

1 STATE OF SOUTH DAKOTA) IN CIRCUIT COURT  
 )  
 2 COUNTY OF STANLEY ) SS SIXTH JUDICIAL CIRCUIT  
 )  
 3 \_\_\_\_\_ )  
 4 BRYAN ANTHONY REO, ) 58CIV20-07  
 )  
 5 Plaintiff, ) TRANSCRIPT OF HEARING  
 ) RE: RESCHEDULING  
 6 vs. ) PRELIMINARY INJUNCTION  
 ) TRIAL  
 )  
 7 MARTIN LINDSTEDT and )  
 ) SUSAN APRIL BESSMAN, as )  
 ) Trustee of the Susan )  
 8 April Bessman Revocable )  
 ) Living Trust, )  
 )  
 9 Defendants. )  
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11  
 12 BEFORE: THE HONORABLE M. BRIDGET MAYER,  
 13 Circuit Court Judge of the Sixth Judicial  
 14 Circuit, in Pierre, South Dakota, on  
 15 the 3rd day of June, 2020.

16 APPEARANCES:

17 MR. ROBERT KONRAD  
 18 Konrad Law, Prof LLC  
 19 1110 E. Sioux Avenue  
 20 Pierre, South Dakota 57501;  
 21  
 22 Counsel for the Plaintiff.

23 MR. KODY KYRISS  
 24 Riter-Rogers Law Firm  
 25 PO Box 280  
 Pierre, South Dakota 57501;  
 Counsel for Defendant Bessman.

<p style="text-align: right;">2</p> <p>1 (The following proceedings were held on June 3, 2 2020, at approximately 1:30 p.m.) 3 MR. LINDSTEDT: Pastor Lindstedt speaking. 4 THE COURT: Good afternoon, Pastor Lindstedt. 5 This is Judge Mayer here in the Stanley County case 6 calling for a hearing, and present in the courtroom 7 today is Rob Konrad and Kody Kyriss, and we're here in 8 this Stanley County matter where you and Susan Bessman 9 are Defendants and Bryan Reo is the Plaintiff. 10 And I have been assigned this matter and so 11 thank you for allowing us to have this telephonic 12 hearing today. We're here for the purposes of 13 rescheduling a hearing that had been set before Judge 14 Northrup. She had a conflict of interest and I have 15 been reassigned this matter. 16 So this Friday was supposed to be the hearing 17 to be held. That date is not going to work, as I 18 understand it, for you and the parties and so I am 19 here to reschedule that preliminary hearing. 20 MR. LINDSTEDT: Okay. Your Honor, would I be 21 able to make a motion to dismiss this altogether? 22 Because you know, the appeal -- the appeal of this 23 initial case is still pending and according to what? 24 15-6A-6, stay of enforcement pending appeal, and you 25 know, the federal cases, they're still winding --</p>	<p style="text-align: right;">4</p> <p>1 might want to appear then. I'm not sure if she could 2 do it telephonically on that day or not if she chose 3 to but I'd have to speak with her. 4 THE COURT: Okay. Well, and I'm assuming that, 5 Pastor Lindstedt, you would like to have this matter 6 heard here sooner than later on the temporary 7 situation, unless you wanted just to stipulate to that 8 part that that could be granted and we could get a 9 more permanent date for the actual hearing. 10 What is your position on that? That would -- 11 MR. LINDSTEDT: Well, my position is that this 12 case shouldn't even be present because, you know, I've 13 been fighting with Bryan Reo for 11 years and in the 14 court for going on seven. And right now, you know, 15 the appellee briefs haven't even been -- because of 16 his delay, you know, the appeals for being heard has 17 been delayed. So he doesn't even have -- you know, he 18 doesn't even have the appeals finished in the court of 19 appeals of Ohio. 20 And essentially what it was is that, you know, 21 I called him names on the Internet, he called me a 22 child molester on the Internet and pretty well we've 23 been fighting and fighting and fighting for years and 24 years and years on this matter. 25 THE COURT: All right.</p>
<p style="text-align: right;">3</p> <p>1 they're still -- they're getting wrapped up in federal 2 court. 3 THE COURT: All right. Well, I will accept 4 this oral motion. I will deny that. I don't believe 5 this will affect that matter and I want to give you a 6 timely hearing on this matter so I do have a date 7 available fairly soon on my calendar, and I would like 8 the parties to look at the afternoon of June 12th at 9 1:30. I have the entire afternoon that I can give 10 you. 11 Would that date work for you, Pastor Lindstedt? 12 MR. LINDSTEDT: Probably not because Roxy just 13 got a cancer diagnosis and, you know, probably -- it 14 probably wouldn't here. If I have to be up there, it 15 probably wouldn't. You know what I mean? 16 THE COURT: Well, here's what I'm going to do. 17 The two attorneys are here. Just let me see if that 18 date is available to you two folks. 19 MR. KONRAD: Judge, it works for me. My 20 client, I don't know if he will need to be present at 21 that time or if he will elect to be present at that 22 time but it works for me and I can make that work. 23 MR. KYRISS: Same, Judge. I think that will 24 work for me personally. I would need to speak with my 25 client as well. I know she's not here today but she</p>	<p style="text-align: right;">5</p> <p>1 MR. LINDSTEDT: And he won temporarily in Lake 2 County. I think that sooner or later the case will be 3 altogether, you know, dismissed. And I have 4 counterclaims against, you know, Bryan Reo and his 5 lawyer friends and the State of Ohio and Lake County 6 and a number of other things. So it's just simply a 7 stall-up caused by Bryan Reo. I think the entire 8 thing should be dismissed. 9 As far as having a -- you know, I don't think a 10 temporary retraining order should have been granted at 11 all. Pretty well I just gave the property to my 12 sister. I didn't tell her anything, although she can 13 see, you know, the City of Granby tore up my property 14 but I didn't say anything about Bryan Reo and I said 15 very little about the City of Granby. And so she, you 16 know, I mean, you know, she didn't ask and I didn't 17 tell. 18 THE COURT: All right. Well, I appreciate you 19 giving me that background information. 20 I'm going to ask the lawyers if -- is there a 21 way that we -- if you are interested in continuing the 22 hearing and then we'd have to get a date with my court 23 reporter. I just gave you the quickest one I had 24 available on my calendar. What are the attorneys' 25 position?</p>

