



1 CASE NUMBER: 17PSFLO0745  
2 CASE NAME: JAMES GIBSON, III VS. KARRIE GIBSON  
3 LOS ANGELES, CALIFORNIA TUESDAY, JANUARY 7, 2020  
4 DEPARTMENT NO. 2 HON. LAWRENCE P. RIFF, JUDGE  
5 REPORTER: ROSEMARIE P. HERNANDEZ, CSR 9572  
6 APPEARANCES: (AS HERETOFORE NOTED.)  
7 TIME: A.M. SESSION

8  
9 (THE FOLLOWING PROCEEDINGS WERE HAD IN  
10 OPEN COURT:)

11  
12 THE COURT: OKAY. NUMBER 1, JAMES GIBSON AND  
13 KARRIE GIBSON.

14 THE RESPONDENT: GOOD MORNING YOUR HONOR. HAPPY  
15 NEW YEAR.

16 THE COURT: GOOD MORNING.

17 THE RESPONDENT: CAN I TAKE MY JACKET OFF?

18 MS. CARTER: GOOD MORNING, YOUR HONOR. ARIEL  
19 CARTER ON BEHALF OF JAMES GIBSON WHO IS PRESENT.

20 THE COURT: WELCOME.

21 THE PETITIONER: GOOD MORNING, YOUR HONOR.

22 THE COURT: WOULD THE PARTIES PLEASE FACE OUR CLERK  
23 AND TAKE AN OATH TO TELL THE TRUTH.

24 THE CLERK: DO YOU AND EACH OF YOU SOLEMNLY STATE  
25 THAT THE TESTIMONY YOU SHALL GIVE IN THE CAUSE NOW PENDING  
26 BEFORE THIS COURT SHALL BE THE TRUTH, THE WHOLE TRUTH, AND  
27 NOTHING BUT THE TRUTH, SO HELP YOU GOD?

28 THE RESPONDENT: YES, MA'AM.

1 THE PETITIONER: I DO.

2 THE COURT: HAVE A SEAT, PLEASE.

3 SO I WAITED FOR YOU TO GET HERE BECAUSE I  
4 HEARD YOU WERE COMING. I HEARD YOU HAD CALLED. BUT WHERE  
5 WERE YOU AT 8:30?

6 THE RESPONDENT: YOUR HONOR, I APOLOGIZE. DO YOU  
7 WANT ME TO EXPLAIN?

8 THE COURT: JUST A BRIEF EXPLANATION.

9 THE RESPONDENT: TO BE QUITE HONEST WITH YOU, SIR,  
10 I HAVE SEVERAL ISSUES. I HAVE A SLEEPING DISORDER, AND,  
11 TO BE QUITE HONEST WITH YOU, I GOT LAST NIGHT EMAIL FROM  
12 HIM. KIND OF DISRUPT ME. I TOOK TWO MELATONINS AND --

13 THE REPORTER: PLEASE SPEAK UP.

14 THE RESPONDENT: I'M SO SORRY.

15 I TOOK TWO MELATONINS. I HAVE A SLEEP  
16 DISORDER. THE LAST TIME I CAME BEFORE YOU I HADN'T SLEPT  
17 IN THREE DAYS. I WANTED TO BE PRESENT AND AWARE FOR YOU  
18 TODAY. I WOKE UP AT 9:20, TO BE QUITE HONEST. PLEASE  
19 FORGIVE ME. I HAVE MY MEDICAL RECORDS HERE.

20 THE COURT: I ACCEPT YOUR APOLOGY.

21 THE RESPONDENT: THANK YOU, SIR.

22 THE COURT: BUT LET ME SAY THIS: IT IS IMPORTANT,  
23 OBVIOUSLY, THAT YOU APPEAR ON TIME --

24 THE RESPONDENT: ABSOLUTELY.

25 THE COURT: -- FOR COURT APPEARANCES. THEY HAVE  
26 BEEN WAITING SINCE 8:30.

27 THE RESPONDENT: YOU KNOW THAT'S -- I -- WHAT CAN I  
28 SAY?

1 THE COURT: WE ARE PAST THE ISSUE.

2 THE RESPONDENT: YES, SIR.

3 THE COURT: THANK YOU.

4 ALL RIGHT. SO THERE IS SEVERAL THINGS WE  
5 NEED TO TALK ABOUT TODAY. LET'S START AT THE ORDER I MADE  
6 ON OCTOBER 25TH, 2019. YOU WERE HERE.

7 THE RESPONDENT: YOU MADE AN ORDER?

8 THE COURT: I DID. OCTOBER 25 EVERYBODY WAS HERE  
9 ON A TRIAL SETTING CONFERENCE, AND I CONTINUED THE TRIAL  
10 SETTING CONFERENCE TO TODAY, AND I SET SOME ORDERS TO SHOW  
11 CAUSE. SO LET'S JUST BACK UP AND FIGURE OUT WHY DID I DO  
12 THAT?

13 THE RESPONDENT: CAN YOU ELABORATE? BECAUSE I  
14 DON'T RECALL.

15 THE COURT: HOLD ON.

16 I DID THAT BECAUSE --

17 THE RESPONDENT: CAN YOU IDENTIFY THE ORDERS?  
18 BECAUSE I THOUGHT YOU CONTINUED IT.

19 THE COURT: HOLD ON, MS. GIBSON. LET ME JUST STEER  
20 THE BOAT FOR A MINUTE.

21 THE RESPONDENT: ABSOLUTELY.

22 THE COURT: ON JUNE 21, 2019, JUDGE HEIDEL MADE A  
23 COLLECTION OF ORDERS, INCLUDING FILING AND SERVICE OF  
24 INCOME AND EXPENSE DECLARATIONS; FILING AND SERVING  
25 WITNESS LISTS, EXHIBIT LISTS,

26 THE RESPONDENT: THAT'S NOT ACCURATE.

27 THE COURT: WELL, I'M LOOKING AT THE ORDER.

28 THE RESPONDENT: I THINK -- I DON'T THINK THAT'S

1 ACCURATE, SIR.

2 THE COURT: WELL --

3 THE RESPONDENT: BUT YOU DO --

4 THE COURT: HOLD ON A SECOND. PLEASE DON'T  
5 INTERRUPT ME. WHEN I'M LOOKING UP AND READY TO TALK, I  
6 PROMISE I'LL TALK TO YOU.

