

Bryce transcript with DDA Balerio that was withheld from evidence

[Bryce emert recording of DA animated v4 \(1\).mp4](#)

 [Bryce files for San Diego Regional Center](#)

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SUMMARY KEYWORDS

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SPEAKERS

Bryce, DA Balerio

DA Balerio 00:03

There are a number of reasons ever since my dad has been out of my life I've been suffering. I just tell people, adults, because you're the best chance I have basically, you know, being a voice for me to basically saying what my needs are I really, you know everything is just going sideways since my dad's without my life, I need him.

Bryce 00:56

you know, ever since I've been taking out and taken out of this equation I've had the opportunity to stay with my dad and basically teach me what I need to know and everything. Everything has just been great, you know? Because there was a bunch of things going on at the time they were just stressing me out and me being pulled from that, me having a choice....whether I want to deal with it or not. was great.

DA Balerio 01:34

I'm so sorry [remember she was responsible for Rob getting arrested] I just can't imagine and he's been with you your entire life. He means a lot and you're in the middle of this and you feel like your voice hasn't been heard, because I can tell you that from the bottom of my heart, my favorite thing in my case is getting to allow people that don't get their voice heard they don't have worry because I will get their voice heard.

Bryce 02:13

[Bryce}"That's fine".

DA Balerio 02:13

So that's, that's not a favorite thing about what I do. And so certainly not trying to disrupt that so I want you to know that and so basically so I just want you really want and your mom has also told us that that's what you want and so just so you know where we are at she's been very vocal and told us about that she's told us about your life I understand. She wants. and I understand And I don't agree with everything the way she wants and so what I mean by that is what she's told me or she wants basically my dad out of my life correct? she hasn't actually said that she necessarily wants that she wants him in your life I think most recently, her concern is just also just making sure that we know that it's your wish that you want to be with your dad I need my dad, I desperately has has been a huge part of my life - has always been there. You know, has had my back during everything now? Ever since during my time where I was with him. You know, living with him. I know. I wouldn't be where I am today if it weren't for him. With my mom, I'm just I love her but she hasn't had you know, I haven't I'm trying to think of the best way to explain this but... you were with your dad for 14 months. So it's different in your relationship with your dad is totally different than your relationship with your mom My relationship with my mom is... It's just I try to have a relationship with her every single time I try we always have is the short answer is we have an argument we always try to be strict. You know, figure out...(inaudible) everything especially the bits and stuff about my dad. And it's just I can't ever really see myself having a good relationship with her. You know, I've been you know, **my dad encouraged me to have a relationship with her.** You know, she just You've been through a lot and you're still going through a lot **especially with** your dad not here with you **I'm just, you know, I mean I'm suffering.** Like, I can't be an advocate, you know, I was living with him my entire life and now he's just gone. I was having the time of my life, last year, you know, I was doing more. I was learning more information, from my dad than a teacher without going to school. Smarter. Better, and I feel great. They haven't. hold back any of this. now it doesn't feel good It's just, it's even worse. I don't even have my dad in my life anymore. I can't say whether or not I want to see him that you know they know that was, you know (inaudible) it just makes me upset Someone would best make that happen specifically I just my **dad is my best friend and my advocate I just I need him you know, If I could choose to have him full time again** I would

Bryce 06:08

I would take the chance

DA Balerio 06:11

you know, my mom, I love her but I can't ever see a relationship happen between me and her and there's times where she basically like or she tries to like surprise me. She tries to basically get me upset while rile me up and basically tell people **that I am incompetent** whatever, I don't understand why

she does it but she does know and nobody really seems to talk about it really just kind of hurt my feelings when she basically tells other people things really want other people to know, especially if they're her friends Do you feel and letting us know how you feel because it's important for us to know this I think um... the importance of (in audible) I don't want to take a side, i don't represent your mom, I'm not her attorney. I don't represent your dad and I'm not his attorney. I, sort of like you, are sort of in the middle. So it's important for me to sort of talk to you about it. **And although I'm the one who has the case with your dad, my issue case is just his problem with the courts.** And I think that that is something that we're gonna work out is obviously we want to work that out because I think everybody's goal, our goal included is to make you happy and get you what you need and if your need is having your dad in your life, That's not something we're trying to prohibit. But it also is going to take some responsibility on your dad's part as far as his compliance with the court and the criminal court. I think once he understands that, what we're not trying to take him from you or you from him. But there are rules that everybody myself included. your sister, your grandmother included, everybody included, Everybody has to follow the law and if he is willing to agree that we can all get this worked out. Because I want you to see if you don't follow these orders, like anybody, the court the court is corrupt and is not doing what's in the best interest of the people There's a way to go about that **which** is what we're working out now. There's definitely a way to go about that and we certainly got people helping with that and hopefully everything can get worked out. That's that's the that's the idea, right

