

COPY

STATE OF SOUTH DAKOTA)

IN THE CIRCUIT COURT

COUNTY OF MINNEHAHA)

SECOND JUDICIAL CIRCUIT

MELISSA MENTELE,

Petitioner,

PROTECTION ORDER

-vs-

HEARING

JASON ROBERT BURHAM KARIMI,
Defendant.

49TPO.26-343

BEFORE: The Honorable Andrew Robertson
 Magistrate Court Judge
 Sioux Falls, South Dakota
 May 12, 2026

APPEARANCES: Ms. Melissa Mentele
 241 North 7th
 Emery, South Dakota 57332

Pro se;

Mr. Jason Karimi
415 North Duluth Avenue #8
Sioux Falls, South Dakota 57104

Pro Se.

Roxane R. Osborn
605-782-3032
Sioux Falls, South Dakota

INDEXWITNESSES:DirectCrossRe-DRe-C

For the Plaintiff:

For the Defendant:

EXHIBITS:MARKEDOFFEREDRULED ONMOTIONS AND STIPULATIONSMADE ONRULED ON

End of proceedings.....26

1 THE COURT: Okay. All right. Let's give our next one
2 a try. Let me just get back up here. Let's try Ms.
3 Mentele, if I remember if I pronounce that one correctly,
4 and then Mr. Karimi. Okay. All right. I think I may have
5 butchered your name again, ma'am. Is it Mentel?

6 THE PETITIONER: Mentele.

7 THE COURT: Mentel.

8 THE PETITIONER: It's a hard one for everybody.

9 THE COURT: All right. Sorry about that.

10 THE PETITIONER: Before I got married, it was much
11 easier, I was just a Bartels.

12 THE COURT: All right. Let me just back up on this one
13 here, make sure I have everything perfectly. And I guess
14 I'll start out just by getting both of you sworn in here.
15 If I could have you both just stand and raise your right
16 hand for me as well.

17 (All parties to the action were duly sworn.)

18 THE COURT: So, again, procedurally, I kind of gave my
19 spiel already. I'll give you an opportunity to let me know
20 your position, and then we'll go from there. I guess before
21 we get started, let me just make sure we're on the record
22 here. This is, um, this is Melissa Mentele versus Jason,
23 um, is it just Jason Karimi?

24 THE RESPONDENT: Correct.

25 THE COURT: I've got a few names in there, but it's

1 just Mr. Karimi?

2 THE RESPONDENT: That's correct.

3 THE COURT: Okay. We're on the record here under TPO
4 26-343. Before we do get started with testimony, I do want
5 to note that I had received, let's see, ma'am, are you,
6 you're asking the courtroom to be closed today; is that
7 correct?

8 THE PETITIONER: Yes, sir. Yes, Your Honor, I am.

9 THE COURT: Okay. And I believe that's due to Marsy's
10 law?

11 THE PETITIONER: Correct.

12 THE COURT: Is that correct?

13 THE PETITIONER: That is correct.

14 THE COURT: Okay. I'll let you go ahead and just make
15 your record as to the basis for that request or if there's
16 any authority for me to rely on in regards to that.

17 THE PETITIONER: Oh, I did send a form in yesterday.
18 Did you not receive it?

19 THE COURT: I received the letter and, and I believe
20 there was some information regarding a three year old
21 domestic case with a different defendant.

22 THE PETITIONER: Correct.

23 THE COURT: Okay. Is that the complete basis for the
24 Marsy's law invocation?

25 THE PETITIONER: I'm invoking my Marsy's law rights

1 because Mr. Karimi has published for -- he got a hold of the
2 record on a clerical error out of Hanson County and instead
3 of calling the county and letting them know that he had
4 received it in error, he published it and put links to
5 download on his website, and so that record is being
6 publicly shared. Currently that case has been --

7 THE COURT: And was that the one out of Hanson County
8 or where was that at?

9 THE PETITIONER: This is out of, this is stemming from
10 this case. Um, it's connected to articles that are in
11 evidence for today. But, yes, it's a Hanson County record
12 that he's putting out publicly.

