

1 HARALSON, MILLER, PITTS, FELDMAN & MCANALLY, P.L.C.  
2 Peter Timoleon Limperis, SBN 19175  
3 Heather L.H. Goodwin, SBN 32633  
4 1 S. Church Ave., Ste. 900  
5 Tucson, AZ 85701-1620  
6 (520) 792-3836  
7 plimperis@hmpmlaw.com  
8 hgoodwin@hmpmlaw.com  
9 me@hmpmlaw.com

APR 21 2016

10 *Attorneys for Appellees*

11 **IN THE SUPERIOR COURT**

12 **IN AND FOR THE COUNTY OF PIMA**

13 14 PATRICK FOX a.k.a. RICHARD RIESS, Case No.: C2016 1697

15 v. Appellant

16 DESIREE CAPUANO,

17 **APPELLEE DESIREE CAPUANO'S OBJECTION TO  
RECORDED COVERAGE OF HEARINGS**

18 (Rule of the Supreme Court 122)

19 Appellee.

Judge Woods

20  
21 Under Rule of the Supreme Court 122, Appellant may not record court proceedings  
22 without first notifying the Court. Appellee Desiree Capuano has requested a hearing on her  
23 Order of Protection. Although the Court has not yet ruled on the request, Ms. Capuano asks the  
24 Court to prevent Appellant from recording proceedings should a hearing be granted. Without  
25 Court permission, Appellant has recorded recent court hearings involving Ms. Capuano and  
26 posted the recordings online to harass her.  
27  
28

29

## **MEMORANDUM OF POINTS AND AUTHORITIES**

Appellant has a history of surreptitiously recording proceedings and using them to harass Ms. Capuano. Appellant posted the recordings on his harassment website [www.DesireeCapuano.com](http://www.DesireeCapuano.com). Ms. Capuano asks this Court to order Appellant not to record hearings on Ms. Capuano's Order of Protection.

According to Rule of the Supreme Court 122(a), use of recording devices to record court proceedings is subject to limitations and requirements. A “proceeding” is “an event concerning a court case that takes place in a court room.” Rule of the Supreme Court 122(b)(7). A person may use personal audio recorders during proceedings only if the person notifies the judge or the judge’s staff prior to using the device. Rule of the Supreme Court 122(h).

Either on her own motion or sustaining a party's objection, a judge may deny coverage after making specific, on-the-record findings that there is a likelihood of harm arising from a list of factors. Rule of the Supreme Court 122(d)(1). These factors include: the impact of coverage upon the right of any party to a fair hearing or trial; the impact of coverage upon the right of privacy of any party, victim, or witness; the impact of coverage upon the safety and well-being of any party, victim, witness, or juror; and any other factor affecting the administration of justice. *Id.*

Without advance notice or court approval, Appellant has recorded several previous court hearings involving Ms. Capuano. Appellant recorded family court proceedings in the Superior Court of Los Angeles and posted the recordings to harass Ms. Capuano. (Ex. 1) In a post, written as if by Ms. Capuano, Appellant posted the recording of a family court hearing under the title, "Custody Hearing – I Won it All, Bitches! Fuck My Son and What He Wants!" (Ex. 2) In fact,

1 Appellant has posted every court document and recordings of all hearings in his child custody  
2 case on his website, [www.DesireeCapuano.com](http://www.DesireeCapuano.com). (Ex. 1.)  
3

4 Regarding the Order of Protection at issue here, without obtaining the Sahuarita Municipal  
5 Court's permission, Appellant audio recorded the municipal court's hearing and posted it online.  
6 (Ex. 3 at 1.) Appellant has used these recordings to continue harassing Ms. Capuano, including  
7 in a post titled "Highlights from My Order of Protection Hearing." (Ex. 4.) Appellant's post is  
8 in first-person (as if by Ms. Capuano) and contains audio links to the recorded hearing. (*Id.* at 1-  
10 2.) The text accompanying the audio clip taunts Ms. Capuano and derides her fear:  
11

12 Can you believe that? I say Patrick has told our child that "if the risk of jail time  
13 were not there that he'd **SHOOT** me" (0:16). Ha! What a hoot! And not only that,  
14 he'd "physically" shoot me (0:23). [editor's note: *As opposed to...metaphorically*  
15 *shooting you?*] I go on to tell the judge that Patrick has guns and he shoots guns  
16 (0:29). [editor's note: *Is there something you would do with a gun other than*  
17 *"shoot" it?*] But wait, the hilarity doesn't stop there – I say I am concerned that at  
18 any time Patrick can enter the United States "with his guns, that he shoots..." (0:55).

19 (Id. All bolding and italicization in original.)

20 Allowing Appellant to record and use a recording of this Court's proceedings to harass and  
21 intimidate Ms. Capuano implicates several of the Rule 122(d) factors. Appellant's likely misuse  
22 of the recording would pervert the purpose of the Order of Protection, which is to protect Ms.  
23 Capuano, the victim of Appellant's relentless harassment. Moreover, allowing the Appellant to  
24 twist the proceeding into a tool with which to further harass Ms. Capuano would undermine this  
25 Court's administration of justice.

26 **CONCLUSION**  
27

28 The exhibits, taken from Appellant's website [www.DesireeCapuano.com](http://www.DesireeCapuano.com), support Ms.  
29 Capuano's objection to Appellant being allowed to record proceedings. Appellant's history shows

1 that he would likely misuse the recordings to further harass Ms. Capuano. This Court should  
2 order the Appellant not to record future proceedings in this matter.  
3

4 Dated April 20, 2016.  
5

6 HARALSON, MILLER, PITI,  
7 FELDMAN & McANALLY, P.L.C.  
8

9 By   
10 Peter Timoleon Limperis  
11 Heather L.H. Goodwin  
12

13 Original filed  
14 April 20, 2016.  
15 Copy mailed  
16 April 20, 2016 to:  
17 Patrick Fox  
18 REDACTED  
19 Burnaby, BC V5G 1T3  
20 Canada  
21 *Appellant, Pro Se*  
22  
23  
24  
25  
26  
27  
28  
29

