

EXHIBIT A

EXHIBIT A

DA-DAZE-NOM MANZANARES - 06/26/07

Case No. 3:07-CV-00076

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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DA-DAZE-NOM MANZANARES,

Plaintiff,

vs.

ELKO COUNTY SCHOOL DISTRICT, and
GARY LEE JONES, SR. As agent for ELKO
COUNTY SCHOOL DISTRICT, and GARY LEE JONES, SR.,
Individually, and CORPORATION OF THE
PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST
OF LATTER-DAY SAINTS, et al.,

Defendants.

COPY

VIDEOTAPED DEPOSITION OF

DA-DAZE-NOM MANZANARES

June 26, 2007

Reno, Nevada

SUNSHINE REPORTING SERVICES

(775) 883-7950 or (775) 323-3411

REPORTED BY: GAIL R. WILLSEY CA CSR 9748; NV CSR 359

A P P E A R A N C E S

FOR THE PLAINTIFF: LISA MENDEZ, ESQ.
927 Idaho St.
Elko, Nevada 89801

FOR THE DEFENDANT: WATSON ROUNDS
FOR GARY LEE JONES By: COLT DODRILL, ESQ.
777 N. Rainbow Blvd., Ste 350
Las Vegas, Nevada 89107

FOR THE DEFENDANTS: ROBISON, BELAUSTEGUI,
THE MORMON CHURCH BY: KENT R. ROBISON, ESQ.
71 Washington St.
Reno, Nevada 89503

FOR THE DEFENDANTS: ERICKSON, THORPE & SWAINSTON, LTD.
ELKO COUNTY BY: THOMAS P. BEKO, ESQ.
99 W. Arroyo St.
P.O. Box 3497
Reno, Nevada 89503

ALSO PRESENT: BRENT L. RYMAN, ESQ.

BE IT REMEMBERED that on Tuesday, the 26th day of June, 2007, at the hour of 9:00 A.M. of said day, at the offices of ROBISON, BELAUSTEGUI, SHARP AND LOW, 71 Washington St., Reno, Nevada, before me, GAIL R. WILLSEY, a notary public, personally appeared DA-DAZE-NOM MANZANARES, who was by me first duly sworn and was examined as a witness in said cause.

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DA-DAZE-NOM MANZANARES,
called as a witness herein, having been
duly sworn, testified as follows:

EXAMINATION

BY MR. ROBISON:

Q Good morning. As I said, my name is Kent Robison, and I represent two of the defendants in this case that you've brought an action against.

Before I start asking you questions, I want to go through some of the rules that apply to this procedure. Have you had a deposition taken of you before?

A No.

Q All right.

I N D E X

EXAMINATION

Examination by Mr. Robison
Examination by Mr. Beko

EXHIBITS

Exhibit 1 Complaint
Exhibit 2 Transcript
Exhibit 3 Suicide Report
Exhibit 4 J.C. Penny receipt
Exhibit 5 Writings
Exhibit 6 Writings
Exhibit 7 Writings
Exhibit 8 Poetry
Exhibit 9 Picture
Exhibit 10 Address Book
Exhibit 11 Address book
Exhibit 12 Folder
Exhibit 13 Folder
Exhibit 14 Nummie
Exhibit 15 Book Cover
Exhibit 16 Xerox copy name tags
Exhibit 17 Pack of documents
Exhibit 18 Calendar
Exhibit 19 Calendar
Exhibit 20 Picture of Gary

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First and most important is would you please keep your voice up. We would encourage you to yell and get it up because she has to hear you and the videographer has to hear you and the attorneys down the table have to hear you, okay?

A Okay.

Q And I will remind you from time to time, as will the other attorneys, to keep your voice up; okay?

A All right.

Q We're not trying to be rude, we're just trying to make sure that everybody hears you.

The second request that I would make of you is that if you can answer a question with words please. Like "Yes" or "No," please use "Yes" or "No" rather than non-verbal gestures like shaking or nodding your head because you will get a transcript of what you say here today and we want to read the words rather than the gestures?

A Okay.

Q So please try to avoid, if you can, "Uh-huh" or "Huh-huh", and I don't even know the difference sometimes.

If you do that, I might say, "Is that a yes or is that a No," and please be patient with me and we'll make sure that the record is clear, deal?

DA-DAZE-NOM MANZANARES - 06/26/07

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1 A Deal.

2 Q Keep your voice up.

3 A Okay.

4 Q If you have any confusion or any problem with
5 what the question is or what it means or what
6 information we're trying to obtain, please let us
7 know.

8 A Okay.

9 Q And if you want us to rephrase the question
10 or make it more clear, we will be happy to do so.

11 A Okay.

12 Q And we don't want there to be any confusion
13 about what I ask and you misunderstood me and gave me
14 a wrong answer to a wrong question.

15 So we'll try our best to make sure that we
16 understand one another so the questions are responsive
17 to or excuse me, the answers are responsive to the
18 questions, okay?

19 A Okay.

20 Q If you want to take a recess or a break,
21 please let us know and we'll be happy to do that.

22 As I told you, this room gets a little warm
23 in the summer, and we will probably be taking a recess
24 about every hour today; all right?

25 A Okay.

1 Q All right.

2 You indicated to us that you're pregnant?

3 A Yes.

4 Q How far along are you?

5 A Two months.

6 Q You're due when?

7 A About the middle of January.

8 Q January '08 you're due?

9 A Yes.

10 Q All right.

11 I'm going to explain to you why we take
12 depositions.

13 A All right.

14 Q This is a part of the case that we call
15 "Discovery."

16 A Okay.

17 Q And you, through your lawyers, have brought a
18 lawsuit against various defendants in which you are
19 seeking compensation. Do you understand that?

20 A Yes.

21 Q The rules allow us to do various things to
22 try to find out everything about your claim. We're
23 starting off with your deposition and this is our
24 effort to find out everything about your claim and
25 about this case.

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1 Q However, if I'm asking a question or one of
2 these other gentlemen are asking you a question and
3 you ask to take a recess while that question is
4 pending and you discuss that question with your
5 attorney, we're entitled to go into that discussion.

6 So what we're going to try to do is make sure
7 that you answer the question before we take a recess
8 while the question is pending, understood?

9 A Yes.

10 Q How about your health.

11 You're okay health wise with regard to giving
12 a deposition today?

13 A Other than I'm pregnant, yeah, I'm okay.

14 Q Now, yell at me, please.

15 A Okay.

16 Q Are you on medication?

17 A No.

18 Q In terms of your mental clarity, are you good
19 with giving a deposition today?

20 A Yes.

21 Q Is there any reason, from a health
22 standpoint, that the answers that you give us today
23 would be in any way inaccurate because of a health
24 condition?

25 A No.

1 A Okay.

2 Q Now, if you should not tell us the truth and
3 we find out that one of your answers is untruthful, I
4 want you to know that one or more of us will try to
5 show the jury in this case that you weren't honest
6 with us.

7 So it's very important that you do your very
8 best to give answers that are as accurate as possible
9 to the best of your recollection during this
10 deposition.

11 A Okay.

12 Q All right?

13 A Yes.

14 Q At sometime probably tomorrow this deposition
15 will be transcribed into booklet form. Inside the
16 booklet form will be every question that's asked here
17 today, and your answers will be printed out.

18 You'll have the opportunity to read the
19 deposition transcript and make any corrections or
20 additions or modifications to that transcript that you
21 feel are appropriate.

22 A Okay.

23 Q But if you do that and if you change what we
24 call the substantive content of your answer, we will
25 probably ask you about you changing your testimony at

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1 the time of trial.
 2 A Okay.
 3 Q That's not to dissuade you from making
 4 corrections that are appropriate but just to alert you
 5 that if you change your answers, we will try to
 6 suggest that you're changing your version after maybe
 7 you consulted with counsel or some such thing.
 8 Do you understand?
 9 A Yes.
 10 Q So it's important today to give a lot of
 11 thought to your answers so that they're your best
 12 recollection and as accurate as possible, understood?
 13 A Yes.
 14 Q Where do you presently reside?
 15 A In New Mexico.
 16 Q Do you have an address, ma'am?
 17 A Not a physical address.
 18 Q If somebody were trying to get ahold of you
 19 with a written communication, how would they do that?
 20 A It's PO Box 1043, Magdalena, New Mexico.
 21 Q Would you say that again, 1043?
 22 A Yes.
 23 Q And what's the name of the community?
 24 A Magdalena.
 25 Q New Mexico?

