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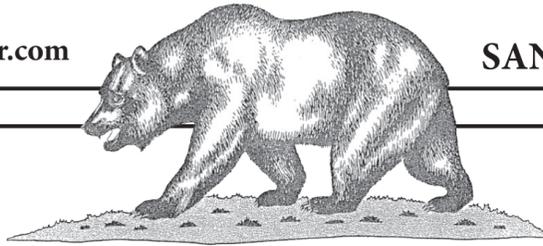
SAN LUIS OBISPO - SPECIAL EDITION

Volume 3 - Issue 1

JANUARY 15, 2015

"Congress shall make no law ...
abridging the freedom of speech, or of the press..."

Ratified by Congress: December 15, 1791

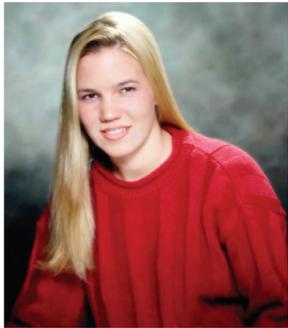


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Buster Turns Kristin Smart Case Upside-Down! Search Dog "Buster" Detects Human Remains Behind Arroyo Grande Home Soil Sample Contains a Human-Specific Chemical, but Sheriff Ignores it All!

The following article is an update for those who have been following the Kristin Smart disappearance. Newcomers to the Kristin Smart case are encouraged to first read the entire story at: CaliforniaRegister.com/kristin-smart/



**Kristin Denise Smart
Missing from Cal Poly
Since May 25, 1996**

The following is new information regarding the disappearance of Kristin Smart from the Cal Poly Campus on May 25, 1996...

- After our last edition was distributed, Ruben Flores (father of Paul Flores) with a red face and veins popping out of his neck, blasted postal employees for allowing the mailing of *The California Register*. We are glad to give any member of the Flores family an opportunity to give their side of the story. There's no need to castigate innocent postal employees.
- Cal Poly students come forward to reveal the dorm room assigned to Paul Flores in 1996, was completely renovated after cadaver dogs alerted on the scent of human remains. Only Paul's dorm room was renovated in Santa Lucia Hall.
- Cal Poly students come forward to reveal they stole the golf cart the weekend Kristin disappeared. People have theorized someone may have used the golf cart to move Kristin's body off campus. This theory appears to have been invalidated.
- June 2, 2014, search dog Buster alerts in the backyard of 524 Crown Hill St., Arroyo Grande. Homeowner asks searchers to leave before a soil sample could be taken. The next-door neighbor at 523 E. Branch St. gave permission to extract soil samples. One sample revealed a human-

specific chemical normally found in human remains.

- August 1, 2014, Buster alerts in the backyard of 523 E. Branch St., Arroyo Grande. A forensic scientist and a retired police detective believe human-specific chemicals are present in the soil around the backyard of 529 E. Branch St. More soil-samples are recommended.
- Dog alerts and soil sample analysis submitted to sheriff's office, but evidence is dismissed by the sheriff because Buster is not a "certified" search dog. Sheriff fails to bring in his own search dogs to verify or disprove the existence of human remains around the Flores home (529 E. Branch St.)
- November 23, 2014, TCR receives an email from newly elected DA Dan Dow saying, he was working closely with Sheriff Parkinson and the investigation is ongoing. He assured us he was "turning every stone" and would continue to pursue each and every lead.
- November 25, 2014, Susan Matherly, Superior Court Executive Officer states that pursuant to Government Code §68152, the Superior Court does not keep records from cases past ten years. Matherly suggests we contact the sheriff's department to obtain the desired documents.
- November 26, 2014, TCR responds to District Attorney Dan Dow saying his response did not address our concerns about the Kristin Smart investigation. We request a search warrant be written for 529 E. Branch St. to resolve scientifically if Kristin Smart is or was there.
- December 2, 2014, Buster alerts on carpeting that may have been used to move Kristin Smart's body from 529 E. Branch St.
- December 2, 2014, in response to TCR's request for affidavits and search warrants associated with 529 E. Branch St., Victoria O'Keefe, records manager for the sheriff's office states, "The items you have requested are court records. You will have to submit your request directly to the SLO Superior Court."
- December 8, 2014, Chief Sheriff's Deputy Rob Reid notifies TCR in response to our public records request for all affidavits and search warrants associated with 529 E. Branch St. He states the documents belong to the court and cannot be released citing Government Code Section §6254(f).
- January 6, 2015, letter sent to the Arroyo Grande City Council disclosing that Buster alerted twice and soil-sample analysis indicated a human-specific



It was at this exact moment, on June 2, 2014, when "BUSTER," the super cadaver dog, first alerted on human remains believed to be the body of Kristin Smart. To the left of Buster, on the other side of the fence, is 529 E. Branch St., Arroyo Grande, CA, belonging to the Flores family. Detective Paul Dostie, responding to the strength of Buster's alert said, "Trust me, there's human decomp there."

chemical in the soil behind the Flores home. It is strong evidence a human body is (or was) buried in the backyard in violation of California Health and Safety Codes which prohibits the burial of anyone outside an approved cemetery. A formal complaint was filed to encourage Arroyo Grande to enforce state statutes.

- January 6, 2015, letter sent to Sheriff Parkinson requesting a complete copy of the June 20, 2000, search warrant executed at 529 E. Branch St. The sheriff was advised we planned to seek redress in court to obtain any and all documents covered under federal Freedom of Information Act (FOIA), and California Public Records Act.

BUSTER TURNS KRISTIN SMART CASE UPSIDE-DOWN

By: David Smallwood

On June 2, 2014, super search dog, "BUSTER," may have discovered where missing Cal Poly student Kristin Smart is (or was) buried behind 529 E. Branch St., Arroyo Grande, (herein referred to as: Flores home). Paul Flores was the last person seen with Kristin Smart in the early morning hours of Saturday May 25, 1996, after they attended a party off campus. Several weeks after



Lt. Robert Fensetermacher was lost during the Battle of the Bulge in Belgium. His Body was found by Buster in Belgium 70 years after his Death.

Buster alerted on human remains behind the Flores home, he alerted once again on August 1, 2014, this time along the block-wall fence separating the Flores home from the next-door neighbor's property. It's standard procedure to extract soil samples in the area where the search dog alerted to provide corroborative scientific proof that human remains are indeed in the soil. A soil-sample was extracted where Buster alerted, and sent to Oak Ridge National Laboratories, the only laboratory in the world able to conduct this type of forensic soil analysis.

Dr. Arpad Vass Phd, is one of the pioneers in soil forensics, and conducted the analysis of the soil sample himself. One of the soil-samples came back containing a human-specific chemical. Results of the dog alerts and soil-sample analysis was immediately sent to San Luis Obispo Sheriff Ian S. Parkinson in the hope he would obtain a search warrant for the Flores property. The sheriff ignored the information. He didn't obtain additional soil-sample testing, ground penetrating radar(GPR) tests, or use more search dogs. The sheriff's office had no



Lt. William P. Cook Pilot, U.S Army Air Corps Remains Detected by Buster 70 years after his death in Allmuthen, Belgium

response. The lack of action by the San Luis Obispo Sheriff's department was disappointing and troublesome. When Mrs. Smart asked the sheriff about it, he dismissed the dog alerts because Buster was not a "certified" search dog. Additionally, Parkinson did not place too much faith in the soil-sample analysis either. The fact is, Buster was a fully "certified" search dog before his owner, Paul Dostie, retired from the police force in Mammoth Lakes, California.

While Parkinson places no value on Buster's detection ability, many others have a different opinion. Buster has discovered well over 200 grave sites throughout the world. He's received accolades and praise from several police detectives and district attorneys. Not long ago, the Chairman of the House Armed Services Committee commended Buster for his work to find missing servicemen lost in the Battle of Tarawa and the Battle of the Bulge. Recently in another venue, Buster may have discovered as many as thirty bodies discarded in a mineshaft, which police are currently investigating.

During a search in Belgium for those missing in action, Buster leaped into a water-filled crater where an American airplane slammed into the earth in 1944. Buster appeared to be alerting as he swam in the water. Believing in the dog, the crash-crater was drained. Searchers excavated through the mud underneath the crater to find a single human tibia bone. The bone was verified as belonging to one of the aircrew aboard an American aircraft that crashed 70+ years ago. The aircraft hit so hard that its ordnance exploded on impact creating a crater large enough to become a small lake. Amazingly, Buster could smell a single human shinbone through five feet of water and three feet of mud. For the sheriff to casually dismiss this dog's incredible ability was a huge mistake. A full explanation as to why Buster is not certified, see the following:

CaliforniaRegister.com/kristin-smart/busters-resume/

THE MISSING EARRING TELLS US MUCH

On January 23, 1997, Mary Lassiter appeared for a civil deposition (Smart vs. Flores, San Luis Obispo County Superior Court case #CO79998) and deposed she and her husband, Joseph Lassiter, stated they rented the Flores home. While washing the car in the backyard, Mary Lassiter said she

found a woman's earring. On the following day, Joseph Lassiter while being deposed stated he and his wife were in possession of the earring. Joseph Lassiter described the earring as: hooped with beads and a flat piece which connects to the ear, a "little beaded thing that hangs down." Mr. Lassiter said the earring had red "stuff" on it, and that according to the people he showed it to, the reddish-brown substance resembled dried blood. Lassiter turned over the earring to the San Luis Obispo County Sheriff's Office for forensic examination and safe-guarding. During the course of processing, the earring somehow "disappeared" and has yet to be found.

If that earring was coated with Kristin's blood, it may have been enough evidence to possibly send the whole Flores family to jail. The police "lost" the single, most critical piece of evidence in the case, which would have been enough to bring the case to trial even without a body. Denise Smart believes the earring probably belonged to her daughter Kristin, as it was similar in description to her favorite pair of earrings.

When Kristin's personal items were searched, both at home and in her belongings left behind at school, her favorite earrings could not be found. It's logical, therefore, to believe the earring belonged to Kristin Smart and she was wearing them at the party on the night before she disappeared. The earring may have fallen off her body as she was being moved. An earring, with traces of blood, was such damning evidence, that it possibly was made to disappear. Even though it would normally be a firing offense, no one (to our knowledge) was ever held accountable for "losing" this critical piece of evidence.

GIVING ONLY THE APPEARANCE OF SEARCHING

To our knowledge, there have been three searches related to Flores properties.

1. **July 14, 1996**, search of Paul's father's home at 710 White Court, Arroyo Grande.
2. **June 20, 2000**, search of 529 E. Branch St., Arroyo Grande
3. **May 23, 2007**, voluntary search of 529 E. Branch St. Arroyo Grande

The first search on July 14, 1996, was fifty (50) days after Kristin disappeared. It was his father's home at 710 White Court, Arroyo Grande. This home was searched because

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PFC Manley Winkley USMC Body found by Buster on the Tarawa Atoll 72 Years after his Death



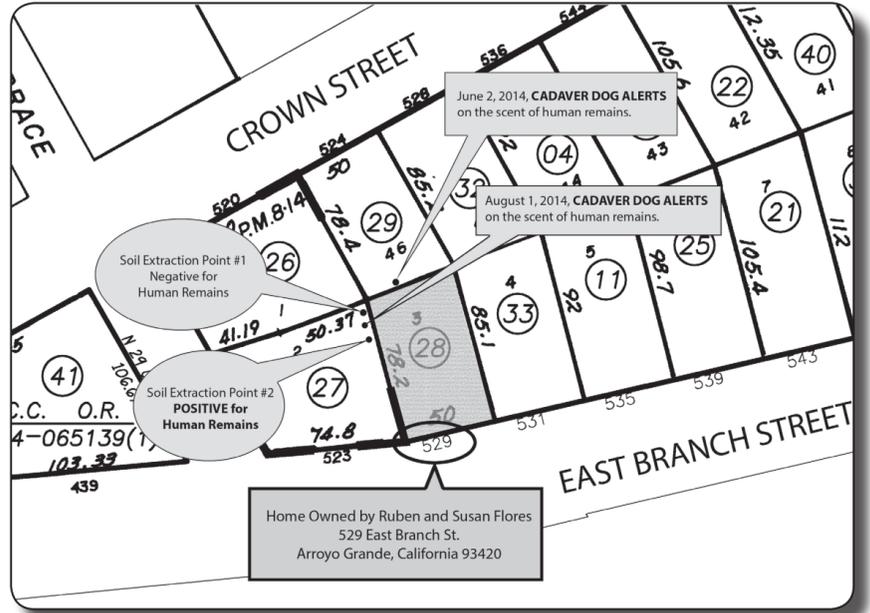
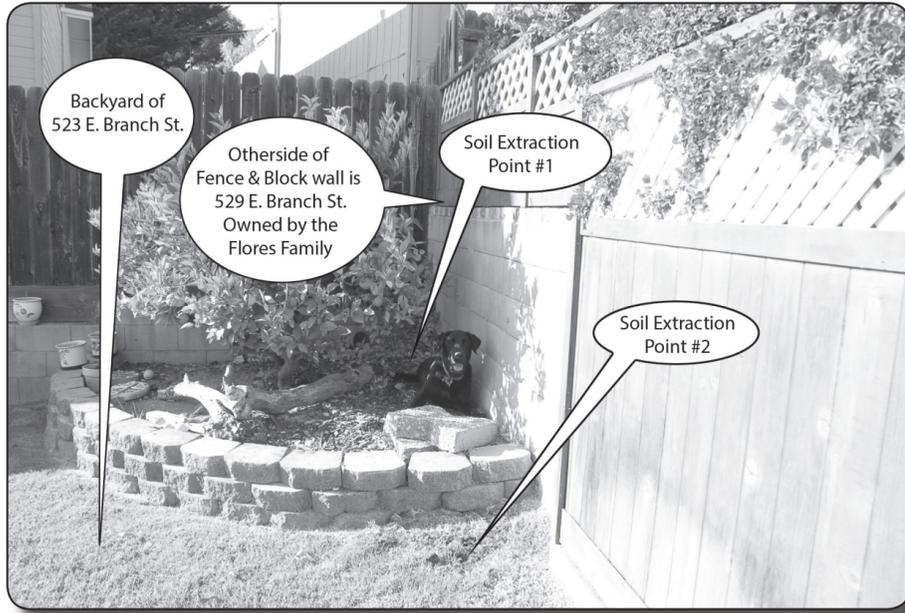
PFC Randolph Allen USMC Body found by Buster on the Tarawa Atoll 72 Years after his Death



Sgt. Eric Honeyman Bombardier, U.S Army Air Corps Remains Detected by Buster 70 years after his death in Allmuthen, Belgium



Lysie Ekelund Strangled to Death on Feb 18, 2001, then Buried under tons of dirt with a backhoe Found by Buster nearly 10 years later in October 2010



Continued From Page 1

this was the address Paul had on his Cal Poly admittance forms as his residence. According to a Smart family attorney, the Flores family was apparently tipped off that a search was pending. The vehicles in Ruben's garage were not searched. The so-called search may have been just for appearance to make the community and the Smart family believe the police were actually looking for Kristin Smart.