# EXHIBIT 1

# Desiree Capuano

[Home](#)[Blogs](#)[Fun Shit...](#)[Legal Shit...](#)[Friends & Family](#)[Mail](#)[About...](#)

## California Family Court Case

### Recent Posts

<a href="#">Any Moment Now My Son Could Vanish</a>	2016-04-19	17 views   1 comment
<a href="#">I Wonder What It Must be Like to be James Pendleton</a>	2016-04-17	65 views   4 comments
<a href="#">The Time I Was Living in My Car, Had Unprotected Sex with a Guy I Just Met, and Didn't Shower for the Next 3 Days</a>	2016-04-16	67 views   0 comments
<a href="#">NBC Affiliate KVOA Tucson and Matthew Schwartz Are Completely Full of Shit</a>	2016-04-16	64 views   0 comments
<a href="#">Natalie Clancy and the CBC Are Kinda Pretty Fulla Shit</a>	2016-04-15	80 views   1 comment
<a href="#">Exposing My Kids to Brutal Domestic Violence, And Loving It!</a>	2016-04-12	109 views   2 comments
<a href="#">You See? I Really Was a Stripper...and Prostitute</a>	2016-04-12	166 views   11 comments
<a href="#">The Time I Tried To Sell My Baby</a>	2016-04-09	97 views   2 comments

### Popular Posts

<a href="#">Of Anal Sex and Cooking Oil</a>	2015-10-31	16,479 views   73 comments
<a href="#">My Ex-Husband Wants to Kill Me Or, At Least That's What I Keep Telling People</a>	2016-02-13	7,395 views   63 comments
<a href="#">That Crazy CBC Story</a>	2016-02-18	5,843 views   53 comments
<a href="#">Patrick's Sick Obsession with Desiree Capuano</a>	2015-12-17	4,886 views   46 comments
<a href="#">My Son's Opinion of This Website</a>	2016-02-19	3,912 views   64 comments
<a href="#">The Best Proof That I'm Lying About My Ex-Husband Hiding Our Son From Me for 9 Years - My Own Sworn Testimony</a>	2016-02-20	3,306 views   26 comments
<a href="#">Livin' the Dream (Getting a Man to Pay My Way While I Sit Around and Get High All Day)</a>	2015-12-25	2,748 views   8 comments
<a href="#">My Desperate Attempts to Get People to Listen to Me</a>	2016-02-11	2,644 views   21 comments
<a href="#">Doesn't It Really Seem I Just Want the World's Sympathy</a>	2016-02-18	2,614 views   40 comments
<a href="#">The Police Executed a Search Warrant on My Home, Found Stolen Assault Rifle, Meth and Marijuana</a>	2015-12-19	2,538 views   3 comments
<a href="#">All This Talk of Cyber-Bullying, Harassment, Defamation, and "Revenge-Sites"</a>	2016-02-21	2,230 views   46 comments
<a href="#">The Irrefutable Proof That My Claims of Being Afraid for My Safety Are Bullshit</a>		

On this page, you will find every document which has been filed by me and by Patrick, in our child custody case.

Date	Filed By	Description	Comments
2011-09-29	Patrick	<a href="#">Petition for Custody</a>	This was the initial petition, after Desiree had abducted GR to Arizona, requesting the California Court order Desiree to return GR to Patrick's custody.
2011-10-04	Patrick	<a href="#">OSC - Custody, Visitation</a>	
2011-10-18	Patrick	<a href="#">OSC - Determine Jurisdiction, ex parte</a>	
2011-11-09	Court	<a href="#">Temporary Order</a>	The court's order for Desiree to immediately return GR to Patrick's custody, after she had him, illegally, in Arizona for the past 3 months.
2011-11-18	Desiree	<a href="#">Response to Petition for Custody</a>	
2011-12-06	Court	<a href="#">Stipulated Order</a>	The court's order, assigning sole physical custody to Patrick, joint legal custody, and visitation terms for Desiree.
2011-12-08	Desiree	<a href="#">Findings and Order After Hearing</a>	
2011-12-13	Patrick	<a href="#">Objections to Proposed Order</a>	
2011-12-30	Patrick	<a href="#">Request for Extension of Time</a>	
2012-01-04	Patrick	<a href="#">OSC - Child Support</a>	
2012-01-20	Desiree	<a href="#">Responsive Declaration - Child Support</a>	
2012-01-20	Desiree	<a href="#">Income and Expense Declaration</a>	
2012-02-03	Patrick	<a href="#">OCS - Modify Visitation</a>	Request to modify Desiree's visitation, to require drug testing prior to, or during GR's visits, due to the discovery of Desiree's current drug use. Request an order that Kristopher Lauchner not be permitted to be present during GR's visits, due to the discover of his violent criminal history and his recent threats.
2012-02-14	Patrick	<a href="#">OSC - Suspend Visitation, ex parte</a>	Ex parte request to temporarily suspend Desiree's visitation, due to the discovery of her drug use and Kristopher Lauchner's ongoing involvement in criminal activities.
2012-02-14	Court	<a href="#">Temporary Order</a>	Court's order temporarily suspending Desiree's visitation due to her ongoing drug use and hers and Lauchner's ongoing involvement in criminal activities.
2012-02-21	Desiree	<a href="#">Responsive Declaration - Modify Visitation</a>	Desiree's response to the request to require drug testing before or during GR's visits with her.
2012-09-07	Court	<a href="#">Minute Entry</a>	The court ordered a "Solution Focused Evaluation" (child interview), as requested by Patrick.
2012-09-11	Patrick	<a href="#">OSC - Child Support</a>	
2012-09-11	Patrick	<a href="#">Declaration</a>	Declaration regarding efforts to obtain birth certificate/proof of citizenship.
2012-09-14	Court	<a href="#">Minute Entry</a>	Changing the date of the child interview from March 13, 2013 to March 20, 2013.
2012-11-28	Patrick	<a href="#">OSC - Modify Visitation, ex parte</a>	Request that visits with Desiree be supervised, due to the discovery of Lauchner's arrest for hiding a stolen assault rifle in Desiree's home, their ongoing

