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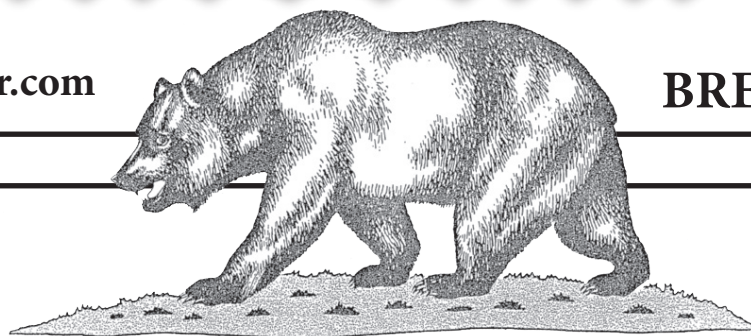
BREAKING NEWS - SPECIAL EDITION

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CALIFORNIA CENTRAL COAST EDITION

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## Kristin Smart's Body Finally Found? Two Dog Alerts and a Positive Soil Sample!



Kristin Denise Smart

By David Smallwood

Based on two alerts by a well-trained cadaver dog, supported by soil-sample analysis conducted at the Oak Ridge National Laboratory, a human body is or was buried in close proximity to the backyard (patio) of 529 East Branch Street in Arroyo Grande, California. The home is occupied by Susan Flores who is the mother of Paul Flores, the last person seen with Kristin Smart on May 26, 1996. If a human body is indeed entombed in a clandestine grave behind the Flores home, it's most likely the remains of Kristin Denise Smart.

Dennis Mahon may have been finally vindicated because the Flores home was where he felt Kristin was all along. Denise Smart (Kristin's mother), heard about Dennis Mahon from Debbie Modafferi whose daughter was (and still is) missing in San Francisco. Mrs. Smart invited Mahon to her home in Stockton, CA for a home-cooked meal. An anguished Mrs. Smart told Mahon that she had not heard one word from the San Luis Obispo Sheriff's office all summer in 1997. This was when Mahon decided he had to do something to help the Smart family. Mahon raised awareness for many years, but ultimately returned home, partly because of his father's deteriorating health condition. Mahon left Arroyo Grande in 2006, but has continued to search from afar by acting as webmaster for the KristinSmart.com website.

Mahon lived out of his car and was frequently seen walking the streets of Arroyo Grande and on the Cal Poly campus with a large sign that irreverently said "Dig up Susan Flores' Backyard." From the very beginning, Mahon fervently believed that Kristin Smart was killed on campus, transported to the Flores Arroyo Grande home and buried behind the house in a makeshift concrete grave. In those days, the Flores home was used as a rental property and is believed to have been vacant when Kristin Smart disappeared. Even though the Flores family had previously pulled permits to do some concrete work on their home, they chose the weekend Kristin disappeared, (and succeeding weekends), to pour concrete. Mahon has always believed

Kristin was buried in or beneath a 3' x 6' concrete planter box, located on the back patio of the Flores rental home. If not there he said, she could be in or under the concrete footings which support a retaining wall.

Mahon's large banner became a source of frequent irritation for the Flores family and many people in Arroyo Grande. Many residents and business owners were concerned about the damage Mahon was doing to the pristine image of the Arroyo Grande Village area. Some "outsider" from North Carolina walking around with a big sign, as a daily reminder of Kristin's disappearance, was considered detrimental for the image of Arroyo Grande. The entire matter suggested the area was unsafe residents and visitors. In an effort to curtail Mahon's activist search methods, the Flores family sued both Mahon and the Smart family for harassment. The Smart family's lawsuit against Paul Flores for wrongful death, and the Flores family lawsuit against Mahon and the Smarts for harassment, were legally frozen until Kristin's body was either found or the sheriff closed the case.

Mahon, and his irritating sign, continued to be viewed as injurious to good tourism. It was perceived as corrosive to the idealistic image of Arroyo Grande people wished to promote. The good-Ole-boys of Arroyo Grande, acting under the color-of-law, went on the offensive by seizing Mahon's car through police power. Susan Flores had obtained a restraining order from a sympathetic judge against Dennis Mahon. In an effort to comply with the restraining order, Mahon walked into the Arroyo Grande police station to find out where he could and could not legally walk with his sign. He wanted to be fully compliant with the judge's temporary restraining order (TRO). According to Mahon, the police set him up by intentionally misleading him to carry his sign in areas that were legally off-limits. Mahon fell into their trap by unknowingly walking into an area restricted by the TRO. The police were laying in the weeds, ready to pounce when Mahon walked into a TRO restricted area. If true, it was a clear case of police entrapment. Remember the words of "Billy Jack" who said, "When the police break the law, then there is no law." While in jail for violating

the TRO, Mahon's sign and camera "disappeared" from police custody. Insult to injury occurred when police gave Susan Flores a pass after she assaulted Mahon in full view of Arroyo Grande police officers. They put Susan Flores in the police cruiser to make Mahon believe they were arresting her for assault, but drove around the block to let her go. Broke and discouraged, Mahon could not fight the evil syndicate that formed to rid the community of his activist ways. Mahon now resides in Connecticut helping his ailing father deal with cancer. Dennis Mahon never gave up searching by managing the KristinSmart.com tip line.

When Mahon was told of the cadaver dog alerts and positive soil sample, he said, "I knew it all along, but no one would believe me. Maybe if the police spent more time searching for Kristin, and less time harassing me, we would have found her a long time ago."

The California Register arrived late, beginning to examine the disappearance of Kristin Smart in 2013. Normally, we write articles and move on. But, the mystery of what happened to Kristin Smart captured our interest, primarily because of the prolonged suffering the parents were enduring. It was plainly obvious, the Smart family needed closure, and quite frankly, so did the community.

Kristin's disappearance is only one part of the story. How her disappearance was handled by law enforcement authorities, is another major part of the story. There was either incredible ineptitude by law enforcement at all levels, or out-and-out corruption that resulted with an unsolved case and a family grieving for eighteen (18) long years. The Smart family have never been able to heal and move on because of the lack of closure from too many unanswered questions.

We began by interviewing as many people as we could find. It's estimated we have interviewed over seventy people either in person or on the phone concerning Kristin's disappearance from California State Polytechnic University (Cal Poly). Somewhat surprisingly, many people simply did not want to talk about the subject, fearing some sort of retaliation. Even with this inexplicable, widespread silence in the San Luis Obispo community, we charged ahead in an effort to find the truth about what really happened to Kristin Smart.

We first began by reaching out to Paul Flores who was the last person seen with Kristin Smart. We traveled to his home in San Pedro, California and knocked on his front door. While we were not hopeful that he would speak about Kristin's disappearance, we wanted to give Paul a chance to tell his side of the story.

We sent Paul Flores a letter and made numerous attempts for him to speak about what happened that evening. For almost two decades, Paul Flores has remained steadfastly silent about any involvement he may have had with Kristin's disappearance.

*'There's something I want to tell you, but I just can't.'*

We found former girlfriend Angie Marie, who said Paul Flores has dark secrets and demons that haunt him on a continual basis. While they were living together many years ago, she came home from work to see him very drunk and crying on the kitchen floor. He was inconsolable. When she repeatedly asked him what was wrong, he cried, "There's something I want to tell you, but I just can't." She said it was plainly obvious that Paul was deeply disturbed by something from his past.