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1 Is there something here that Mr. -- or  
 2 Pastor -- excuse me, Pastor -- that Pastor Lindstedt  
 3 could just stipulate to the preliminary injunction,  
 4 that that can be stipulated to and we can actually  
 5 just go the hearing or what's the lawyers' here  
 6 position to resolve this in light of the fact that he  
 7 may have a cancer situation he's dealing with?  
 8 MR. KONRAD: Well, Judge, I don't know how long  
 9 this case is ultimately going to take to resolve so  
 10 the preliminary injunction is going to last a while  
 11 once it is entered. And I believe the Court will find  
 12 at some point in the future that there's sufficient  
 13 evidence to grant a preliminary injunction.  
 14 However, I have an idea that might save the  
 15 parties some time and energy and scheduling.  
 16 When I look at this case it's my understanding  
 17 that Mr. Kyriss and his client are going to stipulate  
 18 and not oppose my request for a preliminary  
 19 injunction. Mr. Kyriss's client is the current  
 20 landowner by virtue of the Warranty Deed signed by  
 21 Pastor Lindstedt.  
 22 So Mr. Kyriss and I have talked about this and  
 23 I don't know that Mr. Lindstedt is going to have  
 24 standing to necessarily oppose the award of  
 25 preliminary injunction in the case because I don't

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1 know how the preliminary injunction would infringe on  
 2 any rights that he has.  
 3 As he just told the Court today, he already  
 4 gave his property away, in his words. Whether the  
 5 Court grants a preliminary injunction or not will not  
 6 change his life. It won't change anything.  
 7 Right now he doesn't have the authority to  
 8 convey the property, one, because of this action and,  
 9 two, because allegedly he doesn't own it. And if the  
 10 Court grants it, he still wouldn't have the authority  
 11 to do it.  
 12 So I think it makes sense from the Court's  
 13 standpoint to look at this first with an analysis on  
 14 whether or not Mr. Lindstedt has standing. Because I  
 15 clearly want the preliminary injunction which is not  
 16 permanent, by the way, it's preliminary until this  
 17 case can ultimately be handled.  
 18 But Mr. Kyriss's client is the landowner of a  
 19 fairly valuable piece of property and if she had an  
 20 objection, on the other hand, I think that would carry  
 21 much more weight in the Court's eyes or be a much  
 22 bigger factor for you to consider. But through her  
 23 counsel, she is not going to oppose my request for  
 24 preliminary injunction.  
 25 So I think it's really a standing argument. I