2015-02-18 2,222 views | 24 comments

**And So Just What Have I Accomplished by Going to the Media?**

2016-02-24 1,903 views | 6 comments

**And Yet More Proof I'm Lying to You About My Ex-Husband Hiding Our Child - My Letters**

2016-02-22 1,852 views | 8 comments

**Highlights from My Order of Protection Hearing**

2016-01-17 1,714 views | 5 comments

Desiree Capuano  
 250 E. Placita Lago Del Mago  
 Sahuarita, AZ 85629  
 Tel: 520-288-8200  
 desiree.capuano@gmail.com

			methamphetamine use, and the execution of a search warrant on Desiree's home.
2012-11-28	Patrick	<a href="#">OSC - Relocate to Vancouver, ex parte</a>	Request to relocate, with GR, to Vancouver, Canada for employment.
2012-11-28	Patrick	<a href="#">Petition for Dissolution of Marriage</a>	
2013-01-09	Patrick	<a href="#">Notice of Change of Address</a>	Patrick's notice of change of address upon being taken into ICE custody in January 2013.
2013-01-09	Patrick	<a href="#">Request for Continuance - Child Support</a>	Patrick's request to continue the child support hearing, due to being in ICE custody.
2013-01-11	Court	<a href="#">Minute Entry</a>	Granting Patrick's request to continue the hearing regarding child support.
2013-01-16	Court	<a href="#">Minute Entry</a>	Granting Desiree's request for emergency custody due to Patrick being in ICE detention, and her request to prohibit communication between Patrick and GR. The court, of course, would later deny it granted the request regarding communication between Patrick and GR.
2013-01-16	Desiree	<a href="#">OSC - Temporary Emergency Custody, ex parte</a>	Desiree's ex parte request, after filing a false report with ICE about Patrick resulting in Patrick being detained and deported. In this request Desiree also sought, and received, an order prohibiting all contact between Patrick and GR.
2013-01-16	Court	<a href="#">Temporary Order</a>	Order granting Desiree temporary sole legal and physical custody of GR, due to Patrick being in ICE detention.
2013-01-23	Patrick	<a href="#">Declaration</a>	Patrick's declaration regarding Desiree's ex parte request for emergency sole legal and physical custody of GR.
2013-01-30	Patrick	<a href="#">Responsive Declaration - Emergency Custody</a>	Patrick's responsive declaration to Desiree's request for emergency custody of GR, due to Patrick being in ICE detention.
2013-02-06	Court	<a href="#">Minute Entry</a>	Ordering GR to remain in Desiree's custody while Patrick is in ICE detention. Upon Patrick's release he may appear with an ex parte request for GR to be returned to his custody. Ordering Desiree to not interfere with Patrick's communication with GR.
2013-03-13	Court	<a href="#">Minute Entry</a>	Vacating the child interview which was scheduled for March 20, 2013; awarding sole legal and physical custody of GR to Desiree because Patrick has been deported.
2013-03-13	Patrick	<a href="#">Declaration</a>	Patrick's declaration regarding Desiree's threats if he continues to try to seek custody of GR.
2013-03-20	Court	<a href="#">Minute Entry</a>	Placing the original hearing which the court vacated on March 13, 2013 back on calendar in order to keep Patrick in the courtroom until ICE arrived to detain him.
2013-06-03	Desiree	<a href="#">Findings and Order After Hearing</a>	Order from the February 6, 2013 hearing. Desiree did not file it until June 2013.
2013-07-15	Desiree	<a href="#">Notice of Change of Address</a>	
2013-10-08	Patrick	<a href="#">OSC - Modify Custody, Visitation, ex parte</a>	Patrick's request for custody to be returned to him, after being deported.
2013-10-21	Desiree	<a href="#">Responsive Declaration - Modify Custody, Visitation</a>	
2013-12-04	Patrick	<a href="#">Income and Expense Declaration</a>	
2014-01-27	Patrick	<a href="#">Stipulation and Order - Visitation</a>	
2014-01-27	Desiree	<a href="#">Income and Expense Declaration</a>	
2014-02-07	Court	<a href="#">Minute Entry</a>	
2014-07-14	Desiree	<a href="#">Declaration</a>	
2015-09-03	Desiree	<a href="#">OSC - Modify Visitation</a>	
2015-11-20	Patrick	<a href="#">OSC - Modify Custody, Visitation</a>	Request order allowing GR to choose who he will live with, due to Desiree's refusal to allow any further visitation, taking away GR's phone, and recording Patrick's and GR's phone calls.
2016-01-11	Desiree	<a href="#">Responsive Declaration - Modify</a>	Desiree's responsive declaration, falsely accusing Patrick or threatening to kill her, refusing to allow GR

		<b>Custody, Visitation</b> ¶	to return at the end of his most recent visit, and extensive allegations of harassment.
2016-01-25		<b>Audio Recording of the Hearing</b> ¶	At this hearing, the judge ordered that GR is to be interviewed so that he can tell the court what he wants.
2016-02-25	Patrick	<b>Reply to Desiree's Responsive Declaration</b> ¶	Addresses the allegations made by Desiree, in her responsive declaration, showing how almost all of her claims are either false or grossly misrepresented.
2016-02-25	Desiree	<b>Notice of Ruling</b> ¶	
2016-03-28		<b>Audio Recording of the Hearing</b> ¶	At this hearing, the court had reviewed all the evidence proving Desiree had lied about all of her allegations against Patrick; GR was supposed to be able to address the court. The court disregarded all of Desiree's lies and continued to act as though everything she said was the truth. The court granted Desiree complete discretion on all matters of visitation and contact between GR and Patrick, and refused to make any orders regarding visitation. The court also pretended that Patrick had never requested for GR to be able to address the court.

This site was created and is maintained by the immediate family and/or close personal friends of Desiree Capuano, with significant input and contributions from the community.

All information published on this website is true and accurate to the best of the knowledge and ability of the site maintainers. Any error of fact should be reported to the maintainer, and corrective action will be immediately applied.

Any comments or narratives published on this website, which are written in the first person, from the perspective of Desiree Capuano are not, in fact, written by Desiree Capuano. Nevertheless, all statements made as such are known to be true and correct - regardless of what Desiree may tell you.