The second search on June 20, 2000, occurred over four years after Kristin disappeared. Why did it take over FOUR YEARS before the police decided to search 529 E. Branch St.? The police knew that Paul worked late into the night pouring concrete the weekend Kristin disappeared. The police knew he lied twice about how he got his black eye. When four "certified" cadaver dogs alerted, police knew that someone died in Paul's dorm room. Police knew that Paul told his roommate Derrick Tse, "Yes, I killed her and brought her to my mom's and she is still there."

Susan Flores (Paul's mother) apparently split up with Ruben and moved into their rental property at 529 E. Branch St. According to the search warrant template from FBI agent Jack Shafer, Susan was residing at 529 E. Branch St. when Kristin disappeared. For a period of time after Kristin disappeared, the Flores home was rented to Joe and Mary Lassiter. Police knew that Mary Lassiter found a turquoise earring with what appeared to be traces of dried blood, in the backyard area of the Flores home. Why in the world did it take over four years to search 529 E. Branch St.?

THE INCREDIBLE DECISION NOT TO DIG THE CONCRETE

Adding insult to injury; not only did it take police over four years to obtain a search warrant, but when they finally got there, they decided not to dig up the concrete, especially the planter box, that according to FBI Agent Jack Shafer, "was eerily similar to the dimensions of a grave."



San Luis Obispo County Under-Sheriff Steve Bolts Retired January 1, 2010

Under-sheriff at the time was Steve Bolts said police voted not to dig up the concrete and planter box, because they did not wish to pay for the repairs if Kristin's body was not found. But, when a San Francisco Chronicle reporter inquired why police failed to dig, Bolts told a different story. He said the warrant written by FBI Special Agent Jack Shafer was written too narrowly and did not allow excavation of the concrete so the vote was whether or not to apply for another search warrant. Could it be the police already knew Kristin's body was there and Bolts got orders from someone not to dig? It defies logic as to why police decided to search almost the entire property but stopped short of the most obvious place where Kristin was most likely buried.

The third search on May 23, 2007, was a voluntary search which allowed for a search only in certain

places on the property. Once again, the concrete planter box was not excavated.

SEARCH WARRANT TEMPLATE PROVIDED BY THE FBI

Since few people in the San Luis Obispo Sheriff's Department even knew how to draft up a comprehensive search warrant, FBI Special Agent John R. (Jack) Shafer offered his expertise. Using years of experience, Shafer drafted a lengthy and thorough search warrant for the San Luis Obispo Sheriff's Department. All they had to do was fill-in-the-blanks and provide the attachments referred to in the document. It was no muss, no fuss. But, FBI Agent Shafer was disappointed to learn that police did not dig up the planter box in the backyard patio.

Shafer had written the search warrant specifically to dig up the planter box. And amazingly, for reasons unknown, Shafer was not invited to participate in the search either. He wrote an email to Kristin's mother, saying, "I learned that the real reason was that the police did not want to break up the concrete under the flower box because they did not want to pay to replace the cement in the event Kristin's body was not found. My contention all along was that Paul with the help of his father and, at least, with the knowledge of Susan, buried Kristin under the flower planter. I was disappointed when I learned that they did not look under the flower box."

What was the real reason why police did not dig up that planter box behind the Flores home? The California Register (TCR) turned into bloodhound mode. We attempted to obtain a copy of the search warrant filed with San Luis Obispo Superior Court. We wanted to see if the actual search warrant was indeed narrowly written prohibiting the police from digging up the planter box. Our intention was to get to the bottom of this finger-pointing and find out the truth of the matter. The author of the search warrant said he wrote the warrant specifically to include all areas of the property. The under-sheriff indicated the so-called narrowly-written warrant restricted police from digging up the planter box.

We wrote a letter directly to Sheriff Parkinson requesting a copy of the 14-year-old search warrant. The California Register presently is making plans to hire legal council to bring the sheriff into court for a ruling on the documents he holds. If those documents are covered under the California Public Records Act, as we believe they are, the county will have to pick up our legal costs. It's ironic we have to work so hard to obtain legally protected documents from an organization sworn to uphold the law. Once these documents are obtained, they will be put on our website for the world to see. Maybe then, we can find out why a 14-year-old search warrant is being concealed from public view.

Dr. Arpad A. Vass is a Senior Staff Scientist at Oak Ridge National Laboratory and Adjunct Associate Professor at the University of Tennessee in Forensic Anthropology. Dr. Vass is a pioneer in the new science of "odor mortis," meaning the smell-of-death. His work has helped dog trainers to better train cadaver dogs by honing in on specific volatile organic compound chemicals (VOCs) the human body emits as it decays. This is new

science that most people, including many in law enforcement, have no clue about. Combining the ability of a well-trained cadaver dog with odor-mortis science, police have a new weapon in their arsenal to find hidden graves and bring people to justice.



DR. ARPAD VASS TESTIFYING AT THE CAYLEE ANTHONY TRIAL

One of the most important pieces of information for police is the post-mortem interval (PMI). This is the time that has elapsed since a person has died. Pinpointing when someone died can help authorities determine the circumstances of death. A number of medical and scientific techniques are used to determine the PMI. Knowing the stages of decomposition, can be of great help to investigators. If a deceased human body is discovered within a few days, scientists can give police a fairly accurate indication of the date of death, sometimes even the hour of death. For remains discovered decades later, scientists can usually identify the year of death. The Latin word "mortis" means "of death." The three primary changes occurring immediately after death are algor mortis, livor mortis and rigor mortis.

Algor mortis: Algor mortis is the cooling of the body to ambient temperature. The decline in temperature can be approximated as a linear process in most cases; 2 degrees Celsius during the first hour, and one degree Celsius per hour until the body nears ambient temperature. Ambient temperature can be a big factor on the rate of cooling. Bodies decay much faster in a very warm climate as opposed to being in

a cold environment, like being frozen to death.

Livor mortis: Livor mortis is the settling of blood in the lowest parts of the body causing a purplish red discoloration of the skin. When the heart stops, it's no longer agitating the blood. Heavy red blood cells sink due to gravity which causes discoloration of the skin where the blood has settled. Livor mortis starts twenty minutes to three hours after death and is congealed in the capillaries in four to five hours. The science of livor mortis helps police discover if a body was moved after death.

Rigor Mortis: Rigor mortis is a stiffening of the limbs caused by chemical changes in the muscles after death. In humans, it commences after about three to four hours and reaches maximum stiffness after 12 hours, then gradually dissipates from approximately 24 hours after death.

Dr. Vass developed a Decomposition Odor Analysis (DOA) database. His research included carefully monitoring decaying human bodies donated for research. Over 478 compounds have been identified which have been narrowed down to approximately thirty (30) of the most significant chemical compounds produced by human decomposition. Unlike other studies, Dr. Vass used entire human bodies, as opposed to individual organs which can bias results.

DETECTIVE DOSTIE & BUSTER ARRIVE TO FIND KRISTIN

Frustrated that nothing was being done to find Kristin Smart, this newspaper set out to find a group of professional outsiders who have made it their life's work to find clandestine graves sites. We were looking for any professional who was not connected with San Luis Obispo County whatsoever. It turns out, our research supervisor, Michele Knecht has a brother (Paul Dostie) who retired from the police department in Mammoth Lakes, California as a

detective sergeant. On top of many years of police experience, he trained and owns a super cadaver dog (Buster) who has thus far discovered over 200 hidden graves. At the behest of his sister, Detective Dostie began to conduct his own research on the case of missing Cal Poly student Kristin Smart. Then he called The California Register and offered his expertise at no charge to help find Kristin. It's what we were hoping for.

We too, checked out detective Dostie and Buster. We read a string of commendations and letters of praise from judges and district attorneys about detective Dostie. Buster also had an impressive resume. A feature story was written about Buster in the July/Aug edition of "Just Labs" Magazine. The article was entitled, "An Incredible Dog." During the Battle of Tarawa, many men were buried right where they fell. This was done primarily for sanitary reasons. Corpse decay was accelerated by the oppressive tropical heat. During the confusion of battle, the specific location of these makeshift graves were lost and forgotten until Buster arrived. In 1943, the rapid expansion of the airstrip and base on Tarawa Atoll in the South Pacific contributed to the problem since the war was still raging.

CLOAK & DAGGER STUFF

One of the residents in the home directly behind the Flores property on East Branch Street, gave us permission to search the backyard area fearing that all or part of Kristin's body could actually be buried on her side of the fence. Dostie and Buster left early in the morning from Mammoth Lakes, California to begin the seven-hour journey for Arroyo Grande. Dostie and Buster arrived at the Flores home at 1:45 pm on June 2, 2014. Detective Dostie got Buster out of his truck and negotiated him along side of the fence line which separates the property from the Flores home at 529 E. Branch St. Dostie ordered Buster, "Go Find" and Buster went right to work. He ran his nose close to the ground picking up blades of grass on his nose and mouth. Within seconds of beginning his search, Buster spun around and locked up like a bird dog. He had detected the scent of human remains along the fence-line separating the properties. (see front page photo) After witnessing Buster's strong reaction, Detective Dostie said, "Trust me, there's human decomp there."

We wanted to obtain soil samples where Buster alerted, but the property owner fearing retaliations from members of the Flores family, abruptly cut off the search. Even though retrieving soil samples would have been quick and quiet, the property owner would not allow the extraction of any soil samples from his property. Visibly shaking, the homeowner said, "They're going to kill my cat, then they're going to kill me." Dostie and Buster left for their long drive back to Mammoth Lakes. Desperate to not let the opportunity get away, the property owner of the next door property (523 E. Branch St.) was asked for permission to search the backyard area of her rental property. Realizing the horrible and prolonged suffering Stan and Denise Smart have been forced to endure for nearly two decades, the owner granted permission. Dostie and Buster made an abrupt U-turn heading back to Arroyo Grande. When Buster goes into hunting mode, he gets all excited and barks rather loudly. To avoid waking up

the entire neighborhood, we left Buster in the truck, retrieving only soil samples instead. It was late at night. We parked the truck about two blocks away and began walking towards the property holding shovels and flashlights.

An Arroyo Grande police cruiser drove past us on Branch Street as we walked towards the search area behind 523 E. Branch St. We slipped through the back gate with creaky hinges and began to dig small holes to extract soil samples. I held the flashlight as Detective Dostie began to dig. He recommended that he should be the only one to handle the soil samples in order to preserve the chain of custody. I had to remind myself, we weren't there to plant daisies, we were gathering potential evidence of a crime. We got the soil samples we came for and quietly left. Soil-samples were immediately sent to Dr. Vass in Tennessee. One of the samples was declared as potentially a weak-positive, because it contained human-specific chemicals.

BUSTER RETURNED TO ARROYO GRANDE

When Buster was in town two months earlier, he was not allowed to search 523 E. Branch because it was too late in the evening. The tenants were out having lunch. On Friday, August 1, 2014, Dostie and Buster entered the backyard of 523 E. Branch though the same creaky gate. Once again, Buster wasted no time zeroing in on the scent of human remains. He ran to the block wall that separated the property from the Flores backyard patio, and plopped down on the dirt behind the citrus tree as you can see in the photo above.

BODY LANGUAGE OF A CADAVER DOG

Buster's body language changes depending on the strength of the scent. The stronger the scent, the more pronounced are his alerts. When he smells human remains, he'll turn around, freeze, and stare at Detective Dostie as if to say, 'I'm smelling a deceased human in this area boss.' At other times, Buster will plop down on the earth, just as he did in the photo above, as if to say, 'There is (or was) a human body right beneath me or very close.' A well-trained cadaver dog has the discipline to eliminate other odors such as decaying meat in the garbage. Buster detects only human-specific volatile compounds unique to decaying human bodies.

Another possible explanation the soil sample came back as a weak positive, is because Kristin's body may have been moved. Over the past eighteen years, cracks in the concrete have allowed gases of a decomposing body or residue of a decomposing body to escape, which Buster detected and alerted on. If Kristin was buried in the concrete planter box, it means Kristin's remains were literally under the noses of the police when they "took a vote" not to dig over fourteen years ago on June 20, 2000. As a side note, if Kristin Smart is (or was) buried behind the Flores home on East Branch Street, she would be only feet from where Paul Flores sleeps each night, as creepy as that sounds.

BURYING PEOPLE IN THE BACKYARD IS ILLEGAL

Even if you did not commit murder, a makeshift backyard grave violates California health and safety laws. It's called unlawful

Just Labs
JULY/AUGUST 2014 VOL. 14 • NO. 2

Training for the Trails
skills and where to go

"Our Day Will Come"
Labs at Westminster

An Incredible Dog
a Pacific Island search

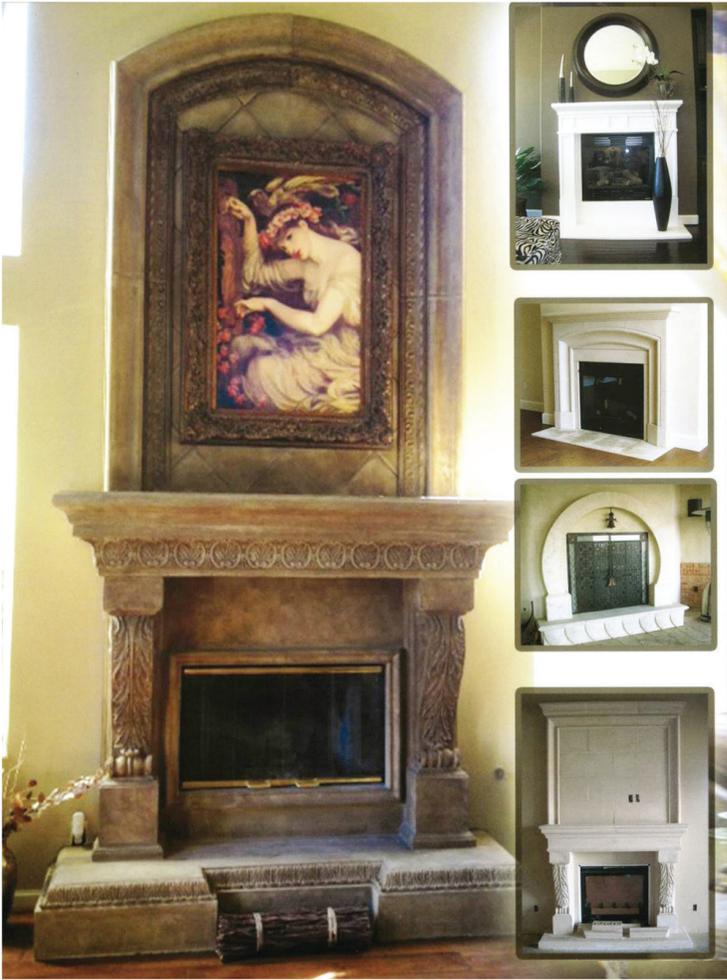
Giving the Clicker a Go
will it work for you?

PLUS

- Click!
- In Their Debt
- Why Labs Do That
- The Vet Clinic
- And Junior talks cars.

Buster's incredible work to help find our fallen Marines on Tarawa is featured in this particular issue under the title, "An Incredible Dog." Most Americans don't know that over 500 Marines who fought at Tarawa were never found. At present Buster discovered over two hundred graves on Tarawa.