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1 personally don't believe that Mr. Lindstedt has  
 2 standing and I think the Court can rule on it on that  
 3 basis alone. Given that it's essentially stipulated  
 4 to, his opinion isn't going to factor into that  
 5 equation because he doesn't have standing. So perhaps  
 6 the Court can look at the standing argument first.  
 7 Mr. Kyriss and I can sign a written stipulation and  
 8 that may take care of this issue without an  
 9 evidentiary hearing.  
 10 THE COURT: So just -- just a minute, Pastor.  
 11 I'm going to let Mr. Kyriss speak and then I'll let  
 12 you speak again, if that would be acceptable. Okay?  
 13 MR. LINDSTEDT: Yes, yes, please.  
 14 MR. KYRISS: Thanks, Judge. Yes --  
 15 THE COURT: Can you hear, by the way, okay,  
 16 Pastor?  
 17 MR. LINDSTEDT: Yes, I can hear you very well.  
 18 THE COURT: Okay.  
 19 MR. KYRISS: What Mr. Konrad has communicated  
 20 is correct. I have spoken with my client about  
 21 today's hearing as well as just the general  
 22 preliminary injunction and it is our position -- it's  
 23 her position that we will not be making any objections  
 24 to this.  
 25 THE COURT: So there's no objection from your

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1 client that the Court enter this preliminary  
 2 injunction. This isn't the temporary -- or this isn't  
 3 the permanent restraining order. This is just the  
 4 preliminary injunction holding things in place that I  
 5 understand; correct?  
 6 MR. KONRAD: Correct, until the case is  
 7 ultimately resolved at trial.  
 8 THE COURT: All right.  
 9 MR. KYRISS: Yes, Your Honor, and that is  
 10 understood by my client and we have no objections.  
 11 THE COURT: All right. So if Mr. Lindstedt  
 12 would also take that position and not object to the  
 13 preliminary injunction standing for now, is what  
 14 you're proposing is that you would then brief standing  
 15 on whether he has standing for the permanent hearing.  
 16 Is that what you're saying or are you asking me to  
 17 rule on standing today?  
 18 MR. KONRAD: I don't -- I'm not looking for a  
 19 ruling on standing today. I'm saying rather than  
 20 going forward with an evidentiary hearing on the 12th,  
 21 perhaps it makes sense to brief the standing issue and  
 22 see if he has standing to object. Because his  
 23 objection is the only one that theoretically matters  
 24 at this -- at this time because Ms. Bessman is going  
 25 to stipulate through counsel.

10

1 THE COURT: Okay.

2 MR. KONRAD: So I'm just wondering if we can --

3 if we can get some sort of a ruling from the Court on

4 standing, perhaps we don't need an evidentiary

5 hearing.

6 THE COURT: All right. Pastor, what they're --

7 and I know you're representing yourself but what the

8 parties are proposing is in light of what Mr. Kyriss's

9 client is stating, and that hasn't happened yet but if

10 she's not going to resist that, Mr. Konrad is

11 suggesting that he be -- he would file a motion

12 basically saying since she owns the property, that you

13 would not have standing to object to these

14 proceedings. And I would order Mr. Konrad to serve

15 you with that motion and his brief so you could give

16 your response in writing.

17 And Mr. Kyriss, you could also put your

18 responses in writing and then I can study this matter

19 and give you a ruling. And then once we get that

20 ruling, then I can set a hearing which would either be

21 for the preliminary injunction or it would be for the

22 actual hearing and do this matter one time. That's

23 what I'm understanding.

24 Is that correct?

25 MR. KONRAD: Well --

11

1 THE COURT: I'm not ruling today on standing.

2 You are going to give me your legal reasoning why I

3 should grant that and not allow the Pastor to have

4 standing to object to these proceedings. And I want

5 to give him an opportunity to respond to your position

6 on that, in fairness to him. Do you agree?

7 MR. KONRAD: Sure. I'm fine with proceeding in

8 that manner. However, I want to make sure that the

9 temporary order is extended. My goal in this case is

10 to make sure that there is absolutely no lapse in the

11 time of the injunction as to temporary or preliminary

12 or through the end.