7 SO THERE WERE A COLLECTION OF ORDERS MADE BY  
8 JUDGE HEIDEL ON JUNE 21 AND SETTING A TRIAL READINESS  
9 CONFERENCE ON FOR SEPTEMBER 23RD.

10 LET'S SEE WHAT HAPPENED ON SEPTEMBER 23RD.  
11 ON SEPTEMBER 23, 2019, THERE WAS A HEARING. MR. GIBSON  
12 AND MS. CARTER APPEARED. YOU HAD CALLED IN, APPARENTLY,  
13 MS. GIBSON, SAYING YOU WERE HAVING --

14 THE RESPONDENT: MEDICAL ISSUES.

15 THE COURT: -- AN EPISODE OF MIGRAINE --

16 THE RESPONDENT: YEAH.

17 THE COURT: -- HAD FINALLY GOTTEN TO SLEEP AND WAS  
18 NOT ABLE TO MAKE IT TO COURT. JUDGE HEIDEL FOUND THAT THE  
19 RESPONDENT HAS NOT COMPLIED WITH THE ORDER OF COURT  
20 SETTING TRIAL AND/OR MANDATORY SETTLEMENT CONFERENCE.

21 THE RESPONDENT: THAT'S NOT WHAT HAPPENED.

22 THE COURT: MS. GIBSON, YOU ARE INTERRUPTING ME.

23 THE RESPONDENT: OF COURSE.

24 THE COURT: I'M JUST TRYING TO LAY THE TABLE FOR --

25 THE RESPONDENT: IT'S INACCURATE, THOUGH. THAT WAS  
26 MY COURT DATE. THAT COURT DATE WAS FOR MY COURT DATE,  
27 MOTION TO RECONSIDER AN ORDER THAT SHE DID, BUT I THINK  
28 YOU NEED TO KNOW THAT I HAVE A MOTION TO DISQUALIFY

1 JUDGE HEIDEL. SO I THINK EVERYTHING WE TALK ABOUT WAS  
2 MOOT. SO WE ADDRESSED THAT ISSUE.

3 THE COURT: JUST --

4 THE RESPONDENT: CERTAINLY.

5 THE COURT: -- PLEASE TAKE -- PLEASE DO NOT --  
6 DON'T INTERRUPT ME. OKAY. BY THE WAY, THAT'S THE THIRD  
7 TIME TODAY ALREADY, AND I'VE ONLY BEEN ON THE RECORD WITH  
8 YOU FOR ABOUT THREE MINUTES.

9 AT ANY RATE, JUDGE HEIDEL THEN SET THE CASE  
10 FOR A TRIAL SETTING CONFERENCE ON OCTOBER 25 IN  
11 DEPARTMENT 2, AND THAT'S WHERE I MET YOU ALL FOR THE FIRST  
12 TIME.

13 ON THAT DAY, EVERYBODY WAS HERE. I  
14 CONTINUED THE TRIAL SETTING CONFERENCE TO TODAY,  
15 JANUARY 7, 2020, AND I SET TWO ORDERS TO SHOW CAUSE. ONE  
16 AS TO WHY THE CASE SHOULD NOT PROCEED TO JUDGMENT TODAY.  
17 THAT'S AT LEAST WHAT THE MINUTE ORDER SAYS.

18 THE RESPONDENT: I WASN'T AWARE OF THAT.

19 THE COURT: AND THE SECOND ORDER TO SHOW CAUSE IS  
20 AS TO WHY THE COURT SHOULD NOT IMPOSE EVIDENTIARY  
21 SANCTIONS AND EVIDENCE PRECLUSION SANCTIONS, AND I  
22 REFERRED YOU TO THE -- MS. GIBSON, TO THE RESOURCE CENTER  
23 FOR SELF-REPRESENTED LITIGANTS FOR ASSISTANCE IN PREPARING  
24 DOCUMENTS.

25 I DON'T THINK -- WELL, LET ME FIND OUT FROM  
26 MS. CARTER.

27 THE RESPONDENT: MAY I SPEAK REAL QUICK?

28 THE COURT: NOT YET, BUT YOU'RE GOING TO GET A

1 CHANCE.

2 THE RESPONDENT: BECAUSE YOU SAID YOU WEREN' T DOING  
3 ANYTHING THAT DAY. IT' S ON THE RECORD. YOU SAID YOU WERE  
4 NOT DOING ANYTHING ON THAT DAY.

5 THE COURT: DID -- MS. CARTER, HAVE YOU RECEIVED A  
6 PRELIMINARY OR FINAL DECLARATION OF DISCLOSURE FROM THE  
7 RESPONDENT?

8 MS. CARTER: NO, I HAVE NOT.

9 THE COURT: HAVE YOU RECEIVED A WITNESS LIST OR AN  
10 EXHIBIT LIST?

11 MS. CARTER: NO, I HAVE NOT.

12 THE COURT: SO, BEFORE I TURN THE FLOOR OVER TO  
13 YOU, LET ME TELL YOU WHAT MY TENTATIVE PLAN TODAY TO DO  
14 IS. MY TENTATIVE PLAN IS TO MAKE A FINDING THAT THE CASE  
15 MAY PROCEED TO JUDGMENT WITHOUT THE RESPONDENT SERVING A  
16 DECLARATION OF DISCLOSURE. THAT IS WHAT THAT FIRST ORDER  
17 TO SHOW CAUSE WAS INTENDED TO DEAL WITH UNDER FAMILY CODE  
18 SECTION 2107.