13 THE COURT: Okay. Okay. On a different court case?

14 THE PETITIONER: Yes. On the sealed Marsy's law case.

15 THE COURT: Okay.

16 THE PETITIONER: That he accidentally --

17 THE COURT: So that needs to be addressed in the
18 appropriate county.

19 THE PETITIONER: Actually, it's the attorney general
20 has it.

21 THE COURT: Okay. And they would still need to be
22 addressed before the judge in that, in that county.

23 THE PETITIONER: They sealed it and told me to ask to
24 invoke my rights in this hearing.

25 THE COURT: Okay. All right. And do you have any

1 authority for me to invoke Marsy's rights in civil court?

2 THE PETITIONER: Well, that Marsy's law does protect my
3 rights to be -- have not have my -- I haven't brought it
4 with me.

5 THE COURT: So, I think you need to keep in mind that
6 there's a difference between criminal law and civil law.
7 Okay. All right. Go ahead.

8 THE PETITIONER: So, part of Marsy's law is that I have
9 the right to privacy and dignity, which I have a
10 constitutional right to be treated with fairness and respect
11 for my dignity and privacy.

12 THE COURT: Which I do every day.

13 THE PETITIONER: To be free from intimidation,
14 harassment, and abuse. Each time I've been in a courtroom
15 with Mr. Karimi, even though he's been judicially warned,
16 he's walked out of the courtroom and --

17 THE RESPONDENT: Objection.

18 THE PETITIONER: -- and continued to publish content
19 that addresses the Temporary Protection Orders, including
20 complaints to the State Department of Health, which manages
21 my business licensing to the CASE board.

22 THE COURT: Okay.

23 THE PETITIONER: So, he's sharing these records, which
24 I mean, even just the UJS part of it regarding my husband's
25 24/7, it's illegal to share those because it's part of HIPAA

1 and the state law. And so I would like this to be sealed.

2 THE COURT: Okay.

3 THE PETITIONER: So, that he cannot publish any more
4 content regarding these proceedings.

5 THE COURT: All right. I'm going to deny the request
6 to close the courtroom based on Marsy's law. I would note
7 that Marsy's law specifically notes that in in the section
8 of Martha's -- Marsy's law, it referenced a victim means a
9 person against whom a crime or a delinquent act is
10 committed. So, either a crime or something that is
11 essentially a crime, but in juvenile court. Certainly,
12 Marsy's law is created to ensure victims have a meaningful
13 role and are heard. But again, the law specifically relates
14 to criminal the criminal and juvenile justice system, and
15 since we're in civil court, I'm going to deny the request.
16 Anything else that you want to add before we get started?

17 THE PETITIONER: No.

18 THE COURT: Okay. Again, you guys kind of heard you
19 folks heard the spiel earlier. I'll give everybody an
20 opportunity to explain their position. I have had an
21 opportunity, I did see that there was has been, you know,
22 over two counties, multiple protection orders filed. I
23 believe the last one was in February. And so I just again,
24 want to make sure that folks keep in mind here that I'm only
25 looking at what caused you to file this most recent

1 protection order. And so I'll let you go ahead, Ms. Mentele
2 --

3 THE RESPONDENT: Your Honor --

4 THE COURT: -- or Mentele, I'm sorry.

5 THE RESPONDENT: I have a procedural question. Motion
6 to dismiss. Would that be appropriate to submit now or at
7 the end of the hearing?

8 THE COURT: What's the basis?

9 THE RESPONDENT: Unconstitutional, prior restraint, and
10 collateral estoppel.

11 THE COURT: All right. I'll, I'LL let you handle that
12 here a little bit shortly. All right. All right.
13 Otherwise, Ms. Mentele, you can go ahead.

14 THE PETITIONER: Okay. I'm going to have give you
15 (inaudible, not by mic).

16 THE COURT: That's okay.

17 THE PETITIONER: I do apologize. I didn't write these.

18 THE COURT: That's all right. We'll work through it
19 here. And even if you want to just start kind of explaining
20 in your own words your position and just to kind of get
21 things started here. It looks like the petition was April
22 13th.

23 THE PETITIONER: Yes, Your Honor.

24 THE COURT: Filed. And then again, you know, the last
25 one I think was February 10th. And so I'm looking at what

1 happened between February 10th and today essentially.