13 Frankly, I think the evidence in this case is

14 overwhelming. We'd be prepared to try this case

15 tomorrow but we're not at that point so I think we can

16 perhaps resolve it on just a standing ground. If you

17 want to do that by written motion or if the Court

18 wants to independently look at it, I really don't

19 care. I was just throwing the idea out there. That's

20 another angle to look at it.

21 THE COURT: Well, and in light of the fact that

22 there's some personal health issues in the Pastor's

23 family, this might help him with travel issues and

24 help him, I don't know if the parties were aware of

25 that, but lets him have an opportunity to respond in

12

1 writing.

2 MR. KONRAD: There's also the matter, Your

3 Honor, that my client has recently been granted a

4 temporary restraining order against Pastor Lindstedt

5 based on various statements and comments that have

6 been made to my client.

7 My client would request permission in the

8 future to appear telephonically or have extra law

9 enforcement in the courtroom because there is a

10 protection order between the two. That is a temporary

11 order at this time.

12 My client expects that the court will -- the

13 magistrate court in Ohio will ultimately rule within

14 30 days. Once that ruling is made in favor of my

15 client, my client will seek to register that

16 protection order as a foreign protection order and it

17 would be enforceable in South Dakota. So we have that

18 to think about as well as in terms of what people do

19 we want in the courtroom.

20 THE COURT: And we also have a COVID that we're

21 all trying to stay safe here.

22 MR. LINDSTEDT: Can I respond to -- can I

23 respond to, you know, essentially Bryan Reo's lawyer's

24 statement about the temporary protection order?

25 Bryan Reo back in 2016 impersonated me on a

13

1 Nimbo (sp) web page and I didn't want to drive 900

2 miles up to Ohio to challenge it so it lasted for

3 three years. And what he did is on the 30th he tried

4 to get an ex parte order in federal court and the

5 federal judge says we don't do ex parte orders.

6 And so I, you know, pretty well, I asked to go

7 ahead and show up to this hearing on, I think on

8 whatever -- Bryan Reo just goes ahead and gets those

9 ex parte orders in Lake County and he realizes I don't

10 have the money to go ahead and appear. And the

11 magistrate judge let him, which wouldn't allow me to

12 go ahead and call in by telephone. So what he does is

13 that he does that against me. He did that against a

14 friend of mine. He does that -- he does that all the

15 time here because he's a lawyer and he's buddy-buddies

16 with the Lake County -- Lake County courts in Ohio.

17 THE COURT: Pastor --

18 MR. LINDSTEDT: Yeah.

19 THE COURT: There's some background noise or

20 talking.

21 MR. LINDSTEDT: I know, I know. What happens

22 is that, oh, it's computer equipment here.

23 THE COURT: Oh, okay. It's just that I can't

24 hear you when that --

25 MR. LINDSTEDT: What he does is he goes ahead

14

1 and gets these --

2 MR. KONRAD: Is he recording it?

3 MR. LINDSTEDT: He goes ahead and gets these --

4 he goes ahead and gets these temporary restraining

5 orders wherever he wants one --

6 THE COURT: Pastor? Okay. Pastor?

7 MR. LINDSTEDT: I cannot afford to go to Lake

8 County every time he files one of these things.

9 THE COURT: All right. Well, I don't have any

10 jurisdiction over that.

11 MR. LINDSTEDT: I know. And you know, the fact

12 is that in Missouri he doesn't, you know, a

13 temporary -- a protection order can't cross county

14 lines, much less 900 miles away and he goes ahead and

15 pretends he's scared of me. And you know, we've been

16 fighting for eleven years. He plays that game.

17 THE COURT: All right. Well, here's what --

18 sir?

19 MR. LINDSTEDT: As far as -- as far as your --

20 THE COURT: Pastor?

21 MR. LINDSTEDT: As far as this talk about

22 motions, I prefer to go ahead and just go, you know,

23 through the motions as regarding standing. You know,

24 I did give -- I did give the property to my sister and

25 she told me that she was not going to sell, you know,

15

1 our family inheritance or at least what is left of it.

2 But yes, I would prefer to go ahead and go

3 through -- you know, I didn't get any motions here

4 until I got sent about a half hour ago a whole

5 document dumped about why you got appointed. So I

6 would prefer to go ahead and go through the motion --

7 go through motion practice with Mr. Konrad.

