

1 at this time I would move to dismiss, there hasn't been  
2 sufficient facts set forth to show that this person is  
3 legitimately in fear for his safety.

4 THE COURT: Overruled.

5 MR. ZANER: Okay. Mr.  
6 Kern, this can throwing incident, the beer can throwing  
7 incident, when did that allegedly occur?

8 MR. KERN: I can't give  
9 you an exact date; it was in the evening during the week.

10 MR. ZANER: Well, you  
11 filed this petition and you claimed all of these things and I'm  
12 just trying to find out, when did this beer can throwing  
13 incident occur?

14 MR. KERN: I can't  
15 give you an exact date; there is a police report on it.

16 MR. ZANER: What year  
17 did it take place?

18 MR. KERN: I can't tell  
19 you that sir.

20 MR. ZANER: Did it  
21 happen in the last month?

22 MR. KERN: No.

23 MR. ZANER: Two months?

24 MR. KERN: No.

25 MR. ZANER: Six months?

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MR. KERN: No.

MR. ZANER: Years,

isn't that true?

MR. KERN: It's been in

the last couple years yes.

MR. ZANER: Sir if I

tell you, and sir you're not averse to filing police reports,  
isn't that correct?

MR. KERN: Am I what?

MR. ZANER: You've

filed numerous police reports, isn't that true?

MR. KERN: I file them?

MR. ZANER: Yes sir.

MR. KERN: When Mr.

Parsons...

MR. ZANER: Sir, my

question is simple, isn't it true that you file police reports  
on numerous occasions over the last number of years, correct?

MR. KERN: I have.

MR. ZANER: Since 2009

or 2008, you've filed roughly 14 police reports, isn't that  
true?

MR. KERN: Fourteen

police reports?

MR. ZANER: Yes sir.

1  
2 tell you how many.

MR. KERN: I couldn't

3  
4 you I have fourteen police reports, you can't disagree with  
5 that, can you?

MR. ZANER: If I told

6  
7 disagree with that without seeing them.

MR. KERN: I can't

8  
9 and sir, this beer throwing incident I take it happened one  
10 time, right?

11 MR. KERN: Correct.

12  
13 I tell you I have a police report from 2009 where you claimed  
14 that Mr. Parsons allegedly threw this beer can at you, that's  
15 when that allegedly occurred, right?

16 MR. KERN: I don't know  
17 the day; I don't have it in front of me sir.

18  
19 THE COURT: Do you wish  
20 to approach?

21 MR. ZANER: Yes.

22 THE COURT: You may.

23 MR. ZANER: Thank you.

24 Sir, I want to show you a Henry County Sheriff Office Incident  
25 from February 12, 2009, I'd ask you to take a look at this one  
section to see if that will in fact refresh your recollection

1 that on February 13, 2009 is when you claimed this beer can  
2 throwing incident took place, go ahead, read that right there  
3 sir.

4 MR. KERN: It does say  
5 the 13<sup>th</sup> 2009.

6 MR. ZANER: 2009,  
7 that's when this alleged beer can incident occurred, right?

8 MR. KERN: This one  
9 incident yes.

10 MR. ZANER: And you've  
11 already testified that's the only time that this has ever  
12 occurred, right?

13 MR. KERN: As far as  
14 the beer can throwing, yes.

15 MR. ZANER: And then  
16 you were talking about the Parsons being on your property. You  
17 and the Parsons were involved in a major civil litigation,  
18 correct?

19 MR. KERN: Yes.

20 MR. ZANER: And that  
21 took place over a number of years, right?

22 MR. KERN: Correct.

23 MR. ZANER: And in  
24 fact, as part of that you filed a trespassing charge against  
25 Mr. Parsons for being on your property, right?



1 MR. KERN: Numerous  
2 time probably.

3 MR. ZANER: And sir  
4 isn't it true that in fact that charge was not filed, if it was  
5 filed it was thrown out because the Court had allowed Mr.  
6 Parsons to be on the property to take a look at certain things,  
7 isn't that correct?

8 MR. KERN: I don't know  
9 that for sure, no because he has been arrested for trespassing.

10 MR. ZANER: Sir isn't  
11 it true, isn't it further true that you drive by slowly past  
12 their property, isn't that correct?

13 MR. KERN: I would hope  
14 so; there is a stop sign there sir.

15 MR. ZANER: Sir, isn't  
16 it true that when you drive by your staring at the Parsons  
17 and/or their family members, isn't that correct?

18 MR. KERN: In the last,  
19 since...

20 MR. ZANER: Isn't that  
21 true, yes or no?

22 MR. KERN: In the last  
23 week I have because I'm fearing for my life, other than that I  
24 don't drive by and look at all because I don't want any  
25 conversation because any time I look over there, there is a

1 middle finger flying or something else, arms waiving, if I run  
2 by, I run on the opposite side of the road because everything,  
3 something is said every time.

