

IN THE CIRCUIT COURT OF PULASKI COUNTY, ARKANSAS
SEVENTEENTH DIVISION

BRANDON KING

PLAINTIFF

vs.

CASE NO. 60DR-05-4266

GENEVIEVE BOWMAN

DEFENDANT

RECORD OF HEARING

Proceedings held before the Honorable Mackie M. Pierce, Circuit
Judge at Pulaski County Circuit Court, Little Rock, Arkansas on
October 27th, 2015 at 8:34:04 a.m.

APPEARANCES

ON BEHALF OF THE PLAINTIFF:

Steve Harrelson
Harrelson Law Firm
Post Office Box 40
Texarkana, Arkansas 75504

ON BEHALF OF THE DEFENDANT:

Chip Leibovich
Bennett & Williams, PLLC
1000 Front Street
Conway, Arkansas 72032

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P R O C E E D I N G S

(The requested portion of the proceedings
began at 9:21:20 a.m.)

Whereupon,

BRANDON KING,

having been called by and on behalf of the Plaintiff, and
having been previously duly sworn, was examined and testified
as follows, to-wit:

DIRECT EXAMINATION

BY MR. HARRELSON:

Q Mr. King, have you already been sworn in?

A Yes, sir, I have.

Q And you're Brandon King, K-I-N-G; is that correct?

A Yes, sir.

Q Are you the Plaintiff in this cause of action?

A Yes, sir.

Q Would you state your residential address, please.

A It's 1659 Honeysuckle Lane, New Braunfels, Texas, 7 --
72130.

Q Okay. And speak up if you can. I know you're speaking
through the microphone, it's tied to the court reporter, but
we want to make sure counsel's table can hear you back here,
all right?

A All right.

1 Q And are you the father of Zachary King?

2 A Yes, sir.

3 Q And as part of previous orders to this Court, do you
4 realize that you were ordered to pay child support regarding
5 Zachary King?

6 A Yes, sir.

7 Q Okay. Do you fully concede that you are behind in child
8 support payments?

9 A Yes, sir, I'm behind.

10 Q And -- and you understand that the Court has -- I don't
11 want to be speaking out of turn, but I believe set this
12 matter sua sponte on its own to find out if -- if -- have you
13 showed cause why you are behind in child support payments?

14 A Yes, sir, that's my understanding.

15 Q Okay. Do you recall what the periodic amount of child
16 support is that you're required to pay?

17 A \$73.00 per week.

18 Q Okay. And did you ever pay any child support pursuant
19 to the Court order?

20 A Absolutely. I paid for the first five, six years.

21 Q Okay.

22 A Without missing a payment.

23 Q Can you -- can you tell me approximately when you
24 stopped paying child support?

25 A Shortly after they fled the state, or moved out of the

1 state without contacting them.

2 Q Are you doing this for retaliatory purposes?

3 A No, I just -- I had to quit my job I'd had for ten years
4 and relocate to be near my son. And I just didn't have the
5 money.

6 Q Where did you move?

7 A I moved to Sequine, Texas, originally.

8 Q Did you ever petition the Court to officially decrease
9 your child support based on your lack of employment?

10 A No, I did not.

11 Q Okay. But your testimony is that you didn't stop being
12 employed; is that correct?

13 A Yes, sir. I had -- I had to vacate my job.

14 Q Okay. And why, again, did you move to Sequine, Texas?

15 A Because that's where they moved my son. Well, they
16 moved -- initially, they moved to -- they moved so many times
17 in Texas, I -- but it was all in the same area. So I just
18 moved to the region of Texas where they were so that I could
19 be -- be a part of my kid's life, you know.

20 Q And so at that time, did you stop paying child support
21 altogether and just --

22 A I do -- well, I -- I paid periodically to her, cash
23 directly, but through the Court -- I did stop paying through
24 the Court.

25 Q And you're -- you're aware, I assume, that -- that the

1 Court order probably required you to make payments either to
2 a clearinghouse or through the circuit clerk's office; is
3 that right?

