All your facts in to show.

02:03:32 DAI LUIS PENA

The judge of why you're here.

02:03:34 DAI LUIS PENA

And what are what's?

02:03:35 DAI LUIS PENA

Your goal like basically explain, is that this is my goal.

02:03:39 DAI LUIS PENA

Now if if this is what I'm trying to do.

02:03:41 DAI LUIS PENA

You know, and instead of.

02:03:44 DAI LUIS PENA

The judge kind of getting ***** cause they're gonna read.

02:03:46 DAI LUIS PENA

Oh my God, he wants to do this.

02:03:48 DAI LUIS PENA

Wants to sue this and sue that.

02:03:48 DAI LUIS PENA

That it's like just focus on your son.

02:03:51 DAI LUIS PENA

Focus on the relationship with that.

02:03:53 DAI LUIS PENA

If they try to bring in so.

02:03:54 DAI LUIS PENA

Many other things.

02:03:56 DAI LUIS PENA

It's like you could sit in court for so long.

02:03:59 DAI LUIS PENA

The biggest thing you want?

02:04:00 DAI LUIS PENA

Is your son to be happy?

02:04:02 DAI LUIS PENA

And you want your son basically continue what it was was 5050. You could bring up everything else. I do believe that's important.

02:04:09 DAI LUIS PENA

But at the same time, it's like there at that time there was never a reason of.

02:04:12 DAI LUIS PENA

Course you're gonna say you appealed it.

02:04:14 DAI LUIS PENA

You did everything and then move on.

02:04:16 DAI LUIS PENA

To the to the big picture.

02:04:17 DAI LUIS PENA

Of it is like all you all you are.

02:04:19 DAI LUIS PENA

Is this the the father that loves her son?

02:04:22 DAI LUIS PENA

Never want to see him going facility.

02:04:24 DAI LUIS PENA

That is why we're here because.

02:04:27 DAI LUIS PENA

To see your son facility.

02:04:28 DAI LUIS PENA

Would be the last place.

02:04:29 DAI LUIS PENA

You're ever gonna see him?

02:04:30 DAI LUIS PENA

That is not working to be you have all these people to back you that he doesn't need to be there.

02:04:35 DAI LUIS PENA

And that is why, but you need.

02:04:36 DAI LUIS PENA

To prove to the court that that's.

02:04:38 DAI LUIS PENA

Those are, you know, sincere feelings and you have.

02:04:41 DAI LUIS PENA

Facts to prove it.

02:04:43 DAI LUIS PENA

And they need to be able to see it quick and not.

02:04:46 DAI LUIS PENA

Being long, drawn out, but now we see the picture.

02:04:50 DAI LUIS PENA

Needs to be like.

02:04:50 DAI LUIS PENA

Here it is.

02:04:51 DAI LUIS PENA

Here's the conversation.

02:04:53 DAI LUIS PENA

Here's the recording.

02:04:55 DAI LUIS PENA

That is why I did it.

02:04:56 DAI LUIS PENA

There's my good cause.

02:04:57 DAI LUIS PENA

Here's where we have here's my son saying he wants to live with me.

02:05:01 DAI LUIS PENA

Love to see his mom, but he doesn't.

02:05:03 DAI LUIS PENA

He doesn't want to be taken away.

02:05:05 DAI LUIS PENA

It's doing great.

02:05:06 DAI LUIS PENA

All these things, and he doesn't need an attorney because the law says this law says that.

02:05:10 DAI LUIS PENA

And here we are.

02:05:11 DAI LUIS PENA

And I think you just have to be able to kind of trim down everything and kind of.

02:05:17 DAI LUIS PENA

Dip the meat and potatoes right off the bat and and not make the.

02:05:21 DAI LUIS PENA

Feel like, hey, we're going to.

02:05:22 DAI LUIS PENA

Be here for hours.

02:05:23 DAI LUIS PENA

We try to pull.

02:05:24 DAI LUIS PENA

The facts I'm not in.

02:05:25 DAI LUIS PENA

In the trial, you're just trying.

02:05:26 DAI LUIS PENA

To show the court that you're willing to work with the.

02:05:29 DAI LUIS PENA

Court you're willing to?

02:05:30 DAI LUIS PENA

Work with your ex, but everything up.

02:05:32 DAI LUIS PENA

To this point you know it.

02:05:35 DAI LUIS PENA

Not it hasn't gone your way.

02:05:37 DAI LUIS PENA

And you need to fix it.

02:05:38 DAI LUIS PENA

You need to court to basically make it right by hearing your son what he wants in his life.

02:05:44 DAI LUIS PENA

Hes 15.

02:05:45 DAI LUIS PENA

Right.

02:05:46 DAI LUIS PENA

And I think if you have to.

02:05:47 DAI LUIS PENA

Just if it comes down to that point, just so they don't harass you on that matter, it's like the the biggest point here is.

02:05:53 DAI LUIS PENA

That he can make the decision.

02:05:56 DAI LUIS PENA

His IEP is not at that level.

02:05:58 DAI LUIS PENA

He doesn't understand.

02:05:59 DAI LUIS PENA

He doesn't need to be in the facility, doesn't need to be anywhere.

02:06:03 DAI LUIS PENA

He's a young man that's now 15.

02:06:06 DAI LUIS PENA

That was 14 when this all started on paper.

02:06:08 DAI LUIS PENA

As far as how we got.

02:06:10 DAI LUIS PENA

And here's where you are, and the judges have.

02:06:12 DAI LUIS PENA

To see that part, and they can.

02:06:13 DAI LUIS PENA

Throw in all kinds.

02:06:14 DAI LUIS PENA

Of other stuff and then just have to stick to the main main.

02:06:17 DAI LUIS PENA

He can decide.

02:06:19 DAI LUIS PENA

This is what I want. I don't mind 5050. I do a great job and have done a great job teaching my son and.

02:06:25 DAI LUIS PENA

He's number one in my life.

02:06:26 DAI LUIS PENA

and no one's gonna fight you on that.

02:06:27 DAI LUIS PENA

Right.

02:06:30

I I can't see it, not from what I've seen here.

02:06:33 Rob Emert

So with the so in the ex parte like what would be the I'm trying to think, the ex parties would be grounds just to clear clarify like with the situation just say because I do.

02:06:33 Rob Emert

What I what I do?

02:06:43 Rob Emert

I've done a lot of ex parties, but I'm trying to think I've always had a reason for it.

02:06:46 Rob Emert

I just basically.

02:06:47

Say clarification regarding custody of the minor.

02:06:53 Rob Emert

I mean, maybe you wanna you?

02:06:54 DAI LUIS PENA

Know visit. Revisit the.

02:06:57 DAI LUIS PENA

The custody of the.

02:06:57 DAI LUIS PENA

Child, because last time you when they took rights from you because you didn't show up to court.

02:07:01 DAI LUIS PENA

When they took some some of that this when they wanted to.

02:07:04 DAI LUIS PENA

Do visitation and.

02:07:05 DAI LUIS PENA

All that just to basically you want.

02:07:07 DAI LUIS PENA

Custody you want. You're not trying 500, you're.

02:07:10 DAI LUIS PENA

Doing 5050 is what it should.

02:07:11 DAI LUIS PENA

Be at least what I remember you telling me.

02:07:12 DAI LUIS PENA

What I told?

02:07:14 Rob Emert

Yeah, what I told everybody I told finally told is the mom and I don't want this cause I want to see my daughter too, of course.

02:07:20 Rob Emert

But I said, let's just do.

02:07:21 Rob Emert

5050 but.

02:07:23 Rob Emert

You have final say on our daughter and I have final say on our.

02:07:25 Rob Emert

Son and we'll.

02:07:26 Rob Emert

Walk away, you know.

02:07:27 DAI LUIS PENA

Well, I I think it it needs to just.

02:07:29 DAI LUIS PENA

Be simple to the point of.

02:07:31 DAI LUIS PENA

All I want is.

02:07:32 DAI LUIS PENA

5050 when when someone and show the court that yeah, it is scary to feel like someone's taking your child and someone's gonna put your child somewhere where they don't need to be.

02:07:43 DAI LUIS PENA

So your reason of backtracking a little bit and pulling away and not come to court is because you don't want to see that ever happen to him.

02:07:51 DAI LUIS PENA

And right or wrong, there's where the apology.

02:07:54 DAI LUIS PENA

That you should apologize to say, hey I have.

02:07:57 DAI LUIS PENA

You know, in, in, in a little bit in that manner.

02:08:00 DAI LUIS PENA

But at the same time I am in good, good mind.

02:08:03 DAI LUIS PENA

I'm not, you know, as not like the defense or whatever saying that you know that I'm crazier and or whatever I I am doing this in good faith.

02:08:12 DAI LUIS PENA

I'm doing everything in good faith.

02:08:14 DAI LUIS PENA

And my son and and all.

02:08:16 DAI LUIS PENA

He's in good faith.

02:08:16 DAI LUIS PENA

He is a good child.

02:08:17 DAI LUIS PENA

He can think.

02:08:18 DAI LUIS PENA

He does talk to me.

02:08:19 DAI LUIS PENA

He talks to everyone.

02:08:20 DAI LUIS PENA

Everyone would say how you feeling, teacher.

02:08:22 DAI LUIS PENA

If you want to bring that person, if you wanna be nurse.

02:08:24 DAI LUIS PENA

These are things that at least bring them the parts that are gonna make you make everyone look.

02:08:29 DAI LUIS PENA

Like, oh, well, that's short, concise to the point.

02:08:33 DAI LUIS PENA

Of why he did what he did.

02:08:35 DAI LUIS PENA

So now we're here.

02:08:36 DAI LUIS PENA

There's no reason to to put you in contempt, and there's no reason to to.

02:08:42 DAI LUIS PENA

Basically at least feel like you're in contempt of court like that.

02:08:46 DAI LUIS PENA

I know you you don't like.

02:08:47 DAI LUIS PENA

That feeling, and I don't like that.

02:08:49 DAI LUIS PENA

But I think I want to just get in.

02:08:51 DAI LUIS PENA

My mind I'm.

02:08:51 DAI LUIS PENA

Thinking let's just get past the point of the judge putting in contempt, and let's now get it back on the table and talking about 50-50 and that's.

02:09:01 DAI LUIS PENA

If if whatever.

02:09:02 DAI LUIS PENA

Everyone else tells.

02:09:03 DAI LUIS PENA

I think it needs to come.

02:09:04 DAI LUIS PENA

Down to, that's all I've ever wanted.

02:09:06 DAI LUIS PENA

All I want is for my.

02:09:08 DAI LUIS PENA

Kids to see.

02:09:09 DAI LUIS PENA

See Mom and Dad.

02:09:10 DAI LUIS PENA

That's all I want.

02:09:11 DAI LUIS PENA

I'm not fighting for anything else.

02:09:12 DAI LUIS PENA

I'm not fighting like the other side's fighting to take a child away from me. That's not what I'm fighting to do. I'm fighting to.

02:09:17 DAI LUIS PENA

Have everything equal.

02:09:19 DAI LUIS PENA

For my children.

02:09:20 DAI LUIS PENA

See the parents? That's it. Yeah. And I think you you need to be the neutral party there to not be fighting for 100% and be that person.

02:09:28 DAI LUIS PENA

That's like I'm fighting for a.

02:09:29 DAI LUIS PENA

100% but I never wanted this, but for you guys to.

02:09:31 DAI LUIS PENA

Want to put.

02:09:32 DAI LUIS PENA

Him in in residential, what do you want me to do?

02:09:35 DAI LUIS PENA

To to give him back to mom and for him to go to some residential.

02:09:38 DAI LUIS PENA

Place and then the conclusion of all that is like there's no way my son needs to be there.

02:09:44 DAI LUIS PENA

So I'm fighting for for him, and that's why I'm here.

02:09:48 DAI LUIS PENA

And that's why I would, I would do this again if it was to fight for my child to be put somewhere.

02:09:52 DAI LUIS PENA

Where you shouldn't be at all, that's not.

02:09:53 Rob Emert

When I file the ex parte, you know when I filed the ex part A in the next couple of days, I'll shoot a copy of it over to you what I file, but what I'm probably going to put in there is that I'm going to, per my doctor's instructions, I'm going to log in remote.

02:10:11 Rob Emert

And I'll have an attorney for my son and my son's attorney, and my son will be logging in remote.

02:10:18 Rob Emert

And it fits logging and remote fits under Rule 3.1221 I believe, and that you know if my they they keep denying my ADA but ADA you know my doctor was the one that recommended it because he said no. I said I don't have a disability and he's like.

02:10:38 Rob Emert

Well, if your if your condition impedes you from being basically working at 100% capacity for that function, then you consider to have a disability.

02:10:48 Rob Emert

And he said your heart attack easily qualifies.

02:10:52 Rob Emert

You know, something like that on paper that the courts gonna see.