19 THE SECOND THING I INTEND TO DO, I' M  
20 TENTATIVELY THINKING ABOUT, IS PRECLUDING RESPONDENT,  
21 MS. GIBSON, FROM CALLING ANY WITNESSES AT TRIAL OTHER THAN  
22 THE PARTIES AND PRECLUDING HER FROM INTRODUCING ANY  
23 EXHIBITS BECAUSE OF CONTINUED NONCOMPLIANCE WITH  
24 JUDGE HEIDEL' S ORDER.

25 SO IS THERE ANYTHING YOU' D LIKE TO SAY ABOUT  
26 THAT?

27 THE RESPONDENT: I' M HOPING YOU' RE GIVING ME TIME  
28 TO RESPOND.

1 THE COURT: I AM.

2 THE RESPONDENT: I AM A BLACK WOMAN, AND MY HUSBAND  
3 IS A WHITE MALE, AND BECAUSE MY HUSBAND IS A WHITE MALE HE  
4 IS BENEFITING FROM WHITE PRIVILEGE, AND I'M CLEARLY BEING  
5 DISCRIMINATED AGAINST.

6 FIRST OF ALL, I WANT TO SAY TO YOU I HAVE A  
7 MOTION TO DISQUALIFY JUDGE HEIDEL FOR RACIAL BIAS AND FOR  
8 MISCONDUCT.

9 THE LAST TIME I CAME BEFORE YOU I SAID TO  
10 YOU REPEATEDLY THAT I WASN'T IN THE CONDITION TO APPEAR IN  
11 COURT. AND, IF I'M CORRECT AND IF THE TRANSCRIPTS ARE  
12 CORRECT -- BECAUSE JUDGE HEIDEL'S COURT THEY ARE  
13 INACCURATE. YOU SAID -- YOU EVEN SAID, "I DON'T KNOW WHY  
14 YOU'RE UPSET, MS. GIBSON. I'M NOT DOING ANYTHING TODAY."  
15 WHAT I RECALL YOU DOING IS ORDERING THE DECLARATION OR  
16 STATEMENT. THE YOUNG LADY SENT ME THAT. I HAVE THAT  
17 DECLARATION. YOU ARE MAKING A LOT OF CLAIMS ABOUT ORDERS  
18 AND SO FORTH, AND THEY ARE INACCURATE, BUT I SEE WHERE  
19 THIS IS GOING.

20 FIRST ORDER OF BUSINESS, ARE YOU AWARE THAT  
21 I HAVE A MOTION TO DISQUALIFY JUDGE HEIDEL?

22 THE COURT: YES.

23 THE RESPONDENT: BECAUSE THERE IS MULTIPLE THINGS  
24 IN HER COURT THAT TAINT MY CASE.

25 AND YOU KNOW WHAT, SIR? I WAS A LITTLE  
26 CONCERNED ABOUT BEING BEFORE YOU BECAUSE OF MY PAST  
27 EXPERIENCE. NOW I AM A LITTLE CONCERNED BECAUSE, IF THE  
28 TRANSCRIPTS ARE CORRECT, YOU EVEN SAID -- BECAUSE I WAS

1 UPSET BECAUSE I HADN'T SLEPT, SIR. SO I COULDN'T DEFEND  
2 MYSELF. I SUFFER FROM CONCUSSION SYNDROME. I'VE BEEN IN  
3 AN ABUSIVE RELATIONSHIP FOR 21 YEARS OR LONGER. MY  
4 HUSBAND IS A HIGHLY FUNCTIONING ABUSIVE ALCOHOLIC. OKAY.  
5 YOU MADE MANY CLAIMS ABOUT ALL THESE THINGS, AND I DON'T  
6 THINK THEY ARE ACCURATE. LAST TIME I CAME BEFORE YOU YOU  
7 SAID YOU WERE MOVING THE DATE TO TODAY BECAUSE WE HAD  
8 THINGS ON THE CALENDAR.

9 I NEED AN ATTORNEY.

10 IF YOU -- I THINK IT'S GOING TO BE A LOT.  
11 IF I GO THROUGH EVERYTHING THAT TRANSPIRED IN THE PAST  
12 EIGHT MONTHS, IT WOULD WASTE THE COURT'S TIME.

13 I THINK WE NEED TO ADDRESS THE ISSUE OF  
14 DISQUALIFYING JUDGE SARAH HEIDEL. TO ME THAT'S THE FIRST  
15 ORDER OF BUSINESS.

16 YOU SAID SOMETHING ABOUT SEPTEMBER 23RD.  
17 SEPTEMBER 23RD WAS A MOTION TO RECONSIDER. LET ME JUST  
18 BACK UP REAL QUICKLY.

19 THE COURT: HOLD ON. WAIT. WAIT. WAIT. I DON'T  
20 WANT YOU TO BACK UP.

21 THE RESPONDENT: I WANT TO DISCUSS JUNE 21ST.  
22 JUNE 21ST JUDGE HEIDEL ORDERED SANCTIONS FOR MOTION TO  
23 COMPEL INTERROGATORIES, MOTION TO COMPEL VOCATIONAL  
24 EVALUATION. FIRST OF ALL, SHE DID A LOT OF THINGS. SHE  
25 SANCTIONED ME \$1,500. FIRST OF ALL, THE MOTION TO COMPEL  
26 INTERROGATORIES, I NEVER RECEIVED THEM. AND, SEE, I --

27 THE COURT: WAIT. WAIT. PLEASE STOP.

28 WE CANNOT RELITIGATE ORDERS THAT

1 JUDGE HEIDEL --

2 THE RESPONDENT: I'M NOT RELITIGATING. I'M  
3 EXPLAINING TO YOU WHY WE CAN'T MOVE FORWARD UNTIL --

4 THE COURT: HERE'S WHAT I WANT TO KNOW: WHY DID  
5 YOU NOT FILE A WITNESS LIST AND AN EXHIBIT LIST?

6 THE RESPONDENT: YOUR HONOR, WHEN YOU SAID -- OKAY.  
7 I AM TAKEN ABACK BY THE WITNESS LIST. IF YOU SEE A  
8 WITNESS LIST, SIR, THE WITNESS LIST WAS FOR MY WITNESS,  
9 FOR ME AND MY CASE FOR THE MOTION TO COMPEL VOCATIONAL  
10 EVALUATION AND DISCOVERY. ALL OF WHAT YOU'RE SAYING --  
11 LET'S GO BACK.

