

MONTANA SEVENTH JUDICIAL DISTRICT
RICHLAND COUNTY

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IN RE THE MARRIAGE OF: Cause No.: DR-19-14
BRAXTON RYAN GREENLOW,
Petitioner,
and
TARA M. LOSINSKI,
Respondent.

FULL TRANSCRIPT OF PROCEEDINGS
ORDER TO SHOW CAUSE HEARING
Wednesday, October 12, 2022

HELD AT: District Court Courtroom
Richland County Law & Justice Center
300 12th Avenue NW
Sidney, MT 59270

BEFORE: HONORABLE KATHERINE M. BIDEGARAY
DISTRICT COURT JUDGE

APPEARANCES: BRAXTON RYAN GREENLOW
Petitioner Pro Se
Sidney, MT 59270
(406)480-2210

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WITNESSES

NONE

EXHIBITS

NONE

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ORDER TO SHOW CAUSE HEARING

Wednesday, October 12, 2022 2:00 p.m.

THE COURT: All right, we are here on DR-19-14;
In re the Marriage of Braxton Ryan Greenlow and Tara M.
Losinski. Braxton Greenlow is in the courtroom; Tara
Losinski is on the video with her attorney, Kathy
Coleman.

In this case, Braxton Greenlow filed a petition for
contempt on October 3, 2022, and just a few hours ago,
the Respondent, Tara Losinski, through her attorney,
filed a motion to continue and an amended motion.

And, I guess, Ms. Coleman, I'm not inclined to grant
it because time is of the essence when the allegations
are visitation is being er visitation, parenting time is
being denied and parenting times are being violated and
so, I really would like to hear something about it. And
so, what I'm thinking I would do is that I will continue
it to the week of October 31 on the condition that the
children go with their dad today and stay with him until
we can have a hearing during the week of October 31 and
then, they can go live with their dad and then, he can
let them have contact by phone and whatever with mom
until we can have a hearing his Petition for Contempt.

MS. COLEMAN: So, Your Honor, thank you for the
response. I had spoken to Braxton after I had filed and

1 then, he said he wasn't objecting so, thank you.

2 But, Your Honor, just so you know, we can't see you
3 or I can't see you.

4 THE COURT: Oh.

5 MS. COLEMAN: Perhaps it doesn't matter. But so,
6 Your Honor, I totally understand and thank you.

7 And my only concern is going to be, and you know, I'm
8 absolutely new to this case so, I won't (inaudible), but
9 there's going to be come concerns here about, I think,
10 about medical care. One of these children is special
11 needs.

12 THE COURT: I know.

13 MS. COLEMAN: Okay.

14 THE COURT: I've had a lot of- I know these
15 people.

16 MS. COLEMAN: Okay.

17 THE COURT: I've had a lot of hearings.

18 MS. COLEMAN: Okay, all right. So, that is-I
19 just, on behalf of my client, I wanted to just raise what
20 I would assume to concerns about consistency and care and
21 schooling and all of that so, that's all.

22 THE COURT: All right, thank you.

23 Mr. Greenlow, if you were to take the children today
24 until we can have a hearing on your Petition the week of
25 October 31, would you be able to see to it that there is

1 consistency in the care of your children and their
2 education?

3 THE PETITIONER: Absolutely, Your Honor.

4 THE COURT: Okay. So, we can look at the calendar
5 and where are the children, right now, Ms. Coleman?

6 MS. COLEMAN: Your Honor, I believe grandma just
7 picked them up from school or is picking them up from
8 school.

9 THE COURT: Okay. And then, so she could probably
10 meet Mr. Greenlow in the parking lot of the Law and
11 Justice Center here as soon as she's got the children
12 picked up?

13 MS. COLEMAN: Well, Your Honor, just to be clear.
14 So, we're sitting in Miles City, and you maybe know that,
15 but I just thought ...

16 THE COURT: No. I didn't know that.

17 MS. COLEMAN: Right. And those children attend
18 school here.

19 THE COURT: Okay.

20 MS. COLEMAN: And, again, I'm not arguing with
21 the Court, I just want to make sure we're clear.

22 THE COURT: Diane, are you on? Didn't the hearing
23 that was set for November 1st on DJ-22-3, and I see
24 Lauren Weiland is on, didn't that get taken off the
25 calendar?

1 THE JUDICIAL ASSISTANT: Your Honor, we have not
2 got the official filing yet. It's supposedly coming, but
3 we have not received it.

4 THE COURT: Okay. So, we're waiting for the
5 county attorney's office to file something on that?

6 THE JUDICIAL ASSISTANT: Yes, ma'am.

7 THE COURT: I could do a hearing on November 1 ...

8 MS. COLEMAN: Yes, yes.

9 THE COURT: ... it looks like because there was
10 supposed to be a trial that day, but I've been told by
11 the attorneys in the omnibus hearing that it was coming
12 off so, I'm pretty sure it is so, I've got the day open
13 between like 9:00 and 4:00, 9:00 and 3:30.

14 MS. COLEMAN: And so, Your Honor, whatever time
15 the Court sets we'll be there.

16 THE COURT: Mr. Greenlow? So then, as far as
17 you're in Sidney right now; the kids are in Miles City.
18 Between now and November 1st, how would you get them to
19 school and all of that?