02:10:59 Rob Emert

That I I basically to basically take that as your reason to be on teams online on Microsoft.

02:11:06 DAI LUIS PENA

So come up with that talk to whoever you need to talk to get that in there along with the ex parte to get all that there.

02:11:13 DAI LUIS PENA

So so you can move forward.

02:11:15 DAI LUIS PENA

So so we don't need.

02:11:16 DAI LUIS PENA

To to do.

02:11:17 DAI LUIS PENA

This warrant arrest I I just don't think.

02:11:20 DAI LUIS PENA

That's needed I think your.

02:11:21 DAI LUIS PENA

Your your person wants to handle it and and it appears that you will do what it takes.

02:11:25 DAI LUIS PENA

To it if it's.

02:11:26 DAI LUIS PENA

If you can.

02:11:27 DAI LUIS PENA

Get that ADA to get you.

02:11:28 DAI LUIS PENA

On that, teams.

02:11:30 DAI LUIS PENA

At least you'll be able to, but still.

02:11:33 DAI LUIS PENA

Kind of follow the same idea straight, you know, concise in the beginning of why this all happened.

02:11:39 DAI LUIS PENA

Good, good cause of what happened, why you're doing it and and so forth.

02:11:43 DAI LUIS PENA

And then your son talking as well and and explaining what he wants, you know, and the court asking him whatever questions they want to ask him and and then you reminding him.

02:11:52 DAI LUIS PENA

Just like you know, just like talking to me or talking to anyone else.

02:11:55 DAI LUIS PENA

Don't worry about anyone else asking a lot of questions.

02:11:58 DAI LUIS PENA

You know, just to answer and I and I think that's gonna get the ball rolling.

02:12:02 DAI LUIS PENA

I I can't really see, you know, right now I can't imagine where else it's gonna go to.

02:12:08 DAI LUIS PENA

I'm just seeing this ball rolling and.

02:12:12 DAI LUIS PENA

Back on table talking about stuff and and I'm hoping it it works out for the best for your son because at the end of the day that's, that's what what I'm here for is for the kids.

02:12:21 DAI LUIS PENA

Know parents you know.

02:12:22 DAI LUIS PENA

Well, and that's the scary part and.

02:12:24 Rob Emert

I I really do appreciate all the time on my case because I know it'd be really easy just to basically write the the warrant and say yeah, hopefully they're right and then just roll the dice and.

02:12:34 Rob Emert

You know, and that would ruin my sons life. And so the bummer at this point is that, you know, my I know what my ex-wife is gonna do.

02:12:43 Rob Emert

She'd throw him back in school and I've been home schooling.

02:12:46 Rob Emert

I mean, he's really smart, but what she would do is throw him back in school a grade behind.

02:12:50 Rob Emert

Everyone else and say it.

02:12:50 Rob Emert

Was your dad's fault? Well.

02:12:53 DAI LUIS PENA

Here's here's the stuff.

02:12:54 DAI LUIS PENA

That that I.

02:12:55 DAI LUIS PENA

Mean we can't guess on what's gonna.

02:12:58 DAI LUIS PENA

Happen right, I.

02:12:59 DAI LUIS PENA

I looked at this and my biggest thing is.

02:13:02 DAI LUIS PENA

He doesn't. He doesn't belong in some residential place. So for me to see that your son's going back to some San Marcos Unified School District, that's a win on that part.

02:13:12 DAI LUIS PENA

Now, whatever happens after that, what I would love to see is the idea 5050 in there with you guys and then the bows is going to be your son trusting you.

02:13:22 DAI LUIS PENA

And trusting that, hey, the court.

02:13:24 DAI LUIS PENA

System is is if.

02:13:26 DAI LUIS PENA

This is what it is and at the end of the day, whenever you see him, whenever he sees you that he knows that.

02:13:33 DAI LUIS PENA

That you fought for everything for him and he's number one in your life and that you know you're willing to to do what it takes.

02:13:40 DAI LUIS PENA

And I think in his heart, he's gonna know that.

02:13:43 DAI LUIS PENA

And I think that's where where it needs to go on that part.

02:13:45 DAI LUIS PENA

We we can't guess what's going to happen.

02:13:47 DAI LUIS PENA

I think the win is for him not to be.

02:13:49 DAI LUIS PENA

Some residential spot and the win.

02:13:51 DAI LUIS PENA

Would be for you to have 5050.

02:13:53 DAI LUIS PENA

Now everything else in time.

02:13:56 DAI LUIS PENA

Once this blows over and then you can get to the.

02:13:59 DAI LUIS PENA

Point where he.

02:13:59 DAI LUIS PENA

Can just say I don't wanna live with.

02:14:01 DAI LUIS PENA

Your mom no more and then.

02:14:02 DAI LUIS PENA

You can fight that.

02:14:02 DAI LUIS PENA

Battle and say cool.

02:14:04 DAI LUIS PENA

Let's do that, but I'll fight that battle with you.

02:14:06 DAI LUIS PENA

He just down.

02:14:06 DAI LUIS PENA

And then now you can go live with you.

02:14:08 DAI LUIS PENA

You can say it now, but right now.

02:14:09 DAI LUIS PENA

We're still finding other battle.

02:14:10 DAI LUIS PENA

Of of the court, you can.

02:14:11 DAI LUIS PENA

Hearing hearing you out and trying to to let all this other stuff go over, right?

02:14:16 DAI LUIS PENA

So I think that is where I think you will win it.

02:14:20 DAI LUIS PENA

Maybe you know small win in the beginning.

02:14:23 DAI LUIS PENA

I think within time you're gonna have that bigger win is where you're gonna see your son.

02:14:28 DAI LUIS PENA

If you're willing to fight that one.

02:14:29 DAI LUIS PENA

You will for.

02:14:31 DAI LUIS PENA

Do if he wants to.

02:14:32 DAI LUIS PENA

Be 100% with.

02:14:33 DAI LUIS PENA

You can you tell the.

02:14:34 DAI LUIS PENA

Court he wants.

02:14:35 DAI LUIS PENA

And for him to for you to find someone to, to basically.

02:14:39 DAI LUIS PENA

Be on your side saying his he doesn't.

02:14:42 DAI LUIS PENA

He can think on his own.

02:14:43 DAI LUIS PENA

He can have his own opinion.

02:14:44 DAI LUIS PENA

He can pick where he wants.

02:14:46 DAI LUIS PENA

He doesn't need to be on all these other, you know, programs and all.

02:14:49 DAI LUIS PENA

These other things that that people are saying.

02:14:50 Rob Emert

What's your? What's your?

02:14:51

What's your e-mail real quick, I'll.

02:14:53 Rob Emert

Write it down.

02:14:54 DAI LUIS PENA

It's Luis Pena@.

02:15:02 DAI LUIS PENA

Sdcda.org.

02:15:05 DAI LUIS PENA

SDCDA dot yeah.

02:15:07 DAI LUIS PENA

OK, it's the same as Stevens. But mines, Louise. Period Pena at sdccd.org.

02:15:13 Rob Emert

You know, here's the really big thing. And because I know your most important goal is the kids, and here's where my son's at. And is that he was traumatized by.

02:15:25 Rob Emert

His mom, by his attorney by his psychologist, and they were all trying to make money off him.

02:15:32 Rob Emert

His mom was trying to use him as a piece on the chess table.

02:15:36 Rob Emert

Divorce chess bait table and he knows his lawyer and a psychologist. We're trying to just pump them for for whatever and, you know, use them for a three to \$400.

02:15:45 Rob Emert

And now her paycheck.

02:15:46 Rob Emert

He knows that he's a smart kid.

02:15:48 Rob Emert

He's ***** between you and I.

02:15:50 Rob Emert

He's he's suffered.

02:15:51 Rob Emert

And I, I I can't bring him back in.

02:15:54 Rob Emert

To this corruption, he he thinks.

02:15:58 Rob Emert

He tells me he says Dad, I can never go back to that.

02:16:01 Rob Emert

And I I can't.

02:16:02 Rob Emert

The the abuse that these people subjected him to and he's doing fantastic now.

02:16:07 Rob Emert

I don't want to drag.

02:16:08 Rob Emert

Him back into it.

02:16:09 DAI LUIS PENA

OK, but here's where I'm kind of look, the outside person thinking it if if.

02:16:17 DAI LUIS PENA

If we don't move forward.

02:16:18 DAI LUIS PENA

With this, then you're gonna be taken to jail, and they're basically gonna force them to do it.

02:16:23 DAI LUIS PENA

So I I don't know what's better.

02:16:24 DAI LUIS PENA

It's for for him to be there with you fighting and if.

02:16:27 DAI LUIS PENA

Something changes for him.

02:16:29 DAI LUIS PENA

You know that you're fighting with it, or for all of a sudden there's an arrest warrant.

02:16:35 DAI LUIS PENA

He's basically taken.

02:16:37 DAI LUIS PENA

To moms without it even being a soft hand over by you to say, hey, son, I'm.

02:16:43 DAI LUIS PENA

I'm here for you guys.

02:16:44 DAI LUIS PENA

You know what?

02:16:45 DAI LUIS PENA

We're gonna get through this, you know.

02:16:46 DAI LUIS PENA

Yeah, I don't you know.

02:16:47 DAI LUIS PENA

I'm 100% here for you.

02:16:48 Rob Emert

I I don't think they're going to be able to arrest me.

02:16:50 Rob Emert

I've got, like, hundreds of.

02:16:51

People that will.

02:16:52 Rob Emert

Well, that's the thing.

02:16:53 DAI LUIS PENA

That's why if you go to court.

02:16:55

That warrants not gonna go in to the system.

02:16:57 DAI LUIS PENA

There is not.

02:16:57 DAI LUIS PENA

Gonna be nothing.

02:16:58 DAI LUIS PENA

If you have to deal with it in court, you deal with in court.

02:17:00 DAI LUIS PENA

I just believe that.

02:17:02 DAI LUIS PENA

You being arrested, it's.

02:17:03 DAI LUIS PENA

Not, yeah, I've, I've.

02:17:04 DAI LUIS PENA

I don't think that's the right way to go out on this.

02:17:05 DAI LUIS PENA

I've had, like, hundreds.

02:17:06 DAI LUIS PENA

I don't think that's.

02:17:07 DAI LUIS PENA

The right way to go out on this?

02:17:08 DAI LUIS PENA

I think you want to go out fighting, which means you need to try the court and you need to go in there and fight your ex in court and it needs to be fought that way.

02:17:16 DAI LUIS PENA

And I think your son, he's smart.

02:17:18 DAI LUIS PENA

Enough to see that.

02:17:19 DAI LUIS PENA

OK, he's fighting like.

02:17:21 DAI LUIS PENA

He didn't give up.

02:17:22 DAI LUIS PENA

Like we didn't just run away and hide.

02:17:24 DAI LUIS PENA

Like when when he got called, he freaking jumped and freaking got it done and we went to court and it wasn't.

02:17:31 DAI LUIS PENA

Fun, but we got through it.

02:17:33 DAI LUIS PENA

Well, if we do, what's?

02:17:34 DAI LUIS PENA

OK.

02:17:34 Rob Emert

What do we, what's the DA's position going to be? If I mean, cause I can do everything we're talking about.

02:17:39 Rob Emert

I've been doing this for three years.

02:17:41 Rob Emert

But I can do it.

02:17:42 Rob Emert

But my only concern is that when I turn it in, they're going to say basically no.

02:17:46 Rob Emert

You show up in person or you don't get to.

02:17:48 Rob Emert

Say, and that's a violation of due process.

02:17:50 Rob Emert

We're not going to get.

02:17:51 Rob Emert

Gonna say anything to.

02:17:52 Rob Emert

That cause you're.

02:17:52 DAI LUIS PENA

Gonna tell the court we don't get involved.

02:17:55 DAI LUIS PENA

You're going to.

02:17:55 DAI LUIS PENA

Family Court has nothing to do with no, but that's what they're going to say.

02:17:58 DAI LUIS PENA

So when I when I basically do all of this.

02:18:01 DAI LUIS PENA

They're they're going to basically say no, show open person, or we're going to arrest you.

02:18:07 DAI LUIS PENA

No, I I there's this.

02:18:09 DAI LUIS PENA

Lady, that she finally got arrested after.

02:18:12 DAI LUIS PENA

The third freaking time I had an arrest warrant.

02:18:14 DAI LUIS PENA

For her toe after she showed up.

02:18:17 DAI LUIS PENA

And basically kidnapped her kid back and high on drugs.

02:18:21 DAI LUIS PENA

Yeah, like it takes.

02:18:22 DAI LUIS PENA

A lot for for a judge to arrest.

02:18:24 DAI LUIS PENA

You on on family while going to family.

02:18:28 DAI LUIS PENA

If we've the criminal charge.

02:18:29 DAI LUIS PENA

It's easier to get in an arrest warrant for you, cause it takes a lot.

