

1 THE COURT: Please be  
2 seated.

3 MR. ZANER: State your  
4 name please.

5 MRS. PARSONS: Michelle  
6 Parsons.

7 MR. ZANER: And Mrs.  
8 Parsons you are the respondent in this petition that has been  
9 filed for a protection order by Kyle Kern, correct?

10 MRS. PARSONS: Yes.

11 MR. ZANER: You've  
12 heard his testimony in regards to throwing beer can, driving by  
13 slowly, trespassing on his property, have you done any of those  
14 things within the last six months to a year?

15 MRS. PARSONS: I've  
16 never done any of those things.

17 MR. ZANER: Have you  
18 ever done anything to threaten or intimidate Mr. Kern?

19 MRS. PARSONS: Never.

20 MR. ZANER: Have you,  
21 in fact, seen him drive by slowly past your house?

22 MRS. PARSONS: Always,  
23 yes, often.

24 MR. ZANER: And do you  
25 know whether or not there is another way he could go that

1 wouldn't be so far out of his way that he wouldn't have to  
2 drive by your house?

3 MRS. PARSONS:

4 Absolutely.

5 MR. ZANER: How would

6 he do that?

7 MRS. PARSONS: He would

8 go down to S-3 up to 3 and down to T-2 or maybe U.

9 MR. ZANER: And is it

10 your position that would not be very far out of the way for him  
11 to do that?

12 MRS. PARSONS: Maybe a

13 sum total of 2 miles.

14 MR. ZANER: Once again,

15 if he's in fear of his safety, that would avoid him having to  
16 go by your house, right?

17 MR. BAHRET: Objection

18 Your Honor.

19 THE COURT: Overruled.

20 MR. BAHRET: How come

21 you just sustained when I just asked the question.

22 MRS. PARSONS: I would

23 say that if I was in fear for my life I would not be driving by  
24 the very people that you're fearful of.

25 MR. ZANER: Very good,

1 thank you. I have nothing further.

2 THE COURT: You may  
3 inquire.

4 MR. BAHRET: Ma'am did  
5 you go on the Kern property and plant the flag at any point?

6 MR. ZANER: Objection,  
7 once again, I'm requesting that any testimony be limited to the  
8 last six months to a year.

9 THE COURT: Well,  
10 specify a time, rephrase the question.

11 MR. BAHRET: First did  
12 you establish, did you ever do it?

13 MR. ZANER: No,  
14 objection, it's irrelevant.

15 MR. BAHRET: It's not.

16 THE COURT: I'm going  
17 to find that's not relevant unless it's in the time frame that  
18 is required by the statute for this hearing; we're here for a  
19 specific purpose.

20 MR. BAHRET: Within the  
21 last year, have you planted any kind of a flag on the Kern  
22 property?

23 MRS. PARSONS: No.

24 MR. BAHRET: Have you  
25 even been on the Kern property in the last year?

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MRS. PARSONS: No.

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MR. BAHRET: You were

3

on the property before the last trial, correct?

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MR. ZANER: Objection.

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THE COURT: I'll allow

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the question.

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MR. BAHRET: That's

8

been within a year.

9

THE COURT: It has

10

been.

11

MR. ZANER: Oh, okay, I

12

didn't know.

13

MRS. PARSONS: No, I

14

believe, no.

15

MR. BAHRET: You don't

16

have a look alike do you, that would be on the property?

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MRS. PARSONS: I guess

18

that's for you to determine.

19

MR. BAHRET: Did Cullen

20

leave the house in the silver Honda the night that Kyle claims

21

he was shot at?

22

MRS. PARSONS: Not to

23

my knowledge.

24

MR. BAHRET: Did he

25

leave the house in anything?

1 MRS. PARSONS: Not to  
2 my knowledge.

3 MR. BAHRET: Okay, you  
4 heard your husband say that he did right?

5 MRS. PARSONS: I was  
6 inside the house; I had spoken with Cullen on two different  
7 occasions within a very short period of time.

8 MR. BAHRET: When's the  
9 last time that you saw the gun that Cullen apparently owned?

10 MRS. PARSONS: I  
11 believe it was Sunday.

12 MR. BAHRET: Sunday,  
13 which Sunday? Three days ago Sunday or a week and a half ago  
14 Sunday?

15 MRS. PARSONS: Three  
16 days ago Sunday, wow.

17 MR. BAHRET: What? I'm  
18 trying to figure out what Sunday you're talking about.

19 MRS. PARSONS: I don't  
20 know which Sunday I'm talking about, I don't have a calendar  
21 here, I'm sorry.

22 MR. BAHRET: But it  
23 wasn't the most recent Sunday?

24 MRS. PARSONS: No.

25 MR. BAHRET: In fact



1 where was Cullen on the most recent Sunday?

2 MRS. PARSONS: As in  
3 four days ago?

4 MR. BAHRET: Yes.

5 MRS. PARSONS: My son  
6 is in jail.

7 MR. BAHRET: Was it the  
8 Sunday before he ended up in jail that you last saw the gun?

9 MRS. PARSONS: I would  
10 have to look at a calendar.

11 MR. BAHRET: To your  
12 knowledge Cullen didn't sell the gun or get rid of it somehow  
13 before the night that Kyle was shot at?

14 MRS. PARSONS: I don't  
15 know.

16 MR. BAHRET: Did your  
17 husband leave the house the night that Kyle says he was shot  
18 at?

19 MRS. PARSONS: Yes.

20 MR. BAHRET: What did  
21 he leave the house in?

22 MRS. PARSONS: I  
23 believe it was in my black CRV.

24 MR. BAHRET: And what's  
25 your recollection as to what time he left the house that night?

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know when he left the house.

know where he went?

I didn't hear.

was used in Liberty for gas.

assuming that he went to get gas.

know what else he did, if anything, or whether he encountered  
Kyle?

saying he didn't, you just don't know?

saying I don't know.

nothing else.

MRS. PARSONS: I don't

MR. BAHRET: Do you

MRS. PARSONS: I know  
that our debit card was used in Liberty for gas.

MR. BAHRET: I'm sorry,

MR. ZANER: Debit card

MR. BAHRET: So you're

MRS. PARSONS: Um hmm.

MR. BAHRET: Yes?

MRS. PARSONS: Yes.

MR. BAHRET: Do you

MRS. PARSONS: No.

MR. BAHRET: You're not

MRS. PARSONS: No, I'm

MR. BAHRET: I have

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further Your Honor.

MR. ZANER: Nothing

step down.

THE COURT: You may

witnesses Judge.

MR. ZANER: No further

THE COURT: Do you wish  
to present any argument Mr. Bahret?

MR. BAHRET: No Your  
Honor I think Kyle clearly testified as to why he is in fear  
and why his family is in fear.

THE COURT: Mr. Zaner?

*type* MR. ZANER: Judge I  
would just ask that the Court find that they have no proven  
their case and that these allegations be dismissed.

THE COURT: Well there  
is no doubt in my mind that there is sufficient enmity present  
between the parties that would give cause for concern but there  
has not been put forth the evidence as required under the  
statute to establish a pattern of conduct that would justify  
the issuance of a civil stalking protection order as there was  
not a pattern of conduct within the time frame required to  
issued that. That being the case the matters would be  
dismissed.

MR. ZANER: Thank you



1 Your Honor.

2  
3 Your Honor.

MR. BAHRET: Thank you

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