12 I NEED AN ATTORNEY.

13 MY HUSBAND MAKES \$180,000. I'M ON FOOD  
14 STAMPS. IF YOU'RE A JUDGE AND YOU ABIDE BY THE LAW, THAT  
15 ALONE SHOWS YOU THE PROBLEM. YOU CAN DO WHAT YOU WANT TO  
16 DO, SIR, BECAUSE I SERVE A GOOD GOD.

17 AND WHAT I'VE COME TO REALIZE THAT I NEED TO  
18 BE HERE IS THE PURPOSE TO SHINE THE LIGHT ON  
19 JUDGE SARAH HEIDEL. JUDGE HEIDEL IS A RACIST.

20 THE COURT: LET ME STOP YOU. HOLD ON. PLEASE  
21 STOP.

22 THE RESPONDENT: SURE.

23 THE COURT: SO YOU WANT TO TALK ABOUT -- YOU RAISE,  
24 I SHOULD SAY, A FILING YOU MADE. I WANTED TO TALK ABOUT  
25 THIS WITH YOU TOO. YOU FILED SOMETHING ON FEBRUARY 11,  
26 2019, A REQUEST FOR ORDER THAT YOU DESCRIBE AS A MOTION TO  
27 DISQUALIFY JUDGE SARAH HEIDEL FOR JUDICIAL MISCONDUCT  
28 INVOLVING CONDUCT IN VIOLATION OF THE CALIFORNIA CODE OF

1 JUDICIAL ETHICS, ABUSE OF CONTEMPT OR SANCTIONS.

2 THE RESPONDENT: ABSOLUTELY.

3 THE COURT: AND --

4 THE RESPONDENT: I'M SO SORRY. MY BEHAVIOR IS  
5 BASED ON --

6 THE COURT: PLEASE STOP. PLEASE STOP.

7 THE RESPONDENT: YES, SIR.

8 THE COURT: AND YOU WROTE ON THAT MOTION THAT THAT  
9 IS SET FOR JANUARY 13, 2020, IN THIS DEPARTMENT.

10 THE RESPONDENT: I DIDN'T WRITE. THE CLERK WROTE  
11 IT. HER NAME IS RUWANDA, I BELIEVE, OR LAWANDA. I DIDN'T  
12 PUT ENOUGH SPACE. SO SHE WROTE IT IN.

13 THE COURT: WHOEVER WROTE IT IN, THERE IT IS. NOW,  
14 WHAT I SEE, HOWEVER -- WELL, FIRST OF ALL, THAT MOTION  
15 SHOULD --

16 THE RESPONDENT: I NEED REPRESENTATION.

17 THE COURT: PLEASE DON'T INTERRUPT ME.

18 THE RESPONDENT: OKAY.

19 THE COURT: THAT MOTION SHOULD NOT BE SET HERE.  
20 MORE THAN THAT, I SEE JUDGE HEIDEL'S ORDER --

21 THE RESPONDENT: FOR WHAT?

22 THE COURT: -- OF DECEMBER 18 STRIKING A STATEMENT  
23 OF DISQUALIFICATION.

24 THE RESPONDENT: AND SHE DID THAT BASED ON  
25 SOMETHING -- OKAY. I SEE WHERE THIS IS GOING. SO I'M  
26 GOING TO LET YOU PROCEED. THIS IS INACCURATE. AND YOU  
27 KNOW WHAT? I BELIEVE IN THE JUDICIAL SYSTEM, AND I AM  
28 TELLING YOU, SIR, I'M CONCERNED THAT YOU'RE NOT TREATING

1 ME FAIR EITHER BECAUSE MY HUSBAND IS A WHITE MALE, AND THE  
2 WHOLE THING -- WHAT CONCERNS ME IS YOU DON'T DIG DEEP.

3 THIS LADY IS DECEPTIVE.

4 I WAS IN A 23 -- EMOTIONAL ABUSIVE  
5 RELATIONSHIP. I'M A GOOD WIFE. I SACRIFICED MY CAREER TO  
6 BE A WIFE FOR MY HUSBAND. IT'S ON THE RECORD EVIDENCE  
7 WHERE HE WROTE ME LETTERS APOLOGIZING FOR HIS ABUSE.  
8 OKAY.

9 IT'S REALLY HARD FOR ME TO MOVE FORWARD  
10 BECAUSE THAT MEANS I NEED TO GO THROUGH EVERYTHING  
11 REGARDING MY ISSUES WITH JUDGE SARAH HEIDEL. I CAN  
12 APPRECIATE --

13 THE COURT: I WANT TO STOP YOU.

14 THE RESPONDENT: OF COURSE YOU DO. I'M A BLACK  
15 WOMAN.

16 THE COURT: MS. GIBSON, PLEASE STOP.

17 THE RESPONDENT: YES. YES, I'M A BLACK WOMAN. SO  
18 I'M NOT ALLOWED TO SPEAK FREELY.

19 THE COURT: I WANTED TO MAKE IT CLEAR.

20 THE RESPONDENT: SURE.

21 THE COURT: THIS MOTION --

22 THE RESPONDENT: I THINK YOU CAN ADDRESS IT ON THE  
23 DATE. SHOULDN'T WE ADDRESS IT ON THAT DATE WHEN I'M  
24 PREPARED? IT'S JANUARY 13TH. WHY ARE WE ADDRESSING IT  
25 TODAY? BECAUSE I'M BLACK, AND YOU DON'T ABIDE BY THE LAW  
26 WHEN A BLACK PERSON IS IN THE COURT.