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1 A Yes.
 2 Q Zip?
 3 A 87825.
 4 Q And do you have a telephone number?
 5 A Yes, area code 505 854-3290.
 6 Q Is that a residence?
 7 A Yes.
 8 Q And with whom do you presently live?
 9 A My boyfriend.
 10 Q And his name?
 11 A Donald Padilla.
 12 Q Do you want to spell that last name for us,
 13 please?
 14 A P A D I L L A.
 15 Q And is Don employed?
 16 A Yes.
 17 Q What is his employment?
 18 A He works with the A N S B, Alamo Navajo
 19 Community School.
 20 Q Do you reside on a reservation?
 21 A Yes.
 22 Q And the name of the reservation?
 23 A Alamo Navajo.
 24 Q Alamo Navajo?
 25 A Correct.

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1 Q How long have you resided on that
 2 reservation?
 3 A About going on two years.
 4 Q When did you first move to New Mexico?
 5 A May 28 of 2005.
 6 Q How long have you and Mr. Padilla been
 7 boyfriend, girlfriend?
 8 A About three and a half years I would say.
 9 Q All right. Help me out with that.
 10 What is it almost July of 2007, so we're
 11 going back to 2004, mid-part of 2003; does that sound
 12 right?
 13 A No.
 14 Q I think that's three and a half, I'm not
 15 sure.
 16 A Somewhere around there. About let's see,
 17 yeah, somewhere around there.
 18 Q Approximately May of 2003?
 19 A No, not 2003. Around 2005, no not five,
 20 four.
 21 Q All right. 2004?
 22 A About two and a half years, two and a half to
 23 three years.
 24 Q Unfortunately, this deposition is going to
 25 cover a lot of dates and a lot of time periods. So

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1 when I ask you about dates and time periods, give it
 2 some thought because it becomes very important to the
 3 merits of this case as you'll see soon.
 4 So you and Mr. Padilla have known each other
 5 since approximately May of 2004?
 6 A Yes.
 7 Q How did you meet?
 8 A Through the Internet.
 9 Q Were you responding to some kind of dating
 10 service?
 11 A Something like that.
 12 Q Okay. Well, I'll let other people go into
 13 that.
 14 Where were you when you and he met on the
 15 Internet?
 16 A I was living in Owyhee.
 17 Q Address please?
 18 A P O Box 303, Owyhee, Nevada 89832.
 19 Q And so in May of 2004, would that be the best
 20 estimate that you can give us that you and he made
 21 contact on the Internet?
 22 A Yes.
 23 Q All right.
 24 with whom were you living in Owyhee at that
 25 time?

Page 14		Page 16	
1	A My mom and my stepdad, I believe.	1	A Yes.
2	Q Your mother is Martha Seahmer?	2	Q First name?
3	A Yes.	3	A That's his first name.
4	Q And your stepdad is Rudolph Seahmer?	4	Q what's his last name?
5	A Rudolph Seahmer.	5	A Vicente, V I C E N T E.
6	Q When then did you leave Owyhee to go to New	6	Q Thank you.
7	Mexico?	7	And where is Mr. Vicente from?
8	A May 28, 2005 after graduation.	8	A The same place, Alamo.
9	Q All right.	9	Q Okay.
10	During the period of May of 2004 to May of	10	So let me kind of backtrack and get this
11	2005 during that period of time, did you and Mr.	11	together. I'm sorry I have to do this but it's
12	Padilla continue to develop your relationship on the	12	important to the case.
13	Internet?	13	In April of 2005, you and Mr. Padilla get
14	A Yes. well, both Internet and in person.	14	together personally; correct?
15	Q When did you first get together in person and	15	A Yes.
16	I mean socially, I don't mean intimately?	16	Q And about that time, you make plans to move
17	A Okay. I would say about April 26 of '05 I	17	to New Mexico to be with him?
18	believe.	18	A Yes.
19	Q Okay.	19	Q And then in May of 2005, you actually move
20	So approximately a month before you left for	20	down to Alamo?
21	New Mexico, you and he finally had the chance to meet	21	A Yes.
22	personally?	22	Q And start residing with Mr. Padilla?
23	A Yes.	23	A Yes.
24	Q And then within a month, you decided to go	24	Q But then in August of '05, you get pregnant
25	live in New Mexico?	25	by somebody else?
Page 15		Page 17	
1	A Yes.	1	A Yes.
2	Q To be with him?	2	Q Was there a little disruption in the
3	A Yes.	3	relationship between yourself and Mr. Padilla?
4	Q Did you begin living together in May of '05?	4	A Yes.
5	A Yes.	5	Q Did you break up?
6	Q Okay.	6	A No.
7	Have there been any other pregnancies,	7	Q You were still living together when you got
8	unsuccessful with him?	8	pregnant by Emmitte Vicente?
9	A No.	9	A Yes.
10	Q Have there been other unsuccessful	10	Q How did the pregnancy that occurred with Mr.
11	pregnancies with you?	11	Vicente, how did that end? was that through abortion?
12	A No.	12	A No.
13	Q This is your first time?	13	Q How, miscarriage?
14	A This is my second.	14	A No. I do have the baby.
15	Q When was the first pregnancy?	15	Q Oh, I'm sorry.
16	A I got pregnant in August of '05. The date is	16	So you how old is your baby?
17	the 27th.	17	A She's a year and two months.
18	Q August of '05 and was that with Mr. Padilla?	18	Q Her name?
19	A No.	19	A Jackie Lynn Padilla.
20	Q Who was the father of your first pregnancy?	20	Q Jackie Lynn Padilla.
21	A Emmitte Vicente.	21	So Mr. Padilla is the adopted father of
22	Q Okay. Help us with that, please, with the	22	Jackie?
23	pronunciation and spelling if possible?	23	A I just put him on the birth certificate
24	A E M M I T T E.	24	because the other one didn't want to be.
25	Q Emmitte?	25	Q The other one, Emmitte, is he financially

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<p>1 supporting Jackie at all?</p> <p>2 A No.</p> <p>3 Q He's not a good father?</p> <p>4 A He's a low-life.</p> <p>5 Q How long were you involved with Emmitte?</p> <p>6 A I would say maybe two months I would say.</p> <p>7 Q And that would have been in the end of August</p> <p>8 2005 timeframe?</p> <p>9 A Yes, around July or June, mid-June.</p> <p>10 Q Mid-June of 2005?</p> <p>11 A Yes.</p> <p>12 Q About a month after you got down to New</p> <p>13 Mexico?</p> <p>14 A Yes.</p> <p>15 Q All right.</p> <p>16 A At first, we were friends and then one thing</p> <p>17 led to another.</p> <p>18 Q Okay.</p> <p>19 Now, did that cause a disruption in your</p> <p>20 relationship with Mr. Padilla?</p> <p>21 A He didn't know until after I got pregnant.</p> <p>22 Q when did he learn?</p> <p>23 A Around two months after I had the baby.</p> <p>24 Q He learned about Emmitte two months after you</p> <p>25 had the baby, that doesn't make sense.</p>	<p>1 Q Okay.</p> <p>2 So even though you have these children, you</p> <p>3 don't want to be married at this point in time in your</p> <p>4 life?</p> <p>5 A No.</p> <p>6 Q I'll take that as a "No?"</p> <p>7 A No. I don't want to.</p> <p>8 Q All right.</p> <p>9 Do you work?</p> <p>10 A Yes, I do.</p> <p>11 Q And what is your occupation, please?</p> <p>12 A I'm a security guard over at the Alamo</p> <p>13 Wellness Center.</p> <p>14 Q Alamo Wellness Center?</p> <p>15 A Yes.</p> <p>16 Q All right.</p> <p>17 How long have you been employed in that</p> <p>18 capacity, ma'am?</p> <p>19 A Let's see, getting close to three months.</p> <p>20 Q Okay.</p> <p>21 A Just say two.</p> <p>22 Q And before being a security officer at the</p> <p>23 Alamo Wellness Center, were you employed in New</p> <p>24 Mexico?</p> <p>25 A No.</p>

