

TREENA HANSEN Judge LUNNEN ASSISTANT

JUNE 25TH 2025 UTAH COUTHY 4TH DISTRICT COURT 4PM

1. MARK ALLEN: Hi.
2. TREENA HANSEN FOR Judge LUNNEN: Hi. How can I help you?
3. MARK ALLEN: So I'm I need to get this to, let's see. Yeah. That's the copy for you. I've got a case that has been dismissed, and I'm trying to preserve the record. And Judge Lunnén has said that he is no longer has jurisdiction. He doesn't have judicial jurisdiction, but he has administrative obligations. He doesn't wanna preserve records, because he admitted to diligence and competency violations as a double jeopardy case. So they've torched the records. The states the states, just erased all the case records, and I've still got a motion that I it's I'm only the one that has standing. And I said, let's let's preserve the records. So I need Kraig Powell, whoever's the boss Mhmm. To make an emergency ruling. The Judicial Conduct Commission's opened up a case against the Judge, and there's there's evidence of that inside of here. As well as post dismissal, the prosecutor (Craig Peterson) called the hearing, doesn't have standing. He's asked for a copy of audio that -didn't have standing.
4. TREENA HANSEN FOR Judge LUNNEN: So you already have these stamped?
5. MARK ALLEN: Yeah.
6. TREENA HANSEN FOR Judge LUNNEN: I mean by Mindy?
7. MARK ALLEN: Yeah.
8. TREENA HANSEN FOR Judge LUNNEN: I just want to make sure that's an official year.
9. MARK ALLEN: Yeah
10. TREENA HANSEN FOR Judge LUNNEN:(I just want to make sure that's an official year.) **That isn't something you put on.**
11. MARK ALLEN: Yeah. I submitted a filing electronically, which the clerks have not put into the record in the in the post hearing

12. TREENA HANSEN FOR Judge LUNNEN When did you do that?
13. Mark Allen: A week ago. So in the in the in the post dismissal hearing, the Judge, when I said when I was speaking, preserve my record, (Judge Lunnen) said "shut his microphone off". He shut my microphone off 3 times while I was asking to preserve records and issue subpoenas. (Judge Lunnen) said "Shut his mic off". "Shut his mic off". So, it's all documented.
14. TREENA HANSEN FOR Judge LUNNEN: **My Understanding, Mr. Allen, is you've been directed to go through Bryson King at the AOC. Is that correct?**
15. MARK ALLEN: I'm working with him as well. But, because the state is (Treena cuts Mr Allen off)
16. TREENA HANSEN FOR Judge LUNNEN: My understanding is you're supposed to go through him for everything.
17. MARK ALLEN: Well, no. No. He's just doing a back end audit.
18. TREENA HANSEN FOR Judge LUNNEN: That's not what he's told me.
19. MARK ALLEN: Well, that's (Treena Cuts Mr. Allen off)
20. TREENA HANSEN FOR Judge LUNNEN: He's told me to refer you to him.
21. MARK ALLEN: Well, those need to go to a Judge because
22. TREENA HANSEN FOR Judge LUNNEN: They'll go to a Judge. Yeah. They'll go to Judge Powell.
23. MARK ALLEN: Okay. Alright. So I am working with him. I've given him (Bryson King) a list of things to do. But, the state just, requested a post hearing, they got an audio and I they're I don't know why they're still meddling in in the issue that's supposed to have been dismissed.
24. TREENA HANSEN FOR Judge LUNNEN: Because it sounds like everybody's meddling in the issue that was dismissed, to me (Laugh)
25. MARK ALLEN: Well, they're they they they just won't preserve the record.
26. TREENA HANSEN FOR Judge LUNNEN: Meddling is well
27. MARK ALLEN: They just won't preserve the record.

28. TREENA HANSEN FOR Judge LUNNEN: I don't know why you mean I don't know what you mean by preserve the record.
29. MARK ALLEN: The Zooms have been erased. The Webexes I've asked for, subpoenas I've asked for
30. TREENA HANSEN FOR Judge LUNNEN: I don't
31. MARK ALLEN: a long time ago.
32. TREENA HANSEN FOR Judge LUNNEN: **We don't have any restrictions. We we don't erase anything.**
33. MARK ALLEN: Okay. Well, that's what it Dan Burton at the state, I did a grama with him. He says everything's been erased. We expunged it.
34. TREENA HANSEN FOR Judge LUNNEN: That's the AG's office.
35. MARK ALLEN: Yeah. And I said the cases (Treena cuts Mr. Allen off)
36. TREENA HANSEN FOR Judge LUNNEN: You have you have cases that are expunged. Right?
37. MARK ALLEN: I do. But this case here is not expunged. (211401656)
38. TREENA HANSEN FOR Judge LUNNEN: Yes.
39. MARK ALLEN: And that's what he's (CUT OFF BY TREENA)
40. TREENA HANSEN FOR Judge LUNNEN: ..and you've been able to get the audio on these?
41. MARK ALLEN: I've been able to get it from you guys, but the state, prosecutor that came at me said, we don't have any records. We've deleted everything.
42. OTHER CLERK They won't have record..”
43. TREENA HANSEN FOR Judge LUNNEN: But they won't, the court is the one that keeps the, the record.
44. MARK ALLEN: But the prosecutor should have records of 3 years of prosecuting me.
45. TREENA HANSEN FOR Judge LUNNEN: **The the case was resolved. They probably destroyed.**

