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**ENDORSED
FILED**

2013 APR 23 AM 11: 32

David H. Yamamoto, Clerk of the Superior Court
County of Santa Clara, California

By: _____
Deputy Clerk
R. Delgado

8 SUPERIOR COURT OF CALIFORNIA
9 COUNTY OF SANTA CLARA

10 In re Conservatorship of BEATRICE Case No. 1-12-PR-171580

11
12 K. PACHECO

**DECLARATION OF
BEATRICE PACHECO IN
SUPPORT OF MOTION
TO DISQUALIFY JUDGE
THOMAS CAIN FROM CASE
CCP § 170.6 PREEMPTORY
CHALLENGE**

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19 I, Beatrice Pacheco, hereby declare and state to the following:

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21 1. That I am the Conservatee in the above caption, and I present
22 this declaration with sound mind and voluntarily, based on my wishes to
23 begin to undo what has so unjustly been done to me by Stephen Pacheco
24 and Michael Desmarais.
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1 2. I have consistently spoken to this court's examiner, lawyers,
2
3 my son and others regarding my estate and marriage to Marreon Gene
4 Starks ("Gene").

5
6 3. I have clearly expressed to them each that I have a clear mind
7 and desire to make the decision to live my remaining days with Gene
8
9 precisely because he has given more happiness than I actually ever
10 experienced before with my deceased husband and otherwise.

11
12 4. My son Stephen has consistently shown an illogical hatred
13 against Gene.

14
15 5. Stephen has always been a self-serving and unloving man,
16 who has no actual love towards me.

17
18 6. Once I learned about these conservatorship proceedings, and
19 spoke with all the actors playing their different roles in this court drama, I
20 have repeatedly asked, begged, ordered and otherwise requested for them
21 to permit me to speak with the judge directly on the record so that the
22 public record will show that I have sound mind and made the decisions to
23 be with Gene based upon my own vo
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1 7. My son and Michael Desmarais are 100% against anyone who
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3 does not go along with their plan to take my money and are attacking
4 anyone who is showing signs of helping me.

5
6 8. Michael Desmarais positively knows that I have a sound mind
7 and wish to be with Gene, and that Stephen does not have my best interest
8
9 at heart, but it appears that he has not represented to this court any of my
10 needs, wishes or what is best for me.

11
12 9. I have and are in a state of depression because of this forced
13 and illegal separation from Gene, which even my mental doctor is aware
14
15 of but it appears that non of this is being considered by the court.

16 10. Since I have been talking to and expressing all my wishes to
17
18 the court examiner, Michael Desmarais, Stephen and others, and the court
19 still issued and maintains a retraining order against my husband Gene and
20
21 I, I can only conclude that judge Cain is somehow biased against me and
22 my interests without any good factual or legal basis.

23
24 11. Gene Starks has been 100% the best thing that has happened
25
26 to me.

1 12. Gene has never abused me, harmed me or tried to dupe me
2
3 into any thing.

4 13. He is kind and loving to me and is why I so readily married
5
6 him.

7 14. Before I married him I asked this court examiner was it ok and
8
9 whether anything bad would happen, and they told me basically that it
10 was my right and that nothing bad could happen.
11

12 15. I am selfishly fighting for my right to be free and pursue my
13
14 happiness as the constitution allows.

15 16. It appears that judge Cain is violating this right, and others to
16
17 take away my happiness, and I do not wish for any judge to do this.

18 17. Michael Desmarais and my son are taking advantage of my
19
20 soft spirit and my ailments of poor sight and physical weakness to do as
21 they well.

22 18. I am deeply afraid that I am at physical risk of harm from my
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24 son, and I have constantly been mentally abused.
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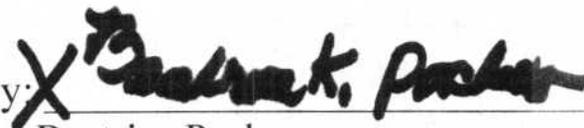
1 19. I have a lot to say on this subject to any judge willing to hear
2 directly from me and not from those who are only interested in taking or
3 securing money from me.
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5
6 20. I need a court interested in getting me a lawyer who will only
7 have my best interests at heart and not conspire with my son or anyone to
8 cause my harm.
9

10 21. This court has, and is going along, with the fabrication of lies
11 made by my son and Michael Desmarais, and I need a judge who will not
12 permit them to commit fraud upon me.
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14

15 I, Beatrice Pacheco, declare under penalty of perjury under the laws of
16 the State of California that the foregoing is true and correct, that I
17 made these words known to David Merritt, who I gave permission to
18 record me, and to present this to the court on my behalf in hopes that
19 my interests will be protected and made known. Although Mr Merritt
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23
24 Dated: April 23, 2013

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28 By: 
Beatrice Pacheco