

DISTRICT COURT
DENVER COUNTY
COLORADO
1437 Bannock Street
Denver, CO 80202

IN RE THE INTEREST OF
UNBORN MANZANARES-TERRY,
a Child,
and Concerning
ROBERT MANZANARES,
Petitioner Father,
and
CARIE TERRY,
Respondent Mother.

Case No. 08 JV 141
Division 2

For Petitioner Father:
Emily Berkeley, Esq.

For Respondent Mother:
(No Appearance)

Guardian Ad Litem:
Vivian Burgos, Esq.

The matter came on for hearing on February 20, 2008,
before the HONORABLE KATHLEEN JANSKI, Magistrate of the
District Court, and the following proceedings were had.

Transcript Prepared By:

CTS West, Inc.
6121 South Quail Way
Littleton, CO 80127
720-922-3581

FEBRUARY 20, 2008

(Whereupon the court convened and the following proceedings were entered of record.)

THE COURT: What are you here on?

MS. BERKELEY: Good morning, Your Honor, I'm here for the Manzanares matter. I'm Emily Berkeley, attorney for Rob Manzanares. My understanding is that the Respondent is not here today. And so we're ready to move forward, and we're prepared to go with or without her.

THE COURT: Okay.

MS. BERKELEY: I understand --

THE COURT: Hang on for a second. Okay. This is Manzanares-Carie (sic), 08 JV 141. If we could get entries of appearance for the record.

MS. BERKELEY: Your Honor, good morning. It's Emily Berkeley, Registration 36240. I'm here representing the Petitioner, Robert Manzanares, who is here in the courtroom with us today.

THE COURT: Your name for the record.

MS. BERKELEY: Emily A. --

THE COURT: No.

MS. BERKELEY: -- Berkeley.

THE COURT: His name for the record.

MS. BERKELEY: Oh. Robert --

1 THE COURT: No.

2 MS. BERKELEY: -- Manzanares.

3 THE COURT: He needs to come up --

4 MS. BERKELEY: Oh, I'm sorry.

5 THE COURT: -- and say his name for the record.

6 MR. MANZANARES: Robert Manzanares.

7 THE COURT: Okay. And where is Carie Terry?

8 MS. BERKELEY: Our understanding is that she
9 has gone to Utah. She -- as far as we knew was in town
10 yesterday but apparently she's no longer in town because
11 your clerk informed me that she called and said that she
12 had left.

13 THE COURT: Okay. Is this child yet unborn?

14 MS. BERKELEY: Correct. The child is yet
15 unborn. But basically exactly what we feared would
16 happen has happened. We filed this motion when we did
17 because we understand that her plans are to go to Utah --
18 or at the very least place the child for adoption without
19 Mr. Manzanares' consent. She's -- she's a member of the
20 Church of the Jesus Christ of the Latter Day Saints so
21 she believes that's what she has to do.

22 THE COURT: Ms. Burgos, do you want to take an
23 appointment as guardian ad litem. And the Court will
24 find that for purposes of today's hearing indigency on
25 both parties in order for Ms. Burgos' services to be

1 rendered. This is 08 JV 141. Mother is pregnant. When
2 is she due?

3 MS. BERKELEY: We're not sure. We think she's
4 due March 17th from an old ultrasound that we have but
5 we're not positive and we know that in her motion to
6 continue she'd asked to be heard after -- at the end of
7 March so we believe that she's hoping to have the baby
8 before she ends up in court again.

9 THE COURT: Mother apparently -- Father is
10 asking and has filed a Summons in paternity. Mother
11 filed to accept a motion to continue giving her address
12 as 1417 South Columbine.

13 (Dialing phone.)

14 THE COURT: I'm dialing the number she gave on
15 the paperwork.

16 VOICE MAIL: Hi, you've reached Carie, leave me
17 a message and I'll call you back. Bye.

18 AUTOMATED VOICE: Record your message after the
19 tone. To send a numeric page, press 5. When you are
20 finished recording, hang up, or for delivery options
21 press pound.

22 THE COURT: Ms. Carie, this -- or Ms. Terry,
23 this is Magistrate Janski calling from Denver Juvenile
24 Court. Present in the courtroom is the attorney for
25 Mr. Manzanares, Mr. Manzanares, and I am appointing a

1 guardian ad litem for your unborn child, that's
2 Ms. Vivian Burgos. You are ordered to appear in court on
3 March 5th at 9 o'clock in Courtroom 281 in the City-
4 County Building and you are also ordered to cooperate
5 with Ms. Burgos who will be calling you and setting up a
6 home visit. So you are ordered to cooperate with her.
7 If you have any questions, give Ms. Burgos a call.

8 But right now for the record Ms. Burgos, her
9 number is 720-394-6756.

10 Does March 5th, work for you?

11 MS. BERKELEY: Yes, it does, Your Honor.

12 THE COURT: All right. Anything else from the
13 parties?

14 MS. BERKELEY: Yeah, I actually do have
15 something as well. Mr. --

16 THE COURT: Can you speak into the microphone
17 so that she'll be able to hear what you're saying.

18 MS. BERKELEY: Thanks. Mr. Manzanares' -- the
19 paternity is not actually in dispute at all. So I'm
20 wondering if the Court since -- since it's not in dispute
21 would be able to sign the final order of paternity which
22 I submitted three copies to the Court?

23 THE COURT: Well, I think I need a child before
24 I can sign paternity.

25 MS. BERKELEY: Okay. Thank you.

1 THE COURT: And you think the due date is some
2 time around March 17th?

3 MS. BERKELEY: That's our best guess. If we
4 guess 40 weeks and she was eight weeks and three days, I
5 can't remember the date -- August 9th, we sat there and
6 figured out, we think it's around the 17th of March but
7 we can't be sure, and you know, we can't be sure she
8 won't have the baby early either.

9 THE COURT: All right. Ms. Burgos, did you get
10 her number?

11 MS. BURGOS: Your Honor, 720-394 -- I needed
12 the last four.

13 THE COURT: 394-6756. Her address, 1417 South
14 Columbine. All right. Thank you.

15 MS. BERKELEY: Thank you, Your Honor.

16 (Whereupon these proceedings were concluded.)

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TRANSCRIBER'S CERTIFICATION

STATE OF COLORADO)
) SS.
COUNTY OF JEFFERSON)

I, Tami S. Ondik, do hereby certify that I have listened to the electronic recording of the foregoing; further that the foregoing transcript pages 1 through 5, were reduced to typewritten form from an electronic recording of the proceedings held January 20, 2008, in the Denver County District Court, in the matter of In Re the Matter of Unborn Manzanares-Terry and concerning Robert Manzanares and Carie Terry; and that the foregoing is an accurate record of the proceedings as above transcribed in this matter on the date set forth.

DATED this 28th day of March, 2008.

Tami S. Ondik, AAERT CET**D-301