Bryce 09:03

It should have been worked out three years ago

DA Balerio 09:06

Unfortunately, we weren't involved three years ago. And so obviously now we're looking back in time. What is he working on specifically? I don't know. I haven't had the opportunity with your dad. Like I said, I don't I don't represent your mom I don't represent him. I'm just kind of in the middle of like you. So The way I **see it my dad and my mom I chose to be with him at any given point during this 14 months I stayed with him. I could have left** you know my they try to say that my dad kept me as hostage or something like that, which didn't happen. You know, when I was with my dad, just everything's was going great for me. Just so you know, he was a positive person in my life and I can see him you know, my dad, the first person to talk to you about anything. He always gave me great advice. I can say anything whether that would be relevant or not. It seems like a great dad he is a great dad, he's better than most. I mean especially your guy's relationship where somebody that's what you want right you want someone that's like your best friend I've seen other other parents, you know, not really seem to care about their kid. like my dad has, you know, they'd stick around but they were'nt really, I'm trying to think of a good way to explain it, they didn't really like being around the kids, they just have they can't, I'm trying to think of a word to describe, I've seen it happen where. They're not there to build a relationship, they're just they're to basically tell their kid how to be and it's not really what parents are supposed to be that's fine, that's someone you want to hang out with and somebody that you have a relationship with ummm you tell us something that you need and what you want and certainly something you probably want to say to the court. I think hopefully your dad can work out whatever is going on in the courts with the orders that have already been put in place three years ago that we can sort of work our way back to doing that. It's just it's gonna take some time and we're gonna work it out. But now that you've spoken with us it's certainly something that we can help (inaudible) Find out

(inaudible). I would live with him full time because my dad, you know, he respects my wishes. You know, if she had full custody as has right now She'd basically would (inaudible) I can tell you though, just so you know, your mom has spoken out to us many times, saying she doesn't want to keep you from your dad and made that very clear, at least to me that her goal is not to keep you from your dad so hopefully we can work out the problems with the courts, and then hopefully you can work something out so that you can be back with your dad. Because I don't think anybody wants to keep you away from him. I think it's more about it's more about you know, it should be about me, and my sister. The way I see it, it's not, you know, this whole thing could just be settled by me. If I lived You like being with your sister? full time job with my dad. When I was living over with him, you know, full time I feel like I had a say on everything. And now I don't feel that I don't have a say anymore. Yes I am very happy I get to see her after a long time and given the circumstances with (inaudible) and I think it's hopefully something that we can work out with that the courts and trying to figure out what's best for everybody I think everyone can agree, your mom included, us included, that the best situation is to have a relationship with your dad and able to see your dad, talk to your dad, Then why hasn't it happened already? Because until your dad makes it clear to the court that he is going to comply with the orders

Bryce 13:47

those specific orders,

DA Balerio 13:50

or whatever future right now and we can't change the past right what's already happened has happened. And we are where you are on right now. But until your dad is going to show so

Bryce 13:59

I'm just going to say for the record, that **my dad has my best interest better than anybody in family court**, I mean, I said I what I said there's no (inaudible) and that is opening back up to what I've seen the court has done.

DA Balerio 14:14

we're gonna work out the issues with family court but we can't change past. So what's happened has happened? We are where we are right now. And all we can do is look forward to what we can. **And I think what we can get better at is everybody is on the same page with the goal is to be with your dad and that can't happen overnight.** I can't unfortunately, the courts moved to and we're gonna work towards them, but it's gonna take everybody working towards that - your dad included. And so we all have to work together on that. So I'm going to work with his defensive attorney and let's see what we can do. Right now the orders are you have to stay with your mom.

Bryce 15:05

I just want a sayin which parent I want to live with, I've proven to be competent many times because today's question is about what I want and what I need. So the fact that it isn't already done now is very concerning. And

DA Balerio 15:25

I can tell you that at this point. You've Spoken to us. You've told us I don't have anything to do family court but in the criminal court where we are in now is that I am happy to tell the court that your dad violated a family court order that then crossed over into the criminal court and ignored orders that...

Bryce 15:48

my dad didn't do anything wrong i mean all he did was violate...