Continued on: A-5



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Front Entries & Door Surrounds

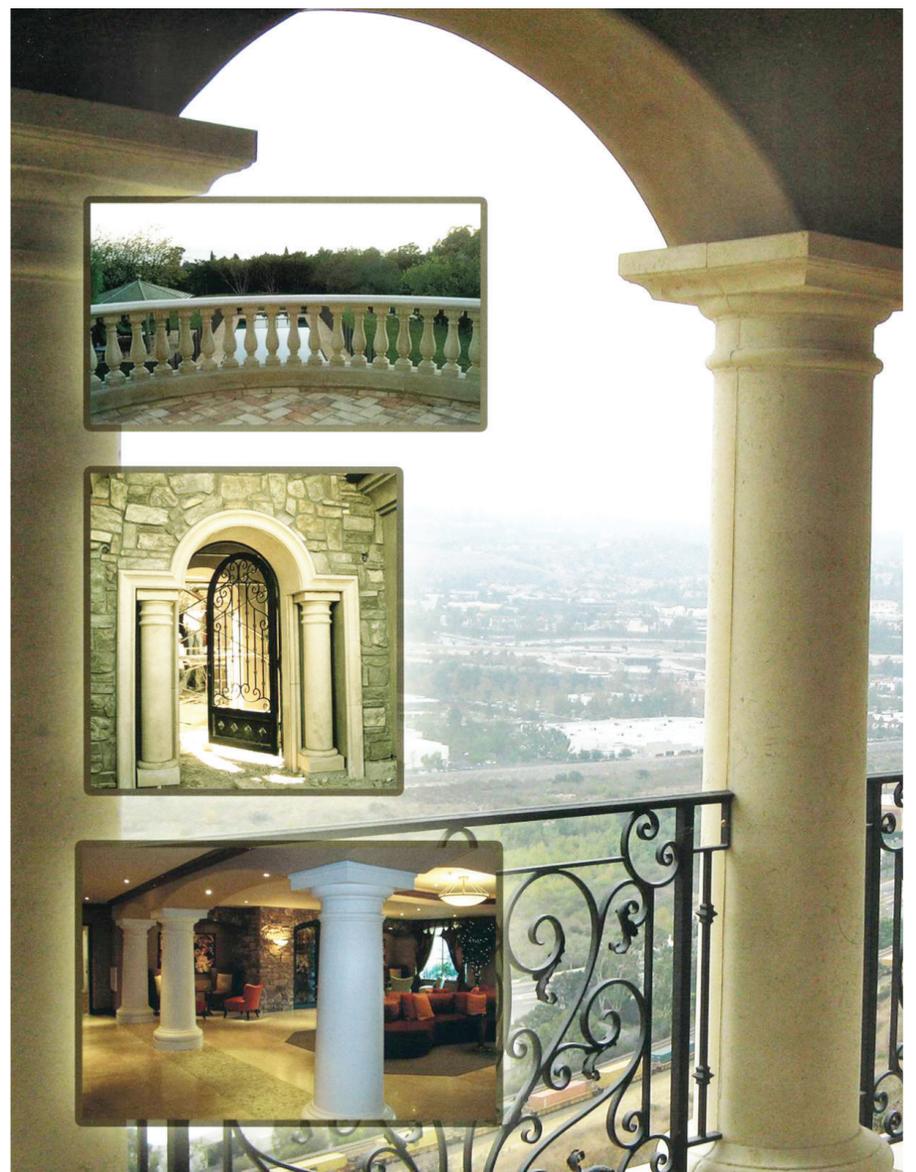
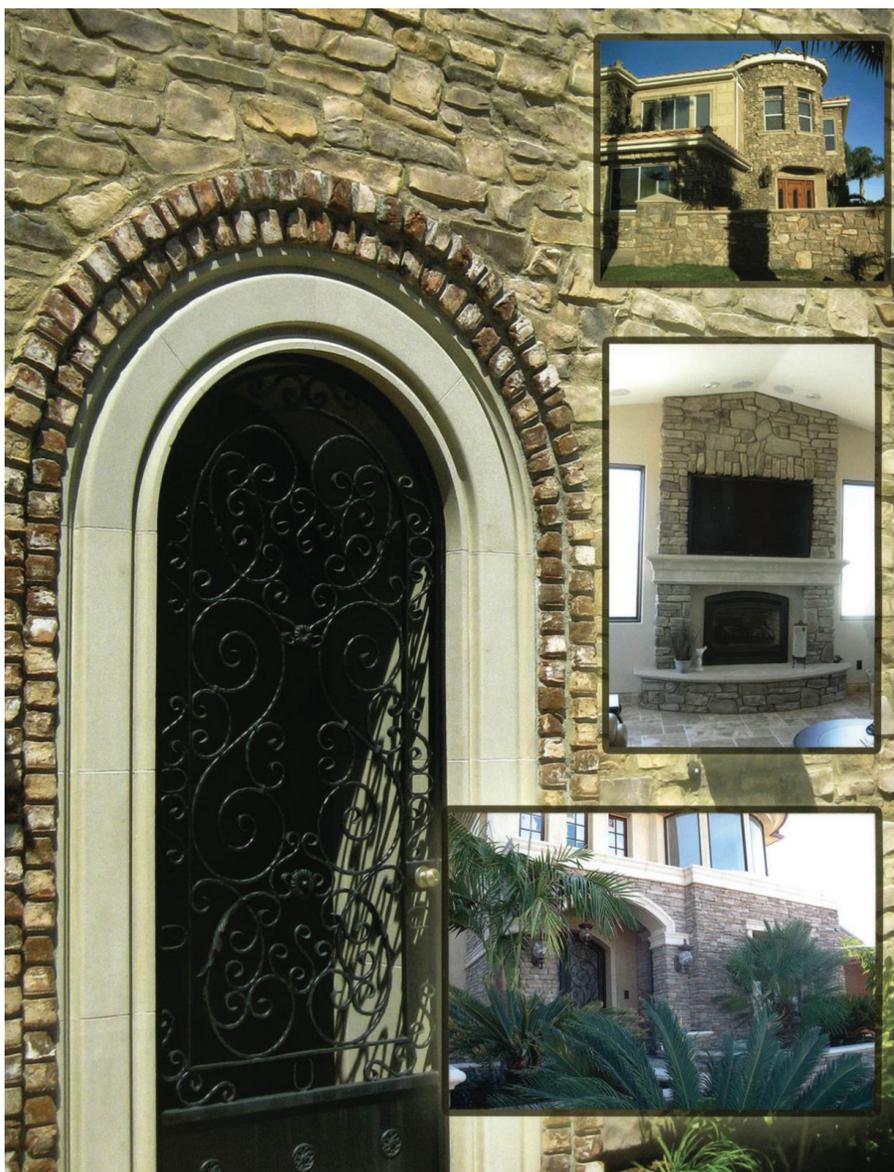
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All the insurance in the world won't do you a bit of good without excellent service backing it up. Great insurance must always have excellent service. Unfortunately, you won't know if the company you've chosen has excellent service until something happens. Some insurance companies lure potential customers in with low premium rates, but won't mention their poor service ratings. When catastrophe strikes, people want, need and deserve immediate service. They want appraisers and claims processors to move quickly, fairly assessing the damage to make you "whole"

again. Making a person "whole" means to restore them to where they were before the catastrophe occurred. Knowing your insurance company will back up their promises with excellent service, gives people peace-of-mind. We are proud to offer our customers the very best in insurance products, and back them up with the finest service available anywhere in the world. We view our customers as part of our family, and treated accordingly. When you need help immediately, the value of our professional service is priceless. When you are thinking about insurance, call

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California Register plans lawsuit against Sheriff for failure to produce documents covered under CA Public Records Act

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internment. Aside from being a low-class thing to do, burying a body in the backyard contaminates the soil with various chemical compounds, some of which are carcinogenic. California Health and Safety Code (Div-7, Part-1, Chap-2: 7054) states that any person who deposits or disposes of any human remains in any place, except in a cemetery, is guilty of a misdemeanor that shall be punishable by imprisonment in a county jail not exceeding one year, and a fine not to exceed \$10,000, or both. Furthermore, Section: 102775 forbids burying human remains without a death certificate.

In the Kristin Smart case, we now have evidence with two dog alerts and scientific analysis of soil-samples that a human body is (or was) buried behind the Flores Arroyo Grande home. So, where is the City of Arroyo Grande in all of this? Why has the Arroyo Grande Code Enforcement Division, and the Arroyo Grande Police not taken any action? With two dog alerts and a soil-sample having a human-specific chemical, Arroyo Grande has enough evidence to believe a body is (or was) buried in the Flores backyard? Why hasn't Arroyo Grande asserted its rights as a sovereign municipality and gotten involved to enforce California's Health and Safety Codes?

BEFORE SHERIFF PARKINSON

Edward C. Williams was San Luis Obispo County Sheriff from January 1987 from 1999. Patrick Hedges was sheriff from 1999 until Ian S. Parkinson took over in January 2011.

Williams was originally with LAPD and rumor has it that Williams knew Ruben Flores when the Flores family lived in Long Beach area. Remember folks, that's just a rumor and nothing more. We have no evidence that Ed Williams knew Ruben Flores while the two lived in the Los Angeles area. We do know that Ed Williams was sheriff when Kristin disappeared and when the earring disappeared from police custody.

Hedges, it seems, was always mired in some sort of personal or professional scandal during his tenure as sheriff. He was distracted frequently by spousal issues at home. Sandra Hedges felt it necessary to obtain a restraining order against her Sheriff Hedges. That's a red-flag for the whole community when any woman has to get a restraining order against one of the chief law-enforcers in the county. Another marriage to Ramona Hedges ended in 2003. Ramona said, "I found my husband's demeanor to be very threatening and intimidating." This could be a terribly biased statement from angry spouse, or it could be our sheriff was quite the bully which frightened the hell out of both his wives.

This same bully behavior could have been prevalent in his police practices as well. The point is, Sheriff Hedges was quite probably distracted by his own problems at home, which may have adversely interfered with efforts to guide the Kristin Smart investigation. Hedges was also sheriff when the searches were conducted on the Flores 529 E. Branch St. home. Sheriff Hedges may have been the one who instructed his investigators to not dig up the concrete behind the Flores home. Or, he may have directed the search warrant, provided by FBI Agent



S/Sgt. Ward C. Swalwel, Jr.

**S/Sgt. Ward Swalwel, Jr.
Radio Operator/Gunner,
U.S Army Air Corps
Remains Detected by Buster
70 years after his death
in Allmuthen, Belgium**

Jack Shafer, be modified to exclude digging up the planter box.

It's also possible that Under-Sheriff Steve Bolts may have made the decision not to dig, through his authority as the on-scene commander. But, it's doubtful he would have acted unilaterally without consulting the sheriff first. The point is, none of this has been investigated. No one is policing the police. Can you imagine the parents anger and aggravation knowing the police were possibly standing right over their daughter when they voted not to dig up the concrete. Had police not waited four years to search the Flores property, and dug up the concrete when they did search, this case would have been solved within a week after Kristin Smart disappeared. As a result, the parents and loved ones of Kristin Smart have been crying out for justice for nearly two decades.

SHERIFF PARKINSON'S ADMINISTRATION

January 2011 & 2015, Ian S. Parkinson raised his right hand to swear he would enforce the law. Not long after his initial swearing-in, Parkinson jumped in his car and drove up to Stockton, California to have a face-to-face meeting with Stan and Denise Smart. Everyone in the community were hopeful that our new sheriff would finally get to the bottom of this Kristin Smart thing. Property owners around the Flores East Branch St. home anticipated that any day, sheriff's investigators would contact them asking for permission to search their respective properties.

So far, the property owners are still waiting to hear from anyone at the sheriff's office. During a meet-your-new-sheriff gathering two weeks after being sworn in, Cinda Coplin Sebring from Cayucos stood up in the audience and asked to know what Parkinson planned to do about finding Kristin Smart. Sheriff Parkinson said they had sent items to the laboratory to obtain a DNA analysis. Either, they did not send these items to the lab, or the chose the slowest laboratory in the world. At last report, those DNA results have not been obtained by the sheriff's office. Believe it or not, the sheriff still has the mattress Paul Flores slept on in college in his evidence locker. It could have been all or part of the mattress which was supposed to be tested.

Amazingly, no one from the sheriff's office has checked detective Paul Dostie's credentials. There was a very limited attempt to verify Buster's abilities as well. Since Buster alerted, no search warrant has been executed on the Flores family to finally and thoroughly search the backyard patio, especially where the planter box is or was. Our sources inside the police department say the sheriff is spending money on the Smart case. The fact the sheriff is spending money has no correlation to a productive investigation, however. Even though Buster is widely regarded as one of the finest search dogs in the world, his alerts behind the Flores home were dismissed by Sheriff Parkinson as being unreliable because he wasn't "certified." For some reason, other police departments view Buster's lack of certification as a non-issue because he continues to help crack one cold-case after another.

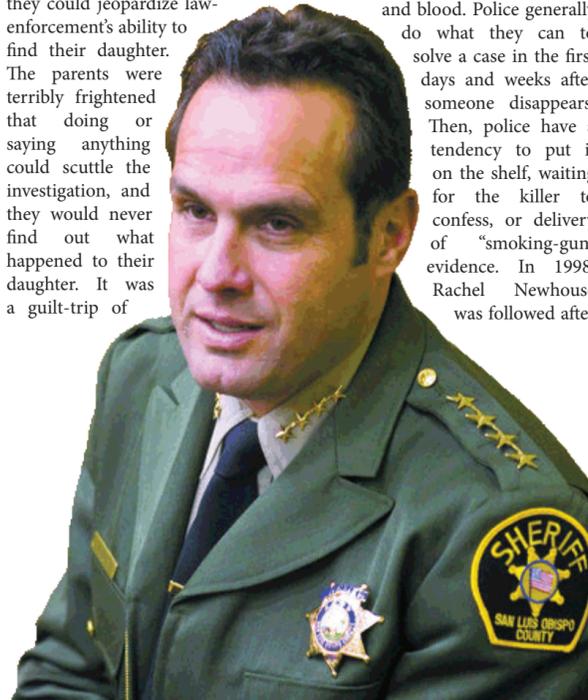
Let's deal in some truth here. Everyone who wants this case solved has been deceived into believing a viable investigation as being conducted. Immediately following Kristin's disappearance, people were circling the wagons to protect Cal Poly. Except for the search dogs search in Santa Lucia Hall Dormitory, it seems law-enforcement assumed a lackadaisical attitude, only appearing to search for Kristin Smart. At times it seemed, that law-enforcement did not pursue Kristin's disappearance with their typical vigor or determination normally seen when police really want to find the victim and arrest the culprit. It's painfully obvious, that before Ian Parkinson, the Kristin Smart investigation has been listless and lethargic at best. While we are told that Parkinson is actively investigating the case, the only results thus far, have been two alerts by Buster and soil-sample evidence

since Parkinson was originally sworn in to office. Unfortunately, Parkinson dismissed both as being irrelevant.

MANIPULATION OF THE PARENTS

While they may disagree with the assessment, Kristin's parents, Stan and Denise Smart have been deceived and manipulated into believing the police were actively searching for their daughter. The lack of due diligence makes it appear that police "investigators" were basically waiting for Paul Flores to walk in and confess. During the past decades, police appeared to be more interested in keeping the parents "under control," rather than finding Kristin and enforcing the law.