When asked why they broke up, she revealed a scary moment which occurred during a party. According to Angie Marie, Paul grabbed her from behind and held a butter knife to her throat. Angie said that maybe he was trying to be entertaining or funny, but everyone in the room became suddenly frightened, especially me. That's when Angie's friends encouraged her to immediately dissolve her relationship with Paul and place lots of distance between her and him. Angie Marie took their advice and moved to the East Coast.

Over the years, Paul Flores has had one run in after another with police in San Luis Obispo, Santa Ana, Santa Barbara and Los Angeles for driving under influence of alcohol and/or drugs. He had convictions in 1996, 1999, 2000 and 2005. But since 2005, Paul has apparently straightened up a bit. In February 2011, he purchased a home in San Pedro, California and would occasionally rent our rooms for a little extra cash. In February 2013, Paul Flores was working in the laboratory for a Coca-Cola bottling plant at 1334 S. Central Ave., Los Angeles. Paul's life was going pretty good. He had a house and a pretty good job with Coca-Cola that paid \$21/hr. with all the overtime he wanted.

No one at the bottling plant knew of Paul's possible involvement with the disappearance of Kristin Smart. On one particular day, while working in the lab with Luis Bautista, Luis showed Paul pictures and videos from a recent trip. According to Luis Bautista, Paul made the statement, "If I ever killed a girl, I'd bury her under a tree just like that one." Bautista thought the statement was very odd to say the least, but was encouraged by his wife not to say anything to anyone.

Months later, after Paul's off-the-cuff statement to Luis Bautista, Kristin's disappearance was highlighted on a nationally syndicated TV show called "True Crimes" with Aphrodite Jones.

The hour-long segment was called "Girl Gone," which was an expose on Kristin's disappearance from the Cal Poly campus. Unfortunately for Paul Flores, fellow employees also saw the show, and Paul became the talk of the plant on the following Monday morning. Paul worked in the Coca-Cola laboratory with a female co-worker by the name of Roxanne Torres. Her friends called her Roxy.

### Dennis Mahon Feels Vindicated!



Dennis Mahon is shown here with his "Dig Up Susan Flores' Yard" banner. The two cadaver dog alerts, and a positive soil sample, strongly suggests that Kristin Smart could very well be where Dennis Mahon said she was all along.

Ironically, Kristin Smart's nickname was also "Roxy." Paul had an eye for Roxanne and made several unwanted advances towards her. It was obvious, Paul would not take "no" for an answer. Roxanne told her supervisors of Paul's repeated and unwanted advances. On February 29, 2013, Roxanne planned to file an official sexual harassment complaint against Paul Flores.

Roxanne's union representative, Alex Sanchez was keeping this newspaper fully informed through an intermediary. After the airing of the "Girl Gone" segment, Roxanne's supervisors were concerned for her safety and offered a security escort from the plant to her car after work each night. Morale in the plant deteriorated. Employees were fearful that Paul Flores could have murdered Kristin Smart. Most everyone at the bottling plant felt uncomfortable, especially the female employees. It got so bad, that Coca-Cola was forced to finally deal with the issue. Executives called Paul into a meeting. According to Alex Sanchez, Paul said he was not talking to anyone without a lawyer. With that, Paul's employment with Coca-Cola was immediately terminated.

According to people present in the meeting, Paul said, you can't do that, there is no proof I killed anyone, or words to that effect. But Coca-Cola was not firing him for killing anyone. They had evidence that Paul had apparently falsified his employment application. Dennis Mahon believes Paul could have used a false identity to gain employment with Coca-Cola. He enrolled in Cal Poly as Paul Ruben Flores, but there were times he allegedly has used the name Paul Raul Flores, along with a different social security number. Whatever the reason for his discharge, Paul became unemployed in early 2013.

Immediately following his termination, all our communication with people inside the plant was cut off. Coca-Cola had threatened termination for any employee who spoke to anyone, especially members of the media, about Paul Flores. The threat of unemployment was very effective, it frightened all the employees to keep their mouths shut.

Over a year went by when someone from the plant once again reached out to us. It was none other than Luis Bautista, who ignored his wife's warnings and contacted us through the KristinSmart.com tip line. Luis was haunted by Paul's stunning comment about killing and burying a girl under a tree 'like that one.' We attempted to interview Luis for more information, but Coca-Cola quickly silenced him with the same threat of employment termination.



AMBER LEE HILL  
FOUND DEAD

A badly decomposed body was found in Whittier, California and identified as Coca-Cola employee, 38-year-old Amber Lee Hill (photo above). She went missing after completing her shift at Coca-Cola on January 9, 2007. Her body was discovered two weeks later wrapped in packaging material used in the Coca-Cola bottling plant. We don't know if Paul Flores even knew Amber Hill, or if Paul was even working at Coca-Cola when Amber came up missing. But interestingly enough, Amber Hill worked for the same company, on the same night shift and in the same department as did Paul Flores, but at a completely different plant in Downey, CA. Detective "Chad S." from the Whittier Police Department told *The California Register* on 3/14/2013, he had communicated with the San Luis Obispo Sheriff's office and there was nothing connecting Paul Flores to the Amber Hill murder.

As time went on, we continued to follow up every lead concerning the possible burial location of Kristin Smart. We sought help from outside the county since we didn't know who could be trusted in San Luis Obispo County. A major breakthrough occurred when the type of person we



Sheriff  
Ian S. Parkinson

were looking for, actually called us first. Retired police detective sergeant Paul Dostie emailed *The California Register* at the behest of his sister, who lives in Atascadero, CA. His sister was fully aware of her brother's excellent detective skills, and that he also had trained an extraordinary cadaver dog named "Buster." She knew of Buster's extraordinary ability to find clandestine grave sites, and suggested her brother get involved in the effort to find Kristin Smart.

With over two hundred bodies to his credit, Buster is no ordinary cadaver dog. He was recently featured prominently in a magazine article entitled, "An Incredible Dog." The article is about how Buster was flown to the Pacific island of Tarawa atoll located in the Marshall Islands, just North of the equator and West of the International Dateline. Most Americans don't know that more than 500 Marines were never found after the Battle of Tarawa. Many were hidden beneath the sands of Tarawa until Buster arrived. He didn't find them all, but he found many who had been lost for over seventy (70) years.

At the end of WWII, mortuary ships were sent across the Pacific to recover people who died at various battle sites. In the Tarawa Battle especially, many men were buried by their buddies right where they fell because the decay was accelerated by the tropical heat. During the confusion of battle, or "fog of war," as some say, the specific location of these makeshift graves were forgotten and lost. The rapid expansion of the airstrip and base on Tarawa contributed to the problem since the war was still raging in 1943. Approximately, half of those buried on Tarawa were never recovered. An organization called "History Flight" helps to bring closure for families by discovering graves sites hidden by time. Detective Dostie and Buster were summoned because of Buster's remarkable track record in finding hidden grave sites. Buster is so well trained, he could detect human remains buried for more than 100 years. Buster's ability did not go unnoticed at the Pentagon which recognized his successes in finding those missing in action. So far, Detective Dostie and Buster have traveled to Europe four times and Tarawa atoll twice in search of remains from those who fought long ago.