If you notice any inaccuracies on this website, or just want to share your thoughts, feel free to inform me at [patrick@desireecapuano.com](mailto:patrick@desireecapuano.com) and I will address them as soon as possible.

# EXHIBIT 2

# Desiree Capuano

Home

Blogs

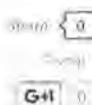
Fun Shit...

Legal Shit...

Friends &amp; Family

Mail

About...



## Blogs

Search

### Recent Posts

<a href="#">Any Moment Now My Son Could Vanish</a>	2016-04-19	18 views   1 comment
<a href="#">I Wonder What it Must be Like to be James Pendleton</a>	2016-04-17	65 views   4 comments
<a href="#">The Time I Was Living In My Car, Had Unprotected Sex with a Guy I Just Met, and Didn't Shower for the Next 3 Days</a>	2016-04-16	69 views   0 comments
<a href="#">NBC Affiliate KVOA Tucson and Matthew Schwartz Are Completely Full of Shit</a>	2016-04-16	64 views   0 comments
<a href="#">Natalie Clancy and the CBC Are Kinda Pretty Fulla Shit</a>	2016-04-15	80 views   1 comment
<a href="#">Exposing My Kids to Brutal Domestic Violence, And Loving It!</a>	2016-04-12	109 views   2 comments
<a href="#">You See? I Really Was a Stripper...and Prostitute</a>	2016-04-12	166 views   11 comments
<a href="#">The Time I Tried To Sell My Baby</a>	2016-04-09	97 views   2 comments

### Popular Posts

<a href="#">Of Anal Sex and Cooking Oil</a>	2015-10-31	16,479 views   73 comments
<a href="#">My Ex-Husband Wants to Kill Me! Or, At Least That's What I Keep Telling People</a>	2016-02-13	7,395 views   63 comments
<a href="#">That Crazy CBC Story</a>	2016-02-18	5,843 views   53 comments
<a href="#">Patrick's Sick Obsession with Desiree Capuano</a>	2015-12-17	4,886 views   46 comments
<a href="#">My Son's Opinion of This Website</a>	2016-02-19	3,912 views   64 comments
<a href="#">The Best Proof That I'm Lying About My Ex-Husband Hiding Our Son From Me for 9 Years - My Own Sworn Testimony</a>	2016-02-20	3,306 views   28 comments
<a href="#">Livin' the Dream (Getting a Man to Pay My Way While I Sit Around and Get High All Day)</a>	2015-12-25	2,748 views   8 comments
<a href="#">My Desperate Attempts to Get People to Listen to Me</a>	2016-02-11	2,644 views   21 comments
<a href="#">Doesn't It Really Seem I Just Want the World's Sympathy</a>	2016-02-18	2,614 views   40 comments
<a href="#">The Police Executed a Search Warrant on My Home, Found Stolen Assault Rifle, Meth and Marijuana</a>	2015-12-19	2,538 views   3 comments
<a href="#">All This Talk of Cyber-Bullying, Harassment, Defamation, and "Revenge-Sites"</a>	2016-02-21	2,230 views   46 comments
<a href="#">The Irrefutable Proof That My Claims of</a>		

### Custody Hearing – I Won it All, Bitches! Fuck My Son and What He Wants!

Mar 28, 2016 | 1:35 pm PDT

252 views | 0 comments

Perspective: Desiree

This morning, Patrick and I had a custody hearing in the family court. Patrick was asking the court to allow our son to choose, for himself, who he will live with.

Well, fuck Patrick! The court denied him everything and gave me full, unquestioned authority over every fucking thing that has to do with our son. Not because Patrick did anything wrong or is a bad parent. Just because I am that fucking good.

Before we go any further, and before you actually listen to the hearing, let's get one thing straight: In my mind, this is a win – pure and simple! If you haven't figured it out yet, my son is nothing more than a token for me to use against Patrick. I couldn't possibly care less whether our son wants to be with me, whether he loves or hates me, as long as there is a court order legally requiring him to be with me. I realize, though I'll never admit it, that what Patrick wants is for our son to hate me, and by forcing him to stay with me even though what he really wants is to go back with his father, I am causing exactly that to happen. So, even though I consider court ordered custody a "win", it's actually very much a loss. But then, since I don't give a fuck about my son, who the fuck cares? As long as him and Patrick can't see each other.

Here's the recording of the entire hearing:

49:42

Notice how the judge didn't even order any kind of visitation. He left it all up to me! What the fuck is up with that? I mean, he basically said "Miss Capuano, I'm going to ignore all this evidence of your drug use, your neglect, the huge number of lies that you've made in this court, and I'm going to allow you to have complete control over whether or not your son will be allowed to visit, or even talk to, his father. Even though you have a history of refusing visitation, I'm going to ignore that and pretend like you've never refused any visits."

Even though Patrick provided concrete proof that I've been lying through my teeth to the court, the court actually continued to believe me. For example, even though Patrick provided a police report where James admitted to listening to Patrick's and our son's phone calls, I told the court he never said that – even though the judge had the police report right there in his hand – and the dumb fucker actually believed me.

Some of you are probably thinking, "It's because of this website. That's why the judge gave Desiree everything." While, come on, that's a little naive, don't you think? Let's not forget, this website was created *because* of the family court refusing to do anything. The court was refusing to do anything about my drug use, all the criminal shit, and my compulsive lying long before this website was created.

### Proof That I Really Am a Sociopath

If anybody out there is still questioning whether I really am a sociopath, as claimed on this website, all you have to do is listen to me in this hearing. Notice how quickly and easily I go from laughing and joking with the judge (at 11:15), to sounding completely defeated when talking about this website (at 23:30), then to sounding self-righteous when talking about having Patrick deported (25:29), then sounding defensive and accusatory when trying to deflect the blame for not allowing our son to visit Patrick over his winter break (26:39), to sounding afraid for my safety when talking about the possibility of allowing Patrick and our son to use Skype to communicate (31:16). And all that within a 20 minute window.

What's important here is the apparent sincerity in my tone when I make each of those statements. If you listen to each separately, you will surely conclude I am being truthful and sincere. But, when you consider that each of those statements was made only a few minutes apart – well, only a true sociopath can flip their emotions so dramatically, so quickly.