46. MARK ALLEN: They don't destroy (Treena cuts Allen off)
47. TREENA HANSEN FOR Judge LUNNEN: But that's not a court problem. That's a problem with them, not the court.
48. MARK ALLEN: I know it is.
49. TREENA HANSEN FOR Judge LUNNEN: So yeah.
50. MARK ALLEN: And they're (Treena Cuts Allen off)
51. TREENA HANSEN FOR Judge LUNNEN: We can't we can't tell them to do something.
52. MARK ALLEN: I know. They're trying to blame you guys.
53. TREENA HANSEN FOR Judge LUNNEN: Umm No. Everything that's been done on your cases is on the record.
54. MARK ALLEN: I know. And he they they're saying the court ordered us to expunge things, so we destroyed everything.
55. TREENA HANSEN FOR Judge LUNNEN: Well, if the Judge signed an order granting an expungement
56. MARK ALLEN: He didn't.
57. TREENA HANSEN FOR Judge LUNNEN: He did in 2 cases. Judge Brady did.
58. MARK ALLEN: I know, But in this case he didn't (Treena interrupts)
59. TREENA HANSEN FOR Judge LUNNEN: because In this case. Yeah.
60. MARK ALLEN: That's it's on my motion.
61. TREENA HANSEN FOR Judge LUNNEN: Mhmm (Yeah).
62. MARK ALLEN: And I said, no. We're gonna keep it open because it's a double jeopardy violation. And so the state is saying, we don't have any records. And they're trying to blame they're trying to blame the Judge.
63. TREENA HANSEN FOR Judge LUNNEN: There is nothing that this court can do.
64. MARK ALLEN: Oh, I know, but this is that's what this is about is preservation all the records and notification that the state is trying to lay blame on on the court because of their actions to (Treena Interrupts Allen)

65. TREENA HANSEN FOR Judge LUNNEN: That sounds like more of something that you would file as some sort of with the Stte Bar or and the office for them or ...
66. MARK ALLEN: I'm doing I'm doing that as well. But with the Judge retiring in a month, I don't want anything related to this case to be destroyed.
67. TREENA HANSEN FOR Judge LUNNEN: It won't be by the court.
68. MARK ALLEN: So that's what this that this is to alert because Judge
69. TREENA HANSEN FOR Judge LUNNEN: The court can't order other agencies not to destroy things.
70. MARK ALLEN: I'm not asking them to do that, but I'm I'm just putting Judge Lunnen's boss on notice as to what is going on because Judge Lunnen says, I don't have authority. He has administrative obligations to preserve the record. And he's he's trying to....(Treena interrupts Allen)
71. TREENA HANSEN FOR Judge LUNNEN: He has, that's what the clerks do is preserve the record.
72. MARK ALLEN: But he's he's saying on his on the last page of this on the last 2 pages of that affidavit, he's saying, I'm out. Mr. Allen's filing stuff to preserve. I'm out. I can't make any decisions.
73. TREENA HANSEN FOR Judge LUNNEN: He can't.
74. MARK ALLEN: Administratively, he has to preserve the record.
75. TREENA HANSEN FOR Judge LUNNEN: I think we have a miscommunication on what preserving the record means. So
76. MARK ALLEN; What (TREENA INTERRUPTS ALLEN)
77. TREENA HANSEN FOR Judge LUNNEN: But I will get these to you know.
78. MARK ALLEN; What does it mean?
79. TREENA HANSEN FOR Judge LUNNEN: So preserving the record of what had the things that happened here at the court. Recordings, minute entries, those are preserving their record as far as the court is concerned. Now how the county attorney's office, the county attorney, defense attorneys, the AG's office, you know, we don't have any say on how they preserve their records. So we can't tell

them how to do their thing, and they do whatever it is they're tracking, how long they keep their things. The court's is always there.

