

STATEMENT BY MICHAEL MARKING  
for  
COMPLAINT TO LANDER COUNTY DEPUTY

Around 4:20pm Friday, 14 May 2009, I entered Jay's hardware store (Lander Lumber) to buy wire, clamps, a ground rod, and some other items. There was a queue, it was Friday near closing, and we were waiting for Jay to help us. Present then or during the next few minutes were Jay and Roberta, Cord Cantrell, Jan Morrison, a woman I recognized but whose name I don't know (she was buying Whiskas and also canned cat food), and Kip Helming (who gave me some advice on flashing caulk). I made small talk with almost everyone there.

Jay was helping several people, including me, at once during the time I was there, so he was in and out, going outside to his storeroom to get things from time to time.

I was still waiting at 5:00pm. About that time, I was in the middle aisle, between the auto parts and the camping supplies. At one point, I turned to the left (to face the back of the store) and Ruben Gallegos was there, about five feet from me, near the hose clamps and the stove. He said to me, "How's it going?" He was very clearly speaking to me specifically, as there was no one else in that aisle at the time, and he looked directly at me. I turned away from him and went to the counter, and kept my back toward the store.

Jay brought me some items (insulated clamps and #6 copper wire).

During this time, I heard Ruben speaking to some one, but I don't know who it was because I didn't recognize the voice and did not look back toward the rest of the store. I was talking to Jay about how which clamps to use and could not pay attention to Ruben's conversation. Clearly, Ruben did not immediately leave the store.

It is my understanding from Derek Zacharias, Dennis Lowe, and Patsy Wait that, under the TPOs 09 PO 002/003, Sissie, Marty, and Ruben are to leave if they find either of us (my wife or me) in a public place and we were there first. Ruben did not do this; moreover, he spoke to me, which is also precluded by the orders. That is why this statement and complaint is being made.

Patsy Wait told me around noon the day before (Thursday) in her office at the Courthouse that (in an apparent ex parte communication)

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Joe Dory had explained these conditions to "them" (presumably at least Ruben and Sissie). Therefore, Ruben's speaking to me and his failing to leave was a knowing and intentional violation of the orders.

I left the store around 5:20pm. I did not look back, so I don't know if Ruben was still there.

I told Dennis Lowe about this incident the night it happened, but I'm not sure of the time. It was probably 9pm to 9:30. He will know the time because he provided me an escort to the Roping Grounds that night so I could feed my horse.

This statement is made under penalty of perjury.

Michael Marking