02:18:33 DAI LUIS PENA

All these cases I have all fit the criteria of basically child abduction.

02:18:38 DAI LUIS PENA

It's just we don't.

02:18:39 DAI LUIS PENA

We don't go move forward because people are handling it in court.

02:18:42 DAI LUIS PENA

We want people to handle in family court, court decisions and family court have nothing to do with us and we don't move forward on.

02:18:48 DAI LUIS PENA

Any criminal charges?

02:18:49 DAI LUIS PENA

Unless the people the people.

02:18:50 DAI LUIS PENA

Are trying to.

02:18:50 DAI LUIS PENA

evade or continually just don't give a **** about what court and then the judge just says.

02:18:56 DAI LUIS PENA

You know what?

02:18:58 DAI LUIS PENA

I want them arrested file, you know.

02:19:01 DAI LUIS PENA

The DA's office.

02:19:03

To continue moving forward on their case, on, on or whatever.

02:19:06 Rob Emert

But well, here's here's my only concern is that is that I can do all of this, but I think.

02:19:10 Rob Emert

What they're again?

02:19:11 Rob Emert

I hope I'm wrong, but I I submit all this and me and Bryce and his attorney.

02:19:18 Rob Emert

Show up on remote and they won't hear us.

02:19:21 Rob Emert

That's that's what I.

02:19:22 DAI LUIS PENA

They're they're gonna hear you.

02:19:23 DAI LUIS PENA

I mean, they may tell you, hey, we're we're.

02:19:26 DAI LUIS PENA

We are here today.

02:19:27 DAI LUIS PENA

And I've seen this, and we're gonna do this today, but we are going to or change the court date and said hey next week you need to show up in person.

02:19:35 DAI LUIS PENA

That may happen.

02:19:37 DAI LUIS PENA

But my point is you need to make that court.

02:19:41 DAI LUIS PENA

date, however that works because I just don't want an arrest warrant.

02:19:44 DAI LUIS PENA

That's just my.

02:19:47 DAI LUIS PENA

Point on it, right, but we'll help.

02:19:49 DAI LUIS PENA

However, whatever happens, I don't know what's going to happen.

02:19:51 DAI LUIS PENA

I don't know what the judge is going to say in family court.

02:19:54 DAI LUIS PENA

I don't know if.

02:19:54 DAI LUIS PENA

They're going to believe that, hey, Nope, this is not gonna work.

02:19:58 DAI LUIS PENA

Sorry, you gotta show up.

02:19:59 DAI LUIS PENA

Person, that is where the ada part comes.

02:20:01 DAI LUIS PENA

In where now you have.

02:20:03 DAI LUIS PENA

It's what American Disabilities Act.

02:20:06 DAI LUIS PENA

This is where that comes in, and now a judge.

02:20:09 DAI LUIS PENA

Can't force you to do something, because otherwise that's already another part that they have to deal.

02:20:13 DAI LUIS PENA

Oh my God, he.

02:20:14 DAI LUIS PENA

Has that OK?

02:20:15 DAI LUIS PENA

Well, he can do.

02:20:16 DAI LUIS PENA

It he can do it, come home, that's fine.

02:20:18 DAI LUIS PENA

This is where you need to.

02:20:19 DAI LUIS PENA

Have that backing and make sure to go.

02:20:20 DAI LUIS PENA

Take care of.

02:20:21 DAI LUIS PENA

That have that ready.

02:20:21 DAI LUIS PENA

Go where you can.

02:20:23 DAI LUIS PENA

You can say.

02:20:23 DAI LUIS PENA

That, to the judge say, well I do.

02:20:25 DAI LUIS PENA

Have this letter.

02:20:27 DAI LUIS PENA

I have this letter from my.

02:20:30 DAI LUIS PENA

Basically, my doctor ada disability.

02:20:34 DAI LUIS PENA

Whatever paperwork and so forth and.

02:20:35 DAI LUIS PENA

I'm here just to.

02:20:37 DAI LUIS PENA

To move forward with this case.

02:20:38 DAI LUIS PENA

And then not not trying to dodge anything.

02:20:40 DAI LUIS PENA

I am here.

02:20:42 DAI LUIS PENA

I don't want to be arrested for something that I know I'm not doing.

02:20:45

I'm doing this for my son.

02:20:46 DAI LUIS PENA

I'm trying to do the.

02:20:47 DAI LUIS PENA

Best I can and and that's it all.

02:20:49 DAI LUIS PENA

You can do is do the best you can.

02:20:50 DAI LUIS PENA

And I I I can't.

02:20:51 DAI LUIS PENA

I don't know the what ifs.

02:20:53 DAI LUIS PENA

There's so many what ifs.

02:20:54 DAI LUIS PENA

Well, no, that's well that's the.

02:20:55 DAI LUIS PENA

Only thing is that we've, we've we've already done all this.

02:20:58 DAI LUIS PENA

That's The thing is that I I've submitted the ADA forms, yeah.

02:21:01 DAI LUIS PENA

I I get that you have done it.

02:21:03 DAI LUIS PENA

But at this point we're at a point now where it's you're gonna be.

02:21:06 DAI LUIS PENA

Arrested. And now you're gonna.

02:21:07 DAI LUIS PENA

Be finding a criminal charge.

02:21:08 DAI LUIS PENA

If we don't, if you don't go back and continue and go back to court, basically you can go to court and it could.

02:21:14 DAI LUIS PENA

Be the same.

02:21:14 DAI LUIS PENA

Thing we were at last.

02:21:15 DAI LUIS PENA

But you're not gonna get an arrest work from us.

02:21:18 DAI LUIS PENA

Gotcha. OK, done. So I'll.

02:21:19 DAI LUIS PENA

I'll resubmit it now, so I'm gonna show up.

02:21:21 DAI LUIS PENA

On teams and.

02:21:22 DAI LUIS PENA

More than likely gonna say no and.

02:21:23 DAI LUIS PENA

It's gonna come and go, I hope.

02:21:24 DAI LUIS PENA

And you know.

02:21:25 DAI LUIS PENA

What that that is.

02:21:26 DAI LUIS PENA

That is all I'm trying to prevent is is having.

02:21:28 DAI LUIS PENA

An arrest for this charge?

02:21:30 DAI LUIS PENA

Like I don't see them charging that that is the biggest thing.

02:21:33 DAI LUIS PENA

If if anything in this conversation and I.

02:21:36 DAI LUIS PENA

Wanted to hear.

02:21:36 DAI LUIS PENA

Your side, instead of reading everything because.

02:21:38 DAI LUIS PENA

It's directly from you.

02:21:39 DAI LUIS PENA

So that's why I took the time, but.

02:21:41 DAI LUIS PENA

The biggest thing of.

02:21:43 DAI LUIS PENA

All for you.

02:21:43 DAI LUIS PENA

To know is I don't want to file charges or right at warrant for your arrest because I believe this should be handling.

02:21:50 DAI LUIS PENA

Family court and not Criminal Court.

02:21:53 DAI LUIS PENA

So if if, if that family court continues to go.

02:21:57

In circles again.

02:21:58 DAI LUIS PENA

At least you're.

02:21:58 DAI LUIS PENA

Dealing with the family court.

02:22:00 DAI LUIS PENA

And and and you don't have to worry about.

02:22:03 DAI LUIS PENA

Ohh now I'm dealing with freaking Criminal Court now for charges.

02:22:05 DAI LUIS PENA

Of this other stuff. Just.

02:22:06 DAI LUIS PENA

Cause you know, family courts not really siding with me, but you're gonna continue fighting that fight, man, I know you.

02:22:12 DAI LUIS PENA

You're gonna continue find that fight with family court to prove your your case and to have your.

02:22:16 DAI LUIS PENA

Child with you and basically.

02:22:19 DAI LUIS PENA

For them to realize that.

02:22:20 DAI LUIS PENA

He's 15 and.

02:22:22 DAI LUIS PENA

What? What is this battle?

02:22:24 DAI LUIS PENA

In in court having to.

02:22:25 DAI LUIS PENA

Go this way because your son wants to be with you anyways.

02:22:27 DAI LUIS PENA

So what's the battle for?

02:22:28 DAI LUIS PENA

I think if you can.

02:22:29 DAI LUIS PENA

Just prove that much.

02:22:30 DAI LUIS PENA

There's no reason for the rest.

02:22:32 DAI LUIS PENA

Of the tab.

02:22:33 DAI LUIS PENA

All this other BS can go away as long as finally, with his IEP that that there's no reason why he cannot say where he.

02:22:41 DAI LUIS PENA

Where he wants to live, he wants to live with you like.

02:22:45 DAI LUIS PENA

If you can just deal with that portion of.

02:22:47 DAI LUIS PENA

It everything else freaking goes away.

02:22:49 DAI LUIS PENA

It doesn't even matter like your arguments are their arguments.

02:22:52 DAI LUIS PENA

That reasoning is behind.

02:22:53 DAI LUIS PENA

It doesn't even matter.

02:22:54 DAI LUIS PENA

As long as your son can say and you and you can find some.

02:22:57 DAI LUIS PENA

Sort of evidence.

02:22:58 DAI LUIS PENA

To say here it is just.

02:23:01 DAI LUIS PENA

He's of age that he can.

02:23:02 DAI LUIS PENA

He can basically.

02:23:03 DAI LUIS PENA

Speak for himself and that's.

02:23:04 DAI LUIS PENA

All I want to say today, and here's my son.

02:23:07 DAI LUIS PENA

OK, so maybe that's the plan.

02:23:08 DAI LUIS PENA

Do a quick.

02:23:12 DAI LUIS PENA

Ex parte regarding the custody of the minor Bryce, and then just say and then say that I'll show up and I'll show up.

02:23:21 DAI LUIS PENA

Remote by teams with Bryce and his attorney, and maybe even a child psychologist.

02:23:28 DAI LUIS PENA

Sure, IEP person two to show that.

02:23:31 DAI LUIS PENA

Hey, he's good.

02:23:32 DAI LUIS PENA

Like, there's no reason why this child.

02:23:34

Why Bryce can't make.

02:23:35 DAI LUIS PENA

His own decision.

02:23:37 DAI LUIS PENA

And if everyone, the judge believes everyone there and says, you know what, you're right.

02:23:41 DAI LUIS PENA

Your son can't make his own decision.

02:23:43 DAI LUIS PENA

And I think you.

02:23:45 DAI LUIS PENA

You have a big win and you don't even.

02:23:46 DAI LUIS PENA

Have to bring up everything else.

02:23:47 DAI LUIS PENA

Everything else you're gonna follow up with court in federal court and everything else, but that doesn't need to come up that day.

02:23:53 DAI LUIS PENA

The biggest thing you wanna show up in one day is.

02:23:57 DAI LUIS PENA

Just like you said, I'm gonna show up with with a psychologist, show up his IEP, show up with him on teams, and This is why I believe this.

02:24:05 DAI LUIS PENA

All this stuff should should.

02:24:06 DAI LUIS PENA

Not even be happening because of his age period.

02:24:10 DAI LUIS PENA

And in that way, it's like everything else is.

02:24:12 DAI LUIS PENA

Like you know.

02:24:14 DAI LUIS PENA

These guys really don't.

02:24:15 DAI LUIS PENA

The judge just doesn't want to.

02:24:16 DAI LUIS PENA

Hear the judges doesn't.

02:24:18 DAI LUIS PENA

This is what I've learned about judges working with.

02:24:20 DAI LUIS PENA

The DA Sons, they want it.

02:24:22 DAI LUIS PENA

They see everything.

02:24:24 DAI LUIS PENA

But if they see a reason of where like.

02:24:28 DAI LUIS PENA

If if the.

02:24:29 DAI LUIS PENA

Judge says. You know what?

02:24:29 DAI LUIS PENA

You're right, he is 15 and you guys prove to me that we shouldn't even be here because he's saying he wants to be.

02:24:35 DAI LUIS PENA

With you, Sir.

02:24:37

There's no reason.

02:24:38

For us to be here, then let's move forward.

02:24:39 DAI LUIS PENA

Whatever can you know.

02:24:41 DAI LUIS PENA

And then you move forward from there.

02:24:43 DAI LUIS PENA

I think it could be as simple as that.

02:24:44 DAI LUIS PENA

I've had cases.

02:24:45 DAI LUIS PENA

Where my other partner told me the same thing.

02:24:49 DAI LUIS PENA

Have them show up to court. The child basically says what they want, and the judge basically follows the 15 or 16 year old and says you.

02:24:58 DAI LUIS PENA

Know that the.

02:24:59 DAI LUIS PENA

Young man here wants to be with Dad.

02:25:00 DAI LUIS PENA

That's where he wants to be.

02:25:01 DAI LUIS PENA

That's where it's gonna be.

02:25:02 DAI LUIS PENA

Unless they feel.

02:25:04 DAI LUIS PENA

And this is where you have to show.