In 2011, Detective Dostie noticed a lump on Buster's right hind leg, which turned out to be myxosarcoma, a rare form of skin cancer. The only way to save Buster's life was to amputate his leg. The operation occurred in November 2011, followed by chemotherapy. While Buster struggles to climb hills or stairs, the loss of his leg has not impaired the sensitivity of his remarkable nose. They say Buster can detect molecules in the low parts per trillion and may have the ability to detect even a single molecule.

We were very fortunate to have Buster help us locate what we believe are the remains of Kristin Smart. As a human body decays, it gives off what scientists call bio-markers which plume in the air and soil. As a buried body decomposes, gases rise up through the soil and are released into the air. Unless blocked by some barrier, soil contamination migrates generally downhill. Rarely do bio-markers migrate up hill from a grave site, but sometimes are drawn up by vegetation reaching for water. These released bio-markers are detected by properly trained search dogs and through soil-sample analysis.



Dr. Arpad A. Vass, is shown above testifying at the Caylee Anthony trial. He 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 in the new science of odor mortis has helped dog trainers to better train cadaver dogs by honing in on specific volatile compound chemicals the human body emits as



**Professional Land Surveyor Paul Schwimmer sifting through excavated soil.**

it decays. This is new science that most people, including many in law enforcement, have no clue about. Combining the remarkable ability of a well-trained cadaver dog with odor mortis soil analysis, police have a new weapon in their arsenal to bring people to justice.

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 sometimes come pretty close to 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** 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 1 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** 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 volatile organic compounds (VOCs) released through the decaying process of the human body. Over 478 compounds have been identified which have been narrowed down to approximately thirty (30) of the most significant chemical compounds produced from human decomposition. Unlike other studies, Dr. Vass used entire human bodies, donated for scientific research, as opposed to individual organs which can bias the results.

#### BUSTER ARRIVES IN ARROYO GRANDE, CA

One of the residents in the home directly behind the Flores property on East Branch Street, gave us permission to search her backyard area fearing that Kristin could actually be buried on her side of the fence. We arrived at about 1:45 pm on June 2, 2014. Detective Dostie got Buster out of his truck and negotiated him along side of the home down to the fence line which separates the two properties. Dostie ordered Buster, "Go Find" and Buster went right to work. I raised my camera anticipating a possible alert from Buster, and within seconds, Buster spun around and locked up like a bird dog indicating he had found the scent of human remains along the



**Registered Archaeologist Kristen Baker from Hawaii carefully checking her notes during the search on the Huasna Ranch. Saturday, August 2, 2014.**

fence line separating the properties. After witnessing Buster's reaction, Detective Dostie said, "Trust me, there's human decomp there." Dostie suggested we extract soil samples along this fence line immediately, and we walked Buster back to the truck. Dostie needed to obtain glass vials and labels he normally uses to properly extract soil samples and maintain the chain of custody required by the courts.

Just as we were getting ready to place Buster in the truck, the rug was pulled out from under us. The gentleman who was also a resident at the property roared up in his car ordering us off the property. When we explained that we obtained permission from his wife, he snapped back saying, "she is not my wife and that's not her house." We made the mistake assuming they were married and both were supporting efforts to find Kristin. We explained that we had a strong dog alert and pleaded for an opportunity to obtain soil samples, but the homeowner would have none of it, and ordered us off the property immediately.

We left disappointed that we were not allowed to obtain soil samples which could support Buster's alert. As we drove away, Detective Dostie said, "I've been a police officer for many years and I can tell you that he was scared to death of something." The owner made the statement before we left, "they're going to kill my cat and then kill me. I'm leaving it all up to God now." We left and hoped the owner would think better of it and give us the opportunity to quietly retrieve soil samples, but we never heard from him again.

Dostie left for his long drive to Mammoth Lakes, and I returned to my office. Desperate to not let the opportunity get away, I called Marsha Papich who was the owner of the property next door. Realizing the horrible suffering the Smart family has endured for nearly two decades, she granted permission for us to search, asking that we use discretion in the process. I immediately called Dostie who 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, with plans to



**Harold T. Matthews, owner of Matthews Demolition is wondering why the photographer is not digging.**



**Mark Noah (left) President of "History Flight" along with Detective Dostie and Buster searching for the remains of Marines who died on Tarawa atoll. Picture obviously taken before veterinarian had to remove Buster's hind leg.**

only retrieve soil samples. It was late at night. The tenants were gone. 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. I thought to myself, if Dennis Mahon was thrown in jail for carrying just a sign, then we were sure to get the electric chair for obtaining soil samples. We quietly entered the backyard through a gate. I assisted by holding a flashlight as Dostie began to dig. As Dostie dug, his coat moved to expose his side arm.

Once we were done, we quietly left the property heading back to his truck where Buster was patiently waiting. Once in the truck, I asked him, "I saw your weapon, were you expecting trouble?" He said, "If Kristin is indeed buried there, and members of the Flores family are responsible as some suspect, these people might be capable of most anything. I wanted to be ready, just in case." The soil samples were carefully packaged and sent to Dr. Vass in Tennessee. Because this is cutting-edge science, there is only one laboratory in the world, who could handle the task. Dr. Vass completed his analysis of the soil samples in about two weeks. When the samples were finally analyzed, one came back positive. It was technically characterized as a "weak-positive" for human remains. It may have been "weak" but it was positive none-the-less. Buster's strong alert on the fence line behind the Flores property, combined with this new positive soil-sample evidence should have been enough evidence for the sheriff to either obtain a search warrant or conduct further testing.

A plot map was created to specifically identify where Buster alerted and where soil-samples were extracted. I called the Smart family attorney and said, "Mark, I need to see you right now." Mark responded, "Come up to my Marsh-Street office, I'll be here waiting." Mark Connelly took the information to the sheriff. The sheriff was purportedly interested in the new information, but dismissed the dog alert and positive soil sample as being insufficient, not good enough to obtain a search warrant. At a minimum, the sheriff could have gone directly to the property owner for permission to obtain more soil samples and bring in other cadaver dogs to corroborate Buster's alerts. For some strange reason, the sheriff's

office did not contact the owners of properties that surrounded the Flores property. Furthermore, they did not call to verify references on both Dostie and Buster. Their lack of action defied logic. Understandably, we were dealing with new science regarding soil-sample analysis that maybe they didn't understand or trust. All but one of the surrounding property owners would have gladly cooperated, and given the sheriff permission to do whatever is necessary to find the truth. The sheriff's office did contact the laboratory in Tennessee, but instead of speaking with Dr. Vass directly, they were satisfied only with the lack-lustered, dubious opinion of some laboratory lackey. The prudent thing would be to speak directly to the actual scientist who conducted the soil experiments.

The bottom line; a cadaver dog alert, supported by positive soil sample evidence, suggesting the presence of a clandestine grave, should have been investigated further. An argument could be made that with Buster's alert alone, the sheriff had probable cause to take additional action. This lack of action and lack of interest by the sheriff's office was terribly disappointing. We don't think there is any question, that Sheriff Parkinson wants to find Kristin Smart. Why would he, or any other sheriff, not want to stick that feather in their cap? He may have hesitated because he was caught completely off guard by an area of science, he knew little or nothing about. It was utterly baffling as to why the sheriff's office completely disregarded Buster's abilities, or had not even called other law enforcement officials to verify Buster's past successes.