DA Balerio 15:53

he didn't violate the order he just didn't believe that the order was a just order. That's okay. And that's that's something he's going to fight out in family court. and that's okay. But there is a process to do that. And because he didn't do that process, we are here where we are right now. And so like I said, my goal is I can't I can't go back and change what happened three years ago, or even a year ago, or even six months ago. But? Talking with you and looking forward my goal is to get you and to make sure that everybody has been heard and that your voice mostly importantly is being heard.

Bryce 16:35

The way I see it is that my dad did not violate that order night and I made that choice. I made that choice to stay with him and that was to stay with him. I could have left at any given point and followed the order myself but basically he he let me stay there and that's what all parents should do (inaudible) and not be forced out forcefully.

DA Balerio 16:56

The problem is that because youre a child, you're very intelligent and articulate. The law says that even though a kid wants to be with the parent if the parent is the one that's told by the court to do something and the parent doesn't do it. Then that's that's the fault of the parent and not the kid but just because the kid wants to be somewhere

Bryce 17:26

It shouldn't be the fault of the parent if the kid wants to stay with that parent, and he's clearly said that he wants to live with that parent full-time, that's the fault of the commissioner. because she should do what's in the best interest of the people, not themselves.

DA Balerio 17:39

Now hopefully like I said

Bryce 17:41

she should be held accountable. She should be held accountable not my dad who didn't do anything wrong like I said my dad anybody who the courts ever had anybody who tries to pretend like their for the people. My dad, you know, I miss him and I love him and it seems like when a man is missing you. And it's just awful You know, I never ever got a chance to speak in court. (inaudible) During my dad's jury meeting, I get to basically not be there because I've been wanting, i've been wanting that opportunity for a very long time.

DA Balerio 18:23

And I am happy to help you with that, because Honestly, I'm not trying to keep you from your dad, (Inaudible) I am going to tell the court. listen to Bryce the problem is that even if the criminal court because that's different family court can take your your your opinion and what you want, and they should take that into consideration when they're making orders. Again, maybe that can happen and I can't change that. But what I can help with is in the criminal court where your dad is right now is making sure that your voice is heard and in the criminal court

Bryce 18:57

He shouldn't be there, and I know that.

DA Balerio 19:00

The problem is the violation of the order even though he doesn't believe that it was correct.

Bryce 19:08

The order was corrupt

DA Balerio 19:09

There's a way of going about making sure that orders are fixed . And rather than doing that route, unfortunately, you're dad didn't do that (ON SCREEN - SHE'S LYING AND IT'S COMPLETELY FALSE). And so

Bryce 19:24

So what should he be doing?

DA Balerio 19:25

unfortunately, things that I could have should have would have wanted to revise back then. So we can't change the past. And so we have to just move on and do what we can to make it better which is what I want to do, make it better . But again, it's going to take some cooperation with your dad because if his whole goal is to get back to you and working on getting back to you, and I'm not saying he isn't right, your mom is actually trying to get as much as she can to support your dad. She said she'll come to court. She said she'll do whatever it takes. So the problem is the criminal court has nothing to do with your mom.

Bryce 20:09

She doesn't have anything to do anything criminal, but she does have have something to do with family court which is why this whole thing started

DA Balerio 20:21

That's true, so you're very smart, but you know, your mom is willing, and able and has told me she wants to come into court and do whatever she can. Now that I've spoken to you, you're willing and able to do that and do what we can we do the criminal stuff first. And then hopefully, Family Court stuff can get figured out at the same time. or shortly thereafter

Bryce 20:43

I want to be his witness for my dad . He's done nothing wrong. I've been there This whole thing evolves around me the fact that you know it's just this whole thing is below the surface this there's just there's no point of this going on anymore. There were so many times i said I want to live with my dad, I want to stay with him said that so many times to you guys, I need him,he told me how to best advocate for myself. He basically taught me better than me being actually at a public school ever, you know during this whole ordeal, I was lacking in social abilities. Now I'm at the top of my game because of that because of him.