02:25:05 DAI LUIS PENA

Up and say I am.

02:25:07 DAI LUIS PENA

Mind I am not.

02:25:09 DAI LUIS PENA

The person that they're portraying.

02:25:11 DAI LUIS PENA

Here's the letter from the.

02:25:13 DAI LUIS PENA

Counselor. Psychologist. I went.

02:25:14 DAI LUIS PENA

To I am.

02:25:15 DAI LUIS PENA

I mean good, I am good.

02:25:17 DAI LUIS PENA

I'm not trying to fight anyone.

02:25:19 DAI LUIS PENA

I'm not here, you know, cause they're gonna put you as the bad person.

02:25:22 DAI LUIS PENA

You're gonna put you as.

02:25:22 DAI LUIS PENA

A person who's evil.

02:25:24 DAI LUIS PENA

Oh my God.

02:25:24 DAI LUIS PENA

You're showing my son guns we saw.

02:25:26 DAI LUIS PENA

It on text we saw it on.

02:25:27 DAI LUIS PENA

Facebook. Oh my.

02:25:28 DAI LUIS PENA

God, you're exposing them to all this stuff.

02:25:32 DAI LUIS PENA

Everything's done.

02:25:33 DAI LUIS PENA

Safely, like you just have to be able to.

02:25:34 DAI LUIS PENA

Explain that cause they're gonna.

02:25:36 DAI LUIS PENA

They're gonna attack you.

02:25:38 DAI LUIS PENA

Right.

02:25:38 DAI LUIS PENA

They attack you as.

02:25:38 DAI LUIS PENA

A person and you have to be able.

02:25:40 DAI LUIS PENA

To defend that, so have.

02:25:41 DAI LUIS PENA

That evidence to prove you don't.

02:25:42 DAI LUIS PENA

Need to attack me?

02:25:43 DAI LUIS PENA

I'm a person who speaks my mind, who know who's who's smart enough to know that, you know, I want to represent myself, you know, and I want to be be able to sit here in court and say.

02:25:54 DAI LUIS PENA

That I'm willing to.

02:25:55 DAI LUIS PENA

Fight for my child, that's what.

02:25:57 DAI LUIS PENA

I'm I'm kind of person.

02:25:58 DAI LUIS PENA

Yeah, like he's my child.

02:26:00 DAI LUIS PENA

He's my son.

02:26:01 DAI LUIS PENA

Like, why I think anyone.

02:26:02 DAI LUIS PENA

Anyone else here in court would fight for their children.

02:26:04 DAI LUIS PENA

You know, I'm not a fighter.

02:26:07 DAI LUIS PENA

I'm not here to threaten anyone.

02:26:08 DAI LUIS PENA

I'm not here for anything else other than for him.

02:26:12 DAI LUIS PENA

So you think?

02:26:12 DAI LUIS PENA

And that way the court sees you as.

02:26:14 DAI LUIS PENA

A person that's like.

02:26:15 DAI LUIS PENA

Man, this this is a good hearted dad.

02:26:17 DAI LUIS PENA

That's just fighting for his son.

02:26:19 DAI LUIS PENA

He's not the person they're painting him out to be, you know he's.

02:26:22 DAI LUIS PENA

Not that at all.

02:26:24 DAI LUIS PENA

Yeah, hopefully you.

02:26:26 DAI LUIS PENA

I really not.

02:26:27 DAI LUIS PENA

I mean, I got.

02:26:28 DAI LUIS PENA

Know that you but you.

02:26:28 Rob Emert

I got pummeled.

02:26:29 DAI LUIS PENA

Know you do realize how it looks.

02:26:30 DAI LUIS PENA

On paper. Ohh.

02:26:32 Rob Emert

No, they're doing a great job on paper.

02:26:33 DAI LUIS PENA

To someone who doesn't know you.

02:26:35 DAI LUIS PENA

And this is where you need to give your.

02:26:38 DAI LUIS PENA

It's basically your.

02:26:39 DAI LUIS PENA

Your your little elevator.

02:26:40 DAI LUIS PENA

Speech to walk.

02:26:41 DAI LUIS PENA

In there and and and and.

02:26:43 DAI LUIS PENA

Show the judge who you are.

02:26:44 DAI LUIS PENA

They don't know you all they know your paper, right?

02:26:46 DAI LUIS PENA

So if you walk in.

02:26:47 DAI LUIS PENA

There with tons of.

02:26:47 DAI LUIS PENA

Staff, you just want to prove to them that you're in good mind that.

02:26:51 DAI LUIS PENA

Your son knows what he wants, that he can speak.

02:26:54 DAI LUIS PENA

For himself as well.

02:26:55 DAI LUIS PENA

And that here here's a case of it.

02:26:58 DAI LUIS PENA

You know that you wanted.

02:26:59 DAI LUIS PENA

100% 50/50.

02:27:01 DAI LUIS PENA

That was your goal.

02:27:02 DAI LUIS PENA

And then now your son is telling you otherwise, and you're gonna go.

02:27:06

With whatever your son likes, which your son wants to be with.

02:27:09 DAI LUIS PENA

You and and kind of go with that.

02:27:11 DAI LUIS PENA

It's like it's it's pretty simple if you kind of break it down in your mind.

02:27:15 DAI LUIS PENA

Like I don't want to.

02:27:16 DAI LUIS PENA

Bring in all these things to basically cloud.

02:27:21 DAI LUIS PENA

It's this big facts of who you are as a person and how you know that you're not.

02:27:26 DAI LUIS PENA

That person, and who your who.

02:27:29 DAI LUIS PENA

Your son wants to live with.

02:27:30 DAI LUIS PENA

And what your goal was from the beginning.

02:27:32 DAI LUIS PENA

Which was 50.

02:27:33 DAI LUIS PENA

50 and say that's.

02:27:34 DAI LUIS PENA

All I wanted.

02:27:35 DAI LUIS PENA

Like everything's being clouded with all these other things that scared me from him being taken from me and being put in the home somewhere in some residential home which you didn't.

02:27:46 DAI LUIS PENA

Need to be.

02:27:46 DAI LUIS PENA

And all this we've got because of all that spun up to where we are today because of that and because there's no way that my son was ever going to go somewhere like that.

02:27:57 DAI LUIS PENA

I think if you just break it down to small.

02:28:00 DAI LUIS PENA

Basically picture like that.

02:28:02 DAI LUIS PENA

Then the judge is going to.

02:28:03 DAI LUIS PENA

Be like so.

02:28:03 DAI LUIS PENA

Why are we here again?

02:28:05 DAI LUIS PENA

Can what can you prove Sir?

02:28:06 DAI LUIS PENA

And they want evidence.

02:28:08 DAI LUIS PENA

So this is where you bring evidence out.

02:28:11 DAI LUIS PENA

Appreciation throughout facts.

02:28:12 DAI LUIS PENA

And then after we say, here's evidence of that.

02:28:14 DAI LUIS PENA

There's evidence of this here's evidence of that.

02:28:17 DAI LUIS PENA

And here's my son so he can talk to you about it.

02:28:20 DAI LUIS PENA

And and basically, here's everything.

02:28:22 DAI LUIS PENA

I don't know what.

02:28:23 DAI LUIS PENA

Else to tell you like.

02:28:25 DAI LUIS PENA

This this just.

02:28:26 DAI LUIS PENA

Simple, pretty simple, straightforward that we have here, but it was clouded up by the courts and it was clouded up by attorneys.

02:28:34 DAI LUIS PENA

And I'm here now explaining.

02:28:36 DAI LUIS PENA

How simple it is?

02:28:39 Rob Emert

What Dave Shulman has a lot of pull with a lot of people. His family's pretty powerful in San Diego.

02:28:44 Rob Emert

He's got buddies at the bar, the Commission on judicial performance.

02:28:48 Rob Emert

You know, he's got them all over so.

02:28:51 DAI LUIS PENA

Show, show, show the facts.

02:28:52 DAI LUIS PENA

You're saying I think the end of the day.

02:28:55 DAI LUIS PENA

I've just seen kids come and and see where they want to be and and what I just can't see them arguing.

02:29:00 DAI LUIS PENA

If if if you can prove that you.

02:29:02 DAI LUIS PENA

Son is capable of talking for himself, speaking for himself and explaining to the court what he wants.

02:29:09 DAI LUIS PENA

Yeah, it's simple at that point, because now it's not you trying to fight the fight.

02:29:13 DAI LUIS PENA

Now they're listening to him.

02:29:14 DAI LUIS PENA

And what what they gonna do?

02:29:16 DAI LUIS PENA

Say no, Sir, you can't.

02:29:18 DAI LUIS PENA

Say where you want to live.

02:29:19 DAI LUIS PENA

You can't like well.

02:29:21 DAI LUIS PENA

Well, the problem is I.

02:29:21 DAI LUIS PENA

Your honor, like.

02:29:22 DAI LUIS PENA

I'm pretty sure, right?

02:29:22 DAI LUIS PENA

Show me why he cannot.

02:29:24 Rob Emert

Well, here's the problem.

02:29:25 Rob Emert

I think what they're going to do.

02:29:26 Rob Emert

And again, I hope I'm wrong and I'm going to.

02:29:27 Rob Emert

I'm going to do everything we talked about and I'm going to submit the ex part A and bring us all in.

02:29:32 Rob Emert

But I think.

02:29:32 Rob Emert

What they're going to do is say no, you have to show up in person or we don't listen to you.

02:29:36 Rob Emert

Right, I'm pretty sure.

02:29:37 Rob Emert

That's what they going to do.

02:29:37 DAI LUIS PENA

OK well if if that's what they do, I think after the ada, then I think that is where you got.

02:29:43 DAI LUIS PENA

That point afterwards too.

02:29:45 DAI LUIS PENA

Yeah, say, well, this this, if this letter does not allow me to go there because of my condition, my heart condition and so forth and so on then.

02:29:55 DAI LUIS PENA

I I really.

02:29:56 DAI LUIS PENA

And then that's just another battle.

02:29:58 DAI LUIS PENA

And you're gonna have to in in your basically in your mind.

02:30:02 DAI LUIS PENA

Think I what do what do I want to do?

02:30:04 DAI LUIS PENA

I'm just saying fighting in family court.

02:30:09 DAI LUIS PENA

The criminal side where we're gonna write a warrant and then there's gonna be criminal charges.

02:30:12 DAI LUIS PENA

I just don't.

02:30:13 DAI LUIS PENA

I don't believe that's the way to go.

02:30:14 DAI LUIS PENA

I think family court, it's not perfect far.

02:30:17 DAI LUIS PENA

From perfect you know that because.

02:30:18 DAI LUIS PENA

You've you've educated yourself.

02:30:20 DAI LUIS PENA

In the family court and I.

02:30:23 DAI LUIS PENA

I can't say agree or disagree I.

02:30:25 DAI LUIS PENA

Just know that things are not perfect.

02:30:27 DAI LUIS PENA

But with that said.

02:30:30 DAI LUIS PENA

There's no need for.

02:30:31 DAI LUIS PENA

Us, as the district Attorney's office to.

02:30:32 DAI LUIS PENA

File any criminal charges so.

02:30:35 DAI LUIS PENA

I think this can be resolved from me having to arrest you.

02:30:39 DAI LUIS PENA

Is you just.

02:30:40 DAI LUIS PENA

Going to family court and fighting that at the battle that I can't say is going to be solved resolved in in one court date or two.

02:30:47 DAI LUIS PENA

I'm saying that the fight is worth the fight.

02:30:50 DAI LUIS PENA

And I I really don't know where it's going to end up, but I.

02:30:53 DAI LUIS PENA

Think it's worth the fight so you don't have.

02:30:56 DAI LUIS PENA

Think about criminal charges.

02:30:58 DAI LUIS PENA

Right.

02:30:58 Rob Emert

So if they if they go in circles and they keep pushing at the DA's office to to arrest me.

02:31:05 Rob Emert

But I I mean I get a trial with cause it's quasi criminal.

02:31:08 Rob Emert

So if they kick it over to you guys, I get a trial with a jury.

02:31:13 DAI LUIS PENA

Yeah, but you're still you.

02:31:14 DAI LUIS PENA

At the same time, you gonna be fighting family court.

02:31:16 DAI LUIS PENA

At the same time, so you will.

02:31:18 DAI LUIS PENA

Get a trial.

02:31:19 DAI LUIS PENA

You definitely will get a trial and.

02:31:23

Personally, I think you'll win that.

02:31:24

I don't I.

02:31:25 DAI LUIS PENA

Don't think that's that's a big deal.

02:31:27 DAI LUIS PENA

But the the The thing is that you should not still fight that.

02:31:30 DAI LUIS PENA

Family court part.

02:31:31 DAI LUIS PENA

So I mean I I just don't think that what's the point of fighting fighting.

02:31:36 DAI LUIS PENA

I mean, I think you're gonna continue fighting that family court regardless of what happens on this side.