Detective Dostie, having personal knowledge of Buster's capability said, "Buster has found well over 200 clandestine grave sites all over the earth. He's been recognized as being one of the finest cadaver dogs in the world. There's no doubt that Buster has detected human remains on or near the Flores property." This failure to verify credentials, or act upon credible evidence made us appreciate all the heartaches the Smart family has endured for eighteen years. Simple common sense says, "Why not find out, once and for all, if Kristin Smart is buried on or near the Flores property?" Is it not in the best interest of the Smart family and the Flores family? If Kristin is not there, then on some level, the property is released from the pall

of suspicion that has burdened it for nearly two decades. If Kristin is there, the Flores family will take the first step in the legal process to put this horrendous nightmare behind them. And, the Smart family will have finally received answers they have yearned for with each agonizing day since Kristin disappeared in May 1996. Answers would help bring them closure and the closure would bring them peace.

When one stands back and looks at the entire situation, the illogical stupidity of it all was breathtaking.

#### WHERE IS THE FBI, PEOPLE ASK?

"Why in the world hasn't the FBI taken over this case?" Normally, the jurisdiction of the Federal Bureau of Investigation (FBI) is limited to...

1. Terrorism
2. Counterintelligence
3. Cyber Crimes
4. Public Corruption
5. Civil Rights Violations
6. Organized Crime
7. White-Collar Crime
8. Certain Violent Crimes
9. Kidnappings & Missing Persons

Out of the list above, we have two that might qualify, public corruption and missing persons. Seasoned law-enforcement officers say the FBI will not become involved unless the San Luis Obispo Sheriff requests their involvement. That's not likely to happen, because politically the sheriff would be saying, "I can't handle this. Can you guys help me?" That would not be a shrewd political move on his part. The macho world of police thinking would simply not allow it.

From our experience, there are two criteria that must be met before the FBI will consider taking a case; 1. The case is already solved, and 2. The FBI receives all the credit for solving it.

#### RUMOR CONTROL

When people are not given the facts by law enforcement authorities, rumor control begins to go out of control. We all need to get these rumors under control and deal rationally Kristin's disappearance. We hope to be instrumental in helping people place rumors in the rumor category, keeping them completely separate from facts.

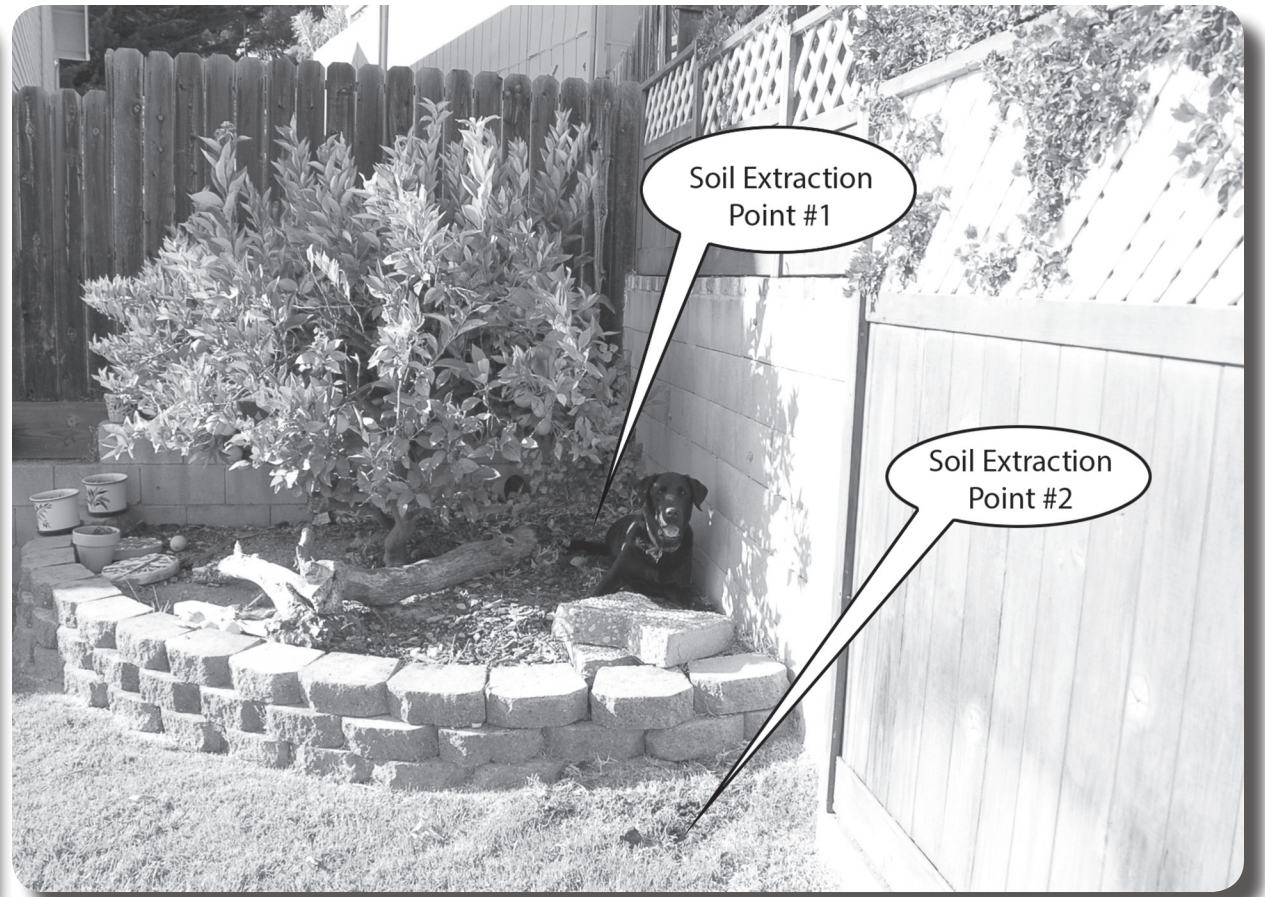
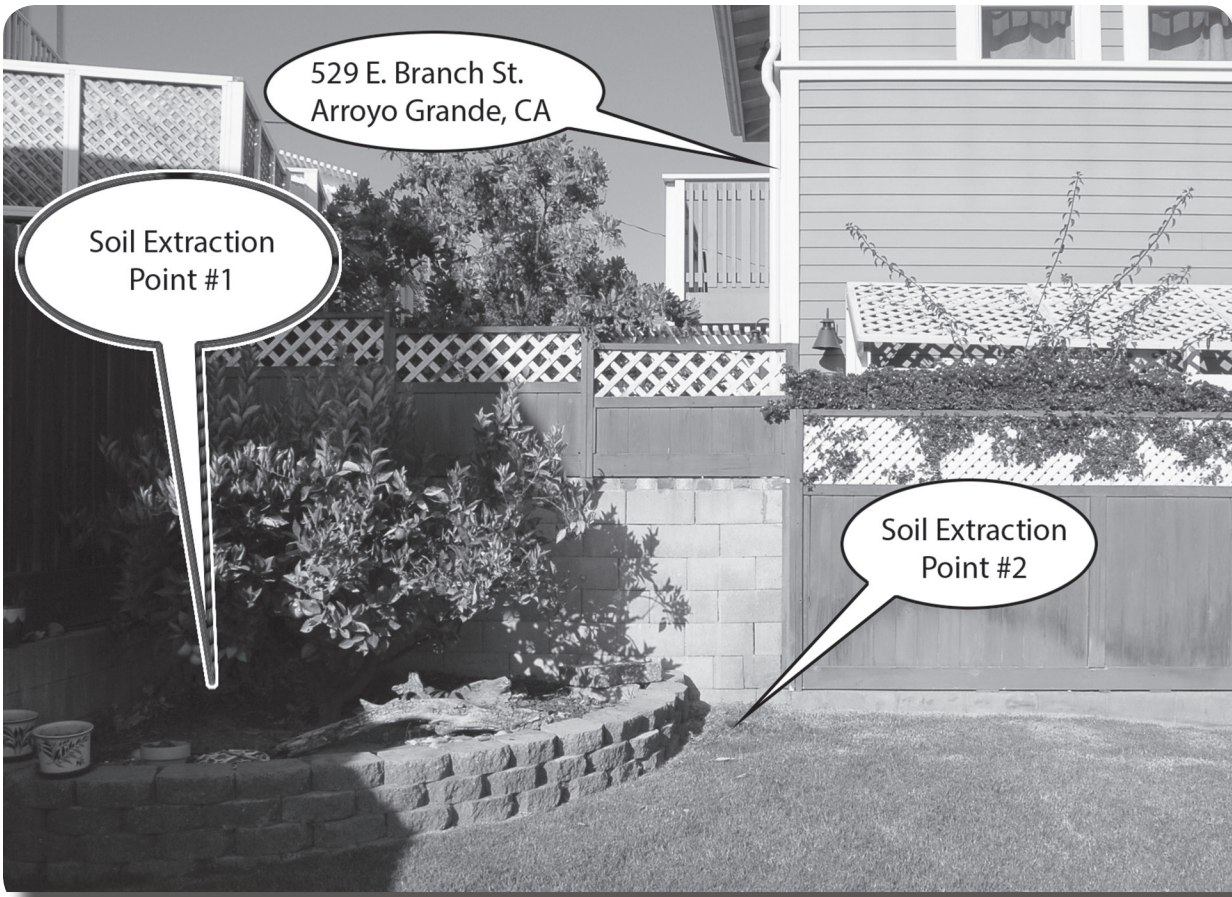
There is a rumor floating around out there that Sheriff Parkinson received only a portion of the total file on Kristin's disappearance when he took over the case. Were files being destroyed by the former sheriff's administrations? And, if files were being "intentionally lost," why would someone in law enforcement feel it necessary to lose certain segments of the Kristin Smart file? It's only a rumor folks, only a rumor.