2 THE PETITIONER: That's perfect actually. Um, we, I do
3 just want to put on the record, we did have court February
4 10th with Judge Pokela. She was very clear in that hearing
5 that Mr. Karimi was to stop. She -- he was judicially
6 warned by her to discontinue his behavior. And he walked
7 out of that courtroom on the very same day, an hour later,
8 and published additional content. At that time, I had the
9 choice to turn around and walk back in here, but we were
10 also dealing with criminal charges at Hanson County, and I
11 was notified in early February that it was going to be a
12 prosecutorial discretion. It was not dismissed with
13 prejudice or without prejudice. So, the case was still
14 sitting there. I was notified that that would happen. And
15 so what I did is I waited because I knew as soon as he found
16 out he would take what I call a victory lap.

17 THE COURT: So, what was the nature of the post? I
18 guess that's my concern because the, the last protection
19 order was denied, and so I, I -- my understanding in talking
20 with Judge Pokela is there was a kind of a wag of the
21 finger. I mean, just kind of, you know, in in being just a
22 civil person and a decent human being, I think it would be
23 beneficial for both of you just to go the other way. But
24 you know that just because I say that doesn't mean it's
25 judicially enforced. And so I think it matters more what

1 was involved in the post.

2 THE PETITIONER: Okay. Let me be very clear. I don't
3 know, Mr. Karimi. I have no association with him. This is
4 the fourth time I have ever seen him in my life. The other
5 three were in a courtroom. I have no relationship with him.
6 There is no in between. This is not a back-and-forth
7 dispute. This is continued, repeated publishing
8 professional complaints regarding me. I'm trying to seek
9 protection to have him leave me alone because he -- so he
10 published all of the Marsy's law records which are sealed.

11 THE COURT: And, and I'm looking at the specifics here.
12 So, yeah, I mean I can, you know, and I've read some of the
13 record here, I know that there's the dispute, and you guys
14 have a disagreement about, you know, something having to do
15 with the cannabis industry and, and things along those
16 lines, but you know, I think you've been repeatedly told
17 that that doesn't qualify to and, and bootstrap, you know,
18 the kind of the idea of stalking and so --

19 THE PETITIONER: -- I want to be clear; I don't have
20 any disagreement with him on cannabis policy. I don't work
21 with Mr. Karimi. Mr. Karimi does not work within the --

22 THE COURT: -- I didn't say that. You, you guys have
23 interests within the industry, and I understand that you
24 both there's no, you know, there's no contact, there's no
25 relationship. I'm just looking at what, what has happened

1 since February 10th?

2 THE PETITIONER: Well, a lot. He filed a complaint
3 against my professional licensing for my business. I own
4 three vertical, I own a vertical cannabis business which has
5 three licenses. So, he filed a establishment agent
6 complaint against me for using the court to seek protection
7 from him. That is this if you would like it.

8 THE COURT: Okay.

9 THE PETITIONER: He also filed a complaint with the
10 board that I sat on and threatened to civilly sue them if
11 they didn't remove me from --

12 THE COURT: -- did you talk to him at all that day?
13 What did you talk to him at all that day that he made the
14 phone call?

15 THE PETITIONER: Him?

16 THE COURT: Yeah.

17 THE PETITIONER: No.

18 THE COURT: Okay. So, you had no contact with him that
19 day.

20 THE PETITIONER: On April 6th when he learned that he,
21 yeah, he learned that his charges were dropped within
22 minutes of speaking to the sheriff, he called my place of
23 employment. It was an 18 second call that came in. He
24 identified himself. He screamed at our employee, stated
25 that he was going to sue our business for me, seeking a

1 protection order and having him arrested.

2 THE COURT: Okay.

3 THE PETITIONER: Um, there is this continuing narrative
4 that I am a battered wife. There's something mentally wrong
5 with me, that I should get thicker skin. It's just
6 continuous.