4 A Yes, sir. Through the -- the circuit clerk.

5 Q And so you understand you can only get credit for
6 payments that are being made through that official --

7 A I understand that, sir.

8 Q But your testimony is that you officially made the
9 payments to her?

10 A Yes, sir.

11 Q Okay. Can you give me a timeframe again?

12 A 2009, I do believe. 2008 is when I stopped paying, I do
13 believe.

14 Q All right. Now, let's talk about your employment once
15 you moved to Sequine.

16 A Uh-huh.

17 Q Tell -- take the Court through your employment status
18 from that period.

19 A Well, in 2000 -- 2008, I got in a car wreck and couldn't
20 work for about a year. I went through physical therapy. I
21 had a chiropractor. As soon as -- after that, I tried to
22 find work around in that area. I had to relocate my
23 grandmother, who was 95 years old and living in Amarillo,
24 Texas. And so I spent a good half a year, six months
25 relocating her to south Texas and finding her a place to

1 live. And then assisting her living day to day. And as well
2 as my mom. It really wasn't convenient for me to find a job
3 at that time because my mom, who has cancer, and my
4 grandmother, who's elderly, were both depending on me to help
5 take care of them.

6 Q Okay.

7 A So that's what I did.

8 Q Okay. Let me stop you right there. What is your
9 educational background emphasized in?

10 A Psychology and English. Yeah.

11 Q Okay. And -- and what is your employment history? What
12 -- what industries have you worked in?

13 A Mostly, baking -- the restaurant industry. And now, in
14 computer sciences and computer -- computers.

15 Q And so when you were originally ordered to pay child
16 support years ago --

17 A Yes, sir.

18 Q -- what -- what were you doing then as far as employment
19 --

20 A I was managing a bakery.

21 Q Okay. Did you seek other employment managing a bakery?

22 A There, unfortunately, aren't any bakeries in south
23 Texas. Very few and far between.

24 Q Okay. And --

25 A European style, what I learned.

1 Q Okay. Once you left that employment at -- managing a
2 bakery --

3 A Uh-huh.

4 Q -- did you seek employment at other industries,
5 including industries in which you had an educational
6 background in psychology?

7 A No. I don't have a degree in psychology, so without the
8 degree, there's not a lot of work in the psychology field
9 available.

10 Q So fast forwarding to the point to you just talked about
11 with your mother, et cetera, when was it that you were next
12 able to find employment?

13 A Approximately a year ago.

14 Q Okay. And who was your employer at that time?

15 A Well, I'm self-employed, but I started getting contracts
16 with some companies online.

17 Q Okay. And explain to the Court, when you say you're
18 self-employed, what is -- what is it that you do?

19 A It varies. I do cyber security for some financial
20 institutions; and then I do a lot of web design, and web
21 work, and security for some celebrities.

22 Q Okay. How did you get in that line of work?

23 A Just fell into it from working for people online. I
24 used to do something that was -- I would identify what they
25 would call "troll accounts" for celebrities, and I'm just

1 real good at it. So that's how it initially started. And
2 then it spread mouth of word -- word of mouth through that
3 and people started contacting me asking me for help.

4 And then a law firm approached me and said, hey, are you
5 interested in creating a business out of this. And I said,
6 well, yeah, sure. And then so they went headlong into
7 creating a business for me out of it.

8 Q Okay. Do you have any type of legal entity that you
9 work from, like an LLC or a corporation?

10 A Well, no, I have a contract with -- let me think. I do
11 have a contract with an international bank and a contract
12 with the -- the Spina Law Firm.

13 Q Okay. Now, you -- you say "you," you mean you
14 personally, you, Brandon King --

15 A Yeah.

16 Q -- have a contract?

17 A Yes, sir.

18 Q Okay. Now, explain to the Court in layman's terms what
19 do you mean when you say cyber security. What is it you do?

20 A Well, there's certain aspects of what I -- I can't talk
21 about. Basically, well, it's a case-by-case basis. It
22 depends on what it is. A lot of times, it's finding out if
23 people have been hacked and -- and -- and tracking -- track -
24 - tracking it back to the people who hacked them through
25 their IP addresses, or the providers, or what have you.