8 And you know, my sister -- my sister and my

9 sister's lawyer are totally different from me. So I

10 would prefer to go ahead like you stipulated and have

11 Mr. -- have Mr. Konrad go and do the motions.

12 As far as Bryan Reo's -- as far as Bryan Reo's,

13 oh, you know, protection orders, I'll probably have to

14 file a federal lawsuit to try and go ahead and make

15 Lake County and Bryan Reo stop that nonsense.

16 THE COURT: All right. So if I'm

17 understanding, you will stipulate to the temporary

18 restraining order being --

19 MR. LINDSTEDT: Well --

20 THE COURT: Hang on a minute. And my order

21 granting that and with the understanding that you will

22 be -- Mr. Konrad will be briefing the Court, basically

23 a motion saying you don't have standing to come in and

24 contest. And then you can -- I will give you --

25 How much time do you want for that motion,

16

1 Mr. Konrad?

2 MR. KONRAD: I don't want the motions to delay

3 this matter that much. I would like a condensed time

4 frame.

5 THE COURT: When can you have your motion filed

6 and get that served on Pastor Lindstedt?

7 MR. KONRAD: I don't even know what the motion

8 is -- I guess the motion is to strike an objection? I

9 mean --

10 THE COURT: I think your motion was, yes,

11 because he doesn't have standing based on his lack of

12 ownership to this property, I thought is what your

13 argument to me was. And that is what I thought you

14 had requested to be briefed.

15 And then if that is granted -- I'm not saying

16 that because I haven't seen the arguments on it yet so

17 I may disagree with you on that. But once I see that

18 and if I grant there is no standing, there is no need

19 for a hearing depending -- I don't know what

20 Mr. Kyriss's client is going to do because I haven't

21 seen any documents on this yet.

22 MR. KONRAD: I can have it done in ten days.

23 THE COURT: Okay. So what is the date on that,

24 ten days? Who's got a calendar when that would be due

25 to the Court?

17

1 And I assume Mr. Konrad will have your address

2 to serve you that and I'm going to give you some time

3 to respond, Pastor. All right? But let me get some

4 dates for you. Okay?

5 MR. LINDSTEDT: Okay.

6 (Brief pause in the proceedings.)

7 MR. KONRAD: Let's make it June 16th.

8 THE COURT: Okay. That ten days is on a

9 Saturday so I'm going to make Mr. Konrad's motion and

10 supporting brief, that can be in one document and to

11 the point, please, will be on June 16th due to me.

12 And in fairness, I would like to give you,

13 Pastor, a week to respond to that. Would that be

14 enough or --

15 MR. LINDSTEDT: No --

16 THE COURT: -- that would be the 23rd or I

17 could go to the 25th of June.

18 MR. LINDSTEDT: It would be two weeks -- it

19 would be two weeks. It requires some time and, you

20 know, I got to e-mail, you know, not in TIF format. I

21 mean that TIF format, I can't read it. If you've got

22 a thing in Word or something, I would go ahead but I

23 sort of want two weeks to respond.

24 THE COURT: Well, that's fair. I will give you

25 until June 30th. So Mr. Konrad is due the 16th.

