

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

UNITED STATES OF AMERICA,)	
)	No.
Plaintiff,)	
)	02-CR-00390-JO-2
vs.)	
)	August 10, 2010
LYLE HARTFORD VAN DYKE, JR.,)	
)	Portland, Oregon
Defendant.)	
_____)	

BEFORE THE HONORABLE ROBERT E. JONES
UNITED STATES DISTRICT COURT JUDGE

APPEARANCES

FOR THE PLAINTIFF: Mr. Scott Kerin
Assistant United States Attorney

FOR THE DEFENDANT: Mr. Lyle Hartford Van Dyke, Jr.
Appearing Pro Se

Court Reporter: Denise C. Zito, CSR

1
2
3
4
5
6
7
8
9

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

FILED 10 SEP 15 12:23 USDC-ORF

UNITED STATES OF AMERICA,)	
)	No.
Plaintiff,)	
)	02-CR-00390-JO-2
vs.)	
)	August 10, 2010
LYLE HARTFORD VAN DYKE, JR.,)	
)	Portland, Oregon
Defendant.)	
_____)	

10 BEFORE THE HONORABLE ROBERT E. JONES
11 UNITED STATES DISTRICT COURT JUDGE

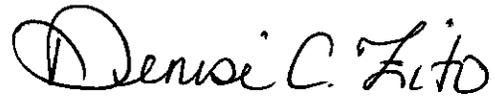
12
13
14
15
16
17

18 APPEARANCES

19 FOR THE PLAINTIFF: Mr. Scott Kerin
20 Assistant United States Attorney

21 FOR THE DEFENDANT: Mr. Lyle Hartford Van Dyke, Jr.
22 Appearing Pro Se

23
24



25 Court Reporter: Denise C. Zito, CSR

1 (Tuesday, August 10, 2010)

2 PROCEEDINGS

3 (Open court:)

4 THE CLERK: All rise. United States
5 District Court for the District of Oregon is now in
6 session. The Honorable Robert E. Jones presiding.

7 THE COURT: Go ahead, Counsel.

8 MR. KERIN: Thank you. Good morning,
9 Your Honor. Your Honor, we are here in United
10 States versus Lyle Hartford Van Dyke, Jr. Our case
11 number is CR02-390. Your Honor, I'm Scott Kerin
12 appearing on behalf of the government.

13 With me here today at the counsel table
14 for the probation office is Ms. Eileen Groshong.
15 Mr. Lyle Hartford Van Dyke, Jr., is also present.
16 He is representing himself.

17 Your Honor, Mr. Van Dyke was summonsed in
18 today this morning --

19 THE COURT: I've read the file. I know
20 this case inside and out. I'll take over.

21 MR. KERIN: Thank you, Your Honor.

22 THE COURT: Mr. Van Dyke.

23 THE WITNESS: Yes, sir.

24 THE COURT: In respect of this matter, I
25 sentenced you and you served your time.

1 THE WITNESS: Yes, sir.

2 THE COURT: You want to go to Eastern
3 Washington to -- around Spokane; is that right?

4 THE WITNESS: Yes, sir.

5 THE COURT: And as far as I'm concerned,
6 I think that you are better off to have me terminate
7 your supervised release and tell you to go about
8 your own business. If you violate the law again,
9 you'll be sent back to prison.

10 THE WITNESS: Yes, sir.

11 THE COURT: And you know how bad that is.

12 THE WITNESS: Yes.

13 THE COURT: And so it's all up to you to
14 be a law-abiding citizen. And at this moment you
15 are a free man.

16 THE WITNESS: Thank you very much.

17 MS. GROSHONG: Your Honor, just for
18 clarification, will you be making a finding on the
19 violations or not?

20 THE COURT: I'm not making a finding.
21 I'm just terminating supervised release.

22 MS. GROSHONG: Thank you, Your Honor.

23 THE COURT: That's it.

24 THE CLERK: Court is in recess.

25 (Proceedings concluded at 10:37 a.m.)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

C E R T I F I C A T E

I, Denise C. Zito, Certified Shorthand Reporter, do hereby certify that, the proceedings were held before me at the time and place mentioned in the caption herein; that the witnesses were first duly sworn on oath, and examined upon oral interrogatories propounded by counsel; that said examination, together with the testimony of said witnesses, was taken down by me in stenotype and thereafter reduced to typewriting; and, that the foregoing transcript, Pages 1 to 3, both inclusive, constitutes a full, true, and accurate record of said examination of and testimony given by said witnesses, and of all other oral proceedings had during the taking of said proceedings, and of the whole thereof, to the best of my ability.

