

1 this as reflecting on what's really important to you,
2 making these web-site postings or your children and
3 I think by your client's continued actions, he made
4 it very clear he was more interested in his web-site
5 postings than his children.

6 MR. BARRETT: Okay, do you recall Mr. Brewington making an oral
7 motion for a guardian ad litem to be appointed for
8 his children?

9 JUDGE HUMPHREY: I do.

10 MR. BARRETT: And do you recollect whether you granted that
11 motion or denied it?

12 JUDGE HUMPHREY: I recall I denied it.

13 MR. BARRETT: Okay and why was that sir?

14 JUDGE HUMPHREY: I denied it because first of all, the case had been
15 pending for over two (2) years and I don't recall it
16 being requested before. I had had the case for six
17 (6) months and it had not been requested and there
18 had already been a custody evaluation which was
19 agreed upon by your client and by his wife at that
20 time.

21 MR. BARRETT: Okay.

22 JUDGE HUMPHREY: It did not appear to even be necessary.

23 MR. BARRETT: The prosecutor asked you about whether or not Mr.
24 Brewington ever sought approval for a mental
25 health evaluator pursuant to your order in the final

1 decree. Do you recall that?

2 **JUDGE HUMPHREY:** I do.

3 **MR. BARRETT:** And did he ask the court to set a hearing on that or

4 did he submit a name?

5 **JUDGE HUMPHREY:** It seems to me that toward the end of me being on

6 the case that something about that may have come

7 up and I think one of the issues that had to be dealt

8 with was whether or not I had any jurisdiction at

9 that time to do anything because again once the

10 record is submitted to the Court of Appeals, I'm not

11 sure that the trial Court retained any jurisdiction at

12 that time. And if I remember correctly counsel, I

13 think I issued an order and said exactly that I'm not

14 sure we have any jurisdiction to do anything with it

15 but if counsel has any legal authority to indicate that

16 I could that I would consider.

17 **MR. BARRETT:** Okay.

18 **JUDGE HUMPHREY:** I think that's how I responded to it.

19 **MR. BARRETT:** Is it possible that it was actually set for hearing and

20 then that hearing vacated because you recused

21 yourself or indicated that your jurisdiction had

22 lapsed because the Court of Appeals or a Notice of

23 Appeal had been filed?

24 **JUDGE HUMPHREY:** Counsel that is possible.

25 **MR. BARRETT:** Okay.