02:31:42 DAI LUIS PENA

Right.

02:31:42 DAI LUIS PENA

Like you say.

02:31:43 DAI LUIS PENA

Well, I'm willing to fight the.

02:31:44 DAI LUIS PENA

Court Criminal Court.

02:31:45 DAI LUIS PENA

And I'll and I'll face.

02:31:47 DAI LUIS PENA

Jury and I'm going to jury.

02:31:49 DAI LUIS PENA

That's no problem.

02:31:50 DAI LUIS PENA

I mean, I'll show.

02:31:51 DAI LUIS PENA

I'll prove the jury well.

02:31:52 DAI LUIS PENA

If you want to fight that battle, then.

02:31:55 DAI LUIS PENA

That's an arrest.

02:31:56 DAI LUIS PENA

The criminal arrest and or criminal basically.

02:31:59 DAI LUIS PENA

Now they're going to file charges and say, OK, we're going to do that, but the only.

02:32:02 DAI LUIS PENA

Reason that's going to.

02:32:03 DAI LUIS PENA

Happen is if you stop going to family court and trying to resolve the court issues in family court.

02:32:10 Rob Emert

I mean, personally, if they keep shutting me down and don't let me log in.

02:32:14 Rob Emert

Remote, I would imagine.

02:32:16 Rob Emert

I would guess.

02:32:17 Rob Emert

I know you can't answer this either which way, but I would.

02:32:19 Rob Emert

I would guess that whoever makes that decision is gonna be like, wait a minute.

02:32:23 Rob Emert

You're not letting him his voice be heard simply because you want him to show up in person.

02:32:28 Rob Emert

Clearly you have an ulterior motive.

02:32:30 Rob Emert

Mean that is just obvious.

02:32:32 Rob Emert

That anybody? I mean, I'm thinking if I am a judge. I don't care if somebody's remote or, you know, right in front of me, you know, and everybody.

02:32:33 DAI LUIS PENA

Right.

02:32:39 Rob Emert

I think even the the senior, the the biggest judge in California at the Superior Court of in, you know, she actually said everybody can do remote in most cases.

02:32:48 Rob Emert

So if they keep coming back and and trying to nickel and dime me.

02:32:52 Rob Emert

And play games with me.

02:32:53 Rob Emert

Showing up in person.

02:32:56 Rob Emert

I think that just it just proves the motive of not being fair.

02:33:01 DAI LUIS PENA

Sure. Yeah, I mean.

02:33:03 DAI LUIS PENA

I I think that's a good argument.

02:33:04 DAI LUIS PENA

I think that that can be brought up of why they don't.

02:33:07 DAI LUIS PENA

Allow you to to to prove it.

02:33:10 DAI LUIS PENA

Because you just continue with the idea that's it's ada. You you can't. Your heart cannot go there and they just need to see that. It's like really for me to show the court and everyone else all my medical records and all that.

02:33:26 DAI LUIS PENA

Why isn't this?

02:33:28 DAI LUIS PENA

A this letter from ada or this letter from the Doctor just good enough without explaining, like putting all my personal business out there about my heart condition, whatever.

02:33:36 DAI LUIS PENA

It's all my medical things out there, like it shouldn't be like I think the court needs to understand.

02:33:41 DAI LUIS PENA

Like, why does everyone need to know everything when?

02:33:43 DAI LUIS PENA

I got a.

02:33:43 DAI LUIS PENA

Letter here that shows that I can't show up to court.

02:33:46 DAI LUIS PENA

Like why like why are you guys fighting that battle?

02:33:49 DAI LUIS PENA

I think the court just needs to understand, like, you guys are fighting the.

02:33:52 DAI LUIS PENA

That's not a good battle to fight because.

02:33:54 DAI LUIS PENA

It's American with disabilities.

02:33:57 DAI LUIS PENA

You don't need to.

02:33:58 DAI LUIS PENA

You don't need to ask a million questions and find out all those.

02:34:00 DAI LUIS PENA

Those are all private.

02:34:01 DAI LUIS PENA

I don't need the court to understand everything of what my condition is.

02:34:06 DAI LUIS PENA

Right, like they don't need to know all you.

02:34:08 DAI LUIS PENA

Need to know is I.

02:34:08 DAI LUIS PENA

Have a letter that says that I cannot show up.

02:34:11 Rob Emert

I think what it you know what I think it is, is that they're worried about what's called the Marvin Action, which basically that's what they're worried about.

02:34:11 DAI LUIS PENA

That's all you need to know.

02:34:19 DAI LUIS PENA

Like they're riding with it.

02:34:21 Rob Emert

I think they're worried because they they know they pushed me into the all these people pushed me into the heart attack.

02:34:25 Rob Emert

They know it, and so they're worried that if the ADA basically says, yeah, you had a heart attack and it's legal abuse.

02:34:31 Rob Emert

By all these idiots.

02:34:33 Rob Emert

That, that, that now.

02:34:34 Rob Emert

But what's just?

02:34:35 DAI LUIS PENA

Going to continue when they don't let it.

02:34:36 Rob Emert

Go and you have to go back to court.

02:34:39 Rob Emert

So I think that's why they're trying to fight it so bad.

02:34:41

Now, as they are concerned about.

02:34:43 Rob Emert

If they say yeah.

02:34:44 Rob Emert

OK.

02:34:44 Rob Emert

Yeah, you do have legal abuse and you were, you know, pounding on to the point of almost dying.

02:34:49 Rob Emert

And and I just can't believe.

02:34:51 Rob Emert

What's so what's crazy is that within days of me having a heart attack and within days I gave everybody all my personal information.

02:34:59 Rob Emert

I wasn't, like, trying to hide anything.

02:35:01 Rob Emert

I said here, here's my cardiac specialist, he said.

02:35:03 Rob Emert

I was about to die.

02:35:04 Rob Emert

What do you want?

02:35:05 Rob Emert

You know, just give me a couple of days or let me log in remote.

02:35:08 Rob Emert

And they said no. And I'm like, thinking clearly if you saw the look on the presiding judge's face or Commissioner Radican's face, they seriously wanted to basically throw me in jail and just basically watch me die.

02:35:21 Rob Emert

That's how they looked at me.

02:35:22 Rob Emert

Like I'm some, you know, they just looked at me like some pee on, like, how dare you, you know, I mean.

02:35:28 Rob Emert

I'm like no.

02:35:28 Rob Emert

I'm a citizen in the United States of America.

02:35:30 Rob Emert

I'm educated, right?

02:35:31 Rob Emert

You know what?

02:35:32 Rob Emert

What do you work for?

02:35:33 Rob Emert

You work for the people.

02:35:34 Rob Emert

It doesn't work the other way.

02:35:35 Rob Emert

You know, we left that party like almost 300 years ago from, you know, England. Come on.

02:35:39 Rob Emert

I know my history.

02:35:42 DAI LUIS PENA

And that and that's the part that.

02:35:43 DAI LUIS PENA

I mean, you gotta stick to those those.

02:35:46 DAI LUIS PENA

I mean basically.

02:35:47 DAI LUIS PENA

Stick to your guns on that part and and continue that part.

02:35:50 DAI LUIS PENA

But at the same time not convoluted with a lot of other things.

02:35:54 DAI LUIS PENA

Just keep it simple, I think.

02:35:56 DAI LUIS PENA

Keep it simple that you do have the rights and these are part.

02:35:58 DAI LUIS PENA

Of the rights, and second, you know everything else you're talking about.

02:36:02 DAI LUIS PENA

They it it was convoluted in court. There's too many other things. You're convoluting. Everything's happening. Attorneys are are changing things up.

02:36:09 DAI LUIS PENA

It's like pretty simple, so wants to be with you.

02:36:12 DAI LUIS PENA

You should be with you.

02:36:13 DAI LUIS PENA

There's no reason anything was ever taken from you.

02:36:15 DAI LUIS PENA

You're not showing up to court.

02:36:17 DAI LUIS PENA

That's the default, that's.

02:36:18 DAI LUIS PENA

Not proving that you're a bad person.

02:36:20 DAI LUIS PENA

A bad parent at all.

02:36:22 DAI LUIS PENA

Let's prove you.

02:36:22 DAI LUIS PENA

Didn't show up to court.

02:36:23 DAI LUIS PENA

And now you're showing up to court.

02:36:24 DAI LUIS PENA

Show the court that.

02:36:25 DAI LUIS PENA

That is the only.

02:36:26 DAI LUIS PENA

Reason they defaulted.

02:36:27 DAI LUIS PENA

That way, and you know there was.

02:36:29 Rob Emert

Can I ask you a question?

02:36:30 Rob Emert

Like just to your personal, like a personal opinion?

02:36:32 Rob Emert

If you're allowed to.

02:36:33 Rob Emert

Out of all the cause, I know that how the paper looks.

02:36:35 Rob Emert

I mean, they did.

02:36:36 Rob Emert

They've done a great job of making me look like a maniac, like an unhinged maniac.

02:36:41 Rob Emert

I mean, I read it.

02:36:41 Rob Emert

I almost laughed.

02:36:42 Rob Emert

Because I have a.

02:36:42 Rob Emert

Good sense of.

02:36:43 Rob Emert

I'm like, oh, my gosh, that's so stupid.

02:36:46 Rob Emert

When you're reading it, what's your like?

02:36:48 Rob Emert

And like like if you were to say, wait a minute, this guy, you know, like, what's your biggest concern?

02:36:53 Rob Emert

Like if you're reading like this guy's an A hole man, this guy's got a problem. What would be your biggest thing that you'd have a question? Cause I really I still don't know.

02:37:02 Rob Emert

What they're really claiming that they have rights to take my kids away from me.

02:37:07 Rob Emert

I I mean, I I asked the the Court to provide it and the only thing they ever told me was that they're taking all my rights away because I was discussing divorce related matters with the children.

02:37:20 Rob Emert

That's what they claimed initially.

02:37:22 Rob Emert

There's there's no reason to.

02:37:24 Rob Emert

I know but. Rob Emert

02:37:24 DAI LUIS PENA

You don't have a 5 year old.

02:37:26 Rob Emert

Right.

02:37:27

And so no, and again between.

02:37:28 DAI LUIS PENA

Your not dealing with a 5 year old child that I'm talking.

02:37:28 Rob Emert

You and I.

02:37:30 Rob Emert

About the worst, I'm talking with with.

02:37:32 DAI LUIS PENA

Kids that already know we've had a rough relationship.

02:37:34 Rob Emert

Right.

02:37:35 DAI LUIS PENA

We know that we're already going divorced.

02:37:37 Rob Emert

So that's what's funny is that I just that that was what they told me.

02:37:40 Rob Emert

And like, I'm like, well, I I don't.

02:37:42 Rob Emert

But there's some questions.

02:37:43 DAI LUIS PENA

That's no reason

02:37:44

To take the kids from you

02:37:45 Rob Emert

Right. And that's.

02:37:46 Rob Emert

What they yeah.

02:37:46 DAI LUIS PENA

From my opinion.

02:37:47 Rob Emert

Right, right. And that's that's what they said. And then So what happened was they kept trying to wrangle Bruce's custody away from me up.

02:37:53 Rob Emert

Until the point.

02:37:54 Rob Emert

Where they got caught looking stupid.

02:37:57 Rob Emert

And then uh ratekin tries to throw the hell Mary pass of supervised visitation and that's when I drew my line and then said and said no, you're gonna take him away and take my my you're gonna put him in a home and you take all my rights away I'm not gonna see him again no I'm not going there.

02:38:11 DAI LUIS PENA

Yeah, I I think you have good.

02:38:13 DAI LUIS PENA

Cause for sure.

02:38:15 DAI LUIS PENA

Yeah, I trust.

02:38:16 DAI LUIS PENA

Me. You're you're you're.

02:38:17 DAI LUIS PENA

You're good cause and that's why I.

02:38:18 DAI LUIS PENA

Believe you need to.

02:38:19 DAI LUIS PENA

You need to worry it.

02:38:20 DAI LUIS PENA

That way is.

02:38:20 DAI LUIS PENA

Like you have good cause of of of where the direction was.

02:38:23 DAI LUIS PENA

Where you were looking at and I think just showing the facts of of that
how like there's no.

02:38:29 DAI LUIS PENA

Way they're you're.

02:38:30 DAI LUIS PENA

Trying to take a shot from me for no reason.

02:38:32 DAI LUIS PENA

There's there's nothing.

02:38:34 DAI LUIS PENA

There's discussing things in front of the children.

02:38:36 DAI LUIS PENA

I'm not trying to convince them on anything.

02:38:38 DAI LUIS PENA

I'm not trying to.

02:38:39 DAI LUIS PENA

The kids are asking.

02:38:40 DAI LUIS PENA

Me. We've we've gone through 50/50.

02:38:42 DAI LUIS PENA

For this whole.

02:38:42 DAI LUIS PENA

Time, would you think?