80. MARK ALLEN: Okay. So So are the are the videos because I'm I'm filing I'm re I'm requesting the videos. Can I get copies of the videos?
81. TREENA HANSEN FOR Judge LUNNEN: Can you get copies of the videos? Of I mean, of what kind of videos?
82. MARK ALLEN: Of of the Webex hearings.
83. TREENA HANSEN FOR Judge LUNNEN: Of the Webex hearings?
84. MARK ALLEN: Yeah.
85. TREENA HANSEN FOR Judge LUNNEN: That's probably a GRAMA request.
86. MARK ALLEN: Well, k. I've I did a GRAMA I got the audio Mhmm. But I like the video.
87. TREENA HANSEN FOR Judge LUNNEN: Okay. I that has to come through my boss, upper upper, for you to be able to get get the video.
88. MARK ALLEN: Okay. And can I do a motion or a petition?
89. TREENA HANSEN FOR Judge LUNNEN: You would do a GRAMA request.
90. MARK ALLEN: Okay. And who is
91. TREENA HANSEN FOR Judge LUNNEN:(asking other clerk) It that correct? Because it's not
92. MARK ALLEN: And who do I direct that to?
93. TREENA HANSEN FOR Judge LUNNEN: You would direct that to Mark Ury.
94. MARK ALLEN: Oh, Mark? Okay. Alright
95. TREENA HANSEN FOR Judge LUNNEN: Yep. He's the one.
96. MARK ALLEN: Okay.
97. TREENA HANSEN FOR Judge LUNNEN: And if he if it's a legit GRAMA request because we've been taking him your other ones, and he's kicked them back because he says they're just copy requests. So but because all of it everything you're asking for is in the record that you're asking for. Now if it's something that's not in the record, such as what we have sometimes we have

police officers come in here, and they want a video of somebody that came into court and is going up on you know, takes the elevator and goes up on the floor. That's a GRAMA request.

98. MARK ALLEN: Okay.

99. TREENA HANSEN FOR Judge LUNNEN: Because we don't keep those things because it's just somebody coming and going.

100. MARK ALLEN: Yeah.

101. TREENA HANSEN FOR Judge LUNNEN: But they might have committed a crime when they stepped out of the elevator to smash somebody over the head. So the police want that. Those are the kind of things that are GRAMA requests, things that don't normally go into the record.

102. MARK ALLEN: Okay. But the court Webex, so I I do have a GRAMA request in for correction of a record.

103. TREENA HANSEN FOR Judge LUNNEN: Mhmm u huh..

104. MARK ALLEN: So there was an omission back in 2016 in the certified clerk certificate. They left out one entry that said the case was... "trial canceled, case settled". So Tracy was working to get that corrected and that GRAMA, has not been responded to in a timely manner.

105. TREENA HANSEN FOR Judge LUNNEN: Is that in the Judge Brady case? (160400655)

106. MARK ALLEN: Yeah.

107. TREENA HANSEN FOR Judge LUNNEN: Okay. Yeah. I can talk to you about that. That's a Tracy deal. I'm only with Judge Lunnan.

108. MARK ALLEN: Okay. Alright.

109. TREENA HANSEN FOR Judge LUNNEN: So yep. And if it's a note and it's made in blue, that's a note. There is no document attached to it. And when you when we cancel a hearing, it puts that little blue note and says this hearing has been canceled. There's no document attached to it.

110. MARK ALLEN: Yeah. But that's what I've been I've been prosecuted for a settlement agreement that never existed.

111. TREENA HANSEN FOR Judge LUNNEN: But that has nothing to do with a blue note that says the it's been canceled.
112. MARK ALLEN: Well, should it not show up in the certified judgment certificate as well?
113. TREENA HANSEN FOR Judge LUNNEN: No. Because it's a note. When we use our software, and it's called CORIS, when we use that software and say somebody calls us and says, attorneys and they say, hey, we need to continue this hearing. We're not ready. We haven't got all the discovery. We need to continue the hearing. Can we get 2 more weeks? And they'll do that a lot and then the state come back and says that we agreed to the continuance off the record. Then when we may change the date, it puts that little note in there. It says, this has been canceled and it'll show a new schedule date.
114. MARK ALLEN: Okay. But there was...(Treena interrupts Allen)
115. TREENA HANSEN FOR Judge LUNNEN: And there's no paper attached to it.
116. MARK ALLEN: Okay. There was an audio recording of a settlement agreement that got erased by your IT department automatically.
117. TREENA HANSEN FOR Judge LUNNEN: Now is this a Judge Brady?
118. MARK ALLEN: Yeah.
119. TREENA HANSEN FOR Judge LUNNEN: Okay.
120. MARK ALLEN: So I'm just I'm just asking on the I'm I'm just asking technically, how does that work when somebody leaves a voice message? Who would they have left that with that, would have been left with the clerk? Because, it was that recording that has caused me a lot of problems because it got erased. Nobody ever memorialized a settlement.
121. TREENA HANSEN FOR Judge LUNNEN: So IT called somebody and left a message?
122. MARK ALLEN: No. My attorney called and left a message with the other attorney, and that got erased. And that was the basis of a settlement agreement.
123. TREENA HANSEN FOR Judge LUNNEN: Well, we that wouldn't come through the court's phone system. That's from attorney to attorney, from their phone to the other phone.