### Conclusion

So there you have it folks. No matter what I ever do, no matter how egregious my behavior is, the family court is never, ever going to return our son to Patrick – because he's a dirty fucking illegal alien who was deported!

And no matter how much my son hates me for doing this, it doesn't make a lick of difference because I am the one with all the power, and the little, ungrateful bastard will stay in my house whether he likes it or not.

4/20/2016

Custod

earing – I Won it All, Bitches! Fuck My Son and What He W

– Desiree Capuano

**Being Afraid for My Safety Are Bullshit**

2016-02-18 2,222 views | 24 comments

**And So Just What Have I Accomplished by Going to the Media?**

2016-02-24 1,903 views | 6 comments

**And Yet More Proof I'm Lying to You About My Ex-Husband Hiding Our Child - My Letters**

2016-02-22 1,852 views | 8 comments

**Highlights from My Order of Protection**

**Hearing**

2016-01-17 1,714 views | 5 comments

Previous Post:

[An Example of the Moronic Mentality of Desiree's Supporters - Marnie Tunay's Blog](#)

Next Post:

[And Still Desiree Completely Misses the Point](#)

## Leave a Reply

Your email address will not be published. Required fields are marked \*

Name \*

Email \*

Website

Please enter the missing number to confirm you're real. \*

$$+ 2 = 9$$

[Submit Comment](#)

This site was created and is maintained by the immediate family and/or close personal friends of Desiree Capuano, with significant input and contributions from the community.

All information published on this website is true and accurate to the best of the knowledge and ability of the site maintainers. Any error of fact should be reported to the maintainer, and corrective action will be immediately applied.

Any comments or narratives published on this website, which are written in the first person, from the perspective of Desiree Capuano are not, in fact, written by Desiree Capuano. Nevertheless, all statements made as such are known to be true and correct - regardless of what Desiree may tell you.

If you notice any inaccuracies on this website, or just want to share your thoughts, feel free to inform me at [patrick@desireecapuano.com](mailto:patrick@desireecapuano.com) and I will address them as soon as possible.

# EXHIBIT 3

# Desiree Capuano

[Home](#)[Blogs](#)[Fun Shit...](#)[Legal Shit...](#)[Friends & Family](#)[Mail](#)[About...](#)

## Restraining Orders Against Patrick

### Recent Posts

<a href="#">Any Moment Now My Son Could Vanish</a>	2016-04-19	18 views   1 comment
<a href="#">I Wonder What it Must Be Like to be James Pendleton</a>	2016-04-17	65 views   4 comments
<a href="#">The Time I Was Living in My Car, Had Unprotected Sex with a Guy I Just Met, and Didn't Shower for the Next 3 Days</a>	2016-04-16	68 views   0 comments
<a href="#">NBC Affiliate KVOA Tucson and Matthew Schwartz Are Completely Full of Shit</a>	2016-04-16	64 views   0 comments
<a href="#">Natalie Clancy and the CBC Are Kinda Pretty Fulla Shit</a>	2016-04-15	80 views   1 comment
<a href="#">Exposing My Kids to Brutal Domestic Violence, And Loving It!</a>	2016-04-12	109 views   2 comments
<a href="#">You See? I Really Was a Stripper...and Prostitute</a>	2016-04-12	166 views   11 comments
<a href="#">The Time I Tried To Sell My Baby</a>	2016-04-09	97 views   2 comments

### Popular Posts

<a href="#">Of Anal Sex and Cooking Oil</a>	2015-10-31	16,479 views   73 comments
<a href="#">My Ex-Husband Wants to Kill Me! Or, At Least That's What I Keep Telling People</a>	2016-02-13	7,385 views   63 comments
<a href="#">That Crazy CBC Story</a>	2016-02-18	5,843 views   53 comments
<a href="#">Patrick's Sick Obsession with Desiree Capuano</a>	2015-12-17	4,886 views   46 comments
<a href="#">My Son's Opinion of This Website</a>	2016-02-19	3,912 views   64 comments
<a href="#">The Best Proof That I'm Lying About My Ex-Husband Hiding Our Son From Me for 9 Years - My Own Sworn Testimony</a>	2016-02-20	3,306 views   26 comments
<a href="#">Livin' the Dream (Getting a Man to Pay My Way While I Sit Around and Get High All Day)</a>	2015-12-25	2,748 views   8 comments
<a href="#">My Desperate Attempts to Get People to Listen to Me</a>	2016-02-11	2,644 views   21 comments
<a href="#">Doesn't It Really Seem I Just Want the World's Sympathy</a>	2016-02-18	2,614 views   40 comments
<a href="#">The Police Executed a Search Warrant on My Home, Found Stolen Assault Rifle, Meth and Marijuana</a>	2015-12-19	2,538 views   3 comments
<a href="#">All This Talk of Cyber-Bullying, Harassment, Defamation, and "Revenge-Sites"</a>	2016-02-21	2,230 views   46 comments
<a href="#">The Irrefutable Proof That My Claims of Being Afraid for My Safety Are Bullshit</a>		

This page contains all the bullshit relating to mine and James Pendleton's restraining orders against Patrick.