Over the last nineteen years, the Smart family has frequently been told to remain quiet and talk to no one, or they could jeopardize law-enforcement's ability to find their daughter. The parents were terribly frightened that doing or saying anything could scuttle the investigation, and they would never find out what happened to their daughter. It was a guilt-trip of



**Sheriff-Coroner Ian S. Parkinson
San Luis Obispo County, California**

monumental proportions, which effectively controlled pent-up anger Stan and Denise surely must have felt and continue to feel.

The police carefully positioned themselves to blame the parents for "fouling up" the investigation if things went south. For 19 years, Stan and Denise Smart, have faithfully followed the advice of three sheriffs, who have produced nothing. It's highly irregular for parents of a missing child to remain silent when the prime suspect walks around with impunity, free as a bird. It's common for the parents of the missing to frequently appear before TV cameras and radio talk shows. They normally begin by reading a carefully prepared statement, only to breakdown in inconsolable sobbing.

Sometimes, relatives and loved ones will leap to their feet, lashing-out in a torrent of emotion. Their frustration is manifested into visible and audible anger, especially when the person who possibly killed their daughter is walking around a free man. It's not uncommon for parents to openly attack authorities when they discover they have been deceived about an investigation that never was.

After several months, cases are generally considered by police as "cold," but labeled as "open" to provide police cover. An "open" investigation that is not being aggressively prosecuted gives the parents a false sense of hope, and tends to keep them quiet as well. An "open" investigation also has another very nice feature from police perspective. It blocks most all attempts by news media and others to obtain information about the case. It's convenient; there's no evidence available to the news media (or the parents) that an investigation is actually being conducted at all. Parents and media are then forced to rely on the integrity of the police.

On the other side of the coin, police must have some level of secrecy when investigating. Otherwise, the already low case-solving rate, would even go lower. The only thing citizens really have available, is a nosy newspaperman

and the grand jury. A grand jury can order the police to appear before them to demand answers. If grand jury members and district attorney truly believe in the rule-of-law, then sheriffs can be called to account for what they are doing and not doing. In the Kristin Smart case, the San Luis Obispo County Grand Jury could have demanded answers from law-enforcement every year since Kristin disappeared from Cal Poly. It's fairly certain that from one sheriff to another, the SLO Grand Jury would have found many inconsistencies. Had grand juries, over the years, addressed those inconsistencies, this case would probably have been solved many years ago.

It's a fact of life, people are not as angry about someone else losing a son or daughter, as they would be if the missing were their own flesh and blood. Police generally do what they can to solve a case in the first days and weeks after someone disappears. Then, police have a tendency to put it on the shelf, waiting for the killer to confess, or delivery of "smoking-gun" evidence. In 1998, Rachel Newhouse was followed after

knew Kristin was entombed in concrete behind the Flores home within a couple days after she disappeared. The strategy may have been to do nothing and drag the case out fifty or more years diluting the negative impact of Kristin's death to Cal Poly and San Luis Obispo. After decades of forgetting, people just wouldn't care anymore. For over eighteen years, everything was going fine until BUSTER arrived in town.

Lack of closure from too many unanswered questions tortures the parents almost daily. Every holiday where family normally would gather, every location that was uniquely special to her, rips the heart out of those who knew and loved her. Until questions are answered, the Smarts cannot heal and move on with their lives. While people may have difficulty understanding this, the Flores family cannot heal and move on with their lives either. On many occasions over the years, the Smarts wanted to cry out demanding answers and justice. They feared if they did, they were convinced by numerous law enforcement officials, they may never find out what happened to their beloved Kristin. Was the emphasis of the investigation more on manipulation and control of the parents rather than solving the case, all to protect the reputation of Cal Poly? There's no doubt the Smart family is still filled with rage, which has yet to be unleashed. Those of us at *The California Register* are also filled with rage about the pathetic way this case has been handled.

It's unfortunate, but law-enforcement agencies sometimes learn the fine art of "investigative deception," pretending to investigate, all-the-while employing delaying tactics and doing what they can to avoid discovering the truth. It's "plausible deniability" on an institutional scale. Cronyism and nepotism can cause a culture of corruption, especially in small towns. Sometimes, illegal and unethical methods become acceptable and ingrained behavior. Corrupt police departments learn how to control everything and everyone under the color-of-law. Those who cannot be controlled are "encouraged" to leave town, tossed in the slammer or worse. If a tacit decree of silence was issued after Kristin disappeared, it meant that anyone who actively sought the truth would be subjected to harassment, fired, and/or suffer the loss of a hard-earned pension. Consequently, people remain quiet and the idyllic image of San Luis Obispo is preserved.

INCOMPETENCE OR CORRUPTION

Incompetence involves laziness and unprofessionalism. On the other hand, corruption is tied to money. Money is usually the driving force in cases involving corruption. In 2012-2013, California Polytechnic State University (Cal Poly) generated total economic impact of \$1.4 billion on the local community. Cal Poly university is a financial dreadnought, driving direct impacts totaling \$1.1 billion and \$313.9 million in direct and induced spending locally. One of the largest Cal Poly expenditures is a \$254 million payroll. Student spending alone was calculated at approximately \$160.7 million and visitor spending was tallied at \$21.9 million.

It's logical therefore, to assume that a headline of, "College Coed Raped and Murdered in Cal Poly Dorm Room" could severely impact or even devastate Cal Poly's balance sheet. High school graduates all over the United States would be encouraged



**Kathryn Barrett
Disappeared June 21, 2000,
Remains Found by Buster
8 years after her Death**

to avoid Cal Poly, frightened off by negative headlines lasting years, because court cases last years. Recruiting of college students could sharply decline, meaning a decline in revenue. It would be even worse if evidence surfaced the university overtly acted to cover-up Kristin's demise. The willful destruction of evidence associated with murder, means Cal Poly could be an accessory to murder after-the-fact. We ask our readers to ponder these things when considering whether the handling of the Kristin Smart case was due to corruption or incompetence.



**UNIVERSITY CRIME
(AKA: UCcrime.com)**

After the awful Rolling-Stone gang-rape article which was filled with the writer's bias and lies, people are suspect about the problem of campus rape. But make no mistake, campus crimes, especially rape, is bad and getting worse. Rape is different than the rest because it's underreported by the victims. When they do come forward, they become a victim all over again. From the Department of Justice (DOJ) on down, authorities do what they can to under-report, downplay and cover-up campus crimes to protect the institution. Because campus crime is such a problem, Ucrime.com monitors and tracks crimes on and around college campuses all over the United States.

The 1991 Jeanne Clery Act became law after Lehigh University student Jeanne Clery was brutally raped and murdered in her dorm room. She was one of many. Congress knew they had a problem. The law forced colleges who participate in federal student financial aid programs to release information on crime that has happened on or near their campuses. The Clery Act outlines requirements campus safety departments need to follow in regards to publishing crime statistics.

According to the law, the type of crime offenses needed to be disclosed are murder, sex offenses, robbery, aggravated assault, burglary, motor vehicle theft, manslaughter, arson, and arrests or persons referred for campus disciplinary action for liquor law violations, drug-related violations, and weapons possession. These incidents are similar to what is required by the FBI in their Uniform Crime Report (UCR). Universities are also required to maintain a daily log that records all crimes. And, agencies are required to respond to requests for the logs or information within two (2) business days of the initial report being made to the department or a campus security authority.

There are many college campuses that publish a daily crime log on their website. The University of Chicago is a great example, even offering an RSS feed to their log. Schools like Princeton, MIT, Harvard and **Cal Poly in San Luis Obispo** post their daily logs, however, they're typically in an archaic, non-machine readable format like portable document format (pdf). And at universities like Stanford and Carnegie Mellon, not only is what they publish in a non-machine readable format, an on-line daily log is nonexistent or not updated. Since the information is many times embarrassing, it's not surprising that more campuses aren't publishing more information on-line, especially with the amount of technology, money, and resources available to colleges these days.

WHAT IS NOT BEING DONE

When investigating anything, always be on guard for **what is not said**, and **what is not done**. For some strange reason, the sheriff (or his deputies) have yet to contact the owners of properties surrounding the Flores home at 529 E. Branch St. The sheriff has yet to speak directly with Dr. Arpad Vass about the soil-sample which contained a human-specific chemical. The sheriff dismissed cadaver-dog alerts when Buster detected the scent of human

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By: Nelson Sloan

The Shell Beach Home that made California Law

A massive Adobe style home located in Shell Beach, California became the focal point of a major legal battle which ended up at the California Supreme Court. The neighbors affectionately refer to the home as the "Alamo" because of its distinctive Southwestern architecture. Ironically, the vicious legal dispute over this home and other properties, may have rivaled the actual Battle of the Alamo in its intensity.

It all begins with former owner, Steven Wayne Stoker, a hardworking man who lived life on his own terms. Part of Mr. Stoker's estate included a thriving business in Glendale, California along with a very large home located at 344 Capistrano Avenue in Shell Beach, California. It was to be Steven Stoker's dream home, which he was building piecemeal over many years. Even though Mr. Stoker was a wealthy and successful business man, who started out life with practically nothing, he could barely read or write. Steven Stoker suffered from dyslexia, which kept his reading and writing skills at an elementary level. Because of his dyslexia, Stoker had limited reading skills, and virtually, could not write at all. He could sign his name, but that was about the extent of it.

Dyslexia is a developmental reading disorder characterized by difficulty with learning to read fluently and with accurate comprehension despite normal intelligence. Symptoms of dyslexia in early childhood could include delays in speech, letter reversal or mirror writing and being easily distracted by background noise. Dyslexic children have difficulty identifying or generating rhyming words or counting syllables in words referred to as phonological awareness. They have difficulty segmenting words into individual sounds or blending sounds to make words. The most common symptom of dyslexia is poor spelling. Poor spelling results from dysgraphia (orthographic coding) where the student conducts whole-word guesses and has the tendency to omit or add letters or words when attempting to read or write.

Steven Stoker's inability to effectively read or write did not hold him back from attaining a respectable amount of wealth primarily from a successful brake and alignment business in Glendale, California. Even though Steven Stoker was terribly handicapped by his inability to read and write, he amassed a fortune simply due to hard work and perseverance. Unfortunately, because of his severe dyslexia, Steve Stoker had to rely on others to generate his correspondence. Like so many other dyslexics, Steve Stoker was very effective in hiding his disability from his friends and associates. No one, except his closest friends and relatives knew of his disability because he was so skillful in concealing it.

... got naked and rode a horse in the middle of the night...

His life is filled with colorful stories. He loved to live life to the maximum and do things other people wouldn't dream of doing. One story is told where he was pretty intoxicated, got naked and rode a horse in the middle of the night to a friend's home looking



The "Alamo" - Shell Beach, California

for a drinking buddy. Stoker also loved to participate in off-road races like the famous Baja 500 which takes place each year in June on Mexico's Baja California Peninsula. The Baja 500 is part of a series of races that include the Baja 1000, San Felipe 250 and Primm 300. The race allows various types of vehicles classes to compete on the same course, from motorcycles, stock VWs, buggies, trucks and custom fabricated race vehicles. The first official race started in Tijuana on Halloween 1967. The Baja 500 race grew in popularity dramatically when ABC broadcast it on their Wide World of Sports program.

Prior to one of his races he considered a little more risky than the rest, Stoker called his lawyer late on a Friday afternoon. He told her he needed a will because he was going to be in an off-road race during the weekend. The lawyer told him that it was too late for her to prepare a formal will before his race, but that he could execute a holographic will on his own. She told him a holographic will was legally valid if it was handwritten and signed by him as the testator. The lawyer, who gave Steven Stoker that advice, did not know that he was dyslexic and could not write. This point would become a major issue in a legal case that would end up at the California Supreme Court.

Stoker survived the race. Several months later, and some say at the encouragement of girlfriend Destiny Gularte, he decided to have a lawyer draft up a formal will leaving 85% of his estate to Destiny Gularte. Steven Stoker had several properties including a home located on two lots in Shell Beach. He seized the opportunity to purchase the home next door expanding his property to now three lots on Capistrano Ave. The home he purchased was demolished leaving only a single wall giving Stoker the ability to build a fabulous new dream home as a remodel utilizing the space of all three lots. Construction was a very slow process which would occur over many years.

After working on the home all day, he would stroll up to his favorite watering hole formerly known as Alex's Barbeque which closed its doors August 31, 2014. This was where he met Destiny Gularte who worked there as a bartender. The two fell in love. Steven Stoker eventually encouraged Destiny to quit her job and live with him at his unfinished home on Capistrano

Street. (If Lee Marvin was still alive, he'd have a comment here). Because of his dyslexia, Steven Stoker began to rely on Destiny more and more to help him with his business in Glendale which he was running from his Shell Beach home. Anytime he needed bills paid or letters to be written, Destiny was there to "help him out."

Steve Stoker had no manager at his brake and alignment shop. He remained very much in absolute control of his business even though he lived in Shell Beach. Payroll checks and bills would be sent up to Shell Beach by his bookkeeper for his

all Steven Stoker could handle. It was viewed by Steve as obviously, a terrible betrayal and threw Destiny out of the house and out of his life for good in 2004.

Steve Stoker had two adopted children from a previous marriage with Judy Stoker. Their names were Darin and Danene. His adopted son Darin came up from Glendale to live in Shell Beach with his father for several reasons. Steven's health was deteriorating. He had bad lungs due to the asbestos dust he breathed in while grinding brakes at his business in the early days. Darin also came up to provide a level of security. On occasions

his children and wondered why. According to Danene, Destiny would say negative things to their father about their so-called failure to stay in touch with him. According to Danene, Destiny had become the gate keeper, controlling all information to and from their father, effectively driving a wedge between Steven and his children. After his breakup with Destiny, Steve had invited some friends over to his home in Shell Beach. It was Gretchen Landry and her mother. Much of the conversation that evening on the outside terrace was about how Destiny had done him wrong. Realizing that he had left most of his fortune to Destiny in his 1997 will and trust, Steve went into the house and brought out his copy of his will which declared Destiny as the primary beneficiary of his estate. Because Steve could not read very well, he asked Gretchen's mother to read the will aloud.

He pretended to unzip his pants and urinate on the will.

As Gretchen read the will aloud, Steve realized he had left most of everything he worked for all his life to a woman who cheated on him and was carrying another man's child. Upon hearing the words read aloud, Steve's emotions boiled over. He grabbed the will and spun around placing his back to his visiting female guests. He pretended to unzip his pants and urinate on the will. Then, he suddenly tossed it in the fire of the bar-b-cue. The women were shocked and wondered, 'do you really want to do that Steve?' In Steve's mind, the will was now null and void.

Legally, the will had not been rescinded because he only destroyed a copy, not the original. The original was still at his lawyer's office. To complicate things further, the lawyer who had possession of the original will had been discharged by Steve over another issue. They had parted on bitter terms. Unless the original will was destroyed or legally nullified, it remained in full force. This was a major miscalculation on Steve's part. Steve needed to effect a legal nullification of his will. Pretending to urinate on a copy and burning it in a barbecue pit was entertaining but had no legal effect.