Page 19	Page 21
<p>1 A I told him everything that went on.</p> <p>2 Q Were you living with him?</p> <p>3 A who?</p> <p>4 Q Mr. Padilla?</p> <p>5 A Yes.</p> <p>6 Q Didn't he see you getting kind of more</p> <p>7 pregnant?</p> <p>8 A Yes, but I told him that it was his.</p> <p>9 Q Okay.</p> <p>10 A I lied to him.</p> <p>11 Q All right.</p> <p>12 Now, any other pregnancies?</p> <p>13 A No.</p> <p>14 Q So when did you become -- two months along</p> <p>15 now with Mr. Padilla's child?</p> <p>16 A Yes.</p> <p>17 Q All right.</p> <p>18 Do you have plans to marry?</p> <p>19 A No.</p> <p>20 Q You're not going to get married?</p> <p>21 A No.</p> <p>22 Q Why is that?</p> <p>23 A Too young.</p> <p>24 Q And that's -- how old are you today?</p> <p>25 A I'm 20 years old.</p>	<p>1 Q So this is your first and only job in New</p> <p>2 Mexico?</p> <p>3 A Yes.</p> <p>4 Q Prior to moving to Alamo, did you have</p> <p>5 employment at Owyhee?</p> <p>6 A No.</p> <p>7 Q And you graduated from high school when,</p> <p>8 ma'am?</p> <p>9 A May 27, 2005.</p> <p>10 Q And by my calculations, you would have been</p> <p>11 18 when you graduated?</p> <p>12 A Yes.</p> <p>13 Q All right.</p> <p>14 Did you lose a year or a portion of your</p> <p>15 education, for the period of time that you were up in</p> <p>16 Boise?</p> <p>17 A Yes, I did.</p> <p>18 Q Did you graduate late?</p> <p>19 A No. I did not.</p> <p>20 Q So you graduated on time?</p> <p>21 A Yes.</p> <p>22 Q Good for you.</p> <p>23 A I had to cram all that stuff I lost into my</p> <p>24 brain.</p> <p>25 Q All right.</p>

Page 22		Page 24	
1	Now, I want to go back to your upbringing in	1	Q And how much older is Seferino than yourself?
2	Owyhee?	2	A He's two years older than I am.
3	A Okay.	3	Q Was he in Owyhee in the year 2000?
4	Q Where were you born?	4	A Yes, for a short period of time. Then he
5	A I was born in Nampa, Idaho.	5	went off to Job Corp in Salt Lake City.
6	Q And your father's name is what?	6	Q By the time that Mr. Seahmer, Rudolph, came
7	A Benjamin Manzanares.	7	to Owyhee --
8	Q Do they call him "Benny" sometimes?	8	A He was gone.
9	A Yes.	9	Q He was gone?
10	Q And your mother?	10	A Yes.
11	A Martha Seahmer.	11	Q All right.
12	Q And I'm sorry, your father's last name is	12	A So it was just me and my mom.
13	Manzanares?	13	Q And then yourself and no other brothers or
14	A Yes.	14	sisters?
15	Q All right.	15	A No.
16	And when was it -- how old were you when you	16	Q All right.
17	moved from Nampa to the next place you lived?	17	And the year of your birth again is what?
18	A Oh man, I have no idea.	18	A 2/14/87.
19	Q Did you move around a lot?	19	Q Valentine's Day?
20	A I was just a baby. I don't know.	20	A Yes.
21	Q Where did you next live after Nampa?	21	Q 2/14?
22	A Owyhee.	22	A '87.
23	Q So when you were a baby, your mom and dad	23	Q All right.
24	moved to Owyhee?	24	Now, we understand from various reports that
25	A Yes.	25	your father got in a little bit of trouble?
Page 23		Page 25	
1	Q And you have an older brother and an older	1	A Yes.
2	sister?	2	Q Do you recall the year that that happened?
3	A Correct.	3	A I would have to say it was between the year
4	Q Was it Antoinette?	4	2000 and 2001 or it could be in 2001.
5	A Antoinette.	5	Q He was accused and convicted of murder?
6	Q And she is how many years older than you?	6	A Yes.
7	A I think she's like I would say about six or	7	Q And the victim in that situation was whom?
8	seven years older than I am.	8	A My mom's grandniece.
9	Q Okay.	9	Q How did that situation arise?
10	And where does she reside now?	10	A We were kind of like foster parents. They
11	A In Arizona.	11	were triplets.
12	Q During the period of time that you attended	12	Q Right.
13	Owyhee High School and I'm going to use the years 2000	13	A We were foster parents to them, and I guess
14	and 2001, was Annette --	14	my dad went out of the control, couldn't control his
15	A Antoinette.	15	temper.
16	Q Was she residing in Owyhee?	16	Q How old was the niece that died?
17	A No.	17	A Either three or four years old.
18	Q She was in Arizona?	18	Q And he was physically disciplining her?
19	A No.	19	A Yes, physical.
20	Q So she wasn't there during this period of	20	Q And lost control?
21	time?	21	A Yes.
22	A No.	22	Q All right.
23	Q How about your older brother, what's his	23	A It happened over a period of time, not just
24	name?	24	right there, just, you know, ongoing.
25	A Seferino, S E F E R I N O.	25	Q I might ask you a question that's sensitive

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1 but please bear with me.
 2 Was your father abusive of you?
 3 A Sexually, no. Mentally, yes. Physically,
 4 yes.
 5 Q And would you describe for us, please, what
 6 you mean by physically abusive?
 7 A Hit me with closed fists, open hand, anything
 8 that's in his sight like a shoe, stick, a cord or
 9 anything any hard object or anything, that's his way
 10 of disciplining.
 11 Q Do you recall him being physically abusive of
 12 Seferino?
 13 A Yes.
 14 Q The same way?
 15 A Yes.
 16 Q Were injuries sustained by you or Seferino,
 17 as a result of this physical abuse?
 18 A Yes.
 19 Q What kind of injuries?
 20 A They would be like marks on our back. My
 21 brother has a long scar on his back from the fire
 22 poker.
 23 Q Oh, boy.
 24 A And I have a couple of marks on my back.
 25 Q From what?

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1 A From the same thing.
 2 Q A fire poker?
 3 A Yes.
 4 Q Was it hot?
 5 A No.
 6 Q Just one that you would use to shake up the
 7 ashes?
 8 A Yes.
 9 Q And he would poke you with that?
 10 A Just go like hit you.
 11 Q With a fire poker?
 12 A Yes.
 13 Q And you have permanent scarring because of
 14 that?
 15 A Yes.
 16 Q Any other type of physical abuse that he
 17 would administer to you?
 18 A He once gave me a black eye.
 19 Q By striking you with his fists?
 20 A Yes.
 21 Q How old were you when that happened?
 22 A I was about six or seven.
 23 Q Okay.
 24 Do you know whether or not that abuse was
 25 ever reported to the authorities?

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1 A Once when I got the black eye because I went
 2 to school the next day and my counselors and the
 3 principal saw it. I tried covering it up, but they
 4 didn't believe me.
 5 Q When you made that report, were you in the
 6 same school?
 7 I mean is Owyhee just one school, one
 8 through --
 9 A K through 12.
 10 Q And what did the authorities do when they
 11 found out that your father had beaten you?
 12 A All they did was just took me down to the
 13 police department and took pictures and kind of like
 14 threatened him to take us away. But they didn't
 15 really do any further actions really like putting him
 16 in jail or anything like that.
 17 Q But as far as the fire poker, the discipline
 18 by striking with the fire poker, that was unreported?
 19 A No.
 20 Q That did not get to the authorities; correct?
 21 A No, it did not.
 22 Q Your mom, was she abusive?
 23 A To me?
 24 Q Yes.
 25 A No.

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1 Q To anyone else?
 2 A No.
 3 Q To your brother or sister?
 4 A No. I mean she would give us a spanking but
 5 not to the extent of bruising and big welts on your
 6 legs or blood or anything like that.
 7 Q You told me that your father also caused you
 8 to suffer emotional abuse.
 9 A Yes.
 10 Q And would you describe that for us, please?
 11 A I was afraid to do a lot of things. Each
 12 time I would do something if it's not up to his
 13 standards, he'll like I guess you could say beat me
 14 and stuff like that.
 15 Q That caused you to be constantly fearful and
 16 some anxiety about the way that you were conducting
 17 yourself?
 18 A Yes.
 19 I would always flinch if he would raise his
 20 hand to do something or if he would come near me, I
 21 would go like that like a little puppy.
 22 Q Yeah, right.
 23 Did you ever receive any treatment,
 24 assistance because of this emotional or physical
 25 abuse?

DA-DAZE-NOM MANZANARES - 06/26/07

9 (Pages 30 to 33)

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1 A At that time, no, I did not.
 2 Q All right.
 3 Now, I'm trying to put this together in a
 4 time line. I understand he got in trouble in 2000?
 5 A Me?
 6 Q No, no, him, your father. Does that sound
 7 right?
 8 A I can't recall.
 9 Q Okay.
 10 A I don't remember.
 11 Q Do you know how old you were when he went to
 12 prison?
 13 A I believe I would have to be about between
 14 the age of 12 to 14, in between there.
 15 Q All right.
 16 A I really don't remember. I know I was in
 17 middle school, though.
 18 Q As I understand some of the reports, you met
 19 Mr. Jones because your father was sent to prison?
 20 A Yes.
 21 Q We're trying to put a date or a month and a
 22 year on that meeting, and we need your best testimony
 23 as to when you would have met Mr. Jones.
 24 A I know it was in the year 2001.
 25 Q okay, 2001?

