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10 TAMMY SEARLE

11 **SUPERIOR COURT OF THE STATE OF CALIFORNIA,**
12 **COUNTY OF SAN DIEGO**
CENTRAL DIVISION

| | | | |
|----|----------------|---|--------------------------------------|
| 13 | KEITH PFISTER, |) | CASE NUMBER: DF177854 |
| | |) | |
| 14 | PETITIONER, |) | |
| | |) | |
| 15 | v. |) | MEMORANDUM OF POINTS AND |
| | |) | AUTHORITIES IN SUPPORT OF |
| 16 | |) | RESPONDENT TAMMY SEARLE'S |
| 17 | TAMMY SEARLE, |) | RENEWED MOTION FOR CALIFORNIA |
| | |) | TO ASSUME JURISDICTION AND |
| 18 | RESPONDENT. |) | ORDER FOR RETURN OF MINOR |
| | |) | ALEXIS SEARLE TO HER CUSTODY |
| 19 | |) | IN CALIFORNIA |

20 **RELEVANT PARTIES**

21 Keith Pfister (hereinafter "K.PFISTER") is a forty-four year old
22 male believed to be residing in Louisiana, and when convenient for
23 litigation purposes, Tennessee. He has a criminal history in New
24 Orleans Parish Louisiana which includes what is believed to be 1985
25 convictions for charges related to Public Intimidation of a Police
26 Officer, Possession of Cocaine, Disturbing the Peace, Battery Upon a
27 Peace Officer, and Resisting Arrest by Fighting. He has a 1986
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1 conviction for Driving While Intoxicated as well as a 1987 federal
2 felony conviction for violations of the Federal Controlled Substance
3 Act and the Gun Control Act of 1968. (See Exhibit 1) In addition to
4 the records from Louisiana, K.PFISTER has suffered arrests and/or
5 convictions in Williamson County for at least three incidents
6 involving domestic violence related offenses wherein Tammy Searle was
7 the named victim. (See Exhibits discussed below) As of the date of
8 this pleading, K.PFISTER has been the claimant in at least two major
9 insurance claims wherein fraud was declared by the insurance carriers.
10 (See Exhibit 2) Further, K.PFISTER is/was a director/officer in one
11 active and two revoked corporations in Louisiana as well as two
12 revoked corporations in Tennessee. (See Exhibit 3)

13 Tammy Searle (hereinafter "SEARLE") is a thirty-nine year old
14 female and has no criminal convictions of any kind. She moved to
15 California with her daughter Alexis Searle in June of 1999 after the
16 Williamson County Juvenile Court (Tennessee) granted her request to
17 leave Tennessee.

18 Gerald Pfister (hereinafter "G.PFISTER") is a seventy-one year
19 old male with no known criminal history who is residing in Saint
20 Tammany Parish Louisiana. He is K. PFISTER's father. As of the date
21 of this pleading, G. PFISTER is currently a director/officer in three
22 active and at least thirteen, if not far more, revoked corporations in
23 the State of Louisiana. (See Exhibit 4)

24 Lonnie Ray Hoover (hereinafter "HOOVER") is a General Sessions
25 Judge for the Williamson County Juvenile Court located in Franklin,
26 Tennessee. In the State of Tennessee, the scope and authority of a
27 General Sessions Judge is very limited (See Tennessee Code Annotated
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1 Section 16-15-401). Pursuant to statute, a General Sessions Judge
2 does not have to be an attorney (T.C.A. Section 17-1-106b1); cannot
3 empanel a jury. *City of Chattanooga v. Davis* 54 SW3^d 248, 267 (Tenn.
4 2001); and cannot sentence anyone to more than ten days in custody for
5 any act of contempt (T.C.A. Section 16-15-713a1).

6 Alfred Nations (hereinafter "NATIONS") is also a General Sessions
7 Judge for the Williamson County Juvenile Court located in Franklin,
8 Tennessee. Like HOOVER, the scope and authority of his duties are
9 limited as discussed above.

10 Alexis Nicole Searle (hereinafter "ALEXIS") was born to SEARLE
11 and K.PFISTER on August 3, 1996 in Nashville, Tennessee. Per her
12 Tennessee Birth Certificate, her lawful surname was "SEARLE" although
13 K.PFISTER would later file various pleadings before HOOVER in order to
14 change her name to "PFISTER". (See Exhibit 5) ALEXIS resided with
15 SEARLE in Tennessee from birth until she and her mother moved to
16 California on or about June 25, 1999. She remained with SEARLE in
17 California until on or about June 16, 2003. On or about that date,
18 she was taken from SEARLE by San Diego County Sheriff's deputies and
19 released by San Diego County authorities to K.PFISTER without
20 providing SEARLE an opportunity to exercise her state and federal
21 rights to due process of law. Upon receiving the child, K.PFISTER
22 immediately returned to either Louisiana and/or Tennessee where he has
23 remained with ALEXIS through the date of this pleading. SEARLE has not
24 seen and has rarely spoken with her daughter since June 16, 2003.

25 **STATEMENT OF RELEVANT FACTS**

26 SEARLE and K.PFISTER became romantically involved on or about
27 November of 1994 and separated in June of 1997. Their history is
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