In 2005, Steve Stoker invited neighbors Homer Johns and

Ann-Marie Meyer over for a few drinks. Homer is a gifted artist who would frequently be enlisted by residents to apply his talent to various homes throughout the county. Homer was hired by Steve Stoker to do work in his Shell Beach dream home. He had plans to draw a beautiful mural on the staircase wall of running horses. During the course of the conversation, Homer and Ann-Marie noticed that Steve did not appear to be in good health. The conversation evolved into asking Steve if he had a will. He was not sure that pretending to urinate on a copy of a will and tossing it in the fire would constitute legal nullification. Fearing his colorful antics may not have been good enough, Steve got a piece of paper and asked Ann-Marie to write down his words. She carefully wrote exactly what he dictated. It was a clear revocation of his 1997 Trust and Will.

Steve signed it and placed it in his pocket. Homer and Ann-Marie suggested it would be important for them to sign as witnesses, but Steve said it was unnecessary because his attorney said all that was necessary is that it be handwritten and have his signature and date. Steve Stoker did not remember that according to California law, a holographic will must be in the testator's (his) own handwriting to be valid. There were no exceptions. But, because of his dyslexia, Steve could not write, therefore the will was no good. In the months prior to his death, Steve Stoker told his daughter Danene, 'I've executed a will, you and your brother will be well taken care of.' She asked him where the will was. He told her not to worry, that her brother Darin would have possession of it.

One day, Steve Stoker was attempting to use the bathroom and called for Darin's help. When Darin entered the bathroom his father had collapsed, gasping for breath. Darin immediately called 911, but Steven Wayne Stoker, age 51, died in his son's arms before help arrived. The paramedics attempted to revive him, but he had already passed. Although Steve had actually died at the house on Capistrano Street, he was pronounced dead at Arroyo Grande Hospital on February 27, 2008. Darin immediately notified his sister Danene and Bobby Rodriguez at the brake and alignment business in Glendale. Employee Rodriguez took it upon himself to contact Attorney Mark O'Brien whom he thought was Mr. Stoker's attorney to find out how Steve's passing could affect the brake and alignment business, and specifically their jobs.

Mark O'Brien was Stoker's corporate attorney, but the last time Stoker met with Mark O'Brien, he had taken his 1997 estate documents to his office in order to remove Destiny Gularte from his will. The attorney/client relationship had been dissolved before any change to the will was made. Steve's mistake was leaving the original estate documents (trust and will) with O'Brien for him to review. Before O'Brien could make the changes desired by his client Steven Stoker, the two had a major falling out. Steve severed his relationship with O'Brien never retrieving the original estate documents which were left at O'Brien's office.

Stoker had a good sense about people. Attorney Mark O'Brien may have been as bad as Stoker thought he was. When Steven Stoker died, his home in Shell

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Steven Wayne Stoker

signature. Even though he was geographically removed from the business, Steve knew his business so well that he could keep a close eye on the business even as an absentee owner. And, while he could not write, he could sign his own name which he did on each and every check.

They would breakup to makeup.

Steve and Destiny had a tumultuous relationship. They would frequently breakup to makeup. Destiny very much wanted to have a child, but unfortunately, Steven Stoker was impotent. Destiny ended up looking for love in other places and ultimately got pregnant by another man (Chuck) during her relationship with Steve Stoker. Disclosure of the pregnancy was

when Steve would leave the house, he discovered evidence that someone was breaking into his home and stealing things. He suspected Destiny Gularte. Darin was there to help him protect the property and help his father physically as he grew weaker from his respiratory disease. Steve wanted to have a closer relationship with Darin because, deep down, he knew his life was soon going to end.

Darin and Danene felt that Destiny had done what she could to interfere and disrupt their relationship with their father. Sometimes Danene said she would place phone calls to her father knowing he was home. According to Danene, Destiny told her he was not there, when in fact he was. Steve would grumble about not hearing from



Continued From: A-5

remains behind and next to the Flores back patio. If certification was really the issue, why didn't the sheriff bring in his own "certified" search dogs to confirm or disprove Buster's alerts. This may be where the clarity of law enters the murky, subterranean world of politics and cronyism. The existence of malfeasance and public corruption lays buried in testimony not given and not yet requested.

The losers are Kristin's parents and all the citizens who believe in the rule-of-law, all those who want this case solved. Know it to be true, that if Kristin Smart was the daughter of a sheriff, police chief, mayor, judge or Member of Congress, she would have been found before the concrete cured on the Flores backyard patio. The most frustrating thing, is the lack of urgency to solve the case. There seems to be an attitude of, 'its been almost 19 years, a few more years won't matter, what the hell?' Unfortunately, years have a habit of turning into decades.

The turquoise earring, which mysteriously "disappeared" from police custody, may give us a glimpse into the real reason Kristin has never found. The earring's disappearance could have been an innocent mistake, dropped on the floor and swept away by a janitor. One should never attribute malice to that which is adequately explained by incompetence or stupidity. On the other hand, the earring that possibly bore traces of Kristin's blood, could have been intentionally discarded to obstruct the due-process-of-law and prevent the case from coming to trial.

Kristin Smart was never found, because the case was never properly investigated by police. It appears that a cover-up went into effect the moment authorities discovered what had happened. Common sense tell us that law enforcement and Cal Poly administrators knew what happened to Kristin within a few days after she disappeared. Were the police protecting Cal Poly by protecting the Flores family from discovery? What is the real reason police took four years to obtain a search warrant for the Flores property? Then once there,



Clark Baird (and the team) went out to investigate a lead that Kristin's body was moved from the patio behind 529 E. Branch St. to a remote location south of Lake Lopez. Clark attended math class with Kristin Smart in high school.

made a decision not to dig up the concrete planter box which roughly had the same dimensions of a grave? We understand the complexity of this case. Parkinson only has one shot at this thing. If he blows it, those responsible for Kristin's demise and concealment will have gotten away with possibly murder, and certainly unlawful internment. So what, you say? They have already walked free for almost 19 years. At this point, what difference does it make? The answer is simple. If police can gather enough evidence to convince a jury, the person or persons responsible may tell capitulate and give the parents the answers they have longed for all these years.

We believe in the old adage, "If you don't help solve the problem, then YOU are the problem." It appears to some in our community that authorities do not want to find the truth, because they already know the truth.

It's now time to take a test. Remember, your first choice is usually your best. If you're not sure, always pick "C."

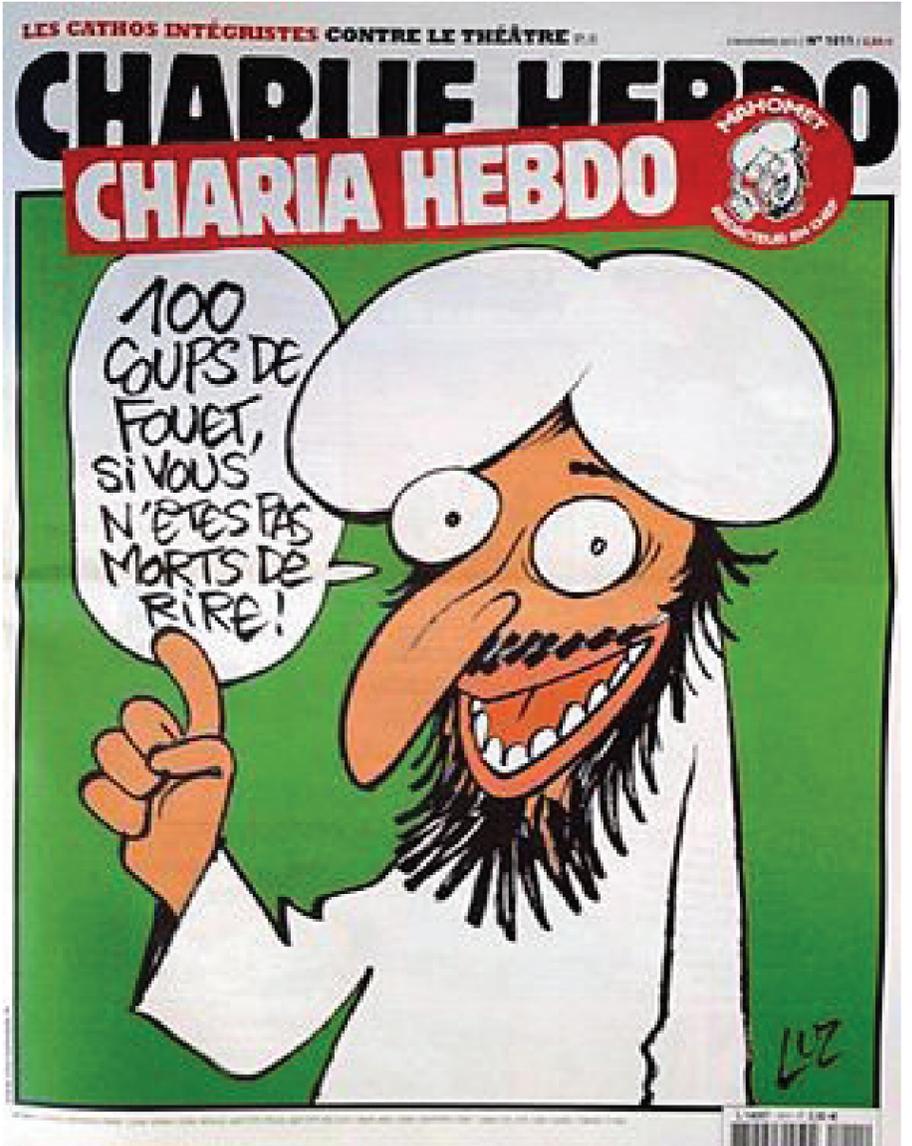
Based on all we know at this point, does the Kristin Smart case involve...

- A. Corruption
- B. Incompetence
- C. Corruption and Incompetence
- D. None of the Above

Please know that regardless of what the sheriff is, or is not doing, **The California Register** will stay on this case until the remains of Kristin Smart have been found and returned to her family. The last lead said that Kristin Smart was moved from the Flores home to a location not far from Cougar Canyon Way, south of Lake Lopez. Carpeting which Kristin may have been wrapped in during the move was dug up and sent to Mammoth Lakes, California where Buster lives. Detective Dostie said Buster alerted on the carpeting. The investigation continues.

BUSTER'S HEALTH-SCARE

In 2011, Detective Dostie noticed a lump on Buster's right hind leg, which turned out to be a rare form of cancer. Unfortunately, the only way to save Buster's life was to amputate his right hind leg. On top of the amputation of his leg, Buster is eleven years old. While he struggles to climb hills or stairs, the loss of his leg and his age has not diminished the sensitivity of his remarkable nose. Experts say that Buster can detect molecules in the low parts per trillion and may have the ability to detect even a single molecule. Make no mistake, when the Kristin Smart case is finally solved, it will be attributed to a big, beautiful, three-legged, black Labrador with a phenomenal nose. \$\$\$



"I'd rather die standing up than live on my knees."

Stephane Charbonnier
Editor, Charlie Hebdo Magazine
Murdered by Muslim Terrorists

What some call stupidity, others call courage and conviction. Some blame the magazine for exercising free speech, others blame the terrorists for murder. We support freedom of speech.

Burying the Past, to Protect Our Future
The Real Credo of Cal Poly State University

By: Chris Welke
(Cal Poly graduate)

Fall 1998. I'm a freshman, immersed in the annual "Week of Welcome," (AKA "WoW") a transitional program that preempts "DAY ONE" of Fall Quarter with activities, events, meetings, speakers, tours and discussion groups designed to acquaint "dormies" with the geography, landmarks, culture, architecture, navigation and history of California Polytechnic (Cal Poly) State University.

If I had one word to characterize the subject matter of WoW; it would be RAPE. What IS rape? How do you know if you've been raped? Where are rapes most likely to occur? What should you do if you GET raped? What should you do if your roommate or friend gets raped? How can rape be prevented? Why do rapists commit rape? How do the authorities handle rape?

Speakers and counselors threw plenty of factoids around about campus rape that seemed outrageous, even paranoid at the times. Though physically sexual, rape is an act of violence, not sex. Unfortunately, there are people with their own biases about rape on college campuses. This was clearly on display when Rolling Stone magazine ran a bogus story about Jackie on November 19, 2014. This horrible piece of journalism set back efforts by all who wish to bring attention to a very real problem. Rape is a problem because it's a unique crime in that rape is almost never reported. When campus rape is reported, it's a coin toss whether campus police even write it down. If a report is taken, follow-up by law

enforcement is thin. The carefully make the victim the perpetrator, which causes many victims to rescind their claim of assault. Dear reader, don't let one stupid article in Rolling Stone magazine make you think that campus rape is not a serious problem. Rapes and rapists concentrate themselves among the fraternity system; especially at official and unofficial houses off-campus. Women should watch their drinks at all times, especially at frat parties.

GHB (γ-Hydroxybutyric acid), AKA: 4-hydroxybutanoic acid is categorized as an illegal drug in many countries. GHB is used to treat cataplexy and excessive daytime sleepiness in patients with narcolepsy. GHB is a central nervous system depressant used as an intoxicant, although it produces a stimulant effect at lower doses due to its action on the GHB receptor. GHB is colorless and odorless. It is not used for getting high – it is a tool for rape and used quite extensively for that purpose.

Advice for students: Go to private parties only, and only with people you know. Use the buddy-system. Avoid the big-open parties during rush-week. Avoid open-Frat parties - period.

Seemed like over-kill to the mind of an 18-year-old naïve, engineering student. At least until my WoW counselor guided us on HER version of the campus tour.

"See this red-handprint?" she said. [Stenciled and faded], waving at me from the sidewalk of Grand Avenue] "It means that a woman was attacked. Beaten, raped, kidnapped, tortured,

murdered or STILL MISSING... whatever the case, it started on this spot or this was her last known whereabouts."

The numerous and anonymous red-hands adorned the campus and the city.

Whoever stenciled that red hand-print only wanted me to remember. No more. No less. It was effective, however, in raising awareness of the issue concerning sexual assaults involving Cal Poly students.

Cal Poly is a stressful place. Labs, lectures, roommates, midterms, finals, projects, part-time jobs, crashing classes, staying off academic probation, GE requirements, internships, projects and homework manage to fill nearly every spec of time available. Those minor bits of free-time set aside to "blow off some steam" were done so with gusto.

Some of us deal with stress in healthy ways, through meditation, exercise, talk-therapy or group-therapy... most of us [Cal Poly students] simply get blasted on whatever substance is readily available (usually booze) and hope that we wake up somewhere familiar.

As crazy as it sounds, some students deal with stress by hurting other students. (Not in the way two best-buds get drunk, lose their temper, have a short-lived fistfight, which culminate with hugging and crying "I Love you Man! No... really... I LOVE YOU MAN!" At their absolute worst, drunken brawls end with cuts and

Continued on: B-8

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CALIFORNIA POLYTECHNIC STATE UNIVERSITY

SAN LUIS OBISPO *Burying the Past, to Protect Our Future*

Continued from: B-7

bruises). This ugly portion of the student-body resolves their anger, releases their frustration and satiates twisted fantasies by inflicting permanent, grievous harm on anyone unlucky enough to let their guard down around them. The ease with which these sorry examples of humanity evade justice also attracts serial killers. Where better to carry out extreme violence, but an isolated college town that would prefer to cover up and downplay serious criminal activity. It's a better policy for colleges to see, hear and speak no evil.