There's another rumor that Grand Jury members, over the past eighteen years, wanted to investigate the Kristin Smart disappearance, but were pressured to remain silent. Were Grand Jury members actually being intimidated to avoid any inquiry into the Kristin Smart case? If so, by whom and why? It makes sense, but until former grand jury members come forward, it's only a rumor folks, only a rumor.

An earring found on the Flores property was received by a deputy as potential evidence. Then it magically disappeared. Rumors abound that someone within the sheriff's office, at that time, intentionally made the earring disappear and got



**Ranch Manager Randy Campbell gave his full support in the effort to find Kristin Smart. He's shown here helping operator Jim Matthews to switch to a wider bucket on the excavator.**



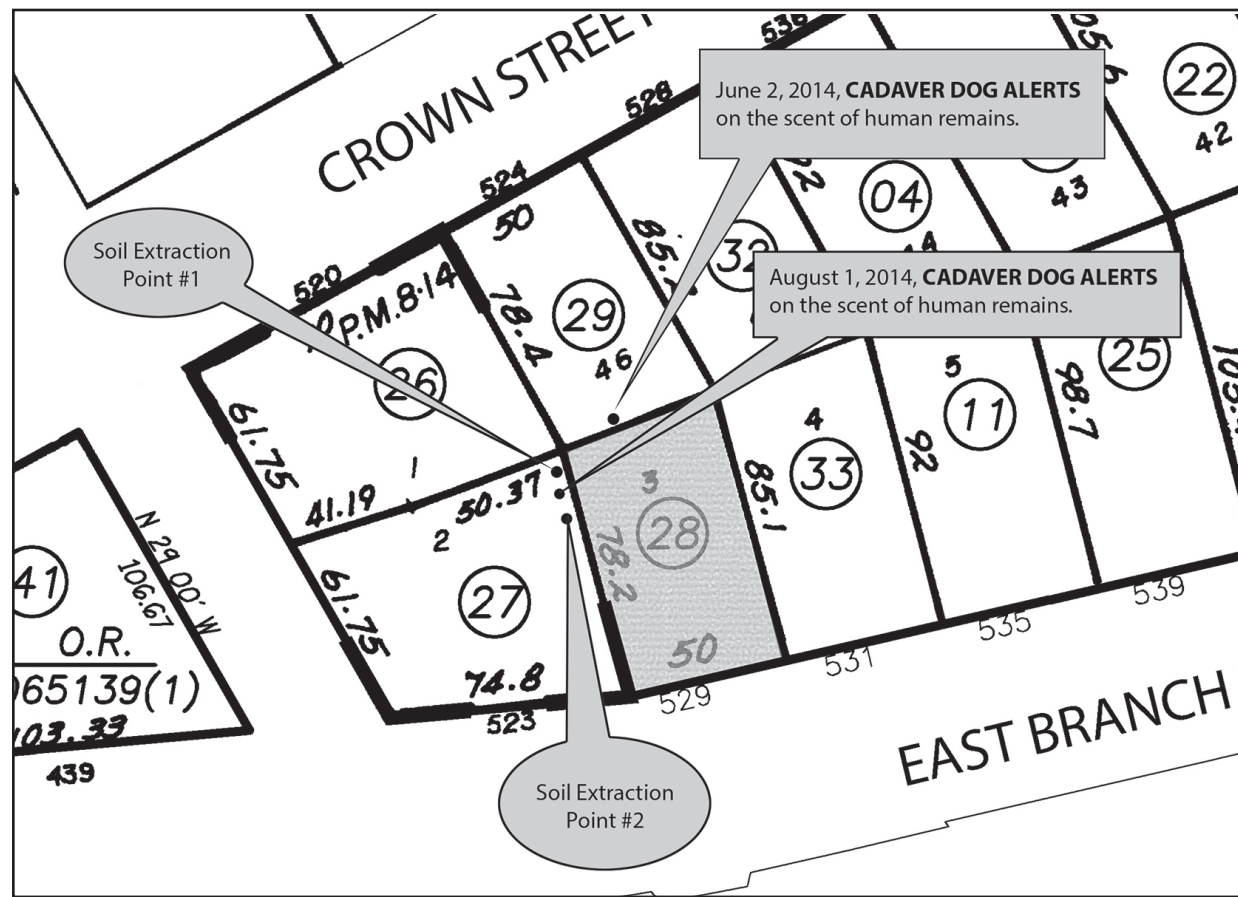
handsomely remunerated. There is no evidence, therefore it's only a rumor.

