

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

DR 2000-090543

11/18/2004

HONORABLE ARTHUR T. ANDERSON

CLERK OF THE COURT  
T. Soto  
Deputy

IN RE THE MATTER OF  
WALTER J BURIEN JR.

FILED: 12/01/2004

DEEAN GILLESPIE

AND

DEBBIE C WATTON

TROY L BROWN

JOHN L POPILEK  
6909 E GREENWAY PKWY  
STE 200  
SCOTTSDALE AZ 85254  
MARY ANN LANZILOTTA  
4539 N 22ND ST SUITE 201  
PHOENIX AZ 85016  
SUSAN KELLY  
PRESCOTT CHILD PROTECTIVE  
SERVICES  
1509 A W GURLEY ST  
PRESCOTT AZ 86305  
SUPERVISOR ANN RUSSELL  
395 S WASHINGTON  
ST JOHNS AZ 85936

TRIAL (CONTINUED)

Courtroom 205

9:41 a.m. This is the time set for Trial continued from October 20, 2004.  
Petitioner/Father, Walter Burien, is present and is represented by Deean Gillespie.  
Respondent/Mother, Debbie Burien, is present and is represented by Troy Brown.

Court reporter, Linda Lopez, is present.

Docket Code 019

Form D000C

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The Court invokes the Rule of Exclusion of Witnesses.

The following persons are sworn:

Walter Burien  
Debbie Burien  
Darlene Fuller  
Peter Fuller  
Darlene Fuller  
Robin Arrowood  
Lindsay Arrowood

The potential witnesses are admonished and exit the courtroom.

Father's case:

Walter Burien, previously sworn, testifies further.

Petitioner's Exhibit 25 is marked for identification.

The witness is excused.

Debbie Watton, previously sworn, testifies.

The witness is excused.

Mother's case:

Peter Fuller, previously sworn, testifies.

11:05 a.m. The Court stands at recess.

11:15 a.m. The Court reconvenes with the parties and counsel present.

Court reporter, Linda Lopez, is present.

Peter Fuller, previously sworn, testifies further.

Respondent's Exhibit 29 is marked and received in evidence.

Petitioner's Exhibit 28 is marked and received in evidence.

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Susan Kelly is sworn and testifies telephonically.

**IT IS ORDERED** Susan Kelly shall confirm who the Child Protective Services report was reported by.

The witness is excused.

Petitioner's Exhibit 27 is marked and received in evidence.

**IT IS FURTHER ORDERED** taking this matter under advisement.

**IT IS FURTHER ORDERED** Mother's counsel has until Monday, December 6, 2004 to submit his hearing memorandum.

There being no further need to retain the exhibits not offered in evidence in the custody of the Clerk of the Court,

**IT IS ORDERED** that the Clerk permanently release all exhibits not offered in evidence to the counsel/party causing them to be marked, or to their written designee.

**IT IS FURTHER ORDERED** that counsel/party or written designee take immediate possession of all exhibits referenced above.

12:00 p.m. Hearing concludes

**LATER:**

After conferring with Susan Kelly with Child Protective Services,

**IT IS ORDERED** that St John's CPS shall submit to this Court by December 15, 2004, a copy of the tape recorded interview between Susan Kelly and the minor child, Gloria, and records pertaining to case number 175087, Walter Burien, dated May 20, 2004.

**IT IS FURTHER ORDERED** that the minor child, Gloria, is to be interviewed by Dr. Mary Ann Lanzillota, 4539 N. 22<sup>nd</sup> St, Suite 201, Phoenix, Arizona 85016, (602) 957-2244.

The interview will focus on the incident reported to the St. John's CPS and the overall care and relationship of the child with her parents and caregivers, particularly grandparents. The Court will supply Dr. Lanzillota with the material from CPS.

**IT IS FURTHER ORDERED** that the parents, grandparents and other caregivers, if any, shall not discuss the interview with Gloria before or after it occurs.

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All parties representing themselves must keep the Court updated with address changes.  
A form may be downloaded at <http://www.superiorcourt.maricopa.gov/ssc/sschome.html>.