02:38:44 DAI LUIS PENA

You know, would you say it's better not to discuss anything with the children?

02:38:47 DAI LUIS PENA

And why is the court making a decision of the conversation that I'm having with my own children about what's happening in their?

02:38:52 DAI LUIS PENA

Life right now.

02:38:54 DAI LUIS PENA

Now basically you want to.

02:38:55 DAI LUIS PENA

Control my conversation with my children.

02:38:58 DAI LUIS PENA

I'm not bad mouthing anyone, I'm just trying to explain to the kids and how things are going right, what's happening here.

02:39:03 DAI LUIS PENA

These are these are things that they see on their own.

02:39:05 DAI LUIS PENA

Either we have it, as you could tell them.

02:39:08 DAI LUIS PENA

Either you have it as a.

02:39:09 DAI LUIS PENA

Parent conversation, or they're gonna have this conversation with their friends.

02:39:12 DAI LUIS PENA

Or someone else is gonna.

02:39:13 DAI LUIS PENA

Tell them about it.

02:39:14 DAI LUIS PENA

So where's this conversation going?

02:39:16 DAI LUIS PENA

Come from where?

02:39:16 DAI LUIS PENA

Where is the?

02:39:17 DAI LUIS PENA

Where is the intent?

02:39:18 DAI LUIS PENA

The bad intent for me, I'm speaking.

02:39:20 DAI LUIS PENA

With my kids about.

02:39:20 DAI LUIS PENA

This this is what your bad mouthing your your.

02:39:23 DAI LUIS PENA

Now so like.

02:39:24 DAI LUIS PENA

They asked me questions.

02:39:25 DAI LUIS PENA

I explained to them and tried to explain to him without.

02:39:28 DAI LUIS PENA

Making it look.

02:39:29 DAI LUIS PENA

You know, they're telling me what?

02:39:30 DAI LUIS PENA

They feel about her.

02:39:32 DAI LUIS PENA

I'm trying to explain to them a different way.

02:39:35 DAI LUIS PENA

To look at her. Whatever.

02:39:36 DAI LUIS PENA

You know these these are the facts.

02:39:37 DAI LUIS PENA

These are things I'm just doing out there, and I think the people there, I mean I.

02:39:41 DAI LUIS PENA

Can imagine the judges me.

02:39:42 DAI LUIS PENA

Well, you can't.

02:39:43 DAI LUIS PENA

You have that.

02:39:43 DAI LUIS PENA

It's like your honor.

02:39:44 DAI LUIS PENA

You're telling me how to have a conversation with my kids.

02:39:47 DAI LUIS PENA

You're telling me, like, so.

02:39:48 DAI LUIS PENA

Now that you're telling me that.

02:39:52 DAI LUIS PENA

Government should tell.

02:39:54 DAI LUIS PENA

People how to raise their children and how to have a conversation about them, about the hardest.

02:39:58 DAI LUIS PENA

Subject That they're facing, which is our divorce.

02:40:02 DAI LUIS PENA

In the court system.

02:40:03 DAI LUIS PENA

Right.

02:40:03 DAI LUIS PENA

Controlling everything we do, you're like the last place I want, you know, to be is in a court in the court, which is gonna tell.

02:40:12 DAI LUIS PENA

Me what to do in my family, what to do? It's like I would have left to resolve it. Just between myself and my ex-wife without the court being involved at all.

02:40:20 DAI LUIS PENA

But obviously we.

02:40:21 DAI LUIS PENA

Couldn't. And here we are.

02:40:22 DAI LUIS PENA

Now right trying to resolve it with the court so convoluted with all these other things at the same time with a 15.

02:40:31 DAI LUIS PENA

Year old child that can.

02:40:32 DAI LUIS PENA

Tell the court who they want, where they wanna live, what they wanna do.

02:40:36 DAI LUIS PENA

And there's no reason there's nothing other than no one wants to hear that that he's able to speak for himself, that he's in good mind, that he's able to think about it.

02:40:47 DAI LUIS PENA

He's no different than any other 16 year old child that that can come in this court and and and speak from what they want in.

02:40:54 DAI LUIS PENA

Their life and I think.

02:40:54 Rob Emert

You know, he's a he's a really sweet.

02:40:56 Rob Emert

Kid, you can call him whenever.

02:40:57 Rob Emert

You want and just.

02:40:58 Rob Emert

He's a great kid.

02:41:00 DAI LUIS PENA

I think that's where.

02:41:01 DAI LUIS PENA

You just need to show the court that man.

02:41:02 DAI LUIS PENA

I think you need to.

02:41:03 DAI LUIS PENA

You need to tell the court that same thing.

02:41:05 DAI LUIS PENA

He's the best.

02:41:06 DAI LUIS PENA

Child ever does, and I think you.

02:41:09 DAI LUIS PENA

Being able to do.

02:41:09 DAI LUIS PENA

That, and the court.

02:41:12 DAI LUIS PENA

All they can do is.

02:41:12 DAI LUIS PENA

Well, why didn't you do this?

02:41:13 DAI LUIS PENA

Like your Honor, I am here now.

02:41:15 DAI LUIS PENA

I apologize for.

02:41:15 DAI LUIS PENA

Not following through certain things, but when your child.

02:41:18 DAI LUIS PENA

'S gonna be taken from you for no reason.

02:41:20 DAI LUIS PENA

And you're they're painting me as the worst person in the world.

02:41:24 DAI LUIS PENA

What do you want?

02:41:25 DAI LUIS PENA

Me to do.

02:41:26 DAI LUIS PENA

I apologize for.

02:41:27 DAI LUIS PENA

That I'm here now I want to.

02:41:28 DAI LUIS PENA

Figure it out.

02:41:29 DAI LUIS PENA

Yes, I was a little and this is where this is where honesty comes in.

02:41:33 DAI LUIS PENA

Yes, I was a little shocked to hear when I was speaking to investigator Luis Pena that they want to arrest me for this.

02:41:40 DAI LUIS PENA

And I felt like man, like I I don't deserve that.

02:41:43 DAI LUIS PENA

Like I I.

02:41:44 DAI LUIS PENA

Don't need to be arrested.

02:41:45 DAI LUIS PENA

Or for taking my child, cause I've never took my child.

02:41:48 DAI LUIS PENA

I never abducted my child.

02:41:49 DAI LUIS PENA

he's 15.

02:41:50 DAI LUIS PENA

He's telling me this is what he what he wants to do.

02:41:52 DAI LUIS PENA

This is where he wants.

02:41:53 DAI LUIS PENA

To be that should never have gone to child abduction unit anyways and.

02:41:59 DAI LUIS PENA

You could explain that too.

02:42:00 DAI LUIS PENA

Look at look.

02:42:01 DAI LUIS PENA

At it on your own.

02:42:02 DAI LUIS PENA

Can you hear?

02:42:02 DAI LUIS PENA

That one for.

02:42:03 DAI LUIS PENA

You know, I'm just gonna say, look, look.

02:42:06 DAI LUIS PENA

Look, some of that information.

02:42:08 DAI LUIS PENA

So you could at least explain to.

02:42:09 DAI LUIS PENA

Court that I looked.

02:42:09 DAI LUIS PENA

It up and.

02:42:10 DAI LUIS PENA

It shows that 15 could explain where they go a 14 year old.

02:42:13

Even you know, those FBI told me that that CPU shouldn't be involved.
Everyone told me that. Yet the district Attorney's office still has it.

02:42:22

And they're following through and they wanna press charges.

02:42:24

And they arrest me yes.

02:42:25

Right.

02:42:26 DAI LUIS PENA

Scared me to be arrested and that's why I'm here.

02:42:28 DAI LUIS PENA

Right now trying to explain.

02:42:29 DAI LUIS PENA

To you apologize, but I never felt that.

02:42:30 DAI LUIS PENA

So this, yeah.

02:42:32 DAI LUIS PENA

Me not bringing in court because my child's old enough. I I was. I was never told about that.

02:42:38 DAI LUIS PENA

I was told to handle.

02:42:38 DAI LUIS PENA

Court I'm handling in.

02:42:40 DAI LUIS PENA

Court trying to deal with the court.

02:42:42 DAI LUIS PENA

System in the last X amount of years.

02:42:44 DAI LUIS PENA

And now, yes, it is scary to hear that you can be arrested for it with a 15 year old when this case should never been started with the child abduction unit because he was 14.

02:42:53 Rob Emert

Right.

02:42:54 DAI LUIS PENA

And if you.

02:42:55 DAI LUIS PENA

Throw those facts out.

02:42:56 DAI LUIS PENA

They're gonna look at you.

02:42:56 DAI LUIS PENA

Like, wow, these it's true.

02:43:00 DAI LUIS PENA

What are they?

02:43:00 DAI LUIS PENA

What are they gonna prove when you go to court for child abduction?

02:43:03 DAI LUIS PENA

Be like the child was 14 when it opened.

02:43:05 DAI LUIS PENA

Should never open anyways, and now he's 15 and now you wanna arrest me when my child is 15 and telling you that this is where he wants to be.

02:43:13 DAI LUIS PENA

How is that even going to be proven in court as a child abduction?

02:43:17 DAI LUIS PENA

When the reality is that the child can tell you.

02:43:19 DAI LUIS PENA

Where they want to.

02:43:19 DAI LUIS PENA

Be because, trust me, the next thing is going to happen is because the person here that they're calling a victim.

02:43:26 DAI LUIS PENA

Is your spouse on the child abduction?

02:43:30 DAI LUIS PENA

She's being deprived from seeing your children's.

02:43:32 DAI LUIS PENA

That child kidnapping would be your child is the victim, which in this case would not be the victim because of his age.

02:43:40 DAI LUIS PENA

But when you're talking about child abduction, the victim here would be your ex-spouse because she had supposedly 100% custody by default.

02:43:50 DAI LUIS PENA

And she is the victim in.

02:43:51 DAI LUIS PENA

This case, that's who the victim would be.

02:43:53 DAI LUIS PENA

She loves playing the victim.

02:43:55 DAI LUIS PENA

Yeah, so so that's that is why I think.

02:43:58 DAI LUIS PENA

If you go in there and just.

02:44:00 DAI LUIS PENA

Play it as explaining it to the court that hey, yes, it is very scary to know that you can be arrested for doing this because your child should have.

02:44:11 DAI LUIS PENA

We should have never been with this case.

02:44:13 DAI LUIS PENA

Should never gone to.

02:44:14 DAI LUIS PENA

The District Attorney.

02:44:14 DAI LUIS PENA

'S office, because it's age and I talked to several people that told me that.

02:44:19 DAI LUIS PENA

Don't worry about it.

02:44:21 DAI LUIS PENA

He's of age.

02:44:21 DAI LUIS PENA

He wants to be with you.

02:44:23 DAI LUIS PENA

Tell the court and figure it out.

02:44:25 DAI LUIS PENA

And now we're.

02:44:25 DAI LUIS PENA

You're here talking to me because you reached out to.

02:44:28 DAI LUIS PENA

You know, no one reached out to me because they.

02:44:30 DAI LUIS PENA

Were gonna arrest me. I.

02:44:30 DAI LUIS PENA

Reached out to.

02:44:31 DAI LUIS PENA

Them and then they informed me that I was gonna be arrested.

02:44:34 DAI LUIS PENA

If I don't do what I need to.

02:44:35 DAI LUIS PENA

Do there's a warrant.

02:44:36 DAI LUIS PENA

There's gonna be a warrant written.

02:44:37 Rob Emert

No, seriously, dude, you know, I seriously thinks we're talking so long, and I really I that's why I called is that I was hoping you guys were letting it go.

02:44:37 Rob Emert

There's no way I want them.

02:44:45 Rob Emert

So I was getting but you know.

02:44:46 Rob Emert

Because I was.

02:44:47 Rob Emert

Hoping I'd be like, OK, the cops let it go.

02:44:49 Rob Emert

The police let it go the da let it go.

02:44:51 Rob Emert

We let's let's let's come to some conclusion here.

02:44:54 Rob Emert

And just be done with it.

02:44:55 Rob Emert

You know what I mean?

02:44:56 DAI LUIS PENA

Come to your conclusion on it man sooner.

02:44:58 DAI LUIS PENA

The better cause.

02:44:59 DAI LUIS PENA

Like I said, I told them that I was going to evaluate it and this week I couldn't evaluate it.

02:45:04 DAI LUIS PENA

But they're expecting me to next week.

02:45:07 DAI LUIS PENA

Come up with something.

02:45:08 DAI LUIS PENA

If I can come up with a date that you're showing up to court ASAP because of our conversation.

02:45:14 DAI LUIS PENA

And I'm gonna tell them we had a brief conversation.

02:45:16 DAI LUIS PENA

Explain to me some questions that.

02:45:18 DAI LUIS PENA

I had and this is what we did.

02:45:20 DAI LUIS PENA

I mean I.