4 MR. ZANER: Sir, isn't  
5 it true that you have driven by slowly and stared at the  
6 Parsons daughter?

7 MR. KERN: No not at  
8 all.

9 MR. ZANER: Sir isn't  
10 it true that you have made statements that Mr. Parsons is not  
11 the father of Caden.

12 MR. BAHRET: Objection.

13 MR. KERN: Who?

14 MR. ZANER: Do you know  
15 a person by the name of Mr. Videl?

16 MR. KERN: Yeah, I know

17 Mr. Videl.

18 MR. ZANER: Isn't it  
19 true you told Mr. Videl that Mr. Parsons isn't the father of  
20 Caden?

21 MR. BAHRET: Objection

22 Your Honor.

23 MR. KERN: I don't even

24 know who Caden is.

25 THE COURT: I'll

1 overrule the objection, answer if you know.

2 MR. KERN: Who's Caden?

3  
4 know who Caden is?

MR. ZANER: You don't

5 MR. KERN: I do not.

6 MR. ZANER: And sir  
7 isn't it true that you told Mr. Videll that in fact Cullen, the  
8 house between your house and the Parsons house caught on fire a  
9 couple of years ago, isn't that true?

10 MR. KERN: True.

11 MR. ZANER: And isn't  
12 it true that you accused the Parsons son, Cullen, for starting  
13 that fire?

14 MR. KERN: I did not.

15  
16 true that you told Mr. Videll that?

MR. ZANER: Isn't it

17 MR. KERN: No.

18  
19 sir, this incident that occurred a few nights ago, you  
20 allegedly say that you saw a gun, was anyone else with you?

21 MR. KERN: No.

22  
23 yourself?

MR. ZANER: Were you by

24 MR. KERN: I was.

25 MR. ZANER: Okay. You

1 have not said that you could identify who, if anyone, was  
2 behind the wheel. I take it that's because you can't identify  
3 that person, isn't that true?

4  
5 MR. KERN: I can  
6 identify him to a tee.

7 MR. ZANER: Okay. Sir,  
8 this taking pictures, isn't it true that you claimed that the  
9 Parsons were taking picture of your home years ago as part of  
10 the civil litigation, correct?

11 MR. KERN: I don't know  
12 why they were taking pictures.

13 MR. ZANER: Years ago,  
14 during the civil litigation, there could have been pictures  
15 being taken, right?

16 MR. KERN: There could  
17 have been, yes.

18 MR. ZANER: Alright,  
19 and now you're saying taking pictures, when are you alleging  
20 this happened?

21 MR. KERN: Their son  
22 had been down...

23 MR. ZANER: Not their  
24 son, Mr. and Mrs. Parsons, when are you alleging it occurred.

25 MR. KERN: The last  
time I saw Mr. Parsons it pry has been a year or so ago.



1 MR. ZANER: And from  
2 where your house is, do you have another way you can travel  
3 without having to go by their house?

4 MR. KERN: I do.

5 MR. ZANER: So sir,  
6 then, there is no reason or necessity for you to go by their  
7 house, correct?

8 MR. KERN: Besides  
9 going way out of my way.

10 MR. ZANER: Well sir if  
11 you're allegedly in fear of your safety, it's true, it's  
12 logical that you would go the other way, right?

13 MR. KERN: I could.

14 MR. ZANER: But you  
15 don't, right?

16 MR. KERN: My family  
17 does.

18 MR. ZANER: You don't  
19 do you?

20 MR. KERN: I can...

21 THE COURT: Allow him  
22 to answer the question.

23 MR. KERN: I will, I  
24 have no problem with that, but my family does not, because the  
25 school bus goes by their house.

1 THE COURT: And this  
2 debris in the driveway that you said was recent, you have no  
3 idea who would have done that, right?

4 MR. KERN: I didn't see  
5 anybody do it, no.

6 MR. ZANER: If I may  
7 have a moment Your Honor?

8 THE COURT: Sure.

9 MR. ZANER: I have  
10 nothing further.

11 THE COURT: Any  
12 redirect?

13 MR. BAHRET: No Your  
14 Honor.

15 THE COURT: You may  
16 step down. Any other witnesses?

17 MR. BAHRET: No Your  
18 Honor.

19 MR. ZANER: I would  
20 call Mr. Parsons first.

21 THE COURT: Please  
22 raise your right hand. Do you swear or affirm that they  
23 testimony you're about to give is the truth?

24 MR. PARSONS: Yes sir.

25 THE COURT: Please be