### My Order of Protection

Date	Party	Description	Comments
2015-07-23	Desiree	<a href="#">Petition for Order of Protection</a>	Desiree's petition, falsely alleging Patrick had threatened to shoot her.
2015-07-23	Court	<a href="#">Order of Protection</a>	Even though Desiree didn't provide any evidence of her allegations, the court still issued the order.
2015-12-03	Patrick	<a href="#">Request for Hearing</a>	
2015-12-16		<a href="#">Audio Recording of Hearing</a>	This is a recording of the entire hearing. Note: This is the same audio as the one for James' case.
2015-12-16		<a href="#">Transcript of Hearing</a>	Note: This is the same transcript as the one for James' case because they were heard together.
2015-12-16	Court	<a href="#">Order</a>	The court's order keeping the previous order in place and adding a Notice of Positive Brady Indicator (firearm prohibition). The order only prohibits Patrick from contacting Desiree, and from possessing firearms within the US. It does not prohibit Patrick from continuing to publish information about Desiree on this website, and it doesn't affect Patrick's firearm possession outside the US.
2015-12-21	Patrick	<a href="#">Notice of Appeal</a>	
2016-02-10	Patrick	<a href="#">Appeal Memorandum</a>	Based on the Municipal Court not having jurisdiction to issue the order of protection; the court incorrectly applying the statutory definition of "harassment" because there was already a pending family matter before the Superior Court; and the court using public, constitutionally protected speech as a basis for a finding of prior harassment.
2016-03-23	Desiree	<a href="#">Notice of Appearance</a>	Desiree retained a hack attorney to delay the appeal process.
2016-03-24	Desiree	<a href="#">Amended Notice of Appearance</a>	From the first day, Desiree's new attorney is already making mistakes and having to re-file documents.
2016-03-24	Desiree	<a href="#">Motion to Correct or Modify the Record on Appeal</a>	Motion to add "evidence" to the appeal record. This is an entirely frivolous motion, likely just to delay the appeal process. Desiree is now claiming she had the "evidence" with her at the hearing but just didn't submit it.
2016-03-29	Desiree	<a href="#">Appellee's Responsive Memorandum</a>	Desiree's responsive appeal brief. She argues that the content of the website constitutes harassment, even though the contents and statements were <i>not</i> made to her. Her attorney actually <i>changes</i> the wording of relevant statutes in order to make them fit his arguments, e.g. substituting the term "action" with "matter" in the A.R.S § 13-3602(P). A desperate ploy by a hack attorney - typical for Arizona attorneys, though.
2016-04-05	Patrick	<a href="#">Response to Motion to Modify the Record on Appeal</a>	Opposing to the motion to add evidence to the appeal record, based essentially on the "evidence" not really being relevant to Desiree's case, and an appeal not being the appropriate venue to seek to have evidence considered.

### James' Injunction Against Harassment

Date	Filed By	Description	Comments
------	----------	-------------	----------

2016-02-18	2,222 views   24 comments
<b>And So Just What Have I Accomplished by Going to the Media?</b>	
2016-02-24	1,903 views   6 comments
<b>And Yet More Proof I'm Lying to You About My Ex-Husband Hiding Our Child - My Letters</b>	
2016-02-22	1,852 views   8 comments
<b>Highlights from My Order of Protection Hearing</b>	
2016-01-17	1,714 views   5 comments

Desiree Capuano  
250 E. Placita Lago Del Mago  
Sahuarita, AZ 85629  
Tel: 520-288-8200  
desiree.capuano@gmail.com

2015-07-23	James	<b>Petition for Injunction Against Harassment</b>	James' petition, alleging Patrick had been "harassing" him by publicly speaking about him - though, not actually <i>to</i> him.
2015-07-23	Court	<b>Injunction Against Harassment</b>	Even though James didn't allege Patrick had ever had any contact with him, the court actually issued the injunction.
2015-12-03	Patrick	<b>Request for Hearing</b>	
2015-12-16		<b>Audio Recording of Hearing</b>	This is a recording of the entire hearing. Note: This is the same audio as the one for Desiree's case.
2015-12-16		<b>Transcript of Hearing</b>	Note: This is the same transcript as the one for Desiree's case because they were heard together.
2015-12-16	Court	<b>Order</b>	The court's order keeping the previous order in place. The order only prohibits Patrick from contacting James or going "near" James' residence. It does not prohibit Patrick from continuing to publish information about James on this website.
2015-12-21	Patrick	<b>Notice of Appeal</b>	
2016-02-10	Patrick	<b>Appeal Memorandum</b>	Based, primarily, on the James admission that he and Patrick have never actually had any contact (which is a necessary requirement of "harassment"); the court incorrectly applying the statutory definition to include public statements made <i>about</i> James, but not <i>to</i> him.
2016-03-23	James	<b>Notice of Appearance</b>	James retained an apparently incompetent attorney to delay the appeal process.
2016-03-24	James	<b>Amended Notice of Appearance</b>	From the first day, James' new attorney is already making mistakes and having to re-file documents.
2016-03-24	James	<b>Motion to Correct or Modify the Record on Appeal</b>	Motion to add "evidence" to the appeal record. This is an entirely frivolous motion, likely just to delay the appeal process. All of the supposed "evidence" that is being requested to be added to the record pertains only to Desiree's case, not James', so this entire motion is irrelevant to James' case.
2016-03-29	James	<b>Appellee's Responsive Memorandum</b>	James' responsive appeal brief. He's trying to argue that the passive <i>content</i> of the website constitutes harassment - even though there has never been <i>any</i> contact between him and Patrick.
2016-04-05	Patrick	<b>Response to Motion to Modify the Record on Appeal</b>	Opposition to the motion to add evidence to the appeal record, essentially based on the lack of relevance any of the supposed "evidence" has to James' case.

This site was created and is maintained by the immediate family and/or close personal friends of Desiree Capuano, with significant input and contributions from the community.

All information published on this website is true and accurate to the best of the knowledge and ability of the site maintainers. Any error of fact should be reported to the maintainer, and corrective action will be immediately applied.

Any comments or narratives published on this website, which are written in the first person, from the perspective of Desiree Capuano are not, in fact, written by Desiree Capuano. Nevertheless, all statements made as such are known to be true and correct - regardless of what Desiree may tell you.

If you notice any inaccuracies on this website, or just want to share your thoughts, feel free to inform me at [patrick@desireecapuano.com](mailto:patrick@desireecapuano.com) and I will address them as soon as possible.