27 THE COURT: YOU KNOW, YOU HAVE ON MULTIPLE  
28 OCCASIONS RAISED RACE --

1 THE RESPONDENT: IT'S AN ISSUE IN THE WORLD. IT'S  
2 AN ISSUE. I'M A BLACK WOMAN. WE TALK ABOUT BLACK MEN ALL  
3 THE TIME. WE DON'T TALK ABOUT BLACK WOMEN.

4 THE COURT: I JUST WANT YOU TO KNOW THAT, AS FAR AS  
5 I'M CONCERNED, IT IS NOT AN ISSUE IN THIS CASE OR IN THIS  
6 COURTROOM.

7 THE RESPONDENT: THE FIRST TIME YOU SHUT ME DOWN I  
8 MENTIONED SOMETHING ABOUT BLACK. I'M GOING TO GIVE YOU  
9 THE BENEFIT OF THE DOUBT. THE REASON WHY I'M GOING TO  
10 GIVE YOU THE BENEFIT OF THE DOUBT YOUR CLERK TOLD ME THIS  
11 IS HER COURTROOM, AND FOR HER TO BE ABLE TO SPEAK LIKE  
12 THAT TO ME SAYS THAT YOU HAVE FAITH IN HER, AND YOU TRUST  
13 HER, AND, BECAUSE OF THAT, I'M TRYING TO GIVE YOU THE  
14 BENEFIT OF THE DOUBT.

15 WHAT I WOULD LIKE YOU TO DO, SIR, IN THIS  
16 CASE IS FOLLOW THE LAW. YOU'VE MADE MANY ACCUSATIONS  
17 ABOUT ME, AND YOU KNOW KNOWING ABOUT ME, AND I FOLLOW THE  
18 LAW. I'M A GOOD PERSON.

19 THE COURT: MS. GIBSON, YOU ARE TALKING OVER ME,  
20 AND HERE IS -- LET ME JUST POINT OUT. I AM CALM.

21 THE RESPONDENT: AND YOU'RE NOT POOR --

22 THE COURT: I'M SPEAKING IN A LOW --

23

24 (THE COURT AND THE RESPONDENT WERE  
25 SPEAKING SIMULTANEOUSLY, WHICH WAS NOT  
26 REPORTED.)

27

28 THE RESPONDENT: -- WHO MAKES \$180,000.

1 THE COURT: I'M GOING TO DIRECT THE COURT REPORTER  
2 TO PLEASE REPORT WHAT THE COURT IS SAYING AT THIS POINT  
3 EVEN THOUGH MS. GIBSON IS TALKING OVER ME.

4 I AM CALM. I'M SPEAKING WITH A LOW AND  
5 MODERATE VOLUME. I HAVE A -- I'M NOT ANGRY.

6 THE RESPONDENT: WHY SHOULD YOU BE?

7 THE COURT: BUT I AM GOING TO TELL YOU, MS. GIBSON,  
8 IF YOU CONTINUE TO INTERRUPT ME, THE DEPUTY IS GOING TO  
9 ASK YOU TO -- NOT ASK YOU, THE DEPUTY WILL BE REMOVING YOU  
10 FROM THE COURTROOM, AND I AM GOING TO MAKE ORDERS EVEN  
11 THOUGH YOU'RE NOT HERE. IT'S THE LAST THING I WANT TO DO.  
12 I'VE NEVER HAD TO DO THAT AS A JUDGE. I CERTAINLY DON'T  
13 WANT TO START HERE.

14 SO THIS IS WHAT I'M SAYING. ITEM NUMBER 1,  
15 SINCE YOU RAISED IT, YOUR MOTION THAT YOU FILED ON  
16 DECEMBER 11, 2019, THAT IS SET IN DEPARTMENT 2 IS NOT  
17 PROPERLY BEFORE THE COURT IN DEPARTMENT 2. SO I AM NOT  
18 GOING TO HOLD A HEARING ON IT ON JANUARY 13TH. I'M  
19 STRIKING THIS MOTION. IF YOU WISH TO BRING A MOTION TO  
20 DISQUALIFY JUDGE HEIDEL, THE MANNER IN WHICH YOU DO THAT  
21 IS BY PRESENTING IT TO JUDGE HEIDEL.

22 THE RESPONDENT: AND I DID.

23 THE COURT: OKAY.

24 THE RESPONDENT: AND I HAVE ON THE RECORD WHERE THE  
25 CLERK -- YOU KNOW, IT'S SO MANY THINGS IN THAT COURTHOUSE  
26 THAT IS -- YOU KNOW WHAT? I'M GOING TO LET YOU DO WHAT --

27 THE COURT: THANK YOU.

28 THE RESPONDENT: -- WHAT YOU DO BECAUSE THERE IS A

1 REASON FOR THIS. SIR, IF YOU LOOK ON THE RECORD --

2 THE COURT: STOP TALKING. PLEASE STOP TALKING.

3 SO, MADAM CLERK, TO BE CLEAR, THE RFO  
4 NOMINALLY SET TO BE HEARD IN DEPARTMENT 2 ON JANUARY 13TH  
5 IS OFF CALENDAR.

6 THE RESPONDENT: OH, MY GOSH.

7 THE COURT: NEXT, YOU FILED A REQUEST FOR ORDER ON  
8 DECEMBER 17 FOR ATTORNEY'S FEES. YOU SET THAT HEARING IN  
9 DEPARTMENT 2 FOR FEBRUARY 18, 2020. THAT CASE IS -- THAT  
10 HEARING IS NOT -- THAT RFO SHOULD NOT BE BROUGHT IN  
11 DEPARTMENT 2. YOUR HOME COURT IS JUDGE HEIDEL. THAT IS  
12 WHERE YOU HAVE TO BRING THAT RFO.