Anytime I may have set-aside for quiet contemplation during my Cal Poly days was inevitably scribbled over by a test, a job or a project. Boredom was never on my list of problems.

Spring 2002. A transitional period for my Cal Poly career and Cal Poly itself. This was the first year that San Luis Obispo's annual "Biggest Mardi Gras Celebration West of The Mississippi" came to a head. I knew there was a problem when a crowd-surge along the parade-route pinned me against a brick wall on Higuera Street, leaving me in pained breathless horror as I watched a local elderly couple lose their footing nearby and subsequently trampled by a hoard of college-age party-goers who were definitely NOT local.

On "Fat Tuesday," I attempted to attend a massive block-party at Cedar Creek. My access-point was cut off by barricades and a rank of law-enforcement in riot-gear, shields, saps...I wanted to hit a big party, I did NOT want get whacked, tazed or shot with bean-bag blast (I was shot twice with a bean-bag shotgun trying to return home from a small, private residence on Hathaway Street after being tear-gassed in 2004, but that's another story for another time...) Like in 2004 however, in '02 I was merely returning to my home residence, a third-floor studio in Mustang Village, when disaster struck.

The crowd being chased and scattered out of Cedar Creek was (unfortunately) beginning to reassemble in MY backyard. The riot-gear police followed closely. One of them was standing guard in front of the corridor between the two rows of studio towers, by the mailboxes. He did not notice me, so I scrambled by the fire escape to my deck. I then heard commotion below. An 18-year-old Cuesta student, also a good friend of mine who was 90 pounds soaking wet, was being denied access to her building.

"...but I live here, she shouted!"

It was unmistakably my friend's voice. The officer had no reply but to keep stopping her as she tried to get around his bulk. My intervention from above, "Hey dude! She lives here, let her pass!" was also ignored.

Eventually she went for it, tried to cut around him and make a dash for her fire-escape. The officer cracked her midsection with his baton, knocking her down. For good measure, I again watched in abject horror as the unknown officer dropped a second [downward] blow just above the hip near her spine - **HARD**. Only then, as she dragged herself to her feet and continued (now limping) towards her outdoor staircase, did he let her by, noticing that a "crowd" of about ten students congregated across the street. I worked for

college newspaper (Mustang Daily) at the time, tasked to cover the crime beat and I intended to report on this.

Staff writers for The Mustang Daily have restrictions placed upon them that are both appropriate for professional news reporting and a major hindrance for investigative reporters like me: Facts only (editorializing reserved for editors who appoint themselves "columnists") and TWO sources. This meant I needed HER eyewitness account of the attack and to give SLOPD notice and a deadline to offer their response, answer questions and/or give THEIR side of the story - to be fair and objective. Of course, SLOPD's response was typical of police departments, and expected. "No comment." It does however, count as one source.

I spent WEEKS convincing my friend to go on-record. The story could not run in the Daily with MY EYEWITNESS account; I'm the objective reporter. The Daily also has a policy: "no anonymous sources," she was happy to give an accounting of the incident anonymously, but without her full name and major, (in this case "Cuesta Student") the story was null and void per policy. I told her that if she went on-record, perhaps SLOPD Internal Affairs would want to know which officer had struck her so violently and needlessly. And who knows, maybe there would be an outcry from the community that would have a cleansing affect. Hell, there might even be some justice.

She agreed and gave a full account of the event including her full name and the fact that she was first-year Cuesta student and resident of Mustang Village.

I thought the story would enhance my career as a reporter; there might even be a chance it would get picked up by wire services or lead to an indictment. I told my friend the story would run FOR SURE because I was careful to meet all the reporting standards for fairness and objectivity and that no one would fault her for calling out the police.

The News Editor at the time, was uneasy about the story, slashed it to bits as was her standard operating procedure for submissions from Chris Welke, Mustang Daily Staff Writer, wrote a WEAK headline BUT placed it front-page-above-the-fold as I'd hoped and expected.

The Editor-in-Chief however; killed the story and placed it "in the can" (an archive for "possible" later use) telling me that he would not run the story "... because it would cause too much controversy."

... ← This is ME having "No comment." It's not appropriate for print.

I resigned ON THE SPOT, reporting exclusively for KCPR from then on as far as campus media was concerned. KCPR allowed me to run with anonymous sources, even hearsay, so long as I was honest and stated them as such.

This enabled me to cover a story that occurred that same year that was loaded with rumors, "no comments" and something I was a first-hand witness to:

The Tragic Death of Brian Gillis

The morning of this tragic event, I awoke and went outside to the third-story deck, where both my next-door neighbors



19-Year-Old Cal Poly Student Brian Gillis Died - April 4, 2002

were waiting. Through the oak trees separating us from adjacent Stenner Glen, a large crowd congregated around "The Cavalry" - usually two fire engines, an ambulance and every black & white within ten miles, standard operating procedure (SOP) whenever 911 is dialed.

"Chris, a kid from Stenner Glen went to a frat party last night. He drank a FULL BOTTLE of Faderade* by mistake, came home and passed out. His roommate found him dead when he woke up."

*Faderade - slang for Gatorade© laced with GHB, a well-known rape-tool.

All hearsay, but what my neighbor told me is pretty close to what actually happened. In fact, it's worse; Gillis' death MAY have been not just criminal negligence on the part of the frat, GHB-dealer and the buyer who mixed the deadly concoction. It may have been second-degree murder according California Penal Code 188, which states that the perpetrator of said felony demonstrated an "abandoned and malignant heart." I do NOT disagree.

My little clique that formed out of the Yosemite and Sierra Madre Dormitories in 1998 consisted of myself, an Architect, an Architectural Engineer, two AgBusinessmen, an Aggie, an Environmental Engineer, a Civil Engineer, a Business Major and a Mathematician. As you might expect, we experimented with various mood and mind-altering substances - but we had a pact we have all kept to this day - **No GHB, ever. No exceptions.** The reason for this is simple: *it's not a drug in the traditional sense.* It won't help you study, relax, get high or feel good - it will knock you out and if you are unfortunate enough to wake up - you will find yourself paralyzed until the body has processed enough of it.

I've never seen GHB, I don't know how it is packaged or what

drank enough to stop ten human hearts.

So on the air at KCPR, that's what I went with (sans his name - it is considered bad form to announce the name of the departed over the public airwaves until family notification is personally verified - you do NOT want to learn that your close friend or family member has died from disc-jockey; so we don't do that). I DID say that sources inside the frat system called it an accident and that Sigma Chi was known pack of loser-rapists and that for all the rapes they'd gotten away with over the years; Sigma Chi would reap what they'd sown. Let me give credit to two of those "good guy frats," Phi Sigma Kappa and Delta Sigma Phi.

I also walked right over to that house after my initial report. Half to be "fair," half to bang on their door (I was no stranger to banging on doors, public and private at this point) because I wanted answers. The members of Sigma Chi conveniently took a month-long "retreat"...my only official source was the coroner's report that contained cause of death. Cardiac arrest was the immediate cause of death, and GHB overdose was the underlying cause of death. The frat systems PR person-du-jour had... "no comment." Naturally.

This was just one of many major case crime stories I made effectively zero headway on and ultimately gave up on, after all, I was a full-time Cal Poly student with an unpaid full-time job as a News Reporter/Producer AND putting in 20-30 hours a week delivering pizzas. How I kept my OWN head screwed on straight sans a support-structure or a coping mechanism other than binge-drinking is a topic for Neurology, not an investigative reporter.

It's been over a decade since Cal Poly conferred a degree upon me; and with a job and a couch to sleep on waiting for me in the Bay Area...I bailed out of the San Luis Obispo area. It was not because I disliked living there... I simply had no reason left to stay. Nor had a reason, even an inkling, to return to Cal Poly, until recently. By return, I mean not even virtually...I'd not thrown "Cal Poly San Luis Obispo" into a search engine since...EVER!

I read what came back: heavily sanitized and biased versions of Mardi Gras from 2002-2004, one or two sites and clips regarding the Kristin Smart case and archives that were anything but public. The New Times had a public on-line archive going back to: 2004. The Tribune had little to say, unless I wanted to pay for access to it.

Every story, considered bad PR for the university had been omitted, obfuscated, deleted, buried or missing.

Even the Brian Gillis tragedy was extremely hard to find (I could not remember his name because I never reported his name). I found a link to a New Times article that was posted on frat-life interest Web forum. Daniel Blackburn wrote up a story about this case during the civil trial in 2007. Being "post 2004" the article is still accessible.

Every story that even implies "Cal Poly = BAD" seems to get tampered with in one way or another over time. All but one.

Red hand-prints around campus and the city were being covered

up. *Wait...there was something about the red hand-prints I was supposed to remember...*

By whom? I know WHY. What I'd been distracted from and repressed for over 15 years came flooding back. The Smart Family, Rex Allan Krebs, GHB, Aundria Crawford, Rachel Newhouse, The Son of Samantha, Remember-Me-Week. Mothers, I'd spoken at length with, in the studio at KVEC; some seeking justice, some venting anger and frustration. A few with just one plaintive request, "To find my daughter's body so I can bury her." Incompetent and inadequate murder investigations; cold cases, getting colder.

The Murder of Kristin Smart.

Brian Gillis and Faderade.

Sigma Chi.

David Seminsky and Matt Heinz.

Scott Peterson.

Backyards in Arroyo Grande.

I thought about "Why?" I thought about corrupt systems. Is it possible that another corrupt system had progressed past ignoring the truth or failing to act on it? Had it grown to *condone*; perhaps even *encourage* pure, unadulterated **evil**? Gillis' mother Patricia Gillis referred to Cal Poly as a "death trap." Do you agree? I do. Luckily death did not descend upon ME at Cal Poly, but from day one to day before my last, I felt trapped and a nagging voice kept saying that not only would I never escape Cal Poly; I would die in San Luis Obispo. I realized all of this only recently. It's time STOP repressing memories and sanitizing the past. It's time to fess up:

The system is not just "Cal Poly." **The system is Cal Poly and all those who benefit from its existence. This includes me. It includes you.** We are all swept up in it. Confined within it.

Winter 2014.

"My name is Chris Welke and for 16 years I did NOTHING to stop the pervasive morally bankrupt bureaucracy called "Cal Poly." It condones rape and murder for the sake of its PUBLIC IMAGE. I don't talk about it or do anything to stop it because of my pride. That ends RIGHT NOW."

I could have done more, but I didn't. I just wanted that bachelor of science (BS) degree so I could get the hell outta Dodge. That degree by the way, is not even accredited. It bears the signature of an actor who could not even pronounce the name of our city after a natural disaster rocked us to our foundation. It's a cliché, a tired and worn-out joke. It truly is "BS"

If we admit that we were wrong, careless and lazy with regard to the victims and the families of victims who died in OUR CITY under OUR WATCH, then we can begin to heal. Together. This edition will serve as a guide and a map as to how you can join us.

I urge you to remember what my father always told me, "Evil is allowed to happen when good people do nothing." Confess that you and I are one and the same - and that together - as a community - we will identify this evil - punish it accordingly - and eradicate it entirely. We need to do the one thing the scuffed, faded, no-longer-existing, red hand-prints on campus asked us to do sixteen years ago.

Remember. \$\$\$



Continued from: B-6

Beach was owned free and clear. When employee Bobby Rodriguez called attorney Mark O'Brien and notified him of Steven Stoker's death, he went to his file cabinet to examine the original will. The attorney noticed that Destiny Gularte was to receive 85% of the assets including Steve's dream home in Shell Beach. The attorney got on the phone and called Destiny to express his condolences at the loss of Steven and to also congratulate her on inheriting 85% of the Stoker Estate. By making that phone call, O'Brien assumed the role of attorney for Destiny Gularte. O'Brien referred Destiny San Luis Obispo attorney Shaunna Sullivan.

By referring Destiny to a local attorney, it allowed him to finagle his way to become the court appointed administrator of the Stoker Estate. One of his first moves was to encumber the title of the Shell Beach home by obtaining a \$500,000 short-term loan against the property allegedly to complete construction on the home. It was a "nasty" loan with interest rates somewhere in the ozone. Rumors were floating around that O'Brien had a friend who was a loan officer that obtained the loan for the Stoker Estate. Heaven only knows what kind of points the Estate had to pay on what was characterized by Danene as the real estate loan from hell. Steven Stoker surely was rolling over in his grave by now.

O'Brien convinced the court the loan was necessary to finish the construction of the home since the final inspection had not been signed off. Some of the money was indeed used to finish the home, but according to a prominent real estate broker in Glendale, a large percentage of the money appears to have been stolen. The note on the loan was due soon and the court was convinced the home had to be sold or the lender would seize it through the foreclosure process. Pretty sweet deal, the lender gets their \$500,000 back, plus all the excess equity which was easily an additional \$500,000. The broker who listed the home for sale said, "This massive home also happened to be one of the tallest homes in Shell Beach with a panoramic view of the Pacific that was absolutely breathtaking."

Danene traveled to Shell Beach and stayed with her brother at their father's home on Capistrano. During this time, the two siblings were making funeral arrangements. It was their father's wish to be cremated.

Then came a knock on the door.

Then came a knock on the door. It was none other than Destiny Gularte who stated the home belonged to her and for both Darin and Danene to get the hell out immediately. At this point, Darin had been living there for six months or more and Danene

TO WHOM IT MAY CONCERN:

I STEVE STOKER REVOKE MY 1997 TRUST AS OF AUGUST 28, 2005. DESTINY GULARTE AND JUDY STOKER TO GET NOTHING. EVERYTHING IS TO GO TO MY KIDS DARIN AND DANENE STOKER. DARIN AND DANENE ARE TO HAVE POWER OF ATTORNEY OVER EVERYTHING I OWN.

[Signature]

[Signature]

had traveled from Las Vegas where she lived and worked for the Clark County Assessor's office. Because Darin was already in residence, the only way to legally remove him was through the eviction process. All three, Darin, Danene and Destiny had no clue of the law pertaining to proper evictions. But, Destiny's new attorney Shaunna Sullivan certainly should have known the law. According to a local attorney we consulted with on this case, it appeared Shaunna Sullivan may have been using Destiny as a tool to frighten Darin and Danene out of the Shell Beach property by taking advantage of their lack of legal knowledge.

Could it be that attorney Shaunna Sullivan coached Destiny to confront Darin and Danene at the residence? Was it a tactical legal maneuver to use threatening and intimidating legal language in order to frighten them enough they might flee the residence? If so, orchestrating this "threaten-to-gain-control" maneuver was calculating and underhanded, especially when Steve Stoker's body wasn't yet room temperature. Destiny had hoped to intimidate Steve's son and daughter in the hope they would just cut and run, leaving her in possession of the Shell Beach home. You know the rule; we have all heard it before, "possession is 9/10ths of the law." Much to Destiny's chagrin, Darin and Danene didn't fall for it, and refused to budge.