**The most painful rumor of all...**

The most painful rumor of all is the assertion that, authorities on many levels, really did not want to find Kristin Smart. Cal Poly authorities allowed Paul's dorm room to be sanitized, thereby destroying potential evidence. Recall that four cadaver dogs, working independently, alerted in several areas of Paul's dorm room. Then, an anonymous tip came in, that Cal Poly employees were given instructions by a supervisor to clean the electric golf cart which was stolen on the same weekend Kristin came up missing. People have theorized the golf cart may have been used to move Kristin's body off campus.

The belief that law enforcement are in no hurry to find Kristin Smart is supported by the fact that neighbors around the Flores East Branch Street home were more than willing to give police permission to search for Kristin, but permission was never requested by police. When investigating anything, always be on guard for what is not said, and what is not done.

Obviously, the FBI won't seize control of an investigation based on rumors alone. So, who is investigating to separate fact from fiction? This is sometimes where the clarity of law enters the murky, subterranean world of politics and cronyism. The evidence of malfeasance and public corruption lays buried in testimony not given and not requested. The losers are the parents and all the citizens who believe in the rule of law, all those who want this case solved. It's a sad fact that if Kristin Smart was the daughter to a sheriff, police chief, judge, or Member of Congress,



she would have been found before the concrete on the Flores back patio had cured.

The most frustrating thing, is the lack of urgency regarding the case. Why in the world was a newspaper man and retired police detective slinking around in backyards in the middle of the night? There's no doubt, the neighbors, with maybe one exception, would have given the sheriff permission to conduct non-invasive tests on their property in search of Kristin Smart. While law enforcement may not have known about the new science of odor mortis, they certainly knew about cadaver dogs and GPR (ground penetrating radar). The prudent and aggressive police force would have run several dogs independently all around the perimeter of the Flores property and employed the latest generation of GPR technology that

was greatly improved since Kristin disappeared. Again, except for possibly one neighbor, all would have gladly signed a document granting permission for the sheriff to conduct a search of the soil and the air. Perhaps because of the elapsed time since Kristin disappeared, there is no urgency to solve this case.

**BACK TO THE DRAWING BOARD**

We had an eyewitness who spotted two pickup trucks driving on Huasna Road before sunrise and possibly on the same weekend Kristin disappeared. The witness clearly identified the driver of the first truck as Paul's father, Ruben Flores. As the trucks passed through his headlights at a "T" intersection, the driver of the second truck turned his head away. We made arrangements with the Huasna Ranch manager, Randy Campbell to search along the road which goes through the mighty 50,000 acre Huasna Ranch. Amazingly, Buster alerted in about six different locations. Funds to search for Kristin on Huasna Ranch were offered by the A. Scott Foundation of Ann Arbor, Michigan. With no help from the government, we were able to assemble an impressive team of individuals for a planned three-day search.

Professional land surveyor Paul Schwimmer who was involved on the Tarawa search with Detective Dostie and Buster was our liaison with the Foundation flew in from Michigan. Then, registered anthropologist Kristen Baker flew in from Hawaii. Kristen Baker possessed a secret clearance and worked for the Joint POW/MIA Accounting Command (AKA: JPAC) and their Central Identification Laboratory (CIL) located at Hickam Field in Honolulu. At JPAC, she provided scientific leadership on over thirteen complex, global excavations to find personnel who remain unaccounted for from Vietnam and other conflicts. Kristen Baker arrived to help find Kristin Smart by guiding the multi-site excavation effort on the Huasna Ranch.

Detective Dostie and Buster once again made the seven-hour drive from Mammoth Lakes, California. Jim Matthews and his father Harold T. Matthews who own the Matthews Demolition Company, drove in from Fresno to operate the excavation equipment. Cold-case detective Larry Montgomery employed

with the Orange County District Attorney's office came in to observe.

The "A" team assembled and went to work digging up those areas on the ranch where Buster had alerted. In each area, a possible ancient Indian burial ground was discovered. Since Kristin Smart was not discovered, the group elected to cease digging any deeper for fear of disturbing a sacred Indian grave site. All-in-all, six areas were excavated. At each location, excavation activities were halted when it was determined Buster had possibly alerted on ancient Indian burial grounds.

**BUSTER RETURNS TO ARROYO GRANDE**

On Friday August 1, 2014, Buster arrived in town for the Huasna dig and was also taken to the backyard adjacent to the Flores property. Before, he was not allowed to search because it was the middle of the night and we wanted to avoid disturbing the neighbors. Buster wasted no time zeroing in on the scent of human remains. He ran directly to the block wall on the property line, spun around and plopped down on the dirt behind the citrus tree. (see photo above) Buster had, once again, detected volatile compound gases rising up from the soil signifying there was a decaying human body nearby.

Buster's body language will change depending on the strength of the scent he detects. 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 right here 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 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 for human-specific volatile compounds unique to decaying human bodies.

Detective Dostie extracted soil samples once again at points #1 and #2. (see photos above) Samples were sent to Dr. Vass at the Oak Ridge National Laboratory in Tennessee for analysis.

**MIXED RESULTS**

On September 18, 2014, Dr. Vass indicated the second set of soil samples tested negative. Detective

Dostie and Dr. Vass believe the migration of bio-markers in the soil are possibly being impeded by the block wall and/or concrete footer supporting the block wall. Furthermore, the sample taken two months prior, was extracted at a shallower depth. This sample resulted in a "weak-positive" and may be due to vegetation drawing bio-marker chemicals laterally along the surface through cracks in the wall or footer. In other words, soil with traces of human decomposition may be closer to the surface than at lower depths. Buster has apparently detected a decomposing human body, which should not be discounted. Buster's alerts, spaced two months apart, should be further investigated with the use of ground penetrating radar and the extraction of additional soil samples.

If Kristin Smart was completely encased in a concrete tomb, normal soil contamination would be blocked from migrating through the soil as it normally does. But, over the past eighteen years, cracks in the concrete have undoubtedly allowed volatile compound gases to escape which Buster detected and alerted on. Based on the totality of what we know, a human body is buried on or near the Flores property. If the body has not been moved, it's most likely Cal Poly student Kristin Denise Smart. This means Kristin's body was literally under the noses of the police when they "took a vote" not to dig fourteen years ago on June 20, 2000.

If police procedure is now being done by committee, then We the People, call for another vote! It's long past time to determine, once and for all, if Kristin Smart is entombed in a concrete grave behind the Flores East Branch Street home. If Kristin is buried there, she would be only feet from where Paul Flores would sleep while he was in town visiting his mother, as creepy as that sounds.

The turquoise earring, which mysteriously disappeared from police custody, may give us a glimpse

into the real reason Kristin was never found. The earring's disappearance could have been an innocent mistake, dropped on the floor and swept away by a janitor. They say that one should never attribute malice to that which is adequately explained by incompetence or stupidity.

On the other hand, the earring could have been intentionally discarded to obstruct the due process of law and prevent the case from coming to trial. Maybe people did not want to find the truth, because they already knew the truth. It is the opinion of this paper, that people in positions of power and authority probably knew what happened to Kristin Smart within a few days after she vanished, but turned a blind eye resulting in eighteen years of needless pain and suffering.