# EXHIBIT 4

# Desiree Capuano

G+

[Home](#)[Blogs](#)[Fun Shit...](#)[Legal Shit...](#)[Friends & Family](#)[Mail](#)[About...](#)

## Blogs

Search

### Recent Posts

<a href="#">Any Moment Now My Son Could Vanish</a>	2016-04-19	20 views   1 comment
<a href="#">I Wonder What it Must be Like to be James Pendleton</a>	2016-04-17	65 views   4 comments
<a href="#">The Time I Was Living in My Car, Had Unprotected Sex with a Guy I Just Met, and Didn't Shower for the Next 3 Days</a>	2016-04-16	70 views   0 comments
<a href="#">NBC Affiliate KVOA Tucson and Matthew Schwartz Are Completely Full of Shit</a>	2016-04-16	65 views   0 comments
<a href="#">Natalie Clancy and the CBC Are Kinda Pretty Fulla Shit</a>	2016-04-15	80 views   1 comment
<a href="#">Exposing My Kids to Brutal Domestic Violence, And Loving It!</a>	2016-04-12	109 views   2 comments
<a href="#">You See? I Really Was a Stripper...and Prostitute</a>	2016-04-12	166 views   11 comments
<a href="#">The Time I Tried To Sell My Baby</a>	2016-04-09	97 views   2 comments

### Popular Posts

<a href="#">Of Anal Sex and Cooking Oil</a>	2015-10-31	16,479 views   73 comments
<a href="#">My Ex-Husband Wants to Kill Me! Or, At Least That's What I Keep Telling People</a>	2016-02-13	7,395 views   63 comments
<a href="#">That Crazy CBC Story</a>	2016-02-18	5,843 views   53 comments
<a href="#">Patrick's Sick Obsession with Desiree Capuano</a>	2015-12-17	4,886 views   46 comments
<a href="#">My Son's Opinion of This Website</a>	2016-02-19	3,912 views   64 comments
<a href="#">The Best Proof That I'm Lying About My Ex-Husband Hiding Our Son From Me for 9 Years - My Own Sworn Testimony</a>	2016-02-20	3,306 views   26 comments
<a href="#">Livin' the Dream (Getting a Man to Pay My Way While I Sit Around and Get High All Day)</a>	2015-12-25	2,748 views   8 comments
<a href="#">My Desperate Attempts to Get People to Listen to Me</a>	2016-02-11	2,644 views   21 comments
<a href="#">Doesn't It Really Seem I Just Want the World's Sympathy</a>	2016-02-18	2,614 views   40 comments
<a href="#">The Police Executed a Search Warrant on My Home, Found Stolen Assault Rifle, Meth and Marijuana</a>	2015-12-19	2,538 views   3 comments
<a href="#">All This Talk of Cyber-Bullying, Harassment, Defamation, and "Revenge-Sites"</a>	2016-02-21	2,231 views   46 comments
<a href="#">The Irrefutable Proof That My Claims of</a>		

### Highlights from My Order of Protection Hearing

Jan 17, 2016 | 7:42 pm PDT

1715 views | 5 comments

Perspective: Desiree

As some of you know, James and I recently attended a hearing against Patrick for the Order of Protection I got against him, and the Injunction Against Harassment James got against him.

I thought I'd share with you some of the highlights of that hearing – not just me recapping what was said, but the actual audio recording of the hearing.

The times listed amongst the content, below, are the time location within the respective recordings. For example, 2:29 means I'm talking about what happened 2 minutes and 29 seconds into the recording. Thought I'd mention that for you folks that are too stupid to figure it out on your own.

#### How I Convinced the Court to Issue an Order it Didn't Have the Authority to Issue

Let's start with the court acknowledging it didn't have authority to issue the order of protection and my skillful manipulation to get the court to proceed anyway.

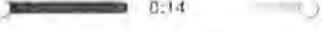


Notice how, when the judge first says she doesn't have the authority to issue the order, I try to argue that the order of protection is only for me – not for our son and so the pending case in California doesn't matter? Notice how I clearly and unequivocally state that the case in the Superior Court is pending (0:30 seconds)? As a point of fact, the child custody case in California has been pending since September 2011. For those who aren't aware, in child custody matters a case remains in a "pending" status until the child turns 18. It doesn't "become final" just because the parties come to an agreement without the court's intervention. But check out what I say at 2:30 – I tell the judge that the California case has been "finalized" – that it is no longer pending. Can you believe that? And if that's not enough, I boldly claim Patrick just recently "reopened" the case. Now, of course, I knew this was all complete bullshit because last year I tried to have the case moved to Arizona and the request was denied; and because in September 2015 I filed a request to have our son's visitation suspended.

Now, listen carefully to the quivering in my voice at around 1:37, when I ask the court "How do I as an individual get protection from him then?" Tell me I don't sound 100% sincerely afraid for my safety! Damn, I'm good!

And check me out at 2:45 – I'm on the brink of tears! Or at least that's how I played it. Usually, if I cry in court the judge feels sorry for me and cuts me slack. You can be sure I'll be crying at the custody hearing in California next week.

Now, check this out:



Didn't even have to drop a single tear! Just looking like maybe I might cry was enough to get that judge to completely disregard the very laws she was sworn to uphold. God, I love Arizona!

Of course, the order is going to be overturned on appeal. Just like the court said: it simply didn't have the authority to issue the order.

#### My Greatest Performance Ever

Here I am telling the court what I'm requesting, and that Patrick is obsessed with me. Nothing amazing, but I love the sound of my voice so listen to it!



Now, here's the kicker: My primary testimony. Let's give this a listen then we'll clarify which parts are actually true. Keep in mind, even though I claim, under oath, that I have "documentation", including emails, I don't actually provide a single piece of evidence to support ANY of my claims. Let's listen...



Can you believe that? I say Patrick has told our child that "if the risk of jail time were not there that he'd SHOOT me" (0:16). Ha! What a hoot! And not only that, he'd "physically" shoot me (0:23). [editor's note:

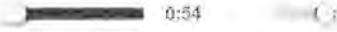
<b>Being Afraid for My Safety Are Bullshit</b>
2016-02-18 2,222 views   24 comments
<b>And So Just What Have I Accomplished by Going to the Media?</b>
2016-02-24 1,903 views   6 comments
<b>And Yet More Proof I'm Lying to You About My Ex-Husband Hiding Our Child - My Letters</b>
2016-02-22 1,852 views   8 comments
<b>Highlights from My Order of Protection Hearing</b>
2016-01-17 1,715 views   5 comments

## Highlights from My Order of Protection Hearing – Desiree Capuano

*As opposed to...metaphorically shooting you?] I go on to tell the judge that Patrick has guns and he shoots guns (0:29). [editor's note: Is there something you would do with a gun other than "shoot" it?] But wait, the hilarity doesn't stop there – I say I am concerned that at any time Patrick can enter the United States "with his guns, that he shoots..." (0:55).*

In a desperate attempt to help my claims, I point out that Patrick was arrested last summer for criminal harassment (3:13). Though, of course, I didn't mention that the charges were dismissed because the RCMP and the Canadian prosecutor believed I was full of shit.