13 THE RESPONDENT: WHY AM I BEFORE YOU TODAY? WHY AM  
14 I BEFORE YOU? I DON'T UNDERSTAND BECAUSE I DON'T HAVE AN  
15 ATTORNEY. I DON'T HAVE AN ATTORNEY BECAUSE  
16 JUDGE SARAH HEIDEL HAS SABOTAGED THE \$5,000 THAT SHE GAVE  
17 ME. I DON'T HAVE AN ATTORNEY. AND, IF I'M NOT CORRECT,  
18 THE CALIFORNIA CODE 4331 -- I'M SUPPOSED TO HAVE AN  
19 ATTORNEY.

20 THE COURT: PLEASE STOP TALKING.

21 MADAM CLERK, CAN WE TRANSFER THE LOCATION OF  
22 THIS RFO ON FEBRUARY 18TH TO JUDGE HEIDEL'S COURT FOR THAT  
23 DAY?

24 THE CLERK: YES, YOUR HONOR.

25 THE COURT: ALL RIGHT. I AM DOING THAT.

26 THE RFO FILED BY YOU MS. GIBSON SET FOR  
27 HEARING ON FEBRUARY 18, 2020, WILL NOT BE HEARD IN  
28 DEPARTMENT 2. IT WILL BE HEARD IN JUDGE HEIDEL'S COURT ON

1 THAT DAY AT 8:30 A.M. THIS IS YOUR NOTICE OF THAT.

2 OKAY. NOW, WITH RESPECT TO TODAY'S HEARING,  
3 WITH RESPECT TO THE COURT'S ORDER TO SHOW CAUSE AS TO WHY  
4 THIS CASE SHOULD NOT PROCEED TO JUDGMENT NOTWITHSTANDING  
5 THE FAILURE TO SERVE PRELIMINARY OR FINAL DECLARATIONS OF  
6 DISCLOSURE --

7 THE RESPONDENT: I HAVE THEM HERE.

8 THE COURT: -- THE COURT WILL ORDER PURSUANT TO  
9 FAMILY CODE SECTION 2107 THAT THE CASE MAY PROCEED DESPITE  
10 THE LACK OF DECLARATIONS OF DISCLOSURE BY THE RESPONDENT.

11 WITH RESPECT TO THE COURT'S ORDER TO SHOW  
12 CAUSE CONCERNING EVIDENTIARY SANCTIONS, THE COURT IS GOING  
13 TO PRECLUDE THE RESPONDENT FROM CALLING ANY WITNESSES  
14 OTHER THAN THE PARTIES OR FROM ADMITTING ANY EXHIBITS AT  
15 THE TIME OF TRIAL FOR CONTINUED UNEXCUSED NONCOMPLIANCE  
16 WITH THE COURT'S ORDER REGARDING PRETRIAL DOCUMENTS.

17 MY NEXT INTENTION IS TO GIVE YOU A ONE-DAY  
18 TRIAL DATE, AND I WILL DO IT IN DEPARTMENT 2. THAT IS TO  
19 SAY YOU'LL COME BACK, AND WE WILL -- I WILL GET YOU A  
20 TRIAL DATE FOR YOUR CASE.

21 MADAM CLERK, WHEN CAN WE HAVE A ONE-DAY  
22 TRIAL?

23 THE CLERK: I HAVE JANUARY 30TH.

24 THE COURT: THAT'S ACTUALLY -- I THINK THAT WILL  
25 WORK.

26 DOES JANUARY 30 WORK FOR THE PETITIONER FOR  
27 TRIAL?

28 MS. CARTER: I AM IN TRIAL IN SAN BERNARDINO.

1 THE COURT: LET ME GO OFF THE RECORD.

2

3 (A DISCUSSION WAS HELD BETWEEN THE  
4 COURT AND COUNSEL WHICH WAS NOT  
5 REPORTED.)

6

7 THE COURT: LET ME GO ON THE RECORD.

8 I'M GOING TO HEAR WHAT YOU HAVE TO SAY.

9 SO I'VE IDENTIFIED MARCH 5 AS A TRIAL DATE,  
10 MARCH 5 OF 2020. THAT IS AN ACCEPTABLE DATE TO THE  
11 PETITIONER.

12 RESPONDENT, ACCEPTABLE DATE?

13 THE RESPONDENT: NO.

14 THE COURT: WHY?

15 THE RESPONDENT: BECAUSE I'M NOT PREPARED. I NEED  
16 AN ATTORNEY. AND I WOULD LIKE TO SPEAK TO WHAT YOU JUST  
17 SAID, BUT I SEE WHERE THIS IS GOING. I'M A BLACK WOMAN,  
18 AND I ANTICIPATED THIS. YOU MADE A LOT OF ASSUMPTIONS,  
19 AND YOU DIDN'T LET ME RESPOND. YOU SAID -- YOU SAID  
20 I'M -- THIS IS THE PROBLEM. I AM BEING MADE TO FRAME LIKE  
21 I'M DOING SOMETHING WRONG AND INACCURATE. I'M GOING TO  
22 BEG YOU, YOUR HONOR, TO LET ME SPEAK.

23 THE COURT: WELL, HOLD ON, BEFORE I DO, LET ME JUST  
24 CONFIRM. YOUR TRIAL DATE IS MARCH 5, 2020.

25 THE RESPONDENT: I DON'T HAVE AN ATTORNEY, AND I  
26 NEED TO -- I'M GOING TO ASK FOR -- I'M ASKING FOR -- WHAT  
27 DO YOU CALL IT? -- FEES.