Witness my hand at Portland, Oregon, this 10th day of September, 2010.

/s/Denise C. Zito

Denise C. Zito

CSR No. 01-0375

0	3:18 CLERK [2] - 2:4, 3:24 concerned [1] - 3:5 concluded [1] - 3:25 constitutes [1] - 4:13 counsel [2] - 2:13, 4:8 Counsel [1] - 2:7 COURT [12] - 1:1, 1:11, 2:7, 2:19, 2:22, 2:24, 3:2, 3:5, 3:11, 3:13, 3:20, 3:23 Court [2] - 1:25, 2:5 court [2] - 2:3, 3:24 CR02-390 [1] - 2:11 CSR [2] - 1:25, 4:24	2:12 Groshong [1] - 2:14 GROSHONG [2] - 3:17, 3:22	moment [1] - 3:14 morning [2] - 2:8, 2:18 MR [2] - 2:8, 2:21 MS [2] - 3:17, 3:22	ROBERT [1] - 1:10 Robert [1] - 2:6
01-0375 [1] - 4:24 02-CR-00390-JO-2 [1] - 1:5				S
1		H	N	Scott [2] - 1:19, 2:11 Se [1] - 1:21 sent [1] - 3:9 sentenced [1] - 2:25 September [1] - 4:19 served [1] - 2:25 session [1] - 2:6 Shorthand [1] - 4:3 Spokane [1] - 3:3 STATES [3] - 1:1, 1:4, 1:11 States [3] - 1:19, 2:4, 2:10 stenotype [1] - 4:10 summonsed [1] - 2:17 supervised [2] - 3:7, 3:21 sworn [1] - 4:7
1 [1] - 4:12 10 [2] - 1:6, 2:1 10:37 [1] - 3:25 10th [1] - 4:19		hand [1] - 4:18 HARTFORD [1] - 1:7 Hartford [3] - 1:21, 2:10, 2:15 held [1] - 4:5 hereby [1] - 4:4 herein [1] - 4:6 himself [1] - 2:16 Honor [7] - 2:9, 2:11, 2:17, 2:21, 3:17, 3:22 HONORABLE [1] - 1:10 Honorable [1] - 2:6	number [1] - 2:11	
2	D	I	O	
2010 [3] - 1:6, 2:1, 4:19	Defendant [1] - 1:8 DEFENDANT [1] - 1:21 Denise [3] - 1:25, 4:3, 4:23 DISTRICT [3] - 1:1, 1:2, 1:11 District [2] - 2:5 down [1] - 4:10 duly [1] - 4:7 during [1] - 4:16 DYKE [1] - 1:7 Dyke [5] - 1:21, 2:10, 2:15, 2:17, 2:22	inclusive [1] - 4:12 inside [1] - 2:20 interrogatories [1] - 4:8	oath [1] - 4:7 OF [2] - 1:2, 1:4 office [1] - 2:14 Open [1] - 2:3 oral [2] - 4:7, 4:15 OREGON [1] - 1:2 Oregon [3] - 1:7, 2:5, 4:18 own [1] - 3:8	
3	E	J	P	
3 [1] - 4:12	Eastern [1] - 3:2 Eileen [1] - 2:14 examination [2] - 4:9, 4:14 examined [1] - 4:7	JONES [1] - 1:10 Jones [1] - 2:6 JR [1] - 1:7 Jr [3] - 1:21, 2:10, 2:15 JUDGE [1] - 1:11	Pages [1] - 4:12 place [1] - 4:5 Plaintiff [1] - 1:5 PLAINTIFF [1] - 1:19 Portland [2] - 1:7, 4:18 present [1] - 2:15 presiding [1] - 2:6 prison [1] - 3:9 Pro [1] - 1:21 probation [1] - 2:14 proceedings [3] - 4:4, 4:15, 4:16 Proceedings [1] - 3:25 PROCEEDINGS [1] - 2:2 propounded [1] - 4:8	