1 And then with the banks, it varies. Every -- every case
2 is different. It goes by a case-by-case value -- or basis.
3 Right now with the -- with Wawel Bank, it's all about getting
4 their data back from -- out of an application; that's
5 basically it. It's as layman as I can put it. It's
6 retrieving their data.

7 Q Okay.

8 A Data retrieval.

9 Q And -- and you -- you said earlier that you have two
10 contracts, one is with the Spina Law Firm; is that correct?

11 A Yes, sir.

12 Q And where are they located?

13 A In New Jersey.

14 Q Okay. Is that how you contacted me?

15 A Yes, sir.

16 Q And then you have a second contract with who?

17 A I have one with Wawel International Bank.

18 Q Okay. In addition to those two contracts, you said that
19 you also do some sort of web design, things like that --

20 A Yeah.

21 Q -- is that on a contract --

22 A Contract basis, generally.

23 Q Are those contracts in addition to these two contracts
24 you just referenced?

25 A There's two right now. I have two -- one's -- well, I

1 have one that's in talks that we're still negotiating on.
2 And then I have one, but I haven't begun working on it yet,
3 but we've confirmed the --

4 Q Okay. And can you give me a timeframe as to when these
5 contracts started, began development?

6 A The -- the -- the Wawel International Bank contract
7 started almost a year ago --

8 Q Okay.

9 A -- at this point. And the -- and that was the same time
10 the Spina Law Firm contract started, too. They both started
11 about the same time within -- within a month of each other.

12 Q Okay. And so you rec -- you fully recognize, correct,
13 that you continue to have an obligation to support Zach?

14 A Yes, sir.

15 Q Okay. And you -- you recognize that once these
16 contracts begin having revenue again, that you should catch
17 up in your arrears and pay your current child support?

18 A Yes, sir. And that's my intentions.

19 Q Okay. Have you contacted Spina Law Firm or Wawel Bank
20 in any way and say, hey, is there any chance I can get my --
21 advance on my revenues so that I can get caught up on some of
22 my obligations --

23 A That's exactly what I've been working on now.

24 Q And -- and have those been fruitful?

25 A They're working on it as we speak.

1 Q Do they recognize how critical things are now that
2 you're here appearing for a show cause hearing today?

3 A I -- I would hope so.

4 Q Okay. Do you know how much you are in arrears?

5 A 20-something thousand, I do believe.

6 Q Have you asked for a lump-sum payment of \$20-thousand-
7 something dollars from these people?

8 A I -- that's what I'm trying to get now is trying to get
9 an advance on it.

10 Q Do you have any funds that you can try and deposit today
11 with the clearinghouse or the circuit clerk's office in order
12 to try and get caught up?

13 A I'm sure we can come up with some funds. I'm not sure
14 exactly how much, but I'm sure we can come up with something.

15 Q Do you want to support your child?

16 A Absolutely. Absolutely.

17 MR. HARRELSON: I'll pass the witness.

18 THE COURT: Mr. Leibovich?

19 MR. LEIBOVICH: Yes, Your Honor. May I
20 approach, Your Honor?

21 THE COURT: You may.

22 **CROSS-EXAMINATION**

23 **BY MR. LEIBOVICH:**

24 Q Mr. King, I wanted to show you what was provided to me
25 from your attorney's office. This purports to be your

1 Responses to Interrogatories and Requests for Production
2 documents. Do you recognize this document?

3 A Yes, sir.

4 Q The back page of this doesn't have a signature. Did you
5 assist your attorney in the preparation of these answers and
6 responses? Are these accurate?

7 A Best of my knowledge, they're accurate. And, yes, I --
8 I -- I assisted.

9 Q Okay. The other thing I want to show you, this purports
10 to be an Affidavit of Financial Means. This purports to be
11 your signature on the back page. I want to ask, is that your
12 signature?