7 THE COURT: Okay.

8 THE PETITIONER: And he has not stopped. He --
9 February 10th he put up another article. He was quiet
10 between February and April. April 6th, this was all
11 unleashed. He put in his --

12 THE COURT: -- okay. Was there one phone call or was
13 there additional -- other than the one phone call?

14 THE PETITIONER: The phone call, and then publishing my
15 address, publishing my children's names, publishing my
16 domestic violence --

17 THE RESPONDENT: -- objection, that never happened
18 ever. There's no evidence of it, and it's libel.

19 THE PETITIONER: Wow. Let me just pull that up for
20 you, sir, because I downloaded it straight off your website.

21 THE RESPONDENT: Objection, taunting, please direct
22 comments to the court.

23 THE COURT: Overruled.

24 THE PETITIONER: Actually, Your Honor, it's in the
25 email I sent you yesterday is the second page of this, which

1 has all of my children's names on it, including my full
2 unredacted name, and my home address. This is the third
3 time he's published my home address. And one of my children
4 was a minor at the time.

5 THE COURT: I've got multiple. Can I see the ticket?
6 So, and just to clarify, since Mr. Karimi, you didn't get
7 this email. So, in her invocation of Marsy's law, I did
8 receive a information, um, in a complaint. An information
9 essentially indicating that this petitioner was a victim in
10 a 2023 case looked as though it was maybe from her husband.
11 It was the same last name, but I can't tell one way or the
12 other. I received a ticket from that same case which just
13 again reiterated information in regards to the, the
14 allegation, um, and then there looked to be what's called a
15 register of action, which kind of gives you the summary of
16 the 2023 case. Um, and then again, there was the letter in
17 regards to the invocation of Marsy's law. And so that's the
18 information I received. As far as the posting, I, I didn't
19 receive any of that information.

20 THE RESPONDENT: Your Honor, ah --

21 THE COURT: I'll get to you. Okay.

22 THE PETITIONER: Mr. Karimi also has spread this out.
23 And it's not just him harassing and stalking me online. He
24 has, I have an issue with equity theft on my home right now.
25 I paid my house off a year ago and the sellers will not

1 release my deed. So, it sits as a dormant foreclosure in
2 the UJS system. I have an attorney, Nick Moser, who
3 represents me only on that case, which we discussed in the
4 last hearing. Mr. Karimi sent this email to him, but it's a
5 preservation notice and he put a message in here that says,
6 I request that your client and any person acting with or on
7 behalf of your client cease making, repeating, and
8 publishing, or applying false statement that I encourage
9 suicide, threatened violence, intended violence or posted a
10 physical danger, preserve all communications, screenshots,
11 emails, texts, social media messages, police reports,
12 pleadings, internal communications, and third party
13 communications relating to any allegation that I encourage
14 suicide. Internal threatens violence --

15 THE COURT: -- okay. It's a preservation notice which
16 is what in, in the court system that's, that's a common term
17 any time there's a possible lawsuit, you, you would kind of
18 provide notice in regards to that.

19 THE PETITIONER: I'm aware of that.

20 THE COURT: Okay.

21 THE PETITIONER: I am a student at Harvard University.

22 THE COURT: And you don't --

23 THE PETITIONER: -- I'm planning to go to law school.

24 THE COURT: Okay.

25 THE PETITIONER: Just for the record.

1 THE COURT: I appreciate that. That's impressive.

2 THE PETITIONER: Mr. Karimi though this attorney has
3 nothing to do with this.

4 THE COURT: Okay.

5 THE PETITIONER: Mr. Moser has never been involved in
6 this. I don't see any type of like -- I don't put Nick in
7 the position to be in a courtroom at any point because of
8 this. So, I wanted to keep this very clear. Nick is a very
9 good friend, but we don't speak about this because, you
10 know, it has nothing to do with my house. But Mr. Karimi is
11 sending preservation notices to attorneys not even involved
12 in the case. Um, some of these articles he texted out to
13 members of the association that are friends of mine. One he
14 sent out at 3:00 o'clock in the morning. It is, and I do
15 apologize because I get very anxious when I'm doing this
16 because I don't have any criminal history. I've never had
17 to do this before. I have worked in public policy for 15
18 years. I have stood up and debated our attorney general and
19 won twice. I've debated our legislators. I've been a
20 lobbyist for years. Um, all of that changed two years ago
21 in July. Um, I found out I was terminally ill, and so I
22 have taken a large step back from public policy. I did not
23 register as a lobbyist this year. Um, I left my job at 605
24 in March of last year because it was leave the job or lose
25 my driver's license because I passed out driving on the