20 THE PETITIONER: Your Honor, they go to school in
21 Miles City and I work in Sidney, Montana; that would be
22 next to impossible for me to do it, at least,
23 realistically.

24 THE COURT: Okay. So, did you-so then, I guess, I
25 was doing this on the-having forgotten they went to

1 school in Miles City. I remembered the other details
2 about your family, but I forgot about the school. So,
3 what-so, you are okay with continuing this to November
4 1st instead of it decided today?

5 THE PETITIONER: No, I am not, Your Honor.

6 THE COURT: Okay.

7 THE PETITIONER: I did actually say, on the
8 phone, that I was, but I was a little bit blindsided
9 there. But, you know, coming to think about it, I had to
10 take two days of paid time off just for this hearing
11 today.

12 THE COURT: Okay.

13 THE PETITIONER: I've had to use ...

14 THE COURT: So, let's go ahead. Who's your first
15 witness?

16 MS. COLEMAN: So, Your Honor, can I just ask. We
17 weren't served properly. We weren't-my client wasn't
18 served within the time that you put in your Order. The
19 Order said that he had to be-he had ten days to serve and
20 she was served on the 6th.

21 THE COURT: Okay, just a second.

22 (Pause.)

23 THE COURT: Okay, where is the return of service
24 on this? Okay, here we go. Okay.

25 So, Mr. Greenlow, why wasn't it that she wasn't

1 served ten days before?

2 THE PETITIONER: So, the hearing was granted
3 within nine days of the day that it was filed. I wasn't
4 even given ten days before the day that it was granted ...

5 THE COURT: Okay.

6 THE PETITIONER: ... until the day that I was able
7 to file it. But the day that it was granted, I did get it
8 in the mail and it was served the very next day after
9 being granted.

10 THE COURT: So, what are the days that you have
11 taken off to-I mean, why is it two days that you took off
12 to have a hearing today?

13 THE PETITIONER: I do not have a lawyer with me;
14 I have to prepare my evidence ...

15 THE COURT: Okay.

16 THE PETITIONER: ... and, you know, I need at least
17 one day to be able to get things in order.

18 THE COURT: Okay. So, why can't we just it this
19 week still? You know about it. Let's see. Why not next
20 week then? What's wrong with next week, Ms. Coleman?

21 MS. COLEMAN: Your Honor, I could do certain
22 days. I was just asking for appropriate time to prepare
23 and have exhibits ready and possibly call others to
24 testify, but if the Court needs us to do this next week,
25 with just a few exclusions, I can do it.

1 THE COURT: How much time would you require?

2 MS. COLEMAN: To prepare?

3 THE COURT: No, no. To present ...

4 MS. COLEMAN: So, I don't know, I don't know what
5 the other side is presenting, Your Honor.

6 THE COURT: Well, I'm not asking you about the
7 other side, Ms. Coleman. How much time would you need to
8 present your case?

9 MS. COLEMAN: Well, Your Honor, okay. So, I would
10 guess that this would be, at least, half a day; it could
11 a full day, Your Honor, I don't know that. The
12 accusations are very vague, and I realize that Mr.
13 Greenlow is pro se so, that's probably why, but I've
14 never seen a filing that made such vague accusations. So,
15 it's a little bit hard to prepare.

16 Your Honor, Mr. Greenlow, I was thinking, worked a
17 week on, a week off so, I'm not-perhaps and I'm not
18 clear, this must be his week off.

19 THE COURT: Do you work a week on, a week off,
20 Mr. Greenlow?

21 THE PETITIONER: Yes, Your Honor. I work
22 Wednesday through Wednesday. This Wednesday would be the
23 last day I work before going onto my six days off.

24 THE COURT: Okay. So, if I put this on Tuesday,
25 the 18th, in the morning, you'd be able to-that'd be on

1 your day off?

2 THE PETITIONER: Yes, Your Honor.

3 THE COURT: Okay. Okay, so I'm going to set it
4 from 9:00 a.m. to 12:00, three hours, on Tuesday the
5 18th.

6 MS. COLEMAN: Thank you, Your Honor.

7 THE COURT: You're welcome.

8 THE PETITIONER: Thank you, Your Honor.

9 THE COURT: Okay. That'll conclude this matter
10 for today.

11 (Proceedings concluded at 2:11 p.m.)

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CERTIFICATE

1
2 I, Jennifer J. Blekestad, Official Court Reporter for
3 the State of Montana, do hereby certify:

4 That the foregoing proceedings were electronically
5 recorded using an FTR Reporter 2.1 Digital Recording
6 System; that the electronic recording has been in the
7 custody of the Court; that the recording has not been
8 changed or altered in any way; that the recording is a
9 full, true and accurate record of these proceedings; that
10 the undersigned arranged to have the recording
11 transcribed to writing; that the undersigned has compared
12 the electronic recording with the written transcription
13 and the foregoing 3 through 10 pages constitutes a full,
14 true and accurate transcription of the above-entitled
15 proceedings had and taken in the above-entitled matter at
16 the time and place hereinbefore mentioned.

17 IN WITNESS WHEREOF, I have hereunto set my hand and
18 affixed my notarial seal this 4th day of November, 2022.

19
20 Jennifer J. Blekestad
21 Jennifer J. Blekestad
22 Electronic Court Reporter
23
24
25

Jennifer J. Blekestad, Electronic Court Reporter, Seventh
Judicial District, State of Montana, (406)433-5939