13 A Yes, sir.

14 Q Okay.

15 MR. LEIBOVICH: Your Honor, I'm going to move
16 to introduce Mr. King's Affidavit of Financial
17 Means --

18 MR. HARRELSON: No objection.

19 MR. LEIBOVICH: -- as Defendant's Exhibit 1.

20 THE COURT: Defendant's Exhibit 1 will be
21 admitted.

22 **{WHEREUPON, a document was marked for**
23 **identification as Defendant's Exhibit Number 1 and**
24 **was admitted without objection.}**

25 **BY MR. LEIBOVICH:**

1 Q You indicated in your answers that you are in good
2 physical health, good mental health, no handicaps that
3 prevent you from working?

4 A Yes, sir.

5 Q You concede that the child support records in the
6 clerk's office have shown no support payments made since May
7 8th, 2009? Those are accurate, no support payments were made
8 to the clerk's office since May 8th, 2009?

9 A To the best of my knowledge, that's correct.

10 Q You were also asked about annual gross income from each
11 business for the previous three years. Do you recall that
12 question?

13 A Yes, sir.

14 Q And your response --

15 A Vaguely.

16 Q What was that?

17 A I said vaguely.

18 Q Well, let me tell you what I had as your response and
19 please tell me if it's accurate. Total gross income from all
20 sources, you said, "Gross income to date from security
21 business, \$33.00."

22 A \$33.00? I think it's \$33,000.

23 Q So \$33,000?

24 A That I've made so far up to date with my security --
25 with cyber security.

1 Q So the comma should go --

2 A I'm sorry. I'm not sure what you're talking about.

3 Q This should be a comma and not a period? (Counsel
4 indicating)

5 A Yes, the -- it should be a comma followed by three
6 zeros, not a period followed by three zeros.

7 Q You also state that you have not filed income taxes for
8 the previous five years; is that correct?

9 A Yes, sir. Which not required to by law.

10 Q And your sole line of work is cyber security?

11 A As of now, yes, sir.

12 Q You said you could essentially move some things around
13 to make some payments today.

14 A Yes, sir.

15 Q How much can you pay?

16 A I'm not sure. I'd have to contact my law firm and see
17 how much they can put up. Personally, out of my own bank
18 account, I don't know. I have maybe five -- 500, maybe 1,000
19 that I could get today.

20 Q Which -- which law firm are you referring to as your law
21 firm?

22 A I work for Spina Law Firm. Well, under contract with
23 them, but they assist me.

24 Q You also assert that your contract with Spina Law Firm
25 is confidential, not subject to disclosure.

1 A I signed a confidentiality agreement with them and Wawel
2 Bank.

3 Q What are the terms of your contract with them?

4 A That I'm not supposed to discuss the details of -- of --
5 to the financial -- whatever they're paying me or whatever I
6 -- whatever -- I'm not supposed to discuss those financial
7 issues with the -- when it comes to the bank or when it comes
8 to their law firm.

9 MR. LEIBOVICH: Your Honor, I'm going to ask
10 the Court's instruction that the witness be
11 compelled to testify about this contractual
12 financial arrangement between this bank and Spina
13 Law Firm.

14 THE COURT: Well, I'm not ready to give that
15 instruction because I understood your question to
16 be why, you know --

17 MR. LEIBOVICH: Fair enough.

18 THE COURT: -- that wasn't specific to the
19 points of the contract.

20 MR. LEIBOVICH: Okay.

21 **BY MR. LEIBOVICH:**

22 Q Mr. King, what is your financial agreement with Spina
23 Law Firm?

24 A That's confidential.

25 MR. LEIBOVICH: Your Honor, I'll ask for that

1 instruction.

2 THE COURT: Mr. King, I will order you to
3 answer that question.

4 A Okay. Now, repeat the question.

5 **BY MR. LEIBOVICH:**

6 Q What are the terms of your financial agreement with
7 Spina Law Firm?

8 A My agreement with Spina -- my financial agreement --
9 they -- gosh, what can I -- the financial -- the financial
10 understanding with me and Spina Law Firm is that they --
11 gosh. I'm not really even -- I'm not -- I'm not -- I'm not --
12 - I'm not positive of the details of that. They -- I mean, I
13 can tell you what they pay me as a computer expert.

