

C.P.O
ISSUED

1 IN THE COURT OF COMMON PLEAS

2 TRUMBULL COUNTY, OHIO

3 Garrick Krlich,
4 Plaintiff

) Case No. 12-CV-2724

5 -vs-

) Magistrate Patrick F. McCarthy

6 Ron Duez,
7 Defendant

) PARTIAL
) TRANSCRIPT OF PROCEEDINGS

8 Hearing on request for civil protection order held Thursday,
9 January 10, 2013

10 BEFORE: Magistrate Patrick F. McCarthy

11 AT: Trumbull County Court of Common Pleas
12 Courtroom Number 1
13 161 High Street, NW
Warren, Ohio 44481

14 APPEARANCES:

15 On behalf of the Plaintiff:

16 Mr. Robert Henkin
17 Attorney at Law
Youngstown, Ohio

18 On behalf of the Defendant:

19 Mr. Ron Duez
20 Pro Se

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23 Official Court Reporter: Lori J. Rittwage

1 THURSDAY, JANUARY 10, 2013

2 ...

3 THE COURT: I have all the evidence before
4 me. I'm ready to give you my decision here.

5 In any protection order case, I have a very simple
6 decision before me. It's to determine whether the petitioner,
7 Mr. Krlich here, whether he's presented sufficient evidence to
8 show that the respondent, Mr. Duez, engaged in menacing by
9 stalking. As pertains to this case, specifically a pattern of
10 conduct in which he caused mental distress to another.

11 In this case, I appreciate, you've been more
12 forthright than several other witnesses, Mr. Duez, but I do
13 believe that you have engaged in conduct over a period of time
14 that was intentional and was intended to harass. It was part
15 of the general thought process going on in Hubbard that it's
16 sort of comical and/or a thing to do, to drive by Mr. Krlich's
17 house and to harass him by beeping the horn.

18 Is it possible that maybe your kids did it on some
19 occasions? I suppose it is. And if it's determined that they
20 do it, I don't know, if they're old enough to drive, they're
21 probably old enough to come into court. And if they want to
22 do that, they can have the same thing happen.

23 I do find that there has been sufficient evidence.

1 This has certainly caused Mr. Krlich some substantial mental
2 distress. So I find there has been a pattern of conduct,
3 particularly I think you've been well aware for some period of
4 time that this has been an issue and I believe that, you know,
5 I think you're sort of trying to be honest here in saying
6 you're not sure when it was, but I think you know you did it.
7 Maybe on these two occasions. Maybe more. And I'm guessing
8 one of these things in August, June, or July of this past year
9 was probably involving you as well. And it's just such a
10 crazy situation. It's so unnecessary. That, you know, the
11 Court feels that, first of all, the standard has been met.
12 Secondly, that it really doesn't have much of an alternative
13 in many of these cases but to issue a protection order. I am
14 going to recommend the issuance of a protection order in this
15 case.

16 Now, to address your concern about Mrs. Krlich.
17 First of all, you know, the protection order that has been
18 issued in previous cases simply states that you shall not blow
19 your horn. I can't remember the exact language, but I'm going
20 to use the same language I've always used. Blow a horn or
21 otherwise cause a disturbance or a noise at or near the Krlich
22 residence. I think that's easy enough. I mean the
23 circumstances that would arise for somebody to have to beep

1 their horn near that intersection, that they would have to,
2 you know, I'm sorry, it's not every day that you come up and
3 suddenly have to blow your horn because there's going to be an
4 accident. And it would be quite coincidental that you'd get
5 to that point. And I think it would be pretty evident from
6 the videotape because you know that it's gonna be available.
7 That there would be sort of extenuating circumstances that
8 would justify that. So I don't think there should, needs to
9 be any undue concern that there would be sort of unjustified
10 enforcement activity on this.

11 You know. Don't beep your horn. Don't cause
12 disturbances at or near the Krlich residence. If you see
13 Mr. Krlich out, you know, don't bother him. You know? It's
14 really simple. And, you know, I don't think there's any need
15 to have sort of some great concern that you're gonna be
16 unjustifiably, you know, targeted for something if you do
17 that. I mean it's the simplest thing. I mean these
18 protection orders, I tell people every time I issue one,
19 they're the simplest orders in the world to comply with. Just
20 leave somebody alone.

21 I mean, I wish -- I just have to comment on this.
22 This notion that, you know, putting the cameras up has helped
23 cause the problem? You know, the problem happened without the

1 cameras. If people are stupid enough to think that it's a
2 good idea to challenge that system, you just saw the system.
3 Heck, I think the Pentagon would like to have that kind of
4 security. I mean this gentleman has been required to expend
5 substantial amounts of money and it's caused him completely
6 unjustifiable mental distress to deal with this situation. I
7 don't know what I'd do if I was in his circumstance. You
8 know. I just don't know what I'd do. I can't believe the
9 ignorance of people that still think it's somehow comical.

10 And, you know, if it was my kids that were driving
11 by, you know, especially after I got hauled into court, first
12 of all, I'd be embarrassed and then I'd tell 'em, "You don't
13 want to end up where I was."

14 And secondly, I'd tell 'em, "If it ever comes to my
15 attention that you did that, you know, you wouldn't be driving
16 a car. Wouldn't be able to sit down to drive a car."

17 You know. I mean this stuff has to end. And it has
18 to begin with some people actually taking some responsibility
19 for just basic human decency towards another person. And
20 until that happens, you know, I hope I don't have more of
21 these cases coming through the court. I take 'em on a case by
22 case basis. I make an individual determination every single
23 time. I do believe, I believe Mr. Krlich has met the standard

1 made an apology. You're one of the first people that actually
2 came up here and made an apology so I give you some credit for
3 that. If you meant it, then you know what you've got to do
4 from this point forward. It's not complicated. So I hope
5 that you take this seriously because I sure do. I don't want
6 to see this ever have to come back. I don't want to see --
7 protection orders are easy. Don't bother somebody. You won't
8 ever have any reason to have to worry about it being enforced
9 against you. If you choose to do otherwise, then you'll have
10 to face those consequences. So I hope that's the end of any
11 kind of problems you're gonna have with this situation.

12 Questions?

13 MR. HENKIN: No, Your Honor.

14 THE COURT: Mr. Duez, you had a question.

15 RON DUEZ: Yeah. The protection order,
16 that's not a misdemeanor or anything like that?

17 THE COURT: It's not criminal. It's a
18 civil protection order. It doesn't go on your criminal
19 record. But understand, it does get reported to 9-1-1.

20 RON DUEZ: Understood.

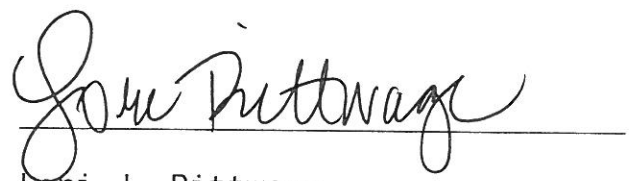
21 THE COURT: It's available to any police
22 department. And the bottom line is it can result in criminal
23 prosecution if you violate it. It's not a criminal charge

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REPORTER'S CERTIFICATE

This is to certify the foregoing represents a true and correct copy of the proceedings had in the aforementioned cause as reflected by the stenotype notes taken by me on the same.

1-30-13



Lori J. Rittwage,
Official Court Reporter