02:45:21 DAI LUIS PENA

Didn't record it, so there it is.

02:45:22 DAI LUIS PENA

You know, it's like, yeah, there's a conversation you and I had.

02:45:24 DAI LUIS PENA

I was want I.

02:45:25 DAI LUIS PENA

Updated myself by.

02:45:26 DAI LUIS PENA

Listening to a few questions I had by reviewing this case and explain to you that you need to get to court ASAP, because otherwise I'm gonna, you know, right this warrant.

02:45:34 DAI LUIS PENA

So you know get.

02:45:35 DAI LUIS PENA

To court as soon as you can.

02:45:37 DAI LUIS PENA

So that that's kind of where my.

02:45:38 DAI LUIS PENA

Conversation is going to.

02:45:39 DAI LUIS PENA

Go with that and if they said you.

02:45:41 DAI LUIS PENA

I mean like, there's no reason to record it.

02:45:43 DAI LUIS PENA

I've had a conversation with a person that, you know, called me and wanted to.

02:45:47 DAI LUIS PENA

Get an update on this case.

02:45:49 DAI LUIS PENA

Right.

02:45:49 DAI LUIS PENA

And this is.

02:45:50 DAI LUIS PENA

Where a conversation?

02:45:53 DAI LUIS PENA

But I think that's where you kind of need to just take the bull by the horns and get that court date sometime ASAP because I would love to be able to Monday come in or Tuesday at minimum.

02:46:04 DAI LUIS PENA

I'd love to see it by Monday at least someday, and that time so I can see it and show it to them and be like hey.

02:46:09 DAI LUIS PENA

It's got court ASAP look.

02:46:11 DAI LUIS PENA

Because he called me and I told him.

02:46:12 DAI LUIS PENA

And here it is, they may still.

02:46:14 DAI LUIS PENA

Say, well, we're gonna still charge.

02:46:16 DAI LUIS PENA

I'm like well.

02:46:17 DAI LUIS PENA

We're not probably charged.

02:46:17

For all these other people, So what the hell are you doing this?

02:46:20 DAI LUIS PENA

They really do.

02:46:20 Rob Emert

Right.

02:46:21 Rob Emert

They, they, they.

02:46:21 Rob Emert

But they want me bad dude.

02:46:23 Rob Emert

They really do.

02:46:24 DAI LUIS PENA

Well, because they keep pushing our attorneys, their attorneys keep pushing our attorneys and our attorneys.

02:46:29 DAI LUIS PENA

That's what I see when people keep pushing them.

02:46:31 DAI LUIS PENA

And people keep calling and harassing them.

02:46:33 DAI LUIS PENA

Then they file charges.

02:46:34 DAI LUIS PENA

It's that squeaky wheel, man.

02:46:35 DAI LUIS PENA

Squeaky wheels, squeaky wheel.

02:46:36 DAI LUIS PENA

They know at this point I think there needs to be a, you know, I think you you make it happen.

02:46:43 DAI LUIS PENA

And then we can start sending emails to their attorney and saying here's here's court date.

02:46:47 DAI LUIS PENA

I've pushed off one at.

02:46:49 DAI LUIS PENA

A month, so I'm hoping I can push out this attorney.

02:46:53 DAI LUIS PENA

For a week at minimum.

02:46:54 DAI LUIS PENA

Yeah, you get that.

02:46:55 Rob Emert

Court date again, just so between you and I.

02:46:56 Rob Emert

Again, I really appreciate your time and now you don't have to do this.

02:46:59 Rob Emert

You've done a really good service.

02:47:00 Rob Emert

For my son.

02:47:01 Rob Emert

You really have, so just know that in your heart, you know, because he's a he's a great kid.

02:47:06 Rob Emert

These these efforts are really.

02:47:07 DAI LUIS PENA

Yeah, you're gonna fight.

02:47:08 DAI LUIS PENA

That battle in court, man in in family.

02:47:11 DAI LUIS PENA

Court don't go fight.

02:47:11 DAI LUIS PENA

It here it's.

02:47:13 DAI LUIS PENA

There's no reason for a criminal and I don't think that there's any.

02:47:16 DAI LUIS PENA

I don't think your son would as much as you know you love him and he loves you.

02:47:20 DAI LUIS PENA

I don't think he wants that.

02:47:22 DAI LUIS PENA

Yeah, for you at.

02:47:22 DAI LUIS PENA

All in, in his heart.

02:47:24

I don't think he wants to see his dad hauled into court on a criminal case for something like I think you fighting a family court.

02:47:32 DAI LUIS PENA

That's man that's fighting.

02:47:34 DAI LUIS PENA

That's you as a dad fighting a family court.

02:47:36 DAI LUIS PENA

But for you to be fighting this criminal case, I don't think there's a reason for me doing that.

02:47:41 DAI LUIS PENA

You're you're better.

02:47:42 DAI LUIS PENA

Person that to to to say no.

02:47:44 DAI LUIS PENA

I I did that intentionally.

02:47:46 DAI LUIS PENA

No, there's no intent for you to deprive anyone of anything you've been fighting in court.

02:47:50 Rob Emert

Yeah, you know, me too.

02:47:51 Rob Emert

Just like, you know, too.

02:47:52 Rob Emert

I love my kids so much.

02:47:54 Rob Emert

I I wouldn't want to take their mom away from him.

02:47:56 Rob Emert

And I what I what I've done actually now is he's so ticked off about it, about his mom and what she's done is I keep saying, well, you know, let's let's talk about, you know, maybe getting back together and you know, maybe kind of salvaging that relationship because I know she loves you and.

02:48:12 Rob Emert

Is it you know I?

02:48:13 Rob Emert

So it's like I you know, what's crazy is that I'm just not that what they're trying to say.

02:48:17 Rob Emert

It's just it's so not true.

02:48:19 Rob Emert

I I've done everything I can to do everything for these kids.

02:48:22 Rob Emert

I really have.

02:48:23 DAI LUIS PENA

Remind remind your son.

02:48:26 DAI LUIS PENA

To say, hey, these are things I'm not telling you what to say, but these are things that they're they're they're trying to say about.

02:48:32 DAI LUIS PENA

So please write it down so you remember cause I I need you to kind of these are things that you have to explain to the court as much as I would love to tell the court what you tell me that they're that you don't want to listen to me.

02:48:44 DAI LUIS PENA

They want to hear.

02:48:45 DAI LUIS PENA

You they want to hear you.

02:48:47 DAI LUIS PENA

Tell them so.

02:48:48 DAI LUIS PENA

These are things if you want to tell them about.

02:48:51 DAI LUIS PENA

You know, they just like.

02:48:51 DAI LUIS PENA

You said how he encourages me to, to think about Mom.

02:48:55 DAI LUIS PENA

He wants me to call Mom.

02:48:57 DAI LUIS PENA

But this and that.

02:48:57 DAI LUIS PENA

I don't want to or you know.

02:49:00 DAI LUIS PENA

Because of what happened? Whatever.

02:49:01 DAI LUIS PENA

Words come out of his mouth.

02:49:02 DAI LUIS PENA

Man need to come out of him.

02:49:03 DAI LUIS PENA

He needs to.

02:49:04 DAI LUIS PENA

Say it in order for for everything to to.

02:49:07 DAI LUIS PENA

Look like you know what?

02:49:08 DAI LUIS PENA

My dad didn't tell.

02:49:08 DAI LUIS PENA

Me what to say?

02:49:10 DAI LUIS PENA

That could be something to remind him.

02:49:11 DAI LUIS PENA

I'm like, hey.

02:49:11 DAI LUIS PENA

Make sure you remind.

02:49:12 DAI LUIS PENA

The court that this is you, not me 100% you like you need to.

02:49:16 DAI LUIS PENA

Really tell the court.

02:49:18 DAI LUIS PENA

Is that like?

02:49:19 DAI LUIS PENA

That's his reality, I.

02:49:20 DAI LUIS PENA

Mean that's just a reminder, I don't think.

02:49:22 DAI LUIS PENA

Did your dad tell you to?

02:49:23 DAI LUIS PENA

Say this no, but I want to remind the court that this is me talking.

02:49:27 DAI LUIS PENA

Like this is.

02:49:28 DAI LUIS PENA

Bryce talking like I'm telling the court of everything he didn't tell me what to say.

02:49:32 DAI LUIS PENA

This is me and here it.

02:49:35 DAI LUIS PENA

Is in similar.

02:49:37 Rob Emert

Cases we, I mean you would expect like in this case like that for me to be able to go remote with Bryce, right?

02:49:43 Rob Emert

I mean, don't don't.

02:49:44 Rob Emert

Other most people just go remote these days?

02:49:48 DAI LUIS PENA

If, if they have reasons to.

02:49:50 DAI LUIS PENA

If they're like out of out of state or something like that, then yeah, you you have, like we talked about the ada part I think I would use that part most people I mean.

02:50:00 DAI LUIS PENA

The judge is.

02:50:01 DAI LUIS PENA

Going to tell you if he wants.

02:50:02 DAI LUIS PENA

If he's already told you times this and you judge, this is the way you're going.

02:50:07 DAI LUIS PENA

Using the ada then I.

02:50:08 DAI LUIS PENA

Would try it if for some reason.

02:50:10 DAI LUIS PENA

Something comes up where?

02:50:12 DAI LUIS PENA

They're saying, hey, Sir, you need to show up.

02:50:14 DAI LUIS PENA

There's no way we're not gonna set this this way.

02:50:17 DAI LUIS PENA

We need to have you come to court.

02:50:18 DAI LUIS PENA

With, you know.

02:50:18 DAI LUIS PENA

With Bryce with then that at that point, yeah, that's that's to be expected.

02:50:26 DAI LUIS PENA

They're gonna try to follow whatever it is.

02:50:29 DAI LUIS PENA

That's the basically the whole custody, right?

02:50:31 DAI LUIS PENA

That you don't deserve you.

02:50:32 DAI LUIS PENA

Deserve custody we're taking.

02:50:34 DAI LUIS PENA

The child from you, Bryce, is going with mom.

02:50:36 DAI LUIS PENA

We're dealing with this blah.

02:50:38 DAI LUIS PENA

I mean, I think at at some.

02:50:39 DAI LUIS PENA

Point you need to be able to.

02:50:41 DAI LUIS PENA

I'm hoping you're able to do it at least the first time to do it from Internet and do it through teams, so at least you can get some of the points out that you know of what?

02:50:52 DAI LUIS PENA

You're planning to say I I.

02:50:56

Buying on your own.

02:50:57 DAI LUIS PENA

The whole part about age.

02:50:59 DAI LUIS PENA

Find that even if you show up to court with him and he says I wanna be my dad, I wanna do this.

02:51:05 DAI LUIS PENA

I wanna do that.

02:51:06 DAI LUIS PENA

There's no reason I should be.

02:51:07 DAI LUIS PENA

Told you know that I.

02:51:09 DAI LUIS PENA

Have decisions. I know this.

02:51:11 DAI LUIS PENA

And and if you could prove that much, I just can't see the judge.

02:51:15 DAI LUIS PENA

Saying, well, we have to follow the orders.

02:51:18 DAI LUIS PENA

I've seen it before and I my partner told me the same thing.

02:51:20 DAI LUIS PENA

He worked this for three years.

02:51:22 DAI LUIS PENA

He's now a supervisor, but he's the one that's mentioned to me about the 15 year old 16 year olds.

02:51:28 DAI LUIS PENA

They can tell the court what they want and.

02:51:30 DAI LUIS PENA

The court will listen to.

02:51:31 DAI LUIS PENA

Them, but they have to.

02:51:32 DAI LUIS PENA

Be able to explain it on their own and be able to express their feelings, and they're just going to ask them.

02:51:37 DAI LUIS PENA

Questions and so put this on, but they can do it, you know, and my partner said, I've seen it happen.

02:51:44 DAI LUIS PENA

They have to come in here though, because the judge is not here from.

02:51:47 DAI LUIS PENA

The kids and.

02:51:48 DAI LUIS PENA

He goes on the idea that.

02:51:50 DAI LUIS PENA

They're like while you're.

02:51:52 DAI LUIS PENA

Why are you hiding them?

02:51:54 DAI LUIS PENA

Why can't they speak for themselves?

02:51:56 DAI LUIS PENA

Why are you speaking for them?

02:51:57 DAI LUIS PENA

It's like right.

02:51:59 DAI LUIS PENA

It's like if they're willing to hear.

02:52:00 DAI LUIS PENA

The kids if.

02:52:01 DAI LUIS PENA

What they want, but that's the hard part.

02:52:04 DAI LUIS PENA

Like, I don't know.

02:52:04 DAI LUIS PENA

I don't know.

02:52:06 DAI LUIS PENA

I just know that it's happened in the past and I know that.

02:52:10 DAI LUIS PENA

That's what needs to happen, because there's no need for a criminal case.

02:52:15 Rob Emert

Right.