Page 32

1 A No, June of 2000.
 2 Q Okay, June of 2000.
 3 Now, hold that date in mind, okay, June of
 4 2000, assume that's right for a moment. Go to the
 5 Elko motel situation which we know is November of
 6 2001.
 7 A Yes.
 8 Q Are you still sure that you had only known
 9 Gary Jones for about six or seven months prior to the
 10 Elko motel?
 11 A It has to be more than that because about a
 12 month after my dad left -- about a half a month after
 13 my dad left, we were in the Elko shelter, and we came
 14 back and then school started again in August and
 15 that's when we started -- let me see. I would say
 16 around about October of 2000 I have known Gary, that's
 17 when he started coming around and stuff like that.
 18 Q To help the family?
 19 A Yes.
 20 Q You mentioned the Elko shelter?
 21 A Yes.
 22 Q Because of your father's departure for
 23 prison, were you and your brother put in a shelter in
 24 Elko?
 25 A Me, my mom and my brother.

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1 A Yes.
 2 Q If we do some math with some of these
 3 reports, sometimes it's 2001 and sometimes it's not,
 4 but we're trying to get down to the best recollection
 5 you have.
 6 Let me try it this way. In the reports,
 7 there is a description of you staying in a motel-with-
 8 Mr. Jones in November of 2001. Can you go back from
 9 the Elko motel situation and tell us how many months
 10 before that it was that you may have met him?
 11 A Six or seven months I believe.
 12 Q That makes sense, at least to me.
 13 That would have put it back in the summer
 14 spring of 2001.
 15 A Yes, that sounds right.
 16 Q And you would have been 14 years old, if my
 17 math is correct, in 2001?
 18 A I was about 13 when my dad left, around 13
 19 going on 14.
 20 Q All right.
 21 Now, see if your dad left in the summer of --
 22 A July of 2000, that's when he left I remember
 23 now because we were getting taken out of school and
 24 there was a week left of school so I remember now.
 25 Q In July of 2000?

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1 Q How did that happen?
 2 A The FBI told us to stay in there for several
 3 weeks or a couple of months, something like that,
 4 while my dad was still -- he was in Owyhee still until
 5 they came to pick him up. Then they picked him up
 6 within about a week.
 7 Q After the child died?
 8 A Yes.
 9 Q All right.
 10 A And then from there, I think they put him in
 11 the Elko county jail.
 12 Q All right.
 13 A They could have put him there or they could
 14 have sent him over here to Reno to Washoe.
 15 Q I'm going to try to reconstruct this as your
 16 best recollection because these dates are very
 17 important to us, okay?
 18 A Okay.
 19 Q Approximately August of 2000, you think
 20 you're in the Elko shelter?
 21 A Uh-huh.
 22 Q Is that correct?
 23 A Yes.
 24 Q And they put you in the Elko shelter --
 25 A In August?

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Page 36

1 Q I think that's what you said.
 2 A No, not in August.
 3 Q When were you in the Elko shelter?
 4 A Around the mid-part of June to the first part
 5 of July. Then in August, we went back to school.
 6 Q All right.
 7 In the Elko shelter somewhere in the
 8 timeframe of June and July of 2000; correct?
 9 A Yes.
 10 Q And then in August, you're allowed to return
 11 to Owyhee?
 12 A Yes.
 13 Q And reside in your house?
 14 A Yes.
 15 Q And return to school?
 16 A Yes.
 17 Q What grade were you in?
 18 A Oh geez, let's see, I would have been a
 19 freshman, 9th grade.
 20 Q My math says you're 13 years old in 2000
 21 after February 14.
 22 A Then 8th grade because in 2001, I was a
 23 freshman.
 24 Q So you're in 8th grade you think in 2000?
 25 A Let me see, I was in 7th grade.

1 been 10th grade?
 2 A In 2004, I had to make up two grades at the
 3 same time.
 4 Q All right.
 5 In 2002, do you remember in August of 2002
 6 was the attempted suicide; okay?
 7 A Uh-huh.
 8 Q Yes?
 9 A Yes.
 10 Q 2002 to 2003, were you a sophomore?
 11 A Yes.
 12 Q Did you go to school the fall semester in
 13 2002 or did you go to Boise and stay there for a
 14 while?
 15 A I think I went to Boise and stayed there
 16 because I know when I came back, I had to repeat two
 17 grades.
 18 Q Right. And that was I think in January of
 19 2003?
 20 A Yes, you're right, I was a sophomore then
 21 because I remember coming back. Then I had to do my
 22 sophomore year plus my junior year.
 23 Q Okay.
 24 But all this is going to one simple question
 25 and that is when did you meet Gary Jones?

Page 35

Page 37

1 Q When you met Mr. Jones, do you know what
 2 grade you were in?
 3 A Yeah, I was a freshman.
 4 Q That's 9th grade?
 5 A Yeah, 8th grade going into 9th grade.
 6 Then from there, I had to repeat my that's
 7 during my freshman and sophomore year, I was out and
 8 then coming back half of my sophomore year, I had to
 9 make all that up.
 10 Q That didn't help me at all.
 11 We're going to go from graduation.
 12 A Okay, that would be easier.
 13 Q And we know graduation is 12th grade and that
 14 occurred when?
 15 A May 27, 2005.
 16 Q All right.
 17 So that's 12th grade?
 18 A Yes.
 19 Q Go back a here to May of 2004?
 20 A The 11th grade.
 21 Q Go back to May of 2003.
 22 A In 2003 was 10th, right?
 23 Q Unless we missed some school in there so be
 24 sure about this.
 25 So we go back to May of 2003, it would have

1 A In 2000, I think.
 2 Q would it have been a full year before the
 3 Elko motel situation?
 4 A Not really.
 5 Q That's what I think.
 6 A No, it couldn't have because this whole thing
 7 between me and Gary had been on for about a year.
 8 Q Prior to what?
 9 A Prior to him getting caught.
 10 Q Well, let's suggest he got caught after the
 11 attempted suicide in August of 2002, fair?
 12 A Yes.
 13 Q All right.
 14 So if you had been seeing him for about a
 15 year, that would put it back to the summer of 2001
 16 which is consistent with some of the reports?
 17 A Yes, it would be because after I did attempt
 18 suicide, that's when they started really getting into
 19 the investigation and stuff, yes.
 20 Q Right.
 21 (Exhibit No. A was marked.)
 22 BY MR. ROBISON:
 23 Q We have marked as Exhibit A to your
 24 deposition the Complaint that is filed by you against
 25 the defendants.

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1 A Okay.

2 Q I'm not going to talk to you about that right

3 now but you have given a video and an audio recorded

4 statement to the Elko Police Department.

5 Do you remember that?

6 A No.

7 Q With Miss Bowers?

8 A I don't remember.

9 Q You sat in a little room.

10 I can play some of it for you and it might

11 refresh your recollection; do you want me to do that?

12 A Yes.

13 Q All right.

14 Let me ask some preliminary questions.

15 A Okay.

16 (Exhibit B was marked.)

17 BY MR. ROBISON:

18 Q This is our transcript, Exhibit B, of that

19 statement. I'm going to show you the video in a

20 moment but what I want to do is ask you to turn to

21 Page 8 and 9 of the transcript Exhibit B.

22 Now, Page 8, Detective Connie Bowers is

23 trying to find out what I'm trying to find out and

24 that's when you first met Gary Jones. Are you with

25 me?

Page 39

1 A Yes.

2 Q All right.

3 Let's start at the top of Page 8. You say,

4 "But they came over to help you and your mother."

5 "Yes."

6 "Get through this period when your dad went

7 to prison?" You say "Uh-huh."

8 "So how did your relationship start with

9 him?" And you say, "I didn't really like him at

10 first. I hated his guts." She says, "okay, that's

11 honest." You say, "I was afraid of him. Then a

12 little later on, I started growing out of that." She

13 says, "what caused you to do that?" And you say, "I

14 don't know. He started to be nice to me I guess."

15 She says, "How was he nice?" And you say, "Like any

16 uncle would treat you or aunt would treat you, like

17 your mom would treat you."

18 The question is asked, "So you came to look

19 at him first as an uncle figure or something?"

20 "Uh-huh."