DA Balerio 21:26

Yeah, I mean you're very sociable. I can speak with you. You're very articulate. Like I said you're intelligent. You are advocating for yourself. I definitely don't want to tell you not to do that. I want to help you with that. And I'm more than happy to let defense know that you certainly want to be a witness for your dad and I'm happy to have you as a witness as well. Because like I said my favorite thing about my job, is giving people that feel like they don;t have a voice a voice in the court. So, now again, there's a difference between criminal court and Family Court. I can't help you much With family unfortunately, because I don't do family, but with the criminal court side, you know, your mom, your sister, everybody's willing to do whatever they can to help your dad. So I think that's good, because that's at least that's one thing you all on the same page in and like you said, your mom loves you you love your mom. Your sister loves you. You love your sister. it doesn't change You love your dad and your dad very much loves you. that's good, thank you so much Bryce. and thanks for talking to us. And if there's anything that like we're from the criminal side, so if there's anything that we can do for you on the criminal side we're happy to make sure that your voice is heard, okay. And I'm going to do my best to try and work things out with your dad so that we can end the criminal and that way he can move forward in the family to make his way to sort of try and get back even back from his life. In his house. And whenever you guys want to move forward in life, becasue you're so young, there's so much more that you're gonna get to do in life. What's one of your favorite things to do.

Bryce 23:17

I love to Boogie board at the beach

DA Balerio 23:19

I love boogie boarding

23:21

23:21

DA Balerio 23:21

What's your favorite beach?

Bryce 23:23

My favorite beach is oceanside i like to go to oceanside a whole bunch.

DA Balerio 23:27

Isn't it so nice over there? The water is nice. There's a lot of beach area.

Bryce 23:44

Have you been to Del Mar? I go there all the time with my dad.

DA Balerio 23:46

That's awesome and you're like a californian right? Californian's love to go to the beach and play. There's so much more, that you're gonna get to see in life and you're gonna get to see your dad. No one's gonna take you away from your dad. It's just right now, we have to figure out a couple of ways and a couple of steps to get there. So in the criminal side, we're going to handle the criminal stuff first, we're going to handle the criminal stuff first. And then once we get that taken care of, we're going to move to the family court side. So again, you can reach out to us as much as you want. And just like I said,

Bryce 24:18

Just with everything that's been happening it's caused me great suffering. I haven't been able to see my dad, the one person you know, always had my back for everything. Like I said, you know, me and my dad got arrested

DA Balerio 24:44

We'll handle one thing at a time, first thing we're going to do is trying and get the Criminal Court handled. And like I said, everybody is more than happy your Mom, Your sister, you, to be there in support of your dad. Well, like I said, that doesn't involve them. Then, you have to go to the family court side. So one step first, we figure out the criminal stuff. And then we go to the family court.

Bryce 25:13

I understand, if I just basically got to be with my dad full time all of these problems would be solved. I mean, he would let me see my mom whenever I needed, And he constantly always wanted me to have a relationship with her.

DA Balerio 25:23

And that's something once we get through the criminal side, that's something that you're going to be able to tell the family and that's something that hopefully those family court orders will change and I think that's what the family wants [ON SCREEN - LOL, HAS SHE READ ROB'S FEDERAL CASE?]. The family court wants you to have two parents, and the family court wants to hear from you [ON SCREEN: THIS IS A PROVABLE LIE].

Bryce 25:45

And the commissioner hearing the case said otherwise. Because why would she basically make an order for supervised visitation with my dad and for me not to even have contact with him physically and digitally? You know, at all.

DA Balerio 25:58

I wish I could tell you that it wouldn;t be that way, but that's all in the past, you can go back in time. There are so many things. I wish that I could literally go back in time and change. But now that you are an advocate for yourself so smart and intelligent and you're stepping up for what you want

Bryce 26:21

Thanks to my dad

DA Balerio 26:24

you'll be able to tell the family court, this is what I need and this is what I want. We can't change the past but we can try and work on fixing the future.

Bryce 26:32

Well, that's great You know I've been wanting to have a chance to speak in court and say I need for three years now. It would be great to finally have that chance

DA Balerio 26:43

I'm not the courts, but we're one step closer to the court. So we will first deal with the criminal case and try and get that all squared away. And then we'll move to the family court case

Bryce 26:55

great, thank you so much, thanks for talking to me about this

DA Balerio 27:00

I hope you get to see him soon. I know we were talking about how nice the beaches are and He's truly a California kid because of of his favorite places to go Boogie Boarding. I haven't done it yet. Definitely on my bucket list. So if you've got a good trainer to recommend because I was living in California, especially in southern California, where there are so many beaches around. I mean why not?

Bryce 27:36

My dad said he would teach me to learn how to surf once we went over to hawaii, it's somethign we've been planning forever

DA Balerio 27:42

What Island? so may we can't change the past and we look towards the future and your goal may be to be able to surf, that when we go to Hawaii with your dad sometime in the future. You'll be able to teach him how to surf.

Bryce 28:03

I never saw him surf. But he tells me stories all the time. Like him surfing with his friends. I remember this one story he told me - he told me that his friend got stung in the face or whatever.