<p style="text-align: center;">18</p> <p>1 And Mr. Kyriss, if you have any objection to 2 that or response, both you and Pastor's responses are 3 due two weeks from that date, which would be 4 June 30th. I will give that you time that you're 5 requesting. All right? 6 MR. LINDSTEDT: Well, thank you, Your Honor. 7 THE COURT: You're welcome. And in the 8 meantime -- 9 MR. KONRAD: Judge, it would be my request that 10 the temporary order be extended based upon the same 11 terms and conditions that are stated in the order of 12 the Court that is dated March 27, 2020, signed by 13 Judge Northrup. 14 Essentially, Your Honor, I would request that 15 the Court enter the exact order only with, of course, 16 changed times. 17 Do we want to set a hearing date at this time 18 as well so we have a time of expiration for the 19 temporary order? 20 THE COURT: I was thinking of extending it out 21 for another 60 days from this time frame and then we 22 can get a hearing date with my court reporter again so 23 I can get you folks on my calendar. 24 MR. KONRAD: That's fine. 25 THE COURT: Okay. So Mr. Lindstedt, that</p>	<p style="text-align: center;">20</p> <p>1 Hearing for today's hearing. 2 THE COURT: Did you get that e-mail, Pastor? 3 MR. LINDSTEDT: Yeah, I found out about it 4 yesterday. 5 THE COURT: All right. 6 MR. LINDSTEDT: That's why I was so concerned. 7 I didn't -- I didn't know anything about it and then 8 you know, I said, well, shoot, I got all of one day to 9 prepare. 10 THE COURT: Okay. Well -- 11 MR. LINDSTEDT: We'll go ahead and see the 12 papers but I still have an objection to this, you 13 know, this entire case still going on. It's my 14 sister's property now and she told me that she's going 15 to keep it in the family. 16 THE COURT: All right. Well, we have a good 17 e-mail address for you then and you then get your 18 response by e-mail on that June 30 day. Okay. He's 19 going to get -- 20 MR. LINDSTEDT: Can I send it by e-mail? 21 THE COURT: If you would send it to 22 Mr. Konrad's e-mail because I know you don't have 23 access to e-filing. 24 And I'm going to order, Mr. Konrad, for you to 25 send it to the Clerk of Courts, please, on behalf of</p>
<p style="text-align: center;">19</p> <p>1 second order that was signed by Judge Northrup, I'm 2 going to enter that identical order but it will extend 3 it out another 60 days from today so the parties have 4 an opportunity to brief me their positions on this 5 issue. Okay? 6 MR. LINDSTEDT: Okay. Well, my position is I 7 don't own the property. I don't see why Bryan Reo is 8 going against my sister but.... 9 THE COURT: Well, that's what we're here to 10 figure out so -- 11 MR. LINDSTEDT: All right. So you'll go ahead 12 and you stated this. I don't think there ever should 13 have been motor or process and I'll probably file a 14 motion to that effect, ask for the whole thing to be 15 dismissed. 16 THE COURT: Okay. You can -- 17 MR. LINDSTEDT: He will, you know, Konrad will 18 file something by the 16th and hopefully he'll send 19 me -- he'll send me his stuff in my e-mail. He should 20 have my e-mail because I went ahead and sent to him 21 the Bryan Reo appeal in Ohio. 22 THE COURT: All right. Mr. -- did you get that 23 e-mail, Mr. Konrad? 24 MR. KONRAD: I did, Judge. And yesterday I 25 sent Mr. Lindstedt by e-mail a copy of the Notice of</p>	<p style="text-align: center;">21</p> <p>1 the Court and Mr. -- and Pastor Lindstedt. All right? 2 Would that be acceptable to you, Pastor? 3 MR. LINDSTEDT: Oh, have him send by e-mail as 4 well as paper copy then? 5 MR. KONRAD: I will send you a paper copy in 6 the mail like I usually do and then I will also send 7 it to you by e-mail so you have it that way. 8 MR. LINDSTEDT: I haven't got any paper copies 9 from you. 10 THE COURT: What was that last thing, Pastor? 11 MR. LINDSTEDT: I haven't gotten any paper 12 copies about this stuff from the last month or so. I 13 just found out about it. I went ahead and asked this 14 Kelli Shipman or something like that and she sent 15 me -- she sent me the thing and half it was in a TIF 16 file so I had to go ahead and look up on the Internet 17 to find a TIF reader and -- 18 THE COURT: All right. Well, since you're 19 dealing with the cancer and we're going to make sure 20 you get copies. I am ordering Mr. Konrad to e-mail 21 you on or before June 16th this motion that he wants 22 to file on standing. And then you have until June 30 23 to e-mail him back that to the -- to that e-mail 24 address or to mail it -- to mail it to the PO Box -- 25 What is our box number here?</p>

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1 COURT REPORTER: 1238.  
 2 THE COURT: To Box 1238 here in Pierre.  
 3 MR. LINDSTEDT: What's the number again, Your  
 4 Honor?  
 5 THE COURT: PO Box 1238.  
 6 MR. LINDSTEDT: Okay.  
 7 THE COURT: And that's in Pierre, P-I-E-R-R-E.  
 8 MR. LINDSTEDT: Yeah. I used to live up there.  
 9 THE COURT: Okay. And it's 57501.  
 10 MR. LINDSTEDT: 57501. And it's addressed to  
 11 the Clerk of the Courts then?  
 12 THE COURT: Yes. Clerk of Courts Sitzman,  
 13 S-I-T-Z-M-A-N.  
 14 MR. LINDSTEDT: S-I-T-Z-M-A-N. So there's no  
 15 June 12th thingamajig here. Essentially, we're going  
 16 through the motions.  
 17 THE COURT: Right. You told me that you wanted  
 18 that -- that wouldn't be convenient for you to be here  
 19 on the 12th; correct?  
 20 MR. LINDSTEDT: It's nearly as far as it is --  
 21 well, it's 800 and some miles up to there and it's 900  
 22 miles to Ohio. And I just, I mean, you know, if I go,  
 23 I'm really the only caretaker of Roxy.  
 24 THE COURT: No, you need to be there and I'm  
 25 going to grant that continuance and extend the