21 "Okay." Your answer, "Well, my aunt and my

22 mom and some of my relatives were telling me that he

23 was my uncle and his sister was telling me that." She

24 says "what?" And you say, "His sister was telling me

25 that he was my uncle and she was my aunt."

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1 Then she says "Okay. And so did you and he

2 start doing things together?" And you say, "Uh-huh.

3 Not until gee I think six or seven months later."

4 I read that to understand that about six or

5 seven months after you met Gary Jones, this physical

6 relationship evolved?

7 A Yes.

8 Q And you say in this statement that that

9 started at the motel in Elko?

10 A Yes.

11 Q So that we know is November of 2001?

12 A Yes.

13 Q So do you believe that was six or seven

14 months before the Elko situation where you first met

15 Gary Jones?

16 A Yes.

17 Q Is this truthful testimony?

18 A Yes, I do remember now.

19 Q Okay.

20 Then I won't have to play the tape right now.

21 I'll play it later.

22 A No.

23 Q Okay.

24 So we're going to go forward in this case

25 believing that you met Gary Jones about May or June of

Page 41

1 2001, deal?

2 A Deal.

3 Q All right. I want to stop right there.

4 What faith were you in June of 2001?

5 A It was called a non-denominal.

6 Q Non-denomination?

7 A Yes.

8 Q You had never been to the Mormon church?

9 A Like going to church?

10 Q Right.

11 A No. But yes, I've been in there. You know,

12 like for my mom used to have a friend that quilts and

13 I used to go help them quilt.

14 Q Don't take me there, my wife does that.

15 A Then I was small enough to climb under and

16 stick the needle through.

17 Q But you didn't do that to go there for church

18 purposes?

19 A No.

20 Q You just went there because it was where your

21 mom was?

22 A Right.

23 Q And you had never participated in any Mormon

24 service?

25 A No.

Page 42		Page 44	
1	Q Never been a member of any of the youth	1	A No.
2	groups in the Mormon church?	2	Q Have you ever participated or attended a
3	A No.	3	baptism at the Mormon church?
4	Q You don't know anything about the Mormon	4	A No.
5	church philosophies as of that time?	5	Q Do you know how they're done?
6	A No.	6	A I think so. I don't know.
7	Q You were never given teachings or preachings	7	Q And is that something you just heard from
8	from the Mormon church at that time?	8	your friends?
9	A No.	9	A Yes.
10	Q Correct?	10	Q How about a confirmation, do you know what
11	A Yes.	11	that is?
12	Q I'm going to ask you whether or not you know	12	A No.
13	what the weekly sacrament services are about at the	13	Q Do you know whether or not any of your
14	Mormon church?	14	friends have ever been confirmed?
15	A I don't know what that is.	15	A No.
16	Q You have no idea?	16	Q All right.
17	A I have no idea.	17	Ever been to a Mormon baby blessing?
18	Q Do you know about the weekly primary	18	A I didn't even know they had those.
19	situations that young girls were involved in in the	19	Q All right.
20	Mormon church?	20	It's safe to say, is it not ma'am, that
21	A No.	21	you've never ever been affiliated with the Mormon
22	Q Okay.	22	church?
23	And you still don't have any knowledge about	23	A Never ever.
24	that?	24	Q And you don't know anything about the Mormon
25	A Still don't know.	25	church; correct?
Page 43		Page 45	
1	Q All right.	1	A No. I do not.
2	were you a member of any Young Woman's Relief	2	Q I still have to ask these questions. I know
3	Society?	3	the answer but I still have to ask them.
4	A No.	4	You haven't gone to any church functions?
5	Q How about Society Services Group?	5	A No.
6	A No.	6	Q And you haven't gone to any Mormon church
7	Q Never heard of that?	7	dinners?
8	A No.	8	A No.
9	Q Don't know anything about that Mormon --	9	Q And you haven't gone to any of the talent
10	A No.	10	programs?
11	Q And you didn't go to Sunday school?	11	A No.
12	A No.	12	Q Never participated in their talent programs?
13	Q At the Mormon church?	13	A No.
14	A No.	14	Q Never been a participant or an observer of
15	Q You don't know anything about what they do in	15	their Christmas or holiday functions?
16	Sunday school?	16	A No.
17	A No, I don't.	17	Q Have you or have you not?
18	Q Do you know anything about the monthly fasts	18	A No.
19	at the Mormon church?	19	Q Have you been at their holiday functions?
20	A No.	20	A No.
21	Q Do you know anything about the testimony	21	Q You have no familiarity at all with the
22	meetings at the Mormon church?	22	church structure; do you, ma'am?
23	A No.	23	A No.
24	Q Do you know anything about the baptism	24	Q And have you ever been requested to serve as
25	services at the Mormon church?	25	a leader in the church?

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1 A No.
 2 Q Have you ever been requested to be a member
 3 of the church?
 4 A No.
 5 Q Have you ever paid a tithing?
 6 A No.
 7 Q Do you know what a tithing is?
 8 A You give money to them. I don't know.
 9 Q Okay.
 10 In any event, you haven't done it; correct?
 11 A No.
 12 Q How about fast offerings?
 13 A No. I wish they would give an offering to me.
 14 Q All right.
 15 But you haven't participated in fast
 16 offerings with the Mormon church, have you?
 17 A No.
 18 Q No participation at all in home teaching
 19 programs?
 20 A No.
 21 Q Ever sat down and prayed with anybody from
 22 the Mormon church?
 23 A No.
 24 Q Every received any spiritual guidance from
 25 anybody at the Mormon church?

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1 A No.
 2 Q Have you ever been indoctrinated or taught
 3 about the Mormon church beliefs and philosophies by
 4 anybody?
 5 A Yes, by my aunt, my Dad's sister.
 6 Q What's her name?
 7 A Lucille Grover.
 8 Q Was she a resident of Owyhee?
 9 A No. She lives in Salt Lake, Utah. She used
 10 to but now she lives somewhere I don't know where she
 11 lives.
 12 Q Is Lucille your aunt on your mother's side?
 13 A No, on my Dad's side.
 14 Q That's your Dad's sister?
 15 A Yes.
 16 Q Did Aunt Lucille talk to you about Mormon
 17 philosophies and beliefs?
 18 A All she said is that I should become a Mormon
 19 and stuff like that.
 20 Q Oh, I see.
 21 So she thought that it might be in your best
 22 interests to become a member of their church?
 23 A Yeah. I told her that they're crazy, and she
 24 got mad at me.
 25 Q And your belief is your belief.

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1 Why do you think they're crazy?
 2 A I don't know. They just have weird beliefs,
 3 I guess.
 4 Q Is that what you've heard from your friends?
 5 A Even on T V.
 6 Q And the things that have occurred in your
 7 life that make you think that the Mormon church is
 8 crazy, as you put it, is things that you've heard from
 9 friends or seen on TV?
 10 A Yes.
 11 Q And not from Gary Jones?
 12 A No.
 13 Q And Gary Jones never tried to preach to you?
 14 A No.
 15 Q He never tried to convert you?
 16 A He did once but I told him "No," I didn't
 17 want to.
 18 Q Are you aware that the Mormon church is
 19 actually run by lay people? Do you know what I mean
 20 by that?
 21 A What?
 22 Q They don't go to seminaries. They don't go
 23 to school to be priests; did you know that?
 24 A Huh-huh.
 25 Q Anyway, Gary Jones never tried to put the

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1 Mormon beliefs in your head, did he?
 2 A No.
 3 Q And you never looked to him as some kind of
 4 pastor or minister to help you spiritually, did you?
 5 A No.
 6 Q And you never imposed trust or confidence in
 7 him from a spiritual sense?
 8 A No.
 9 Q All right.
 10 Gary Jones became a friend of yours; correct?
 11 A Yes.
 12 Q And then it later evolved into a
 13 relationship?
 14 A Yes.
 15 Q But that had nothing to do with the Mormon
 16 church; correct?
 17 A At first, there was this lady that told me to
 18 go talk to him. After she knew that my dad had left,
 19 told me to go talk to him for counseling and stuff
 20 like that but I never really took it into
 21 consideration. I was young and I didn't want to
 22 listen to anybody.
 23 Q I understand that.
 24 You never went to Gary Jones, even what that
 25 lady said for spiritual guidance?