02:52:16 DAI LUIS PENA

And I I just don't know how exactly how it's all going to go.

02:52:18 DAI LUIS PENA

Down, I just know.

02:52:19 DAI LUIS PENA

That it sounds like you're willing to go do it, but at the same time, it's hard knowing that you know what can happen to if you know.

02:52:28 DAI LUIS PENA

If they decide not to listen at all to you, right?

02:52:31 Rob Emert

It's just it's it's a bummer because like one of the things we kind of touched on earlier is that I was raised.

02:52:36 Rob Emert

You know, here in San Diego and I have a really high voice, had a high opinion of police officers and firefighters and, you know, judicial officers, you know, you hold those in.

02:52:47 Rob Emert

I think people should hold teachers in in high regard.

02:52:51 Rob Emert

You know, there's the pillars of society.

02:52:52 Rob Emert

You know, you know, holding stuff together for, for everyone else.

02:52:56 Rob Emert

And I'm like, I always.

02:52:57 Rob Emert

That's how I always thought.

02:52:58 Rob Emert

And then when I ran into this in this batch of people and I and I try not to lump everybody into it.

02:53:03 Rob Emert

Of course it's, you know, but you know, it's like what I what I've witnessed now, and I'm just like.

02:53:09 Rob Emert

Wow, are you guys kidding me?

02:53:10 Rob Emert

And I just keep hoping I get a good person like you.

02:53:12 Rob Emert

So I'm hoping that this new.

02:53:15 Rob Emert

Looks at it and says, oh, what the heck dude.

02:53:16 Rob Emert

OK, you know, I'm kind of annoyed with this guy Rob Emert here, but I'll let him log in remote so I can so you know, he I can hear what he has to say.

02:53:24 Rob Emert

That's what I'm hoping.

02:53:25 Rob Emert

That's what I'm hoping she's listens.

02:53:27 DAI LUIS PENA

I think I.

02:53:28 DAI LUIS PENA

Think if, if, if, if she's willing to.

02:53:29 DAI LUIS PENA

Do that and and.

02:53:30 DAI LUIS PENA

You make it simple, straightforward of of how simple this case is.

02:53:35 DAI LUIS PENA

Of how we shouldn't be here.

02:53:37 DAI LUIS PENA

How he can speak for himself and

02:53:40 DAI LUIS PENA

That way, the judge.

02:53:41

Is like, well, it's kinda of right, why are we here again.

02:53:45 Rob Emert

Right, the judge.

02:53:46 DAI LUIS PENA

But, but you know with with some apologies behind it.

02:53:48 DAI LUIS PENA

Yeah, to to the court.

02:53:50 DAI LUIS PENA

Apologies to to your wife and some if they don't accept it, but yeah, but they it just needs to be sincere coming from you and you do apologize you you don't you know you just we're so afraid of losing your child to something that you know.

02:54:06 DAI LUIS PENA

And after you spoke to several.

02:54:08 DAI LUIS PENA

You felt that there shouldn't be any criminal charges for this at all, as long as I deal with it in court.

02:54:13 DAI LUIS PENA

Obviously, when you talk to me, you learn that damn, he's gonna.

02:54:17 DAI LUIS PENA

He's writing a warrant, like they're gonna file charges and I don't want to.

02:54:22 DAI LUIS PENA

I want to be here and deal with the court.

02:54:24 DAI LUIS PENA

I want to deal with the with the court system and figure things out with.

02:54:27 DAI LUIS PENA

With my ex to figure out why why it is right here, why we're, you know, why we've had so many.

02:54:32 DAI LUIS PENA

Issues with him.

02:54:32 DAI LUIS PENA

Why? Why? There's a case.

02:54:34 DAI LUIS PENA

With with 14 year old, when the DA's officer never had a case.

02:54:38 DAI LUIS PENA

Right.

02:54:38 DAI LUIS PENA

Where you could be 14.

02:54:40 DAI LUIS PENA

I think if you if you go that route, I think that just makes.

02:54:42 DAI LUIS PENA

Whereas like why they don't wanna arrest you then?

02:54:45 DAI LUIS PENA

They shouldn't even have the case in the first place.

02:54:47 DAI LUIS PENA

They shouldn't have accepted your case because he was 14 when when this all started on paper.

02:54:52

Right.

02:54:53 DAI LUIS PENA

And in that way, at least, the judge can see.

02:54:55 DAI LUIS PENA

That and kind of figure out like, huh?

02:54:58

You are right.

02:54:58

On that you're correct like.

02:55:00 Rob Emert

Then I think what I think what they're going to try to say, if I have somebody good, that's what they're going to say.

02:55:03 Rob Emert

If I have someone else, I think what they'll.

02:55:05 Rob Emert

Try to say is that the divorce started when he was third.

02:55:08 Rob Emert

Teen and or, you know, even maybe even 12 1/2 I have to go back and look, but they're going to say that's what happened.

02:55:15 Rob Emert

And then I somehow brainwashed them, which is.

02:55:17 Rob Emert

Just ridiculous I.

02:55:18 Rob Emert

One of the most proud moments I have of being a father is that I've taught both my kids 13 and 15 now to think for themselves best I can, and I said look, I'm not always.

02:55:29 Rob Emert

Right.

02:55:29 Rob Emert

I do the best I can.

02:55:30 Rob Emert

But you know what I mean.

02:55:32 Rob Emert

I tell myself you talk to talk to me, talk to your mom, talk to so and so talk to Grandma grand.

02:55:37 Rob Emert

And but at the end of the day, when you get older, you're gonna have to stand by your decisions, talk to everybody, and then come up with your own decision.

02:55:44 Rob Emert

I mean, I've really.

02:55:44 Rob Emert

That's one thing.

02:55:45 Rob Emert

Proud of that I I've really.

02:55:47 DAI LUIS PENA

Well, I I think if you just say.

02:55:49 DAI LUIS PENA

That to the court.

02:55:51 DAI LUIS PENA

I think that goes a long ways as well.

02:55:52 DAI LUIS PENA

I think if you're able.

02:55:53 DAI LUIS PENA

To to just say just.

02:55:54

Like you told me, and and now you're here dealing with it and you're you are following your own words.

02:56:02 DAI LUIS PENA

Then you're you know you're.

02:56:04 DAI LUIS PENA

Trying to trying to basically.

02:56:07 DAI LUIS PENA

Apologize for what happened at the same time you're trying.

02:56:10 DAI LUIS PENA

To do it but.

02:56:11 DAI LUIS PENA

You feel that there's no reason for you.

02:56:13 DAI LUIS PENA

To be arrested for something that shouldn't have been.

02:56:15 DAI LUIS PENA

In our office.

02:56:17 Rob Emert

Right.

02:56:17 DAI LUIS PENA

Like you could.

02:56:17 DAI LUIS PENA

Say like should never been in their.

02:56:18 DAI LUIS PENA

Office he's 14.

02:56:20 DAI LUIS PENA

Like, that's when the.

02:56:21 DAI LUIS PENA

Case was open when he was 14.

02:56:23 DAI LUIS PENA

So you could say it happened at 13,12, whatever that case was, never open until he was 14. And I think if if if they understand some of those facts and why someone decided to.

02:56:29 Rob Emert

Right.

02:56:35 DAI LUIS PENA

Open it here.

02:56:37 DAI LUIS PENA

And and taking maybe not understanding a lot of.

02:56:41 DAI LUIS PENA

The needs of your child or talking about.

02:56:42 DAI LUIS PENA

I'm trying to know that I do just cause I deal with.

02:56:45 DAI LUIS PENA

It and I deal with children in that way and I have dealt.

02:56:48 DAI LUIS PENA

With children that have.

02:56:50 DAI LUIS PENA

That and I.

02:56:52 DAI LUIS PENA

I'm a quarter point special advocate for a 16 year old that has many special needs.

02:56:57 DAI LUIS PENA

At the same time he could think for himself and he and he can make his own decision.

02:57:01 DAI LUIS PENA

And he has to.

02:57:03 DAI LUIS PENA

So there's no reason why the.

02:57:05 DAI LUIS PENA

Court should say this child cannot have its own.

02:57:08 DAI LUIS PENA

Yeah. And why? Why should the Court continue making decisions for 14 and 15 year old.

02:57:12 Rob Emert

You know, we've already started talking about careers and stuff because, I mean, he he's loves the home school and I've already started talking about, you know, he wants to actually be, thinks about being a a police officer or a firefighter and then, you know, and I know he'd be great at it.

02:57:27 Rob Emert

But you know, he also then is talking about getting his pilot license.

02:57:30 Rob Emert

So there's a lot of things that I know.

02:57:32 Rob Emert

You know, like we've talked about going to a regular school or doing continuing home school, but I I I you know I'm gonna have my teaching credentials shortly anyways.

02:57:40 Rob Emert

So I mean when they come bug me about home schooling, I can tell them all to go take a hike because like you.

02:57:47 DAI LUIS PENA

But that's that's the part that that.

02:57:49 DAI LUIS PENA

Conversation needs needs to be also.

02:57:51 DAI LUIS PENA

In the court like, because I believe they're gonna.

02:57:54 DAI LUIS PENA

Try to say that your son.

02:57:56 DAI LUIS PENA

Needs so much assistance that needs to be somewhere and it needs like that is what your wife's painting up bryce to be some special needs kid that can't even live by himself.

02:58:06 DAI LUIS PENA

Like, like, and that's what I'm reading.

02:58:07 DAI LUIS PENA

And I'm like, really like Jesus.

02:58:09 DAI LUIS PENA

Is she is she?

02:58:10 DAI LUIS PENA

Is she still claiming that nonsense?

02:58:13 DAI LUIS PENA

Yes. Ohh gosh wow.

02:58:15 DAI LUIS PENA

So this is where you need to be able to have these.

02:58:17 DAI LUIS PENA

Conversations with with the court will say, your honor.

02:58:22 Rob Emert

Can I give you some witnesses, some people to call and to to get information about Bryce?

02:58:26 Rob Emert

I'm telling you if.

02:58:27 Rob Emert

If, if, if.

02:58:28 Rob Emert

I go criminal on it.

02:58:29 Rob Emert

I'm gonna talk to a lot of witnesses.

02:58:30

I'm not. I'm I'm not.

02:58:31 Rob Emert

Involved in family court.

02:58:32 Rob Emert

Part OK, this is where you need to bring your witnesses and have them write something for you.

02:58:37 Rob Emert

You could read it in court, you could say.

02:58:39 Rob Emert

Here's the witness.

02:58:39 Rob Emert

And so they're here.

02:58:41 Rob Emert

I mean, bring whoever you need to bring to court if you.

02:58:43 Rob Emert

Have four or.

02:58:44 Rob Emert

Five people coming in with you and.

02:58:46 Rob Emert

They're willing to come in there.

02:58:47 Rob Emert

Write a statement and actually be there with you, I think.

02:58:51 Rob Emert

The judge is gonna be like.

02:58:52 Rob Emert

Wow, he does have.

02:58:53 Rob Emert

All these people like why are we here?

02:58:55 Rob Emert

Again, I'm telling you, man, this this is straight up.

02:58:58 Rob Emert

If if they just hear bryce talk

02:59:00 Rob Emert

Talk and hear him explain to the court of what his his life is and how you don't put any barriers in his life and don't make him feel like.

02:59:08 Rob Emert

He hasn't those.

02:59:10 Rob Emert

Special needs that everyone saying he has.

02:59:12 Rob Emert

And it's like, no, look at him hear.

02:59:14 Rob Emert

Him ask him questions.

02:59:15 Rob Emert

Talk to him.

02:59:16 Rob Emert

You know, you know the other sides.

02:59:20 Rob Emert

Explaining like this, child like Bryce can't even think for himself, can't make a decision for himself, that he needs basically everything because.

02:59:28 Rob Emert

Special this special.

02:59:29 Rob Emert

But it's like that's not who you.

02:59:31 Rob Emert

That's not who you see in front of you.

02:59:33 Rob Emert

That is not the bryce.

02:59:34 Rob Emert

You know the bryce you know is here.

02:59:36 Rob Emert

He can speak for himself.

02:59:37 Rob Emert

tell you what he wants and dreams and.

02:59:39 Rob Emert

Everything he wants.

02:59:41 Rob Emert

Yeah, yeah, no this.

02:59:41 Rob Emert

And that and that is what?

02:59:42 Rob Emert

The court needs to see.

02:59:43 Rob Emert

Because otherwise, that is why I think they're.

02:59:45 Rob Emert

Trying to push.

02:59:46 Rob Emert

The Ohh well criminal charges because.

02:59:48 Rob Emert

They believe his needs.

02:59:50 Rob Emert

Because of what the other side saying that he has so much special needs that there's no.

02:59:54 Rob Emert

Way that he could think for himself.

02:59:57 Rob Emert

You know, between you and I see at some point you're gonna see what I'm saying.