And now, let's see the results of a lifetime of chronic pot use:



That's fucking classic! Was I high out of my mind at the hearing? Of course I was, I'm Desiree fucking Capuano, when am I not high out of my fucking mind?

Pay particular attention to how I actually get annoyed with the judge (0:35). And what the fuck was that random chuckle...out of the blue...for no apparent reason at all. God I love weed!

### Still to Come...

There's still a bunch more testimony from that hearing, including James' mother, Wendy Pendleton; James questioning Patrick; James' seemingly completely unrelated rant about copyright infringement; Patrick stating the reason he doesn't put his name on this website is because he's ashamed and embarrassed about having been involved with someone like me; Patrick pissing off the court by pointing out the orders are unenforceable and meaningless in Canada and that he has not, and has no intention of surrendering his firearms. Hopefully, I'll get around to that this week – there are some particularly amusing scenes with James.

Previous Post:  
Trashy, Ghetto People and Honoring Agreements

Next Post:  
James Pendleton's (and His Mommy's) Testimony at the Restraining Order Hearing

## 5 Responses to Highlights from My Order of Protection Hearing

1. **mgumby** says:  
2016-02-23 at 9:18 pm

Please keep posting this is great stuff the wording in which u use really brings u in than bam ur laughing ur ass off and figuring out the entire ordeal lol

[Reply](#)

2. **John ford** says:  
2016-04-11 at 4:27 am

To the creator and ex-husband of this website: you're an absolute nut job. No body in this world gives a shit about the strife you have in your life in regards to the breakup of your marriage. You must be the only person in the entire universe that has led such an exemplary life to the extent that you honestly believe you have the right to be so narcissistic and vindictive. It is apparent that you never received the love and guidance of either of your parents; maybe that's a function of your having been created in a Petrie dish. You are accomplishing absolutely nothing with this one-sided jaded bullshit you profess to be the truth. Remember sperm donor you are equally responsible for everything that has happened prior to, during and after this marriage. You need to find something constructive to do with your life and if this is the best you can do, then you are hopelessly and desperately just another obsessed temper tantrum man-child who never grew up. Time for you to get off of your milk bottle and move on before they lock you up in a rubber room in a coat with long arms that fastens up in the back.

[Reply](#)

 **Patrick Fox** says:  
2016-04-11 at 9:52 am

This website is about Desiree Capuano and the horrible things she has done and continues to do. It is not about me and how I might have been affected by those horrible things Desiree has done and continues to do. Therefore, I fail to see the point of any of your comment.

You claim "no body in the world gives a shit...". I assume you include yourself in that group of "no body". yet, you took the time to post 4 angry comments. That would indicate that **you** give a shit.

You say "You are accomplishing absolutely nothing with this one-sided jaded bullshit you profess to be the truth." However, according to "sources" who are in regular contact with Desiree and James, I appear to be accomplishing exactly what I am trying to – to inform as many people as possible about all of the bad things Desiree has done and is doing, with the ultimate objective of completely ruining

her life.

As for what I "profess to be the truth": I don't expect anyone to believe anything I say – that's why I post proof of everything I say – court documents; Desiree's sworn testimony, under oath; recordings of Desiree actually saying the things I'm accusing her of; police reports; photographs. Or are you one of those people that refuses to believe reality no matter how much proof is provided? They're called delusional.

[Reply](#)

3.  **John Ford** says:

2016-04-13 at 11:07 pm

Sir, you're still a nut job. Any interest in your website does not constitute giving a shit. You're really not that important. I suspect people are more disgusted with you and find most of what you do as comedic and obsessive behaviour. I, for one, am very impressed you have 'sources'. Unnamed I see. In your head perhaps?

Notwithstanding, all you do, is setting a very fine example for your offspring, keep up the good work daddy.

[Reply](#)



**Patrick Fox** says:

2016-04-13 at 11:20 pm

Of course they're unnamed. If Desiree knew who was keeping us informed of her situation then she'd stop speaking to them.

Please help me to understand what is so "disgusting", "comedic", and "obsessive" about merely publishing true, factual information, together with extensive supporting evidence about someone who has spent her life exploiting, manipulating, and abusing others?

You seem to be one of those people that believes a person's bad conduct should remain private. That way they can keep doing whatever bad stuff they've been doing. If a child molester moves in next door to you and your other neighbor knows he's a child molester then are you saying that other neighbor should keep it to himself? Even if that means you'd be putting your children at substantial risk? That sure seems to be the logic you're using.

Anyway, you're quite incorrect about how most people are perceiving this site, and me, at this point. At first, people thought I was a crazy, obsessed loser – but then I started posting all the proof against Desiree and now most people realize that she's a horrible person and I'm merely retaliating for the things she's done to me and our son.

As for being a "nut job" – well, can you provide any basis for that opinion? Can you point to any specific statements I've made, or specific things I've done which would support such a belief? I'm pretty certain you can't. I'm quite certain you're just one of those people who thinks that nobody should be allowed to do anything you don't like.

[Reply](#)

## Leave a Reply

Your email address will not be published. Required fields are marked \*

Name \*

Email \*

Website

Please enter the missing number to confirm you're real. \*

+ **8** = eleven

[Submit Comment](#)

---

This site was created and is maintained by the immediate family and/or close personal friends of Desiree Capuano, with significant input and contributions from the community.

All information published on this website is true and accurate to the best of the knowledge and ability of the site maintainers. Any error of fact should be reported to the maintainer, and corrective action will be immediately applied.

Any comments or narratives published on this website, which are written in the first person, from the perspective of Desiree Capuano are not, in fact, written by Desiree Capuano. Nevertheless, all statements made as such are known to be true and correct - regardless of what Desiree may tell you.

If you notice any inaccuracies on this website, or just want to share your thoughts, feel free to inform me at [patrick@desireecapuano.com](mailto:patrick@desireecapuano.com) and I will address them as soon as possible.