1 A No, I did not. I told my mom, and my mom
 2 just started laughing. "You don't need that."
 3 Q And now as I understand the situation though,
 4 is that after your father was apprehended and after
 5 you came back from the shelter, the Mormon church
 6 tried to help your family?
 7 A Yes, with food.
 8 Q And you're not critical of the church for
 9 trying to help your family, are you?
 10 A No, I'm not, that was a good thing that they
 11 did because we were on the down side.
 12 Q Right and the Mormon church I think got you
 13 some food services?
 14 A Yes.
 15 Q And that was welcomed and you're thankful for
 16 that; correct?
 17 A Yes.
 18 Q And they also I think got some clothing; do
 19 you remember that?
 20 A I just know the food part, not the clothes.
 21 Q You're not blaming, in this case, the Mormon
 22 church for assisting your family, are you?
 23 A No.
 24 Q That's something that you're grateful for?
 25 A Yes.

1 about Mr. Jones?
 2 A I would say about two or three months after
 3 when my mom started talking to me saying that, "You
 4 shouldn't be that way," and stuff like that.
 5 Q When she said "that way --
 6 A Like being rude --
 7 Q And hateful?
 8 A Yes.
 9 Q Did Mr. Jones ever talk to you about any of
 10 the Mormon church activities?
 11 A No.
 12 Q Did he ever mention primary activities for
 13 children young children age three to ten?
 14 A All he said was just like they do fun things
 15 like arts and crafts.
 16 Q But you weren't interested?
 17 A No.
 18 Q Did he mention anything about the Merry Miss
 19 activities?
 20 A The what?
 21 Q Merry Miss?
 22 A I don't know what that is.
 23 Q All right.
 24 Did he indicate -- did he mention anything to
 25 you about the beehive activities?

1 Q And Mr. Jones was the person that had helped
 2 get you that Mormon assistance, that Mormon church
 3 assistance?
 4 A I believe so.
 5 Q You don't hold that against Mr. Jones, do
 6 you?
 7 A No.
 8 Q And are you grateful to Mr. Jones at least
 9 for --
 10 A Helping us out with the food, yes.
 11 Q Through the Mormon church?
 12 A Yes.
 13 Q All right.
 14 A Because I don't think anybody else would.
 15 Q Right.
 16 Okay. So after the assistance is given to
 17 your family, is this that time where you indicate that
 18 you kind of hated him?
 19 A Yes.
 20 Q Even though Mr. Jones is getting the Mormon
 21 church to provide food assistance for your family, you
 22 don't like him at that time?
 23 A No.
 24 Q How long was it after the Mormon church
 25 helped your family that you began to feel differently

1 A I have no idea what that is.
 2 Q That's a program set up for girls between 12
 3 and 18 years old within the church. No discussion
 4 with Mr. Jones about beehive activities?
 5 A No.
 6 Q Did he mention anything to you about Mea maid
 7 Activities?
 8 A No.
 9 Q Do you know what that is?
 10 A No.
 11 Q Ever heard of it before today?
 12 A No.
 13 Q Those are church activities for girls between
 14 the age of 14 and 15. Is this the first time you've
 15 heard that?
 16 A The first time ever.
 17 Q And Mr. Jones never mentioned that to you?
 18 A No.
 19 Q And how about laurel activities?
 20 A No.
 21 Q Mr. Jones never mentioned anything about
 22 laurel activities for girls in the church age 16 to
 23 18?
 24 A No.
 25 Q How about the combined youth activities, did

1 he ever talk about that other than the arts and
 2 crafts?
 3 A No.
 4 Q He didn't try to make you or suggest to you
 5 that you should be part of these activities, did he?
 6 A No. All he said is, "You should just try it
 7 out."
 8 Q You made a pretty definite answer to that,
 9 didn't you?
 10 A Yes.
 11 Q And it would fair to say, in this case ma'am,
 12 that you made it clear to Gary Jones that you wanted
 13 nothing to do with the Mormon church?
 14 A Yes.
 15 Q And it's still your position?
 16 A Yes.
 17 Q So if I start working on you, it's not going
 18 to work?
 19 A It won't work.
 20 Q Do you know anything about the Temple?
 21 A You mean that big thing that goes like that?
 22 Is it a church or what?
 23 Q Yeah. Well, you've answered my question.
 24 Do you know what a Branch President is in the
 25 Mormon church?

1 religion?
 2 A No.
 3 Q Well, wait a minute, we're both saying the
 4 same thing.
 5 Is it true that your relationship with Mr.
 6 Jones had nothing to do with religion; correct?
 7 A Correct.
 8 Q Okay. Thank you.
 9 I have the statement in front of you. I want
 10 to kind of walk through it with you, if you don't
 11 mind. We're on Page 8, and we went through a little
 12 bit on Page 9. I want to turn to Page 10.
 13 You give the detective in this statement
 14 about line six you say, "Okay. It's coming back."
 15 She asked the question. "Okay. Explain to me what
 16 happened at the Owyhee -- let me do this. I'm going
 17 to move ahead to Page 25.
 18 After I show you the videotape, ma'am, I'm
 19 going to ask you some questions about what's on Page
 20 25 of the transcript. I think the record should
 21 reflect that the court reporter is not going to
 22 transcribe what's being played at this time.
 23 (The tape was played.)
 24 BY MR. ROBISON:
 25 Q All right.

1 A Isn't it like a co-pastor or something. I
 2 really don't know.
 3 Q Do you know what, if any, position Mr. Jones
 4 had with the Mormon church when you and he were
 5 involved?
 6 A At the time, I think he was the Bishop,
 7 that's what they called him.
 8 Q who called him that?
 9 A The church people, church members.
 10 Q Do you know where the church was located in
 11 Owyhee?
 12 A Yes, over by the hospital.
 13 Q Do you know what Mr. Jones did there?
 14 A Preach, I guess.
 15 Q But he never preached to you?
 16 A No.
 17 Q And you never prayed together?
 18 A No.
 19 Q Did you share your -- your religious beliefs,
 20 your spiritual beliefs, did you share those with him?
 21 A No.
 22 Q Was that something not involved?
 23 A No.
 24 Q So it would be fair to say that your
 25 relationship with Mr. Jones had nothing to do with

1 Do you recall now, after seeing the video,
 2 giving the statement to Detective Bowers?
 3 A Yes.
 4 Q And that is you in the video?
 5 A Yes.
 6 Q And our transcript of the video reflects that
 7 that statement was given, ma'am, on February 3, excuse
 8 me, February 4, 2003?
 9 A Okay.
 10 Q I think that this would have been after you
 11 came back from Boise?
 12 A Yes.
 13 Q And you just resumed the school year?
 14 A Yes.
 15 Q Where you tried to make up for that lost
 16 time; correct?
 17 A Yes.
 18 Q Now, did you know the importance of telling
 19 Miss Bowers the truth?
 20 A Yes.
 21 Q And did you tell her the truth?
 22 A Yes.
 23 Q Now, in this statement, as we see on page --
 24 I think we should start with Page 24 or 25. we'll
 25 start at the top. Are you with me?

DA-DAZE-NOM MANZANARES - 06/26/07

16 (Pages 58 to 61)

Page 58

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1 A Yes.

2 Q You go down to the question on line six.

3 Detective Bowers asked you, "Well, between

4 November -- after the Ameritel Inn, you're talking

5 about another eight or nine months. Did you ever go

6 on another trip with him."

7 You say, "No because his wife," and then it's

8 inaudible. Do you remember what you said about his

9 wife?

10 A His wife came back.

11 Q So you couldn't go on a trip with Mr. Jones?

12 A Yes.

13 Q So that should read, "No because his wife

14 came back?"

15 A Yes.

16 Q On line ten of Page 25. Thank you.

17 Then she asked, "But you used to meet him

18 there on the reservation?" And you answer, "I talked

19 to him every now and then." Then she says, "Did you

20 have sex with him again?" Answer "No."

21 She says question, "After the Ameritel Inn,

22 you never had sex with him again?" Your answer "No."

23 Question. "So you had sex with him a total of four

24 times?" And your answer is "Uh-huh." She says,

25 "You're sure?" And you say, "Uh-huh." And the

1 A Before.

2 Q All right.

3 And Elko then -- the Elko Ameritel Motel

4 would have been then the last time that you had a

5 sexual relationship with Gary Jones?

6 A Yes.

7 Q True?

8 A Yes.

9 Q And this gets a little dicy but bear with me.

10 And that was purely vaginal sex?

11 A Yes.

12 Q No oral sex?

13 A No.

14 Q And how long before the Ameritel Hotel Motel

15 relationship was it going back in time that you had a

16 sexual relationship with Mr. Jones at his house or at

17 in his truck?

18 A At the house was about three weeks prior to

19 the Ameritel Inn.

20 Q Okay.

21 A And the truck one was about -- I would say

22 about a month.

23 Q All right.

24 So the first time that you had a physical

25 sexual relationship with Mr. Jones would have been

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1 question is, "You're telling me the truth?" And you

2 say "Uh-huh."