28 YOU MADE ALL THESE THINGS ABOUT ME NOT BEING

1 ABLE TO PREPARE MY CASE. AND YOU KNOW WHAT, SIR? THAT'S  
2 ALARMING TO ME. I'M A HOUSEWIFE. I HAVEN'T HAD A JOB IN  
3 12 YEARS, AND MY HUSBAND HAS A RECORD OF EVADING SUPPORT.  
4 I HAVE A WHOLE DOCKET OF INFORMATION WHERE HE TRIED TO  
5 EVADE SPOUSAL SUPPORT. I HAVE DOCUMENTS WHERE HE TOLD THE  
6 COURT THAT HE WASN'T SERVED --

7 MS. CARTER: YOUR HONOR, I'M GOING TO OBJECT AT  
8 THIS POINT.

9 THE RESPONDENT: OF COURSE YOU ARE.

10 YOU WON'T LET ME SPEAK. AS A BLACK WOMAN  
11 I'M --

12 THE COURT: PLEASE STOP.

13 THE RESPONDENT: YES, SIR.

14 THE COURT: SO I HEAR YOUR OBJECTION. I'M  
15 OVERRULING --

16 THE RESPONDENT: I DIDN'T FINISH MY OBJECTION,  
17 THOUGH. CAN YOU LET ME SPEAK TO THE MARCH 5TH DATE?

18 THE COURT: NO, NOT YET. NO. PLEASE DON'T  
19 INTERRUPT ME.

20 I'M CONFIRMING THAT I'M ASSIGNING THIS CASE  
21 FOR TRIAL ON MARCH 5, 2020.

22 I AM FINDING THE FOLLOWING: THIS PETITION  
23 WAS FILED ON SEPTEMBER 5, 2017. THERE ARE A COLLECTION OF  
24 PRETRIAL ORDERS AND TRIAL READINESS ORDERS, SOME OF WHICH  
25 I ALLUDED -- SOME OF WHICH I MENTIONED EARLIER TODAY. I  
26 FIND THAT RESPONDENT HAS HAD ADEQUATE TIME TO DO THE  
27 THINGS TO COMPLY WITH THE COURT'S ORDER, AND IT IS FOR  
28 THAT REASON THAT I SET THE ORDER TO SHOW CAUSE HEARING --

1 HEARINGS TO GIVE THE RESPONDENT ONE MORE CHANCE TO BRING  
2 HER CONDUCT INTO COMPLIANCE WITH THE COURT ORDERS, WHICH  
3 SHE HAS NOT DONE.

4 SO THAT'S WHY I'M DOING WHAT I'M DOING.  
5 THIS CASE MUST COME TO A CONCLUSION, MS. GIBSON.

6 THE RESPONDENT: AND, YOU KNOW, YOU HAVE TO LET ME  
7 SPEAK, SIR. HE FILED FOR DIVORCE SEPTEMBER THE 5TH OF  
8 2017. HE WAITED A YEAR. YOU MADE REFERENCE TO THAT LAST  
9 TIME. YOUR HONOR, MY HUSBAND STRUNG ME ALONG ALL OF 2018.  
10 DO YOU UNDERSTAND THAT I WENT 2018 WITHOUT SPOUSAL  
11 SUPPORT? I HAVE A SEVERE BACK INJURY. I RODE RIDE SHARE.  
12 EXASPERATED MY BACK INJURY.

13 HE IS AN ALCOHOLIC, AND TO ME HE WAS BEING  
14 SOBER. SO THE FIRST COURT DATE WAS JANUARY THE 2ND. HE  
15 ARRANGED IT IN AUGUST. IT'S MY ASSUMPTION THAT HE KNOWS  
16 JUDGE SARAH HEIDEL, AND THE COURT DATE WASN'T SET FOR SIX  
17 MONTHS. DO YOU UNDERSTAND HE WENT A YEAR WITHOUT DOING  
18 ANYTHING? BECAUSE YOU -- AND THEN -- OKAY.

19 THIS IS THE THING I WANTED TO ADDRESS. YOU  
20 ARE SAYING THAT I'M NOT IN COMPLIANCE, SIR. THIS IS WHAT  
21 CONTINUES TO HAPPEN. YOU WON'T LET ME SPEAK. I WAS  
22 MARRIED TO MY HUSBAND 23 YEARS. YOU HAVE TO BE FAIR AND  
23 LET ME SPEAK TO YOU AND LET ME EXPLAIN TO YOU WHAT  
24 HAPPENED. I'M NOT OUT OF COMPLIANCE.

25 SHE SAID SHE SENT ME INTERROGATORIES. I  
26 NEVER GOT THEM. REGARDING MOTIONS TO COMPEL AND  
27 SANCTIONS, SHE HAS TO DO A MEET AND CONFER. SHE SAT IN  
28 YOUR COURT LAST TIME WE WERE HERE AND TOLD YOU SHE MET AND

1 CONFERRED. SHE NEVER MET AND CONFERRED WITH ME. ONE TIME  
2 SHE MET AND CONFERRED WITH ME, AND THAT WAS THE DATE OF  
3 OUR SPOUSAL SUPPORT HEARING. SHE ASKED TO MOVE IT  
4 FORWARD, AND, BECAUSE I'M NOT A LAWYER, I DIDN'T KNOW SHE  
5 COULDN'T DO THAT.

6 JUDGE SARAH HEIDEL HAS REPEATED VIOLATIONS  
7 AND OFFENSES. WHEN I SPEAK, SHE ATTACKED MY WORD EVERY  
8 TIME.

9 MY MAIN CONCERN IS YOU KEEP SAYING I'M NOT  
10 IN COMPLIANCE. SIR, I'M A BLACK WOMAN, AND I SERVE A GOOD  
11 GOD, AND I HAVE A PURPOSE. PEOPLE DIED FOR ME.