14 Q What do they pay you as a computer expert?

15 A Around \$3,000 a month.

16 Q Just Spina Law Firm?

17 A No, that's -- that's the -- included with the contract
18 with Wavel Bank, which is through Spina Law Firm. All my
19 contracts go through the law firm. So they work out all the
20 details with their clients, with my clients through them.
21 And then they pay me a wage until I complete the contracts.
22 Once I complete the contracts, I will be paid in full for the
23 work, but pretty much, they just pay for my expenses and
24 anything -- my expenditures that I need to fulfill the jobs.

25 Q Who is "they"? Spina Law Firm?

1 A Spina Law Firm.

2 Q They pay your expenses?

3 A The -- well, not expenses; expenditures.

4 Q What are your expenditures?

5 A Computer software, hardware, that kind of thing that I
6 need to complete jobs.

7 Q You're an independent contractor and Spina Law Firm pays
8 for all your expenditures?

9 A Well, no, they pay for the expenditures related to the
10 contracts that I have through their company, through their
11 law firm.

12 Q Did I understand you to say that all of your contracts
13 go through Spina Law Firm?

14 A Yes, my contracts go through Spina Law Firm.

15 Q So you have clients, or are these clients in turn,
16 clients of Spina Law Firm?

17 A My question -- your question is are they Spina Law
18 Firm's clients, as well as mine?

19 Q Yes, sir.

20 A Some of them.

21 Q You have clients that are not clients of Spina Law Firm?

22 A Yes.

23 Q And who is that?

24 A Love Majewski and Joanna Krupa.

25 Q What line of business does that entail?

1 A That's web design, and web development, and also some
2 security. And I -- and I have a contract with Leanna Rhimes,
3 too. I forgot that one, too.

4 Q All of those contracts go through Spina Law Firm?

5 A Yes, sir..

6 Q Do you have physical -- any sort of physical contracts
7 with any of these clients?

8 A Physical contracts. Well, the law firm does. I don't
9 keep track of all that. That's what they do.

10 Q Where is Spina Law Firm?

11 A It's in New Jersey.

12 Q Do I understand your testimony that Spina Law Firm pays
13 you a base salary or did I misunderstand that?

14 A Yeah, they pay me a base salary.

15 Q What is the base salary?

16 A Well, it's based on my contract, so it -- it's about
17 \$3,000 a month. And it's usually just the forward of --
18 like, I don't know how they work out the contracts with the
19 clients that I have through them, but I do know that I don't
20 receive the bulk of the money until the jobs are complete.
21 So, basically, they just keep me afloat until I can get the
22 contracts done. And I'm not sure how financially they work
23 all that out. That's why they work for me. They do all
24 that.

25 Q Is it a draw that you're being paid?

1 A I couldn't -- yeah, I think -- you know, I can't -- I
2 wouldn't be able to tell you. You would have -- I mean,
3 these questions, the financial aspects of this, that's what
4 they do. So they -- they help me with all of this.

5 Q Who's your point of contact with Spina Law Firm?

6 A Tony Mollica. Mollica. Antonelon Mollica.

7 Q M-O-L --

8 A L-I-C-A.

9 Q At a previous hearing you testified that you worked 40,
10 50, 60 hours a week.

11 A Sometimes, yes, sir.

12 Q And that you were paid weekly.

13 A That's how it works out.

14 Q You also testified that you started working 14 months
15 ago?

16 A Approximately, I do believe, yes, sir.

17 Q And I guess that's 14 months from the last hearing?

18 A Yes.

19 Q You testified that you made between \$3,500 and \$4,000
20 per months.

21 A I thought. I was guesstimating. I was put on the spot
22 and made to guess. So I guessed what I thought was that. I
23 overestimated, apparently. Maybe it is close to that. I'm
24 not sure. Math is not necessarily my strongest suit.

25 Q Let me ask you a question, Mr. King, this isn't meant to

1 be patronizing, but who would -- who would know? Do you have
2 a financial consultant, a tax preparer?

3 A Well, the law firm would be -- I mean, for the financial
4 things, they -- they -- they have been trying to help me with
5 all that. I mean, part of what they are helping me do is try
6 to get all of this worked out so that I can get on -- you
7 know, caught up on my child support so I can get everything
8 fixed. So they're trying to help me fix it.