**SUMMARY**

Smart family attorney Mark Connelly, year after year, relentlessly searched for that sliver of information to solve the case. The billboard in front of Jim and Garin Murphy's office in Arroyo Grande bears testimony to their long and unwavering support as well.

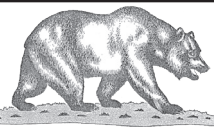
When the case is finally solved, it will be attributed to a retired police detective that donated his time and money, two dedicated attorneys, a brilliant forensic anthropologist and a multitude of people who came together on the Internet. And, let's not forget Dennis Mahon, who steadfastly supported the Smart family from the first day he heard about Kristin's disappearance in October 1997. Mahon was harassed, assaulted, threatened, entrapped by police, arrested and thrown in jail, all because he walked around carrying a sign demanding authorities dig up 'Susan's backyard.' If Kristin is there, it turns out Dennis Mahon was right all along.

But without a doubt, the biggest star of the show, is a big, beautiful, three-legged, black Labrador Retriever with a phenomenal nose. His friends call him Buster. \$\$\$

Unfortunately, Buster didn't make the front cover of Just Labs Magazine. After losing his leg to cancer, the editors probably didn't think he was photogenic enough. Buster's incredible work to help find our fallen Marines on Tarawa is featured in this particular issue under the title, "An Incredible Dog."



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."



By: Nelson Sloan

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.



### The "Alamo" House of Shell Beach, California

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 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 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.

Steve and Destiny had a tumultuous relationship. They would frequently break up to make up. 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 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 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 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 exactly what he would dictate. These were the words she wrote down...

*"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."*

*signed; Steve Stoker*

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.

The last time Steven Stoker had seen Mark O'Brien, he had taken his 1997 estate documents to his office ostensibly 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 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

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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 then refers Destiny to a local attorney in San Luis Obispo County by the name of Shauna 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.

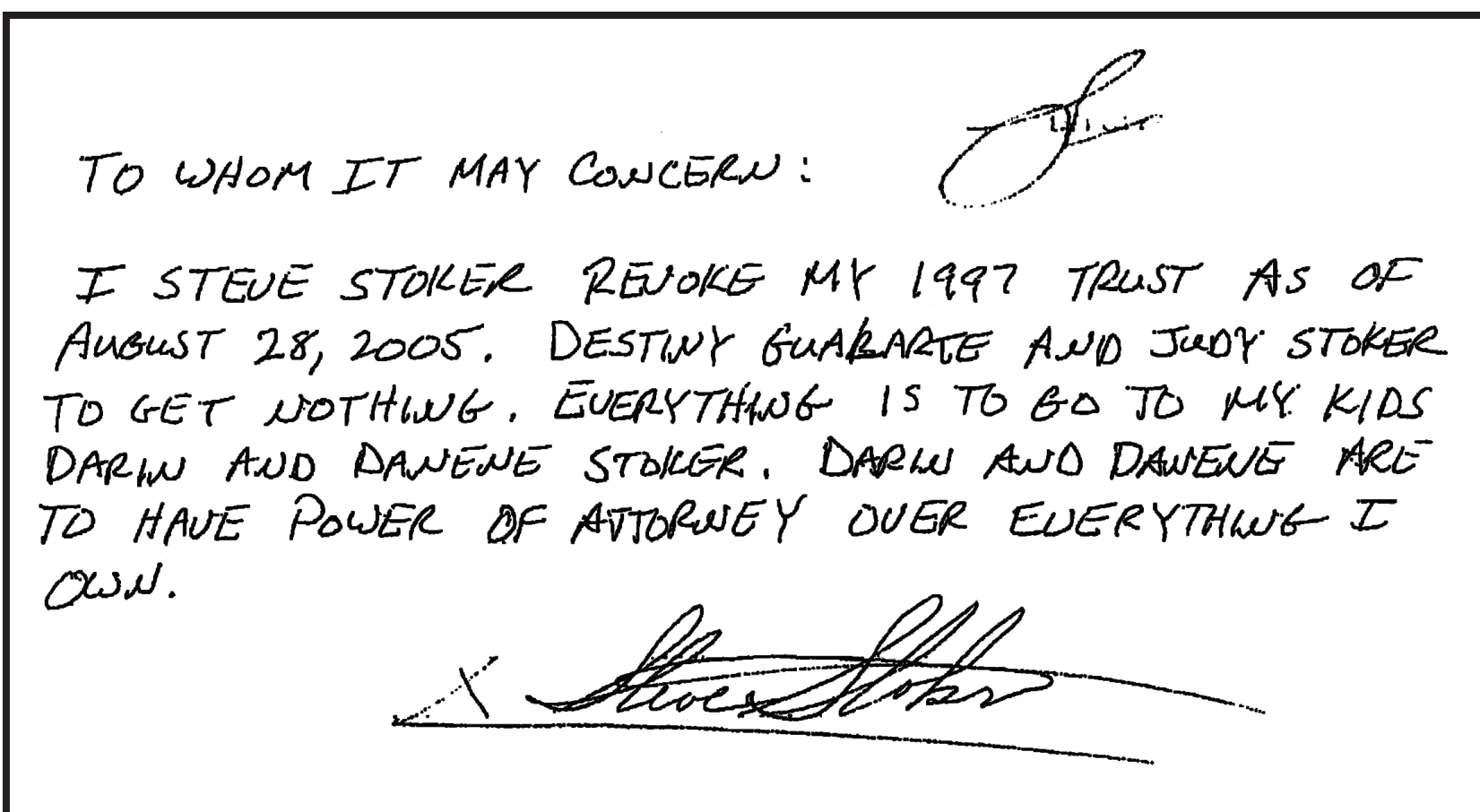
### Then came a knock on the door.

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 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 Shauna Sullivan certainly should have known the law. According to a local attorney we consulted with on this case, it appeared Shauna Sullivan was using Destiny as a tool to frighten and extricate Darin and Danene from the Shell Beach property by taking advantage of their lack of legal knowledge.

Could it be that attorney Shauna Sullivan coached Destiny to confront Darin and Danene at the residence. Was it a tactical maneuver to use threatening and intimidating language to frighten them enough they moved out? One must admit that's a pretty ballsy thing to do when Steve Stoker's body wasn't yet room temperature. According to our legal sources, Destiny appeared to be making a brazen attempt to intimidate Steve's son and daughter in the hope they would just cut and run. 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. They 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



Steven Wayne Stoker

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.

This is where attorneys get 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

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

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

### GEORGE BAILEY

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

### UNCLE BILLY (exhausted)

I've been over the whole house, even in rooms that have been locked ever since I lost Laura. Uncle Billy starts sobbing hysterically. 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. 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 friend's 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

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

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 frightened 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

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 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, 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 1946 movie "It's a Wonderful Life" where Darin is playing the part of Uncle Billy and Balsamo is George Bailey...