12 I CAN GET DIVORCED. STILL EVERYTHING IS  
13 HAPPENING OVER. I WENT BEFORE A RACIST JUDGE.

14 YOUR HONOR, PLEASE LET ME SPEAK.

15 THE COURT: I AM NOW GOING TO STOP YOU.

16 THE RESPONDENT: YOU'RE SAYING I'M NOT IN  
17 COMPLIANCE. YOU HAVE TO LET ME SPEAK TO YOU ABOUT THE  
18 COMPLIANCE.

19 THE COURT: PLEASE STOP TALKING.

20 THE RESPONDENT: I HAVE NO REASON TO LIE OR NOT  
21 BRING ANYTHING. I HAVE NOTHING. WHY WOULD I NOT GIVE YOU  
22 ANYTHING?

23 THE COURT: PLEASE STOP TALKING.

24 THE RESPONDENT: I WANT TO SPEAK TO THE LAST TIME  
25 WE CAME HERE.

26 THE COURT: ALL RIGHT. I AM SO SORRY TO DO THIS,  
27 BUT, DEPUTY, I'M GOING TO ASK YOU TO REMOVE MS. GIBSON  
28 FROM THE COURTROOM. SHE IS UNABLE, I FIND, TO COMPLY WITH

1 MY DIRECTION --

2 THE RESPONDENT: OF COURSE.

3 THE COURT: -- TO STOP TALKING AND INTERRUPTING.

4 SHE IS --

5 THE RESPONDENT: SO YOU'RE GOING TO MOVE FORWARD  
6 WITHOUT ME.

7 THE COURT: SHE IS OBVIOUSLY AGITATED.

8 THE RESPONDENT: I HAVE WHAT YOU ASKED FOR.

9 THE COURT: AND I CANNOT CONTROL THESE PROCEEDINGS  
10 WITH HER IN THE COURTROOM. SO I'M GOING TO ASK THAT SHE  
11 BE REMOVED FROM THE COURTROOM.

12 THE HEARING, FRANKLY, IS OVER.

13 I AM GOING TO ORDER PETITIONER'S COUNSEL TO  
14 GIVE NOTICE OF ALL OF THE RULINGS AND ORDERS TODAY.

15 MS. CARTER: I HAVE A COUPLE OF ITEMS, YOUR HONOR.

16 SO ON THE SECOND OSC MY RECOLLECTION -- AND  
17 I DO APPRECIATE THE PRECLUSION OF THE WITNESSES AND THE  
18 EXHIBITS. MY UNDERSTANDING IS THAT THE RESPONDENT WOULD  
19 BE PRECLUDED FROM PROVIDING --

20 THE COURT: WAIT A SECOND.

21 MS. GIBSON IS BEING LOUD AND INTERRUPTING  
22 THE PROCEEDINGS, AND SHE IS BEING ESCORTED OUT BY THE  
23 DEPUTY.

24 OKAY. I'M SORRY. YOU WERE SAYING.

25 MS. CARTER: SO THE OTHER PART OF THE SECOND OSC  
26 FROM MY UNDERSTANDING IS THAT RESPONDENT WOULD BE  
27 PRECLUDED FROM PROVIDING TESTIMONY AT TRIAL AS IT RELATES  
28 TO FINANCIAL MATTERS AS AN EVIDENTIARY SANCTION. SO I

1 JUST WANT TO MAKE SURE THAT THAT MAKES IT ON THE RECORD.

2 THE COURT: I THINK YOU'RE CORRECT THAT -- THAT THE  
3 RESPONDENT IS PRECLUDED FROM OFFERING ORAL TESTIMONY AS TO  
4 FACTS THAT SHOULD HAVE BEEN DISCLOSED IN THE PRELIMINARY  
5 AND/OR FINAL DECLARATION OF DISCLOSURE. SO I'LL ASK YOU  
6 TO INCLUDE THAT. IN FACT, I'M GOING TO ASK YOU TO PREPARE  
7 FINDINGS AND ORDER AFTER HEARING ON THESE TWO OSC'S.

8 MS. CARTER: OKAY.

9 THE COURT: IS THERE ANYTHING FURTHER?

10 MS. CARTER: THE ONLY THING I WANTED, YOUR HONOR,  
11 WAS A DATE TO PROVIDE OUR UPDATED INCOME AND EXPENSE  
12 DECLARATION AND AMEND ANY TRIAL DOCUMENTS THAT MAY BE  
13 NECESSARY AS THEY WERE FILED IN SEPTEMBER OF 2019.

14 THE COURT: FEBRUARY 14, 2020, ADEQUATE FOR YOU?

15 MS. CARTER: THAT'S FINE, YOUR HONOR.

16 THE COURT: INCLUDE THAT IN YOUR NOTICE. IT'S VERY  
17 IMPORTANT, OBVIOUSLY, WITH THE RESPONDENT HAVING BEEN  
18 EXCLUDED FROM THE PROCEEDING THAT SHE GET NOTICE OF WHAT  
19 WE ARE DOING AND ORDERS I'M MAKING. SO, IN ADDITION TO  
20 FINDINGS AND -- WELL, I JUST WANT YOU TO INCLUDE ALL OF  
21 THIS IN THE FINDINGS AND ORDER AFTER HEARING, INCLUDING  
22 THE TRIAL DATE.

23 MS. CARTER: VERY GOOD. SO --

24 THE COURT: AND I WANT YOU TO CALL THAT DOCUMENT,  
25 IN ADDITION TO FINDINGS AND ORDER AFTER HEARING, NOTICE OF  
26 TRIAL.

27 MS. CARTER: IS THAT OKAY TO BE ONE DOCUMENT?

28 THE COURT: YES.

1 MS. CARTER: THANK YOU.

2 THE COURT: OKAY. ANYTHING FURTHER?

3 MS. CARTER: THAT'S IT.

4 THE COURT: OKAY. THANK YOU MUCH.

5 MS. CARTER: THANK YOU, YOUR HONOR.

6 THE COURT: I'LL SEE YOU ON MARCH 5TH IT SOUNDS

7 LIKE.

8 MS. CARTER: THANK YOU.

9 THE COURT: ALL RIGHT. BYE-BYE.

10

11 (END OF PROCEEDINGS.)

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