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1 temporary order out 60 days.  
 2 And once I get that signed, Mr. Konrad, I'm  
 3 also asking you to -- I'm ordering you to send that by  
 4 e-mail to Pastor Lindstedt and to mail it to him as  
 5 well. All right? Because he's got a family situation  
 6 going here and we want to have full communication with  
 7 him in these matters.  
 8 Is that acceptable, Pastor?  
 9 MR. LINDSTEDT: Yes, that is.  
 10 THE COURT: Okay. So we will not be having the  
 11 hearing on June 12th. It will now be a third order  
 12 extending the temporary restraining order and granting  
 13 that request and you will be getting a copy of my  
 14 signed order granting that. And then that will give  
 15 Mr. Konrad here a chance to make his motion and I'm  
 16 giving you the full two weeks to respond.  
 17 And I'm ordering Mr. Konrad to copy you on both  
 18 that third order that I'm going to be signing here  
 19 today or tomorrow and I'm also ordering him to send  
 20 you both by e-mail and mail a paper copy of his  
 21 motion.  
 22 And then when you do your response, you mail  
 23 that to Mr. Konrad and if you can e-mail it to him at  
 24 his address and you do that.  
 25 Mr. Konrad, I'm also ordering you to print that

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1 off and get that to the Court so I can review his  
 2 response.  
 3 MR. KONRAD: I will do that.  
 4 THE COURT: Mr. Kyriss, you also have a  
 5 deadline to respond and I'm also going to order you to  
 6 send any -- if you're going to file or respond in any  
 7 way on behalf of your client, that you also do the  
 8 same for Pastor Lindstedt. Understood?  
 9 MR. KYRISS: Understood, Judge.  
 10 THE COURT: All right. Is there anything else  
 11 that we need to take care of today? I understand the  
 12 positions of all the parties, I believe. I appreciate  
 13 letting me get caught up here on this matter and I  
 14 don't think there's anything further for me to address  
 15 today, is there?  
 16 MR. KONRAD: I don't believe so.  
 17 MR. LINDSTEDT: No. I just found out about it  
 18 yesterday.  
 19 THE COURT: All right. Well, I think we fixed  
 20 that problem here now with the e-mails and the parties  
 21 have been directed on my expectations. And I think  
 22 I've been clear on what I'm also expecting from all  
 23 three of you so we can get this timely and fairly  
 24 heard on all sides. Okay, folks?  
 25 MR. LINDSTEDT: Sounds good.

25

1 THE COURT: All right. Everybody please be  
 2 safe in the COVID and take care of your dear one that  
 3 is ill. So I'm happy to give you that extension from  
 4 the 12th so you can deal with your family issues.  
 5 MR. LINDSTEDT: She found out about it -- you  
 6 know, she found about it on Monday.  
 7 THE COURT: All right. Well, good luck with  
 8 that, sir. That's upsetting news. So thank you for  
 9 appearing by phone, Pastor.  
 10 And counsel, thank you for being here today as  
 11 well.  
 12 Okay. This matter is adjourned for today.  
 13 (Proceedings concluded.)  
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1 STATE OF SOUTH DAKOTA)

SS CERTIFICATE

2 COUNTY OF HUGHES )

3

4 I, Mona G. Weiger, Official Court Reporter in and  
5 for the State of South Dakota, do hereby certify that  
6 the Transcript of Hearing contained on the foregoing  
7 pages was reduced to stenographic writing by me and  
8 thereafter transcribed; that said proceedings commenced  
9 on the 3rd day of June, 2020, in the Courtroom of the  
10 Hughes County Courthouse, Pierre, South Dakota, and that  
11 the foregoing is a full, true and complete transcript of  
12 my shorthand notes of the proceedings had at the time  
13 and place set forth above.

14 Dated this 8th day of June, 2020.

15

16 /s/ Mona G. Weiger

Mona G. Weiger

17 Official Court Reporter

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