1 interstate. So, I'm in treatment for that. And while I try
2 to go through treatment, this is a continuous nonstop thing.
3 And I have spent years building a solid career. A career
4 that I'm very proud of. I wrote on the 26. I ran the
5 campaign on my own. I was the sole sponsor. I passed
6 medical marijuana for the state of South Dakota for
7 patients. That is something that I did. And when I am
8 better, I would like to rejoin my community in a meaningful
9 way. And while I am out, and I don't think Mr. Karimi
10 understands how sick I am or even knows that. He just
11 continuously hammers me about not being present and not
12 being an advocate. And I'm sorry, but I can't be. Like my
13 doctor gave me a choice, you will lose your driving rights
14 for the rest of your life unless you stop. Because I ran
15 myself dry and going through this situation, I just had labs
16 done on Tuesday. My doctor is furious because I had 100% or
17 a 100-point drop in my ferritin, and we went from 293 to 160
18 down to 60. So, this is affecting my health. And the most
19 frustrating thing is all of this tries to tie in a business.
20 This is a personal dispute that Mr. Karimi has with me
21 because I hurt his feelings on Josephine Garcia's Facebook
22 post and he has not stopped since then. He got his feelings
23 hurt on the internet and this has been his little hate
24 revenge campaign. And I think if you look at this, I think
25 this is probably the best explanation of all of this of his

1 what he thinks he's doing. I'll just hand off the visual.
2 And this is the most frustrating part is he considers this a
3 war. So, if you can see which I have to have glasses to see
4 these. Um, he probably has a copy, he wrote it. So, in
5 this visual --

6 THE COURT: -- so, ma'am, I, I need to focus on the
7 specific issue here. You're providing me with some
8 additional information that looks to be prior to February.
9 And so I and --

10 THE PETITIONER: -- these are all after --

11 THE COURT: -- I need to keep moving along here.

12 THE PETITIONER: Oh, this is all after February.

13 THE COURT: Okay.

14 THE PETITIONER: This is from, this is 35 days. I've
15 counted them since the day he was notified that his charges
16 were dropped, this is what he's done in 35 days.

17 THE COURT: Other than the blog posts, is there
18 anything else you can --

19 THE PETITIONER: -- contacting my friends, contacting
20 my attorney for no reason. Contacting my work. Like he
21 will not stop.

22 THE COURT: Okay.

23 THE PETITIONER: I am not at the facility, so calling
24 there --

25 THE COURT: -- so you don't even work there anymore?

1 THE PETITIONER: Um, I am on as a consultant. I go in
2 and I do audits. We did online management.

3 THE COURT: I thought you said earlier you don't even
4 have -- you don't even work there anymore.

5 THE PETITIONER: No, I do downline audits.

6 THE COURT: So, you do work there?

7 THE PETITIONER: One day a week maybe, and that's if I
8 feel good. But this has to stop. This is exhausting. I
9 have never in my life encountered somebody that is so filled
10 with hatred. And I have been wrapped in to these outrageous
11 claims. He'll start an article, and it'll be a policy.
12 This is a really great one. It'll be a policy debate. It
13 has nothing to do with me. And then smack in the middle of
14 it is look at the controversy around Melissa Mentele and 605
15 cannabis and the destruction of her life. Like, what is
16 that and why, there's no purpose of it. He gains nothing by
17 hurting me. All he does is alarm me, make me jumpy in my
18 own home, make my husband terrified to let me leave my
19 house. And then the fact that this man who does not know
20 me, does not know my husband is hosting downloads of records
21 that are sealed by Marsy's law. These are sealed records.
22 They're confidential records. You can go into the UJS
23 system right now. They are sealed. He should have known
24 because he says he's a journalist. I mean, and all of these
25 he claims he's a journalist. A journalist who receives a