3 Then the next question she says, "It's very

4 important did you have a relationship of any kind with

5 him after that?" Answer, "I just tried talking to him

6 and stuff." Question. "But there was no sex at the

7 school, no sex on the reservation in Owyhee or

8 anywhere?" Your answer "No." was that truthful?

9 A Yes.

10 Q Okay.

11 So in this situation this whole case that

12 we're here for today really is about what happened at

13 that motel, true?

14 A Yes.

15 Q Insofar as the sexual contact?

16 A Yes.

17 Q The only sex you had with Gary Jones, ma'am,

18 was at the Ameritel Hotel in Elko Nevada in November

19 of 2001, true?

20 A At the motel, yes, that is true but within

21 the reservation, we did it about I would say two

22 times. One was at his house, and one was in his

23 pickup.

24 Q Okay.

25 was that before Elko or after Elko?

1 approximately in the early part of October of 2001?

2 A Yes.

3 Q And I'm asking you to assume that's a month

4 before the Elko motel?

5 A Yes.

6 Q The second time that you had an intimate

7 relationship with Mr. Jones was at his house

8 approximately three weeks before the stay at the

9 motel?

10 A Yes.

11 Q And then there was what is it a four-day stay

12 at the motel?

13 A Something like that.

14 Q And how many times was there sexual relations

15 in the motel, during that period of time?

16 A Two.

17 Q Okay.

18 And I'm not playing games with you but on

19 Page 25 in that area of this transcript, I think you

20 say four. Does that refresh your recollection?

21 A Yes.

22 Q Does that include the other two?

23 A Yes, it does.

24 Q So there's a total --

25 A Because the day -- okay. There's four days

Page 62		Page 64	
1	we were there, right?	1	Q Mr. Beko is going to ask you more questions
2	Q Right.	2	about that.
3	A The last two days, that's when we did it and	3	A Okay.
4	then plus the other two.	4	Q Never were you at the church with Mr. Jones?
5	Q So this case, ma'am, your very best honest	5	A Yes. I went there once.
6	truthful testimony is with regard to sexual encounters	6	Q For what?
7	four times?	7	A He had to do some kind of paperwork with the
8	A Yes.	8	church.
9	Q Between approximately October of 2001 and the	9	Q Nothing to do with sex though?
10	last two days that you were at the motel in Elko in	10	A No.
11	November of 2001; right?	11	Q So this church, the Mormon church, is not the
12	A Yes.	12	location of any sexual activity?
13	Q Thereafter, Lucille Jones gets involved;	13	A No.
14	right?	14	Q And no improper touching, no improper
15	A Yes.	15	anything at the church; correct?
16	Q Not a happy camper, right?	16	A Correct.
17	A No.	17	Q And these are going to be hard questions, I
18	Q And that kind of ended the sexual	18	understand that, so bear with me.
19	relationship between you and Mr. Jones?	19	why was it that you allowed yourself to be
20	A Yes.	20	touched or have sex with Mr. Jones in the house --
21	Q All right.	21	excuse me, yeah in the house? Did you think that you
22	A Prior -- before the sex and stuff, he would	22	were in love with him?
23	just like touch me in places he shouldn't be touching.	23	A At the time, yes.
24	Q I understand, we'll get there in a moment.	24	Q why did you think -- what was it about him
25	what I want to do is put a period. I want to	25	that you loved or thought you loved at the time?
Page 63		Page 65	
1	make sure that the jury and the judge and everybody	1	A At the time, I would say it was the money.
2	knows when the sex ended and it's true, correct, that	2	Q Did he appear to have money?
3	it ended that weekend in Elko at that motel; correct?	3	A Yes, he did.
4	A Yes.	4	Q Okay.
5	Q Thereafter, there's no sex between yourself	5	A when I -- like some field trips I would go to
6	and Mr. Jones?	6	if I needed money, he would give it to me when my mom
7	A No.	7	didn't have it.
8	Q All right.	8	Q Do you think he took advantage of you because
9	was there improper touching after Elko?	9	of his money situation?
10	A Yes.	10	A I would say yes.
11	Q Was there any sex and I don't know, President	11	Q Do you think you -- I'm going to use the word
12	Clinton had a tough one with that one.	12	"consent."
13	Okay. After the motel incident, that's the	13	Did you consent to having sex with him?
14	last time there was intercourse?	14	A You mean giving him the okay?
15	A Yes.	15	Q Yes.
16	Q Was there improper touching after that, as	16	A Yes.
17	far as you're concerned?	17	Q Did you do that because you thought you loved
18	A Yes, touching, feeling and like feeling of	18	him?
19	the private area and chest area, and there was	19	A I did it because I was scared. I thought if
20	kissing.	20	he didn't -- if I didn't give him the okay, he would
21	Q And how many times after the motel?	21	tell or harm me in any way.
22	A I would say every time I went back to school	22	Q The authorities have recovered your notebooks
23	like whenever he would think that nobody was around in	23	and your calendars.
24	the school, like when people were working and kids are	24	In those paperwork, I'm sure you're aware of
25	in classes and stuff like that.	25	the fact that there's expressions of love?

1 A Yes.
 2 Q And you are saying in these notes that you
 3 love Gary Jones?
 4 A Yes.
 5 Q And at the time you thought you did?
 6 A Yes.
 7 Q But we don't see any notes where you say you
 8 were afraid of him.
 9 After you've had the sex the first time in
 10 the truck; right?
 11 A Uh-huh.
 12 Q You weren't afraid of him after that, were
 13 you?
 14 A No.
 15 Q And it still was a situation where he was
 16 spending money on you; correct?
 17 A Yes.
 18 Q And you thought you had a feeling of love for
 19 him?
 20 A Yes.
 21 Q And that's why you had these intimate
 22 relationships?
 23 A Yes.
 24 Q Okay.
 25 He never tried to put any guilt trip on you

1 Q Let me ask you and I want you to explain this
 2 answer to me because if you turn to Page 31 of this
 3 transcript of you giving a statement to Detective
 4 Bowers, 31, please, and you start really on Page 30,
 5 the last question.
 6 She asked you, "Did you talk to anybody about
 7 this in Boise about the suicidal tendencies?" And you
 8 say "Uh-huh."
 9 Then on Page 31 she says, "And then --", you
 10 answered, "At the blank treatment because I inaudible
 11 treatment, I wouldn't be cutting myself." And then
 12 she says, "Do you think you still need help?" And you
 13 said "No," or you actually said "Nope." Was that
 14 truthful?
 15 A Yes.
 16 Q So would it be fair to say in this case, to
 17 the judge and jury, that as of February 4, 2003, you
 18 did not need any more help?
 19 A After then at that time, no, because I didn't
 20 want -- I didn't want to be sent back where I was at.
 21 I didn't like it there.
 22 Q At Boise?
 23 A Yes.
 24 Q You didn't like the people?
 25 A No.

1 religiously or spiritually, did he?
 2 A No.
 3 Q He never used any of the Mormon philosophies
 4 or beliefs to get you to consent to sex, did he?
 5 A No.
 6 Q Again, religion was kind of a deal breaker;
 7 wasn't it?
 8 A Yes.
 9 Q All right.
 10 Other than the vaginal sex and touching of
 11 the breasts and the private parts, no other type of
 12 sex; correct?
 13 A No.
 14 Q All right.
 15 After Mr. Jones in August of 2002, there was
 16 a suicide attempt; correct?
 17 A Yes.
 18 Q You went to Boise for a while and you
 19 received some treatment?
 20 A Yes.
 21 Q What kind of treatment?
 22 A Psychological.
 23 Q All right.
 24 Did it help?
 25 A Yes, some of it did.

1 Q Why?
 2 A I don't know, they were just -- I guess I
 3 didn't like to be watched all the time.
 4 Q I don't like to be watched either.
 5 A I wanted privacy.
 6 Q After Boise, have you received any medical
 7 services, any treatment, psychological, psychiatric?
 8 A Yes. I used to talk to this shrink. He was
 9 there Wednesdays and Fridays over at the hospital.
 10 Q The next several questions I'm going to ask
 11 you a little bit about the treatment and things like
 12 that but it's about 98 degrees in here. So let's take
 13 a recess and cool it down.
 14 (A recess was taken.)
 15 BY MR. ROBISON:
 16 Q Miss Manzanares, we just completed a recess.
 17 Without telling me anything that may have
 18 been discussed, did you have an opportunity to confer
 19 with counsel during the recess?
 20 A Just say that again.
 21 Q Did you have an opportunity to talk to your
 22 attorney during the recess?
 23 A About this, no.
 24 Q About your testimony today?
 25 A No.