Destiny's next move was to go to the morgue and lay claim to the body of Steven Stoker. Unbeknownst to Steve's own son and daughter, their father had reserved two burial sites for him and Destiny at a cemetery on Los Osos Valley Road. After pretending to urinate on a will that left his fortune to Destiny, it would be the last thing on earth Steve Stoker would want, to be buried next to Destiny for eternity. Destiny seized the body of Steven Stoker and had him buried in the Los Osos plot, not telling Darin and Danene anything about it. Destiny didn't tell Steve's own children when or where the service was held, or where he was laid to rest. Geeze Louise, talk about throwing salt

into a wound!

Danene had to return to work in Las Vegas or lose her job. And while Danene was away, Destiny did not cease attempts to get Darin out of the Shell Beach home and claim it as her own. Her next move was to enlist the aid of Pismo's finest, but Pismo cops told her it was a civil issue and they could not interfere. Mark O'Brien, who was clearly representing Destiny, actually called Darin at home threatening to have him arrested if he did not leave immediately. This conversation was witnessed by Darin's mother, Judy Stoker.

Attorneys Sometimes Earn their Well-Deserved Reputations

This is where attorneys sometimes earn their well-deserved reputations. Attorneys O'Brien and Sullivan both knew the law and knew that Darin was well within his legal right to reside in the home, but elected to use their positions as officers of the court to wrongfully bully and threaten. Is it possible that many of these bullying tactics involved ethical violations prohibited by the State Bar of California? These were despicable acts being perpetrated by attorneys who knew they were violating basic ethical tenants of the law profession.

On St. Patrick's Day, 2008, Destiny filed a petition to probate the will and requested she be appointed as executor of the estate. Pretty slick idea, get yourself appointed executor and get them out of the house that way. With the help and guidance of attorneys O'Brien and Sullivan, Destiny Gularte was doing everything she could to gain control the Steven Stoker Estate. From Darin and Danene's point of view, Gularte was nothing more than a low-class gold digger who had stolen their father's body and was now attempting to steal his home and business. The home in Shell Beach alone (at that time and in its rough, unfinished condition) was valued at \$1.5 to \$1.8 million.

Numerous attempts to get Darin out of the Shell Beach home on Capistrano. Darin and Danene had no legal representation and now a court hearing on the matter was looming. Darin is encouraged by family and friends to seek the help of a local attorney specializing in probate law. Darin goes down to the park on Shell Beach, and is approached by a friend of his deceased father who wanted to offer his condolences to the family.

Upon hearing snippets of the story from Darin, his father's friend suggests that he contact Attorney Dennis Balsamo of San Luis Obispo. Balsamo specialized in probate law. Darin and his mother Judy Stoker went down to the courthouse and ask for information to find attorney Dennis Balsamo. The court says, yes we know Mr. Balsamo but we are not allowed to give out any

information. The clerk suggested they go to the basement and speak with someone at the lawyer information center who finally divulges where they can find attorney Balsamo.

Darin and his mother contact Balsamo who, upon hearing about the looming court date, tells them to come to his office immediately. Their biggest fear was the pending court hearing. They were frighten from all the threats to vacate the Shell Beach home. Balsamo does not have much to work with; there's no will other than the one from 1977 bestowing almost everything to Destiny Gularte.

With Steve now deceased and Darin under constant pressure to vacate the home, there was an all-out search for the handwritten (holographic) will. It was a handwritten will alright, but unfortunately, it was not in Steve's handwriting, because he couldn't write. Darin and Danene searched everywhere for a document that had vanished. Finally, they went to the bank to open Steve's safety deposit box. The bank obviously would not open the box without having Darin, Danene, Destiny and both lawyers present. When they opened the box, they found lots of cash, but unfortunately, no will of any kind. That was probably not a good thing to have Destiny and her attorneys see all that cash in Steve's safety deposit box. It was like throwing gasoline on a fire.

Balsamo put enormous pressure on Darin and Danene to find that will or all was lost. The importance was not to be underestimated because it clearly revealed the decedent's last wishes and revoked the 1997 will leaving everything to Darin and Danene. If they did not find that will soon, Darin might as well just hand Destiny the keys to the house.

After leaving Balsamo's office, Darin and Judy go back to the Shell Beach home only to receive another knock on the door. It's Homer and Ann-Marie who told them the whole story about how Ann-Marie had written out the will and Steve had folded it up placing it in his pocket. Their information was extremely important, but did not help with the finding of the will. It was imperative they find that darn handwritten will or all was lost.

The very next day, Destiny made another valiant attempt to remove Darin from the home by returning with another Pismo police officer who was more sympathetic to Destiny's cause. Balsamo had told Darin that should Destiny or someone else knock on the door with the intent to remove him from the house, we was to not answer the door, but to go on the top deck and look over to see who was at the door. Darin followed his attorney's advice to the letter.

From the upper deck, Darin saw Destiny with another "nice Pismo policeman." Darin asked

the police officer to call his attorney who would explain. The police officer refused to call anyone and attempted to intimidate Darin to open the front door immediately or he could be arrested. Darin called Dennis Balsamo on his cell phone. Darin thought, 'Thank God he's available and not in



San Luis Obispo Probate Attorney Dennis James Balsamo

court.' Balsamo instructed Darin to tell the police officer it's a civil matter and he should walk away. Realizing he could be making a major mistake with his bullying tactics, the police officer told Destiny that he could not get involved with a civil dispute. Darin was pretty sure that Destiny was being advised by her attorney to use the Pismo Police Department to illegally seize control of the home. Destiny's break-in attempt, under the color-of-law, had been thwarted yet again.

Hour upon hour, attorney Dennis Balsamo attempted to get Darin to recall where he put his father's will or if he had received the will at all. Balsamo wanted to know if he or his sister recalled any conversations either about a will or any other important documents. One visualizes the scene in the movie "It's a Wonderful Life," where Darin is "Uncle Billy" and Balsamo is "George Bailey."

GEORGE BAILEY

Listen to me. Do you have any secret hiding place here in the house? Someplace you could have put it?

UNCLE BILLY (exhausted)

I've been over the whole house, even in rooms that have been locked ever since I lost Laura. (Uncle Billy begins sobbing). George grabs him by the lapels and shakes him.

GEORGE BAILEY (harshly)

Listen to me! Listen to me! Think! Think!

UNCLE BILLY (sobbing)

I can't think any more, George. I can't think any more. It hurts

Darin had been hit hard by his father's death especially watching him die in his arms. His father's death with all of the

threats and legal wrangling were a lot for any young man to bear.

Suddenly a light bulb when on over Darin's head. Darin said that one day he was leaving Shell Beach for Las Vegas. He said his father gave him a satchel saying, "hold on to these. They're very important for you and your sister." Balsamo said, 'My God man, what did you do with that satchel?' Darin said he put it in his duffel bag and went to Las Vegas.

He wasn't sure but he thought the duffel bag was somewhere at a friends house in Las Vegas. Darin could only remember his friend's first name. Balsamo immediately called Danene in Las Vegas and asks her if she had any knowledge of Darin's friend. She shouts, "yes!" She jumps in her car heading to the home where she believes Darin's friend resides. No one answers. She tries every door knob and finds the side garage door unlocked and opens it.

As Danene opens the door, she hears the low growl of a Doberman Pinscher. With her adrenaline somewhere in the Twilight Zone, little Danene stared down the intimidating attack dog, which finally backed off allowing her passage into the garage. She noticed a duffel bag in the garage which looked familiar. When she opened it, there it was -- the satchel everyone was looking for. It's her father's satchel alright. And with trembling hands, she pulled out the handwritten document revoking the 1997 will which left everything to Destiny.

Ah, but that's not the end of the story. According to California law, a holographic will must be completely in the handwriting of the testator, signed and dated. The "testator" in this case was Steven Wayne Stoker. That was a major legal hurdle. Steven Stoker signed the handwritten will, but the actual writing was done by his friend Ann-Marie. The handwritten will clearly expressed Mr. Stoker's intent, but it could not be considered valid according to current California law because it was not in Steve's own handwriting.

We like to believe that articles written in The California Register is where you can learn stuff. Read on McDuff...

Confirm all this with your own attorney, but we have been told that wills can be statutory or holographic. A statutory will can be handwritten or typed. They can be written by the testator or someone else, but if written by another party, it must be witnessed by two people during the decedent's lifetime. A holographic will, on the other hand, must be signed, dated and completely written in the testator's own handwriting. It does not need to be witnessed, but witness signatures would strengthen its validity.

Wills in California are not notarized. Trusts are notarized. Wills are not. Be wary of a civil attorney that says, "Probate! Oh yeah, I do that too." Darin and Danene were fortunate to obtain the legal services of Dennis Balsamo who specialized in probate law. As a full-fledged probate attorney, Balsamo was always on guard for any changes in probate law. Attorney Shaunna Sullivan, representing Destiny Gularte, was a civil attorney, now involved in a probate case. The entire case would pivot on the fact that one attorney knew probate law and the other did not.

In 2008, a ruling occurred on a California case, where a statutory will was only witnessed by one person. A second person witnessed the will, but did not sign. The court found the "statutory" will was valid even though only one witness had signed the will. In another jurisdiction, there was

Continued on: B-10

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Continued from: B-9

a similar case where the court ruled the will invalid stating that two witnesses absolutely must sign a statutory will (during the decedent's lifetime). There were two different rulings, by two different courts that were in conflict. This meant the Supreme Court would have to address the issue.

Harmless Error Rule

The California Supreme Court made it clear that for statutory wills to be valid, they must be signed by two witnesses during the decedent's life time, period. The ruling may have been different, had California adopted the American Bar Association's "harmless error rule." Basically, the harmless error rule stated that there may be matters in mitigation or extenuation that could be considered by the court. This was the case with Steven Stoker being unable to write out his will because he was dyslexic.

If the California Legislature adopted this "harmless error" rule, matters of mitigation or extenuation could be considered by a California court. With this ruling from the Supreme Court, the Wills and Trusts section of the State Bar suddenly realized the situation needed to be addressed. In probate law there is an underlying principle that courts should always follow the testator's wishes as best they can and not toss out the desires of the decedent on technicalities.

The State Bar Association teamed up with a state legislator and submitted a bill to adopt the ABA's "harmless error rule" which was passed by the California State Legislature in March 2008. Governor Schwarzenegger signed it into law on July 1, 2008, but because it was not "emergency legislation," all new laws (like this one) would not become effective until January first, of the following year, 2009. Steven Stoker passed away in February 2008. By March 2008, Balsamo and Sullivan were involved with competing court petitions. In June 2008, Balsamo filed to contest the 1997 will and trust drawn on behalf of Steven Stoker. Opposing sides were deep in litigation over the estate of Steven Wayne Stoker.

Balsamo knew about the change in probate law because he was, first and foremost, a probate attorney. Attorney Shaunna Sullivan, representing Destiny Gularte, apparently did not know about the change in probate law, or felt that it didn't apply, otherwise she would have filed for a summary judgment before the new "harmless error rule" became effective. When contesting a will, you can file an answer followed by litigation, or file a motion for summary judgment to have the matter addressed more quickly. Had attorney Shaunna Sullivan known about the change in probate law and how it could effect her

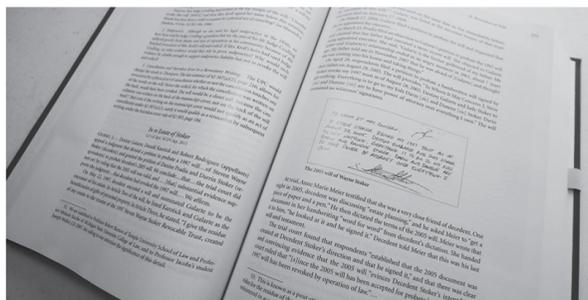
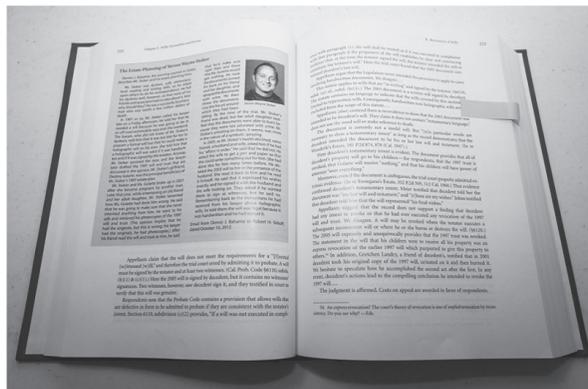
case, she logically would have filed for a summary judgment, and probably won the case for Destiny Gularte.

There are subtle differences between civil law and probate law can be critically important. Because this was a probate case, laws in effect at the time of judgment controlled. All Balsamo had to do was to drag his feet into the new year and pray that opposing counsel didn't notice that California had adopted the "harmless error rule" which was to become effective on New Year's Day 2009. Balsamo ended up winning the case simply because the opposing side kept filing demurrers (objections) challenging the validity of the holographic will which dragged the case into year 2009 when the new "harmless error" law became effective. Bottom line, Balsamo knew probate law better than opposing counsel.

As the clock struck 12:01 am on New Year's Day, Balsamo was on the phone with Danene in Las Vegas. The two whooped and hollered for several minutes realizing the positive impact the new law would have on the case. The rule in civil law is; the law which is in effect at the time of the "wrong" controls. It's very possible that attorney Shaunna Sullivan wasn't worried about losing her case because she incorrectly assumed the laws in effect when Mr. Stoker died would have applied, just like they do in civil law. Wrong-a-mundo! Balsamo, on the other hand, knew that probate law needs to be watched very closely because new laws enacted even after the testator dies, could have a dramatic impact on the case. It certainly did in the Steven Stoker probate case.

Had attorney Shaunna Sullivan filed a motion for summary judgment in 2008 in time enough for it to be heard in court before Jan 1, 2009, Destiny Gularte would have gone from a bartender to the owner of a million dollar home in Shell Beach. Sullivan's failure to do that could be construed as a clear case of legal malpractice. As it is true with other professions, a person can be good at one or two things, but attempting to practice different kinds of law every few years, can get an attorney into trouble.

The last demurrers hearing occurred on January 6, 2009, and Balsamo had the feeling that Sullivan still did not know about the change in probate law. Even then, Sullivan may not have known she had already lost the case. Finally, a trial date was set, but both sides agreed to meet for formal mediation in May 2009 presided over by a retired judge as mediator. In mediation, the mediator attempts to get the warring parties to come to some agreement. In arbitration, the arbitrator renders a decision and you have to abide by it. With mediation, either party can ignore mediator's suggested



The dispute over Steven Stoker's Shell Beach home has been addressed in reference law books to help guide lawyers on future litigation.

resolution and head to court.

Balsamo started off by disclosing the newly enacted "harmless error rule," which became effective earlier that year. It turns out, the mediator had no knowledge of the new law either. Destiny offered Darin and Danene \$35,000 and walk away. Balsamo considered the offer laughable. Balsamo suggested Darin and Danene give Destiny the Shell Beach home and they would keep everything else.