1 record that is sealed, or confidential, or contains
2 confidential information, the protocol is to notify the
3 clerk immediately that you have received it and destroy it.
4 Mr. Karimi did not meet the basic level of being a
5 journalist. He is a predator. He took that opportunity and
6 instead of doing the right thing, he published it and then
7 he hosted it for download. And then he has a little ticker
8 on his website of how many people have downloaded it. So, I
9 have a record that is completely constitutionally sealed.
10 We have that Al-Adahi precedent that just passed on the 22nd
11 that ensured that my name could not be out in any of this.
12 Clarified that very clearly by the South Dakota Supreme
13 Court. He's still hosting these records that have my
14 children's name in them and my full unredacted name, my full
15 address, and then alongside of this, and this is where it
16 gets really frustrating. Mr. Karimi does not work in the
17 industry. He has nothing to do with our businesses. How it
18 runs. He put an article out after putting my home address
19 out stating that we don't have banking. Our business does
20 millions per year. I mean we're a \$40 million industry in
21 South Dakota and in states that don't have banking, do you
22 want to know where owners keep the money? Because we don't
23 keep it in a facility because it's open for robbery. You
24 can go on Google right now and look up marijuana operators.

25 THE COURT: Ma'am, please stick on the point here. I'm

1 looking at the specific facts just within a short time
2 period of what you considered the harassment for no
3 legitimate purpose. I think you've been told multiple
4 occasions for multiple hearings that the blogs that he's
5 writing isn't something that's going to get you a protection
6 order. Is there anything else other than that?

7 THE PETITIONER: Actually, that's not what I was told
8 and that's not the statute. Um, the statute does not
9 require him to make direct contact with me. These are not
10 covered by --

11 THE COURT: That's not what I said, Ma'am.

12 THE PETITIONER: -- freedom of speech.

13 THE COURT: Please provide the information that you
14 want me to consider, and then I'm going to make my decision
15 on the protection order. Please.

16 THE PETITIONER: Your Honor, I am explaining to you
17 these articles --

18 THE COURT: Ma'am, you're going off on the banking
19 industries, and the, and your company.

20 THE PETITIONER: Oh, sorry.

21 THE COURT: Stay on point.

22 THE PETITIONER: I was trying to just make it --

23 THE COURT: -- I just so far I haven't received any
24 information that would support your request for the
25 protection order.

1 THE PETITIONER: Okay.

2 THE COURT: Please stay on point.

3 THE PETITIONER: -- this is my --

4 THE COURT: -- go ahead.

5 THE PETITIONER: This is my point. When you put out
6 something that states we don't have banking, and then you
7 publish my home address. I live in a small town. I have a
8 sheriff's department. You put my life in danger from
9 nefarious people who follow the industry. That is not okay.
10 Publishing my children's names, especially my minor child in
11 a domestic violence incident and then posting it on his
12 website for download. I know that's not right. There's no
13 purpose to that. Why would anybody host somebody's domestic
14 violence records? He -- Mr. Karimi also broke into the UJS
15 system by using my personal information to look up stuff
16 regarding me.

17 THE COURT: Okay. Ma'am, and again, another thing here
18 is we're in a courtroom. This isn't Facebook. This isn't a
19 blog. And so I -- you need to provide. You can't just
20 claim something and, and just have me believe it.

21 THE PETITIONER: Well, to get into the UJS system
22 through the state website, you have to have my --

23 THE COURT: -- Ma'am, do you understand that I work for
24 the UJS, correct?

25 THE PETITIONER: Yeah.

1 THE COURT: Okay.

2 THE PETITIONER: You have to have my exact birth date
3 to get in there. That's not public information.

4 THE COURT: All right.

5 THE PETITIONER: This has been relentless, and I
6 understand that I don't make a great case.

7 THE COURT: And is there anything else you want to add,
8 Ma'am?

9 THE PETITIONER: Yes. I would like Mr. Karimi to leave
10 me alone.

11 THE COURT: All right.

12 THE PETITIONER: I would like this to stop. I would
13 like him to stop publishing. I would like the records that
14 are protected by Marsy's law taken down.

15 THE COURT: As mentioned, Ma'am, you need to address
16 that in the appropriate jurisdiction. This is strictly a
17 protection order.

18 THE PETITIONER: Well, I will say this, this morning
19 the sheriff's department was going to accompany me here
20 today, but due to conflicts of interest regarding that, they
21 did not because there is criminal stuff alongside of this,
22 and I don't understand why I have to come back here again to
23 ask to be left alone. He is doing this on the internet.
24 He's naming me. He, oh, he did actually write an article
25 where he said, you have my phone number, you can text me.