1 Q So there's nothing that you want to change in
 2 your testimony as we sit here right now?
 3 A No.
 4 Q We're going to go forward with my part of
 5 this deposition and everything you've told me so far
 6 is the absolute truth and honesty; correct?
 7 A Yes.
 8 Q You made a comment about being at the church
 9 with Mr. Jones to do some paperwork.
 10 Was that before the Ameritel motel incident
 11 or after; if you recall?
 12 A I believe it was before, I'm really not sure.
 13 Q Okay.
 14 But that would have been the only time?
 15 A Yes.
 16 Q That you were at the church or on the church
 17 premises with Mr. Jones?
 18 A Yes.
 19 Q All right.
 20 Thank you. Listen, we have Exhibit C that
 21 I'd like to show you.
 22 (A discussion was held.)
 23 BY MR. ROBISON:
 24 Q Mr. Beko has a good point.
 25 Counsel, if you don't mind, I would like the

1 It says, "Previous attempts," and it says
 2 "One other 12/01." Do you see that?
 3 A There shouldn't be.
 4 Q Do you recall having an attempted suicide
 5 prior to this August 2002 incident where Mr. Jones
 6 came over and made a statement?
 7 A Not that I remember.
 8 Q Okay.
 9 A I might have talked about it but not really
 10 gave the attempt like how I did in 8/2.
 11 Q The "12/01" on this line on Exhibit 3 would
 12 have been almost a month after the Ameritel motel
 13 situation in Elko; right?
 14 A Yes.
 15 Q Does that help you within a month or so after
 16 the Elko motel room that you would have attempted
 17 suicide?
 18 A Yes, but I didn't actually attempt. I guess
 19 it was a talk, but I never really, actually --
 20 Q Why was there talk in December?
 21 If this is the case, why would there be talk
 22 about suicide about within a month or so after Elko?
 23 A Just because people started to find out and
 24 they all started teasing and stuff.
 25 Q Found out about Elko?

1 record to reflect that Exhibit A is Exhibit No. 1.
 2 Exhibit B is Exhibit No. 2 and I'm now marking Exhibit
 3 No. 3, and we would like, if it's okay with counsel,
 4 to proceed sequentially throughout these depositions
 5 so we have one set of exhibits.
 6 (Exhibit No. 3 was marked.)
 7 BY MR. ROBISON:
 8 Q Exhibit 3, ma'am, is a report we got that's
 9 Bates and I think it's our production, PR 106, and
 10 it's also part of the School District's production and
 11 it's a Suicide or Attempted Suicide Report form. This
 12 is the one they did in August after the situation at
 13 your home.
 14 Did you reside on the reservation at this
 15 time on August of 2002?
 16 A Yes.
 17 Q And did Mr. Jones reside on the reservation?
 18 A Yes.
 19 Q It says "Month Date" four lines down on the
 20 right side 8/02. Do you see that?
 21 A Yes.
 22 Q And "Method, hanging. Reason: Family
 23 problems and stress." Okay?
 24 A Yes.
 25 Q I'm more interested in the next entry.

1 A Yeah, that and what has been going on between
 2 me and Gary.
 3 Q You told a couple of your friends?
 4 A Yes, I did.
 5 Q Cheyenne Rose?
 6 A Yes.
 7 Q And the other one is?
 8 A Jillian Putra.
 9 Q Right, P U T R A.
 10 Throughout the spring of 2002, you're in
 11 school; correct?
 12 A Yes.
 13 Q And you and Mr. Jones are not in any way
 14 involved with a sexual relationship that can be
 15 defined as intercourse; correct?
 16 A Yes.
 17 Q Is it still your belief in 2001 that Mr.
 18 Jones is affiliated with the Mormon church in any way?
 19 A Yes.
 20 Q And how was he associated with the church in
 21 2002?
 22 A Several times he tried to like I guess
 23 convert me to the Mormon ways.
 24 Q Now, we've discussed that. This is a
 25 different question.

DA-DAZE-NOM MANZANARES - 06/26/07

20 (Pages 74 to 77)

Page 74	Page 76
1 You've told me that religion has nothing to	1 non-denominational.
2 do with your relationship with Mr. Jones in 2001.	2 Q Rudolph Seahmer came into your household
3 This is a different question. In 2002, what was your	3 when?
4 understanding of his position? Did you understand	4 A I would say the year of 2002.
5 that he was still this Bishop?	5 Q All right.
6 A As far as I knew, yes, I did.	6 After the Elko incident because your mother
7 Q So you and he never talked about whether he	7 was back in Oklahoma to see Mr. Seahmer and left you
8 obtained any other office at the church in 2002?	8 in that situation?
9 A Not that I know of, no.	9 A Yes.
10 Q And he never discussed with you his duties	10 Q And you are a little bit upset with your
11 and responsibilities at the church during 2002 and	11 mother the fact that she left you in that situation?
12 this is the next year?	12 A Yes.
13 A No.	13 Q You wanted to go with her; correct?
14 Q All right.	14 A Yes.
15 Did he ever tell you that he stepped down as	15 Q And she said "No," and farmed you off to
16 Bishop?	16 whomever she could which turned out to be Mr. Jones;
17 A He was talking about it, yes. He was saying,	17 right?
18 "I should step down," and stuff like that.	18 A Yes.
19 Q Other than saying that he should do that, did	19 Q And have you and your mother talked about
20 he ever tell you that he did do that?	20 that and your feelings about that?
21 A No.	21 A No.
22 Q By the time August of 2002 rolls around, it's	22 Q Have you told her that you are angry at her,
23 still your understanding that he is -- somehow has a	23 as you did the police, that she left you in that
24 position with the Mormon church?	24 position?
25 A Can you repeat that question?	25 A No.
Page 75	Page 77
1 Q Yes.	1 Q Okay.
2 By the time this suicide attempt occurred in	2 A I didn't want for her to I guess put the
3 August of 2002, was it your understanding at that time	3 guilt on her.
4 that he still had some position with the Mormon	4 Q I understand.
5 church?	5 But you felt that way?
6 A Yes.	6 A Yes, even --
7 Q And you still thought he was Bishop?	7 Q Still do?
8 A Yeah. I wasn't too sure if he did step down	8 A Yes.
9 or anything like that.	9 Q Now, your mother returns from Oklahoma a week
10 Q But you and he didn't make that a subject of	10 or so around this motel incident in Elko?
11 your discussions?	11 A Yes.
12 A No.	12 Q Did Mr. Seahmer come back with her?
13 Q And still throughout 2002, religion was kind	13 A No.
14 of off topic for you and he?	14 Q They got married when, the early part of
15 A Yes.	15 2002?
16 Q To your knowledge, did Mr. Jones ever serve	16 A I believe so.
17 as a counselor spiritually to your family?	17 Q When did he move in?
18 A All I've heard him say to my mom is just that	18 A I know he was there --
19 "Keep on praying," and stuff like that but other than	19 Q Keep your voice up, please.
20 the counseling, no.	20 A I know he was there for the time I went into
21 Q All right.	21 treatment and then when Gary and Lucille came over to
22 Now, Mr. Seahmer is a minister, isn't he?	22 the house --
23 A Yes.	23 Q He was there?
24 Q Baptist?	24 A Yes, he was living there.
25 A I don't know. He might be a	25 So I think it was in February of 2002 he was

DA-DAZE-NOM MANZANARES - 06/26/07

1 STATE OF NEVADA)
) ss.
 2 COUNTY OF WASHOE)
 3

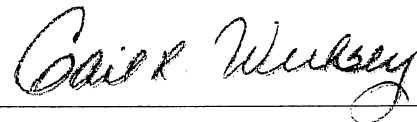
4 I, GAIL R. WILLSEY, a notary public in and
 5 for the County of Washoe, State of Nevada, do hereby
 6 certify:

7 That on Tuesday, the 26th day of June, 2007,
 8 at the offices of ROBISON, BELAUSTEGUI, SHARP AND LOW,
 9 71 Washington St., Reno, Nevada, personally appeared
 10 DA-DAZE-NOM MANZANARES, who was sworn by me, and was
 11 deposed in the matter entitled herein;

12 That said deposition was taken in stenotype
 13 notes by me, a Certified Shorthand Reporter, and
 14 thereafter transcribed into typewriting as herein
 15 appears;

16 That the foregoing transcript, consisting of
 17 pages 1 through 321, is a full, true and correct
 18 transcription of my stenotype notes.

19 DATED: At Reno, Nevada, this 11th day of
 20 July, 2007.

21
 22 

23 _____
 GAIL R. WILLSEY, CSR #359

24
 25