At this point, the Shell Beach home was worth much less than it was when Steven Stoker passed away. It had descended in value from \$2 million down to approximately \$1 million. Unfortunately, this ugly probate fight was occurring during the meltdown of the real estate market. Every month the legal battle dragged on, the prevailing party, whomever that would turn out to be, was losing thousands of equity dollars. Balsamo felt that offering Destiny the Shell

Beach home was a reasonable offer considering he had the law on his side. But ladies and gentlemen, greed can make people do irrational things. Much to the shock of Balsamo and his clients, Destiny Gularte turned down the Shell Beach home as settlement. She wanted it all. Mediation had failed to bring a resolution, and the two parties headed to court.

In the first legal salvo fired in court, Sullivan claimed the holographic will was a complete forgery and went on the attack. They alleged that Danene had conjured up the holographic will and she signed her father's name. Sullivan had ammunition to destroy Danene's credibility.

Steve Stoker had passed away just before he was to sign a slew of payroll checks for his brake and alignment business. A worried employee Robert "Bobby" Rodriguez came up to Shell Beach with the checks from the bookkeeper and fretted

about what to do. People had to be paid, he said. Rodriguez convinced Danene to sign her father's name on all the checks so people could be paid for the work they had already performed. Danene was feeling the heat. She was concerned about what would happen to a thriving business if the employees were not paid. She did as Rodriguez suggested and signed the payroll checks in her father's name. Now the forgeries were coming back to haunt Danene in court.

Oh folks, it gets worse! Fearing they would need money to live on, Darin and Danene wrote themselves checks out for \$20,000 and forged their father's signature yet again. Do the words "damning evidence" come to mind? Destiny's lawyer called a so-called handwriting expert to the witness stand. Her name was Sheila Lowe. Sheila was not actually a handwriting expert at all. She was actually what they call a "graphologist," one who studies handwriting as an expression of the writer's character, personality, abilities, etc. Hey, only in California, only in California!

In the minds of some people, a graphologist is nothing more than a palmist. Instead of tracking lines across the palm of a hand, the graphologist would "get a feeling" from the way a person signs their name. It's one step removed from voodoo or reading a crystal ball. A graphologist is a far cry from an actual handwriting expert who uses scientific methods to determine the authenticity of someone's handwriting or signature. Since decisions in a probate court come from the presiding judge and not a jury, all the graphologist had to do was convince one person, the judge. Had there been a jury, Sheila Lowe would have never been allowed to testify.

Balsamo decided to bring in a real handwriting expert. His name is Larry Stewart who was with the United States Secret Service for 27 years rising up to become their chief forensic scientist for the main laboratory before going into private practice. Stewart is not only a handwriting expert, but a chemist as well. Handwriting experts basically rely on a microscope and scanner to examine documents. Stewart's ability goes way above that, applying chemistry to breakdown inks and date documents. He's been involved in numerous high-profile cases such as Martha Stewart and former Nazi concentration camp guard discovered living in Chicago, John Demjanjuk (AKA: Ivan the Terrible).

On April 22, 2009, Balsamo called Stewart to work on the Stoker case to prove that Steven Wayne Stoker signed the handwritten holographic will revoking the 1997 will, which specifically left nothing to Destiny or x-wife, Judy Stoker. Stewart's training and

experience is second to none. He was the perfect expert witness for this case. Amazingly, he lives in San Luis Obispo. Stewart carefully examined the original handwritten will, and a copy, dated August 28, 2005. Mr. Stewart checked known handwriting samples of Steven Stoker, Danene, Darin, Homer and Ann-Marie. The signature on the holographic will was, without a doubt, the signature of Steven Wayne Stoker.

The Secret Service was originally formed to combat forgeries and counterfeit money. When Abraham Lincoln was assassinated on April 14, 1865, the order to form the Secret Service was on his desk, awaiting his signature. When Lincoln died, more than 50% of U.S. currency was counterfeit. The United States Secret Service aggressively attacked the problem of counterfeiting as well has forgeries in general. No organization on earth is more qualified to ferret out the truth concerning writings and printings than is the United States Secret Service.

Since Larry Stewart trained most of the handwriting experts in the world, his resume and testimony was devastatingly effective in court. Balsamo made a brilliant move to remove the negative impact of Danene's involvement in forging her father's signature on employee checks, along with one check written to herself and brother. Balsamo didn't wait for opposing counsel to bring it up the issue. Instead, he got out in front of the problem, bringing up the matter in court first. The check forgeries were carefully and delicately explained to the court tending to diffuse the entire matter. The case boiled down to whether the handwritten (holographic) will was indeed the final wishes of Steven Wayne Stoker.

Balsamo was burdened with presenting clear and convincing evidence. This level of proof placed the bar very high. When Balsamo got his chance to layout the case, he began by establishing the creation of the will with Homer and Ann-Marie. Gretchen Landry (and her mother) were also involved, as they witnessed Steve's animated response as he heard the will being read aloud.

This was when Stoker grabbed the will and pretended to urinate on it, then tossed it in the fire to destroy it. The witnesses recalled, under oath, when Stoker demonstrated his public "urinating" ability, he also made several verbal statements as well, that Destiny would never get anything from his estate. Stoker repeated several words that started with the letter "B" and rhymed with the word rich.

As Balsamo methodically weaved a web of clear and convincing evidence, he was also making history. This was the very first case in the State of California to use the new "harmless error rule" in probate law. Balsamo

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pummeled the opposing side with truth and facts. After their ridiculous "handwriting expert" left the stand, Destiny's attorney, had nothing left and decided to throw a "hail Mary" pass by attacking Danene's character. Attorney Shauna Sullivan, attempted to convince the court that Danene actually was a Las Vegas call girl. The only evidence Sullivan could provide was the fact that Danene was cute and lived in Las Vegas, therefore, she must be a call girl, right?.

Folks, you just cannot make this stuff up. The court transcript speaks for itself. Danene bravely took the witness stand and withstood withering attacks under cross examination. She was credible and the judge knew it. The strength of Balsamo's witnesses and the laughable testimony of graphologist Sheila Lowe, were the final nails in the coffin, pardon the pun.

Superior Court Judge, Barry LaBarbara noted the impeccable credentials of Larry Stewart and found in favor of Darin and Danene in their quest to receive their father's estate. Realizing she had just lost millions of dollars, Destiny went searching for another attorney to sue Shauna Sullivan for botching the case.

She found attorney Woolsey who was not interested in slapping down a fellow attorney, but was interested in representing Destiny on an appeal of the judge's decision. Now the warring factions were headed to the Second Judicial District Court of Appeals in Ventura County. Keep in mind that more time is passing buy and the real estate market continues its downward slide gobbling up equity from the Stoker Estate.



The Black Robes Began to Chuckle

Finally, the day arrived to stand before the appeals court. Normally, such sessions are fairly boring for the seven associate justices, but for this one, since it involved a new California law, the judges were all in attendance and sitting on the edge of their seats. The first words out of the presiding judge's mouth were that he fully expected to see this case on the next bar examination.

The judge called the case, "an absolute blockbuster." In a lighthearted moment, one of the justices said he could not understand how the holographic will would have burned in the barbecue if Steve Stoker had urinated on it first. Balsamo addressed the issue by physically rising in court to demonstrate how Stoker only pretended to whip out his appendage and urinate on the will before tossing it in the fire. The black robes all began to chuckle. This was a rare moment of entertainment,

which seldom enters the dull, boring world of jurisprudence.

To pay the appellant attorney, Destiny agreed that if he won her case, Woolsey could have the million dollar home in Shell Beach. During all this time the court appointed administrator was authorized by the court to place the property on the market because the home was racking up some major taxes, and the note on the nasty loan the prior administrator placed on the property, was coming due. Some believe the attorney actually came up to Shell Beach to "measure for drapes" while the real estate broker was holding an open house.

April 4, 2011, attorney Woolsey failed to prevail for Destiny Gularte in the appeals court. Destiny made one more attempt through Woolsey to secure a victory by appealing to the California Supreme Court. On May of 2011, the Supreme Court of California examined the pertinent facts and decided not to hear the case thereby making a final and lasting win for Darin and Danene. Once that God-awful loan and back taxes were paid off, there was very little left for Darin and Danene.

The Stoker Estate ended up paying an unbelievable \$1.7 million in back taxes primarily on the home in Shell Beach. Danene quit her job in Las Vegas and moved to take over her father's brake and alignment business in Glendale, California. The Shell Beach home was finally sold to longtime Shell Beach residents, Larry and Pam Trujillo. We can tell you for a fact from our interviews in the neighborhood, the Trujillo family is loved and

adored. Balsamo discovered that throughout the trials, hearings and appeals, Destiny stole \$90,000, and employee Bobby Rodriguez stole \$10,000 from business bank accounts allegedly with the help of attorney Shauna Sullivan.

With this revelation, Balsamo went on the attack once again and sued Destiny and Rodriguez for stealing money from the Stoker Estate. Ultimately, Balsamo received a judgment against Rodriguez and Gularte. After Steven Stoker died, attorney Shauna Sullivan allegedly told Destiny she could raid the bank accounts belonging to the estate of Steven Stoker even though Sullivan knew litigation was in effect. This was unethical and bordered on criminal behavior. Destiny arrived at the bank with falsely created documents that Sullivan had allegedly conjured up.

Sullivan allegedly conjured up false corporate documents that designated Destiny Gularte as a corporate officer entitling her to have access to all the business bank accounts. None of it was true. Balsamo referred the matter to the San Luis Obispo District Attorney for criminal charges, but it was kicked back from the DA's office saying they were not interested. The DA considered the case to be a "civil matter." Hogwash! According to most everyone we interviewed, especially people who were attorneys, it was most definitely a criminal matter. Destiny ultimately married Chuck, the man who had made her pregnant. In an ironic twist of fate, Chuck and Destiny asked Balsamo to sue attorney

Shauna Sullivan for legal malpractice. Unfortunately, the statute of limitations had passed which protected Sullivan, but Balsamo said he could go after Woolsey because, as it turns out, the appellant attorney was responsible for what Sullivan had done.

Under the heading of "strange bedfellows," Balsamo obtained permission from Darin and Danene to represent their arch nemesis Destiny Gularte. Darin and Danene realized that if Balsamo was successful, they could possibly recoup some or all of the stolen money from their father's business bank accounts. We attempted to get Shauna Sullivan to go on the record. We wanted to hear her side of the story. Her receptionist said Sullivan had no comment. Three weeks later we received a letter from her threatening legal action against us for libel. She stated in the letter that we have caused harm to her good reputation and demanded a retraction. Lawyers will occasionally brandish their law license like a police officer does with his badge and gun. We believe our sources and we are standing by the story.

LESSONS LEARNED

The primary lesson that should be learned from all of this is the importance of having a legal will. Make sure you have the original kept in a safe place. Giving your will, even if it was handwritten to your son to stuff in his duffel bag as he heads to Las Vegas, it not always recommended.

If a family member dies and you are in need of a good probate attorney, you may want to keep Balsamo's phone number. There are other good probate attorneys, but Mr. Balsamo has earned his stripes with this case. Because he was heavily involved in the case and continues to litigate on behalf of Destiny, Balsamo could not share a lot of information with us.

Virtually everyone we spoke to, however, said that Dennis Balsamo is a stand-up guy who fights hard for his clients. In this particular case, Balsamo made California law by being the first to utilize the "harmless error rule" in California. As a result, most all California law schools use the Steven Stoker Estate case as a model of what to do and not do. Specifically, what did we learn from this incredible story...

1. Always have a will, especially if you have a substantial estate to leave your heirs.
2. Always keep the original copy of your will in a safe place. Do what Dennis Balsamo does for his clients; have two originals, one for you, and one for your attorney.
3. It's a red flag if an attorney creates false documents to help you abscond with money from bank accounts that are not legally yours.
4. Pay your taxes. Don't let unpaid taxes build up to millions of dollars. Whether you are dead or alive, the tax man will attack you, and your heirs. Remember, our government loves to waste money and they need your money to do it with.
5. Don't think you will live forever, especially if you grind brake linings for a living or frequently participate in off-road races.
6. Urinating, or pretending to urinate on legal documents and tossing them in the fire is entertaining for your female guests, but may not legally nullify a will.
7. Don't sign someone else's name without their permission.
8. You may want to rethink your legal representation if other people in the legal community refer to your lawyer as "psycho."
9. If you really want to know if a signature is a forgery, call Mr. Larry Stewart, formerly the chief forensic scientist for the United States Secret Service. **Stewart Forensic Consultants, LLC. (805-595-1333)**
10. Probate is one of the most corrupt areas of law.
11. Only hire an attorney that specializes in the type of law you need. The tough part is finding one with a deep sense of honor. We recommend the law offices of... **Dennis James Balsamo (805-546-9000)**.
12. Unless you have the evidence, an attractive women should not be automatically labeled as a Las Vegas hooker in a court of law. It makes you look silly.
13. Always read **The California Register**. You can learn stuff. \$\$\$

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From the Editor



David Smallwood

The California Register provides in-depth stories that others newspapers cannot provide. We are a story-driven paper which means we publish when the story is ready.

All of our articles may be considered "Op-ed," which is short for "opposite the editorial page," later paired down to, "opinion editorial." Op-eds express the opinions of the author. The proverbial "Op-ed" began in a 1921 daily newspaper called, *The New York Evening World*. Beginning in the 1930s, radio began to threaten print journalism, which was later accelerated by the rise of television. To fight back, newspapers such as *The New York Times* and *Washington Post* began including more openly, subjective and opinionated journalism.

We utilize the op-ed style because it gives us more flexibility. It allows us to convey more of the story by interpreting the validity of information we receive.

We prefer to steer clear of politics. Politics is the art of deception. These days, no matter what is said (or written), 50% or more will hate you for saying it. Unfortunately, our society has become terribly intolerant. Sometimes people use tactics designed to shut down debate. If they don't agree with it, they don't want to hear it. And worse yet, they try to deprive others from hearing the opposing side. For now, our policy to avoid the entire political mine field.

The articles we like to publish are about people with captivating personal histories, who quietly live among us. Does that mean we only write stories only about senior citizens? No. Anything is fair game. Email us with ideas for stories. If you know of someone with a colorful and interesting past who might be willing to give us their full story, please contact us. We cannot publish all suggestions, but we do guarantee all suggestions will be seriously considered.

The California Register believes in the rule-of-law. Regardless of who you are in society, if you break the law, you should be held accountable. As a newspaper, we have a serious responsibility to demonstrate intellectual honesty at every turn. The ultimate check on our government is a free press. The framers wanted the American press to be unbiased referees of the government.

We have a free press, but unfortunately, the press is also free to be unfair. The American people have routinely been lied to through omission and commission by corrupt politicians. Now it's worse, because many referees are corrupt. The most insidious power the news media has, is the power to ignore. When the American news media ignores facts in favor of the narrative, they lie by omission like the politicians do, and hurt us all. *The California Register* will always endeavor to be honest brokers of information. We will do our best to steer clear of politics, but may jump into issues that may be politically sensitive and need to be discussed.

Concerning the Smart case: when I last met with Stan and Denise Smart, I promised them I would do my best to raise awareness about their missing daughter. We will continue to raise awareness until Kristin Smart is found, and questions about her disappearance are finally answered.

With our small staff, it's difficult to return everyone's call or email. We ask for your understanding and patience. We love people who love to read, and thank you for your continued support.

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