124. MARK ALLEN: Well, it's attorney to attorney, and they (Treena cuts Allen off)
125. TREENA HANSEN FOR Judge LUNNEN: It's not through it's not through here. Here. (Actually on Fred Howards VM recording)
126. MARK ALLEN: No. Well, they they they they did a 3 way call.
127. TREENA HANSEN FOR Judge LUNNEN: And did somebody answer or they left a message
128. MARK ALLEN: They left a message.
129. TREENA HANSEN FOR Judge LUNNEN: And that's not a record? Yeah. That's not a record.
130. MARK ALLEN: Well, and that's what I got prosecuted for.
131. OTHER CLERK Okay. That's an attorney issue.
132. TREENA HANSEN FOR Judge LUNNEN: That's an attorney issue.
133. MARK ALLEN: I know.
134. TREENA HANSEN FOR Judge LUNNEN: So that that you need to focus your attention on the attorney that was
135. MARK ALLEN: Well, it's it's it's part of it's part of the whole thing because there's 5 cases that resulted from that one thing. So I've been prosecuted for the sins of the prosecutors and the attorneys.
136. TREENA HANSEN FOR Judge LUNNEN: K. I will give these to Judge Powell. I'll have this cleared interim and Good. Get them to Judge Powell.
137. MARK ALLEN: Alright. Thank you. Okay. And you are are you Treena?
138. TREENA HANSEN FOR Judge LUNNEN: I am.
139. MARK ALLEN: Okay. Thank you.
140. TREENA HANSEN FOR Judge LUNNEN: You're welcome.
141. MARK ALLEN: This is this has cost me \$700,000. It's made me homeless. I lost my daughter. And the Utah BAR is trying to blame you. And the attorneys, he hid evidence for 3 years. My attorney had 9 active investigations when this was going on. So there's about 15, or 15 active investigations. Then I turned David Leavitt in. And he dismissed my case, but then my accuser put heat on him, filed

a federal complaint against him, and weaponized against him. So then they retaliated with this one because I told the truth.

142. TREENA HANSEN FOR Judge LUNNEN: I'm not familiar with the past. I know.

143. MARK ALLEN: So that's that's what this is this is (Treena interrupts)

144. TREENA HANSEN FOR Judge LUNNEN: I mean, we see thousands of cases.

145. MARK ALLEN: I know. This is the this is the capstone of the misconduct that I'm reporting. And so the JCC, the OPC, my senators and legislators, I'm just saying, hey. I shouldn't have to police the bad prosecutors. And a bad prosecutor that lies in front of a Judge should not be in the system. And somebody that withholds Brady evidence for 3 years shouldn't be in the system. I mean, they deceived the appellate court Judges, they withheld evidence. It was through a GRAMA APPEAL that I found the recording, and I had not agreed to those terms. So I've been prosecuted for everybody's sins but mine. So, anyway, that's the backstory.

146. TREENA HANSEN FOR Judge LUNNEN: Okay. That's why gets

147. MARK ALLEN: That's why you've had a flurry of papers.

148. TREENA HANSEN FOR Judge LUNNEN: Yes. So I understand that.

149. MARK ALLEN: Alright. Thank you.

150. TREENA HANSEN FOR Judge LUNNEN: Alright. I'll give

151. MARK ALLEN: I'll give that off to Mark then.

152. TREENA HANSEN FOR Judge LUNNEN: Okay. Yes. That's that's where you'll need to file it...

153. MARK ALLEN: Alright. Thank you.

154. TREENA HANSEN FOR Judge LUNNEN: And they do know here if you turn it in here.

155. MARK ALLEN: Can can I just do it electronically? I just do it.

156. TREENA HANSEN FOR Judge LUNNEN: Juste Send it into the the Provo filing Okay. And then we'll get it where it needs to go.

157. MARK ALLEN: Alright. Thanks, Trina.

158. TREENA HANSEN FOR Judge LUNNEN: You're welcome.

159. END