9 And so, obviously, you know, I got behind. And so if I
10 got behind so much, I'm obviously not that good with that
11 part of it, you know. I wasn't up until that point. I'd
12 always paid on time. I -- I never missed a visitation. I
13 pay child support every -- religiously. I got two weeks
14 behind, I think the last -- the -- the very last court time
15 that they had here. And -- and then -- and then from then
16 until now, I haven't had employment until recently. And then
17 we were in the middle of all of this contested thing with my
18 child, so.

19 I have all intentions of paying.

20 Q We were -- last time -- we were last here in court
21 August 13th. Do you recall that date? That sound right to
22 you?

23 A I -- I -- yeah, if you say so, yes, sir.

24 Q And have you made payments to the clerk's office between
25 August 13th and now?

1 A No, sir. I've been struggling just to pay the
2 attorney's fees.

3 Q You testified you had a car accident?

4 A Yes, sir.

5 Q That was in 2008?

6 A It might have been 2009 or 2010, in that area. I don't
7 think -- I think 2008 was a little early because it would
8 have had to been 2009 to 2010 because she left in 2008. Left
9 Arkansas to Texas. Or was that 2009?

10 Q It was 2008, 2009, or 2010? You identified in your
11 Interrogatories that you were in physical therapy.

12 A 2010, I do believe.

13 Q 2009, 2010?

14 A I do believe so, yes, sir.

15 Q You also indicated, "I was being hit by a tractor
16 trailer."

17 A Yes, sir.

18 Q 18-wheeler, yes, sir.

19 A Were you at fault?

20 A No one was at fault. It was considered a no-fault.

21 Q Was there any sort of settlement --

22 A No.

23 Q -- from the accident?

24 A No settlement.

25 Q Did you file a claim?

1 A I wasn't able to.

2 Q Did you contact your --

3 A Well, I did file a claim on that and -- and they found
4 that it was no one's fault so no one was responsible.

5 Q Who -- who did you file a claim with --

6 A Oh, gosh.

7 Q -- there was insurance?

8 A Yes, sir.

9 Q Do you have an incident report, accident report?

10 A Absolutely. I don't have them with me today, but, yes,
11 they exist.

12 Q That's fine. And where would that have been?

13 A That would have been in Rockwall, Texas, actually.

14 Q Roswell?

15 A Rockwall.

16 Q Rockwall, Texas.

17 A Yeah. That's where we were -- we met for visitation.

18 Q In terms of personal property, you indicated you have a
19 '98 Dodge Durango, a '90 F150, some home furniture, and
20 computer equipment.

21 A Yes, sir.

22 Q Is that accurate?

23 A Yes, sir. The Dodge doesn't run, the transmission's out,
24 but my --

25 Q How about the F150?

1 A F150 runs.

2 Q Is that how you got here today?

3 A No. I took a train up here.

4 Q A train? You took a train here?

5 A Yeah, a train.

6 Q Why's that?

7 A Why'd I take a train?

8 Q Cheaper? You don't want to put the miles on --

9 A Well, the -- there was a hurricane was coming through
10 and I didn't want to drive 12 hours by myself in the rain
11 mostly. So it was either drive up here for 12 hours or take
12 a 14-hour -- or 10-hour drive or 14-hour train. I just felt
13 it'd be safer to take the train, and less stressful to have
14 to deal with. And it was cheap.

15 Q Your attorney indicated that you had no problem meeting
16 Dr. Pellus.

17 A I'm sorry?

18 Q Your attorney has indicated to the Court that you have
19 no problem meeting with Dr. Pellus?

20 A No, I have problem meeting with Dr. Pellus.

21 MR. LEIBOVICH: I pass the witness.

22 THE COURT: Mr. Harrelson, any redirect?

23 **REDIRECT EXAMINATION**

24 **BY MR. HARRELSON:**

25 Q A couple of clarifying questions.

1 A Yes, sir.

2 Q Were your answers to your Interrogatories fully complete
3 to the best of your knowledge?

4 A To the best of my knowledge, yes, sir.

5 Q And it appears though your answer to Interrogatory
6 Number 2, it says -- asks for all your sources of income. It
7 says, "Gross income was 33 dot zero, zero, zero.