1 I've never had his contact information. I have nothing
2 except for I have his phone number because he called our
3 inline work number, and it was captured there. It's on the
4 bottom of his emails, and he wrote in his blog, like you
5 have my phone number. So, he's playing a game which he's
6 going to walk out of here if you say, no, I can't be
7 protected from him, and he's going to continue this course
8 of conduct and I'm going to come back. And next time I come
9 back with a lawyer because maybe I can't explain the statute
10 to you, but this is stalking. This is digging through my
11 personal life for no purpose. There -- it's malicious
12 posting. The posting the Marsy's law records, right there
13 is malicious harassment because nobody needed to know about
14 them. He had no right to do it. And technically, if you
15 take records out of the UJS, you cannot post them for
16 commercial use unless you have permission by the South
17 Dakota Supreme Court, which I guarantee he probably does not
18 have.

19 THE COURT: All right. Thank you, ma'am. All right.
20 So, again, I, I think a lot of this has already been
21 litigated. This is the fourth protection hearing that we've
22 had on this over two counties. It's a lot of the same
23 information about the, the blogging, and the disagreements,
24 and, and, you know, kind of the disagreements that are in
25 the public realm. You know, even I guess I was hoping to

1 hear more about the phone call, but I didn't hear a whole
2 lot about that. But nevertheless, it was, it was a comment
3 to a company that you don't work for anymore --

4 THE PETITIONER: -- I own.

5 THE COURT: -- maybe you do work there now, but you
6 initially testified that you didn't work there.

7 THE PETITIONER: Your Honor, I own the company.

8 THE COURT: And then so you testified that you didn't
9 work there.

10 THE PETITIONER: I don't --

11 THE COURT: -- then you testified that you're a
12 consultant, and now you're testifying that you own it.

13 THE PETITIONER: I do.

14 THE COURT: So, I have a little bit of an issue with
15 your credibility.

16 THE PETITIONER: Sir, may I clarify?

17 THE COURT: In addition, no, no, you may not. You may
18 not. I'm done taking testimony. I gave you plenty of time
19 to, to reiterate what your position was here today. You
20 know, again, so even I guess again, your credibility is a
21 little bit dampened in terms of whether or not you even
22 worked there at the time that he made the phone call, which
23 I suppose could have risen to the, the, um, the level of
24 harassment.

25 THE PETITIONER: I'm no Social Security Disability.

1 THE COURT: But then again, as is indicated, it has to
2 be willful, malicious. and repeated. And all I've got is
3 the one phone call. And so again, I think most of this has
4 been discussed in the, in the multiple protection orders
5 that you previously filed that were dismissed. Really the
6 only new thing was the one phone call which doesn't
7 constitute repeated. And so for those reasons, I am going
8 to deny the request for the protection order.

9 Any questions, Ms. Mentele?

10 THE PETITIONER: I do have questions. I don't
11 understand.

12 THE COURT: And I understand that you don't disagree
13 [sic]. Any questions about my order today? Denying the
14 protection order.

15 THE PETITIONER: Can you tell me why?

16 THE COURT: And I just explained, ma'am.

17 THE PETITIONER: I want --

18 THE COURT: Anything?

19 THE RESPONDENT: Sanctions, preventative
20 (unintelligible).

21 THE COURT: Denied.

22 THE RESPONDENT: Thank you, sir.

23 THE COURT: Have a good day. Thank you.

24 (Proceedings concluded at 2:25 p.m.)
25

STATE OF SOUTH DAKOTA)

:SS

CERTIFICATE

COUNTY OF MINNEHAHA)

This is to certify that I, Roxane Osborn, Court Recorder and Notary Public, do hereby certify and affirm that I transcribed the proceedings of the foregoing case, and the foregoing pages 1 - 25, inclusive, are a true and correct transcription from Court Smart.

Dated at Sioux Falls, South Dakota, this 8th day of July, 2026.

/s/ Roxane R. Osborn

Roxane R. Osborn

Court Recorder

Notary Public - South Dakota

My commission expires: May 9, 2030