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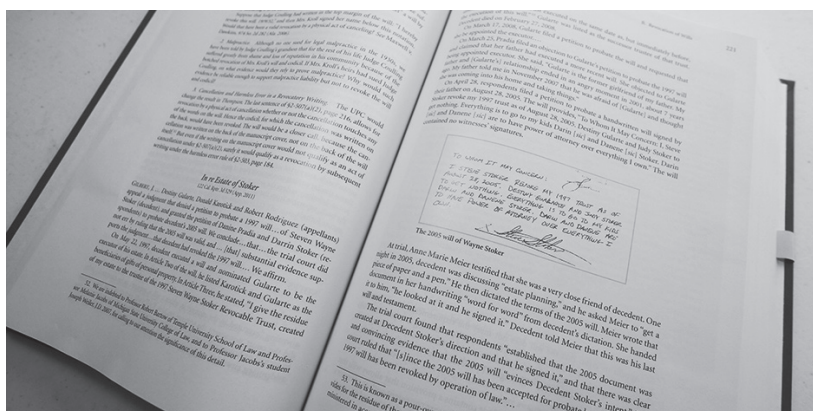
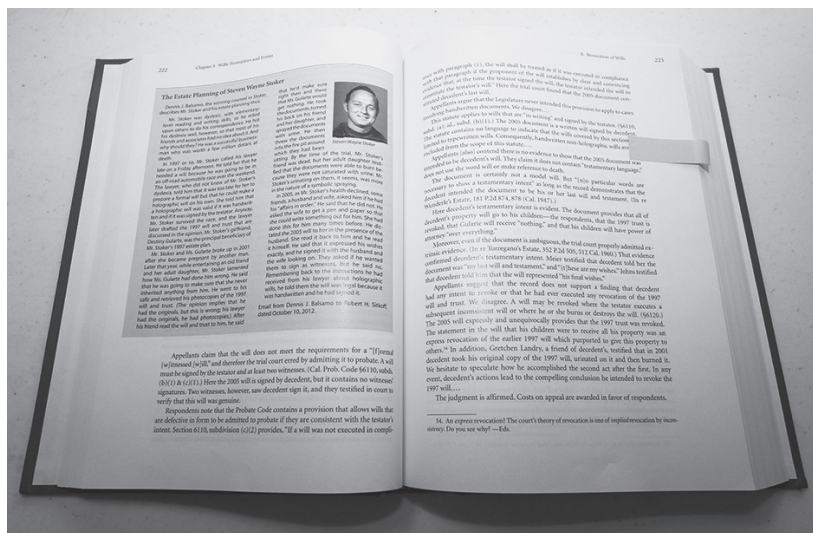
do that too." Darin and Danene were fortunate to obtain the legal services of Dennis Balsamo who specialized in probate law. As a full-fledged probate attorney, Balsamo was always on guard for any changes in probate law. Attorney Shauna Sullivan, representing Destiny Gulate, was a civil attorney, now 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 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.

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



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

Stoker. Balsamo knew about the change in probate law because he was, first and foremost, a probate attorney. Attorney Shauna Sullivan, representing Destiny Gulate, 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 Shauna 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 Gulate.

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 Shauna

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 Shauna Sullivan filed a motion for summary judgment in 2008 in time enough for it to be heard in court before Jan 1, 2009, Destiny Gulate 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 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 Gulate turned down the Shell Beach home as settlement. She wanted it all.



**San Luis Obispo Probate Attorney Dennis James Balsamo**

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 as 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

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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 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.

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. There was no love lost for Shauna Sullivan after she attempted to get the court to believe Danene was a Las Vegas call girl. We attempted to speak with Shauna Sullivan in order to hear her side of the story, but her receptionist said Sullivan had no comment.

### LESSONS LEARNED

The primary lesson that should be learned from all of this is the importance of having a legal will. Even if your net worth is zero, a will can be important to address personal issues besides



money. On the other hand, if you have a thriving business, and a million dollar home, it would be very wise to not only have a will, but to always keep it up-to-date. And for Heaven sakes, 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 recommended.

If a family member dies and you are in need of a good probate attorney, you may want to keep the phone number of Attorney Dennis Balsamo. We are sure 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. Review your will on a periodic basis to ensure it clearly reflects your specific intentions.
  3. Always keep the original copy of your will in a safe place. Don't give it to your son to stuff in his duffel bag. Do what Dennis Balsamo does for his clients; have two originals, one for you, and one for your attorney.
  4. It's a red flag if an attorney creates false documents to help you abscond with
5. Pay your taxes. Don't let unpaid taxes build up to millions of dollars. Whether you are dead or alive, the tax man will get either you, or your heirs. Remember, our government loves to waste money and they need your money to do it.
  6. Don't think you will live forever, especially if you grind brake linings for a living or frequently participate in off-road races.
  7. 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.
  8. Don't sign someone else's name without their permission.
  9. You may want to rethink your legal representation if other people in the legal community refer to your lawyer as "psycho."
  10. If you really want to know if a signature is a forgery, call Mr. Larry Stewart who was the chief forensic scientist for the United States Secret Service. His laboratory is located in San Luis Obispo. Ref: Stewart Forensic Consultants, LLC. (805-595-1333)
  11. Carefully select the attorney that represents you. Only hire attorneys that specialize in the type of law you are dealing with. If you need a good probate attorney, look no further than Dennis James Balsamo.
  12. Attractive women should not be automatically characterized as Las Vegas call girls. Never do that in court unless you have evidence to back it up.
  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 papers just cannot do. *The California Register* is a story-driven paper which means we publish when the story is ready. Eventually, as more advertisers come aboard with us, we will publish on a more regular basis.

Virtually all of our articles may be considered "Op-ed," which means the article is essentially the opinion of the author. Gathering information is sometimes extremely difficult, because people are afraid to come forward. Whistle-blowers are not held in high esteem by our society. This makes gathering information difficult and time-consuming. We are sometimes forced to use the proverbial unnamed source and take journalistic liberties we otherwise would not consider. Consequently, in the eyes of purists, we are no more than bush-league journalists. Well, whatever we are, we endeavor to bring our readers interesting stories about people and events.

We will publish articles on most any topic, but we try to steer clear of politics. Articles with political overtones lead us down a dangerous path. We have discovered that in politics, no matter what is said (or written), 50% or more will hate you for saying it. It's unfortunate, but we as a society have become alienating and terribly intolerant of each other. Sometimes people use tactics designed to shut down the 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. It just seems to be a wise policy to avoid the entire political mine field.

Having said that however, we may delve into some politically charged issues such as homelessness for example. We have discovered that no one really wants to talk about it and our "leaders" are confused about how to address the problem. Maybe we can help by simply starting a dialogue which gets people to think. It may draw out leadership from our elected and appointed officials which could lead to a solution.

The articles we like to publish are about people with colorful and captivating personal histories, who quietly live among us. They are living human treasures who live among us with few people have any idea of their existence. 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.

With our small staff, it's difficult to return everyone's call or email. We beg for your understanding and patience. Please consider using the services or products from our advertisers. Without them, we could not continue to bring you this unique and wonderful newspaper. And finally, we thank all the people who love to read. You keep us going.

On a personal note, we hope it's the beginning of the end regarding the disappearance of Kristin Smart. While investigating Kristin's disappearance, we spoke with many people. Virtually every single one, with only a few exceptions, were genuinely concerned about the pain and suffering the Smart family has been forced to endure. We hope the case will soon be solved and in some small way, this fledgling little newspaper contributed to that end.

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