8 A Yes, sir.

9 Q That means \$33,000, correct?

10 A Yes, sir. It was supposed to mean 33,000.

11 Q And you have told today every single source of income
12 that you have; is that correct?

13 A Yes, sir.

14 Q Okay. And you are continuing to try and get some sort
15 of lump-sum payment in order to pay the amount of acreage,
16 which in August was 24,285; is that correct?

17 A Yes, sir. I wanted to pay as much as I could today and
18 that's what we've been working on was trying to come up with
19 a lump sum.

20 Q And as of right now you said you have approximately 500
21 to \$1,000 that you could try to put up right this second; is
22 that correct?

23 A Yes, sir.

24 Q Okay. Thank you.

25 MR. HARRELSON: I have no further questions.

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MR. LEIBOVICH: Nothing further, Your Honor.
**(The requested portion of the proceedings ended at
9:48:37 a.m.)**
**(The requested portion of the proceedings began at
10:05:40 a.m.)**

COURT'S RULING

THE COURT: All right. After the hearing on August the 13th, at the conclusion of the hearing, after the parties had presented their respective cases regarding the issues before the Court at that time, I took the not unheard of, but unusual step, Mr. King, of citing you for contempt of court for your non-payment of child support. And I found you in contempt based upon your testimony and your admission of non-payment of support for several years. And I was uncertain exactly how long it had been since you had actually made a child support payment, but it was a considerable period of time. And at least back to '09, maybe '08, thereabouts.

So today's hearing was for the purpose or to allow you to show cause why I should not hold you in contempt and punish you for your non-payment of child support.

Now, at the last hearing I inquired of you about your finances and about what you did because

1 I never really was certain. And you gave me some
2 nebulous answers as it related to what you did and
3 how you were paid, but nothing really specific.
4 And I didn't -- I didn't bear down, it's not my
5 job, but I at least wanted to know because I wanted
6 some idea of what you did to make that
7 determination of whether or not I should hold you
8 in contempt.

9 And you testified -- and -- and you said, you
10 know, basically, your answer was I don't know how
11 much I make, but I think you said 3,000 or 4,000 a
12 month or thereabouts. And I understood that was a
13 guess, but, you know, I can't tell you how much I
14 bring home every month. I mean, it goes into a
15 bank account and I'll never see it. I don't know -
16 - I know generally what I make, but I don't -- I
17 don't know specifically. I can't tell you the
18 dollars and cents. But I generally have a pretty
19 good idea of what I've made. And I've generally
20 always had a pretty good idea of what I make. At
21 least have some idea of how much I can spend, what
22 I can do, what I can't do.

23 Today, and the last hearing, you've not told
24 me anything, basically, other than general terms.
25 And -- and I'm going to be frank, you know, you've

1 not told me anything specifically about how you're
2 paid or what you're paid. And, you know, I'm left
3 to wonder do you -- do you even receive any pay? I
4 don't know. You know, your Affidavit of Financial
5 Means doesn't have anything other than a footnote
6 under Section 22. "I'm a computer consultant
7 working as an independent contractor." Well,
8 that's what you've told me. "My income is based
9 upon agreement/contracts I have. I get paid when I
10 perform a job; sometimes hourly, sometimes per
11 task. I've earned approximately 30,000 this year
12 to date. I'm a 1099 independent contractor." And
13 you signed that on September 15th.

14 So 30,000 divided by 8, what is that? 3,500
15 thereabouts, 3,000-plus a month. You know, that
16 sort of dovetails with what you told me last time.
17 It sort of dovetails with what you've told me
18 today. But, you know, we've not seen any financial
19 information to show me that you, in fact, make that
20 amount of money, less than that amount of money, or
21 more than that amount of money. So I really don't
22 know, but, clearly, by your testimony, you work 30,
23 40, 50 hours a week. And you've been doing that
24 now for about 16 months.