A	F	K	R	
a.m [1] - 3:25 abiding [1] - 3:14 ability [1] - 4:17 accurate [1] - 4:13 ahead [1] - 2:7 AMERICA [1] - 1:4 APPEARANCES [1] - 1:18 appearing [2] - 1:21, 2:12 Assistant [1] - 1:19 Attorney [1] - 1:19 August [2] - 1:6, 2:1	far [1] - 3:5 file [1] - 2:19 first [1] - 4:6 FOR [2] - 1:19, 1:21 foregoing [1] - 4:12 free [1] - 3:15 full [1] - 4:13	KERIN [2] - 2:8, 2:21 Kerin [2] - 1:19, 2:11	read [1] - 2:19 recess [1] - 3:24 record [1] - 4:13 reduced [1] - 4:11 release [2] - 3:7, 3:21 Reporter [2] - 1:25, 4:4 representing [1] - 2:16 respect [1] - 2:24 rise [1] - 2:4	table [1] - 2:13 terminate [1] - 3:6 terminating [1] - 3:21 testimony [2] - 4:9, 4:14 THE [21] - 1:10, 1:19, 1:21, 2:4, 2:7, 2:19, 2:22, 2:23, 2:24, 3:1, 3:2, 3:4, 3:5, 3:10, 3:11, 3:12, 3:13, 3:16, 3:20, 3:23, 3:24 thereafter [1] - 4:11 thereof [1] - 4:17 today [2] - 2:13, 2:18 together [1] - 4:9 transcript [1] - 4:12 true [1] - 4:13 Tuesday [1] - 2:1 typewriting [1] - 4:11
B	G	L		T
bad [1] - 3:11 BEFORE [1] - 1:10 behalf [1] - 2:12 best [1] - 4:17 better [1] - 3:6 business [1] - 3:8	given [1] - 4:14 government [1] -	law [2] - 3:8, 3:14 law-abiding [1] - 3:14 LYLE [1] - 1:7 Lyle [3] - 1:21, 2:10, 2:15		table [1] - 2:13 terminate [1] - 3:6 terminating [1] - 3:21 testimony [2] - 4:9, 4:14 THE [21] - 1:10, 1:19, 1:21, 2:4, 2:7, 2:19, 2:22, 2:23, 2:24, 3:1, 3:2, 3:4, 3:5, 3:10, 3:11, 3:12, 3:13, 3:16, 3:20, 3:23, 3:24 thereafter [1] - 4:11 thereof [1] - 4:17 today [2] - 2:13, 2:18 together [1] - 4:9 transcript [1] - 4:12 true [1] - 4:13 Tuesday [1] - 2:1 typewriting [1] - 4:11
C		M		U
caption [1] - 4:6 case [2] - 2:10, 2:20 Certified [1] - 4:3 certify [1] - 4:4 citizen [1] - 3:14 clarification [1] -		man [1] - 3:15 matter [1] - 2:24 mentioned [1] - 4:5		UNITED [3] - 1:1, 1:4, 1:11 United [3] - 1:19, 2:4, 2:9 up [1] - 3:13

V

VAN [1] - 1:7
Van [5] - 1:21, 2:10,
2:15, 2:17, 2:22
versus [1] - 2:10
violate [1] - 3:8
violations [1] - 3:19
vs [1] - 1:6

W

Washington [1] - 3:3
whole [1] - 4:17
WITNESS [6] - 2:23,
3:1, 3:4, 3:10, 3:12,
3:16
Witness [1] - 4:18
witnesses [3] - 4:6,
4:10, 4:15

Z

Zito [3] - 1:25, 4:3,
4:23