25 And for 16 months, you've not paid one dime of

1 child support, not in any sum of money whatsoever.
2 What I guess dumbfounds me the most is, if I
3 remember correctly, as we concluded the hearing the
4 last time we were in court together, I told you,
5 appear back here and I -- I think we had a
6 different date that had to be continued, but I said
7 either bring some money or bring your toothbrush,
8 or words to that effect. I -- I hoped I made it
9 clear to you and stressed to you the importance of
10 you paying something when you came back here.

11 I had -- it -- it just -- to borrow an old law
12 professor's phrase, it boggles my mind that you've
13 not paid a dime since the last hearing.

14 You were coming back here for contempt and
15 you've not paid a dime in two months?

16 MR. KING: I didn't know I was supposed to.
17 I thought I was supposed to make a lump sum today.

18 THE COURT: Well, I find that -- I -- I'm
19 ball parking 2010 in that I just multiplied ten
20 months times 4.334 weeks in every month. And up
21 through the end of October, I find that the sum of
22 \$25,192 is the amount of support owed. And I'm
23 looking at Defendant's Exhibit 2. And how I
24 calculated that was that according to that, there
25 was 3,583 paid in '08. That left a balance owing

1 of 213. In '09, \$960 was paid, left 2,836. And
2 then for the years 2010 through 2014, the sum of
3 3,796 is owed each year. And then up through the
4 end of this month, the sum of 3,163 is owed. All
5 totaling \$25,192. Nothing paid since '09. Six-
6 plus years of non-payments.

7 I'll comment for the record, based upon your
8 testimony, Mr. -- Mr. King, you know, I held a
9 hearing back November the 11th of '08 and I granted
10 Mrs. Lucas permission to move to Texas. She just -
11 - you know, and maybe she'd already gone, but at
12 that point in time, she was allowed to go pursuant
13 to court order. And the only thing it did, it
14 modified some visitation. It didn't change
15 anything about child support. And I also found you
16 in contempt for non-payment of six weeks of support
17 at that time.

18 I awarded her attorney's fees and some costs.
19 And, you know, so from '08 forward, Mrs. Lucas was
20 allowed to go to Texas. And, basically, at that
21 point in time, you quit paying child support. You
22 paid \$960 in '09 and that was about it. And
23 nothing since. So we've got one, two, three, four
24 -- almost six years now of nothing paid of child
25 support towards your son.

1 As I found you in August, I find you today in
2 willful contempt for non-payment and I am going to
3 order that you be punished for that willful
4 contempt. I'm going to order that you be held in
5 the Pulaski County jail until you purge yourself of
6 that contempt by depositing the sum of \$25,000 in
7 cash with the clerk or the sheriff to be turned
8 over to the Defendant or Defendant's attorney.

9 Mr. Clifton, you may take Mr. King into
10 custody.

11 (Mr. King taken into custody.)

12 MR. LEIBOVICH: Are we free to go, Your
13 Honor?

14 THE COURT: Yes, sir. Mr. Leibovich, if
15 you'll do me a short order.

16 MR. LEIBOVICH: Your Honor, the number I
17 heard you announce was 25,192 as the total
18 arrearage balance; is that correct?

19 THE COURT: That's correct. That's what I've
20 found through the end of October. I did it sort of
21 on a monthly break out. I didn't go back and count
22 the exact number of weeks, but approximately 43
23 weeks is what I've calculated. 43.34 weeks based
24 upon that calculation for ten -- ten months at
25 4.334 weeks in a month.

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MR. LEIBOVICH: Thank you, Your Honor.

THE COURT: Anything further for today?

MR. HARRELSON: Mr. Harrelson wishes to take up the transfer motion. I'm prepared, but if not, I understand.

THE COURT: I didn't think that's on the docket.

MR. LEIBOVICH: It's not. And perhaps I understood that as not something he feels is right for today.

THE COURT: Correct. That's what I understood. That would be for later determination, correct?

MR. HARRELSON: Yes.

THE COURT: Very good. Draft me an order, forward it to the Court with a copy to Mr. Harrelson.

MR. LEIBOVICH: Yes, sir.

THE COURT: Thank you.

MR. HARRELSON: Thank you.

(WHEREUPON, the proceedings were concluded in the matter at 10:13:56 a.m. on October 27th, 2015.)