

EVIDENCE FOR JUDICIAL CONDUCT COMMISSION – TREENA HANSEN TRANSCRIPT SUMMARY]

To: Utah Judicial Conduct Commission

From: Mark Stewart Allen

Date: June 25, 2025

Subject: Judicial Conduct Filing – Clerk Conduct and Record Preservation Failures (Treena Hansen, Case No. 25-4D-187 / 211401656)

Overview:

This filing presents material witness evidence supporting an ongoing judicial misconduct investigation, assigned Case No. **25-4D-187**, concerning Judge Robert Lunnen. The following summary incorporates a June 25, 2025 transcript between myself (Mark Stewart Allen) and **Treena Hansen**, *Judicial Case Manager to Judge Robert Lunnen and Judge Sean Petersen, Provo District Court*. This statement is submitted in light of the JCC's acknowledgment (see letter dated June 19, 2025) that my communications and attachments have been received and are under review.

This document also serves to highlight systemic failures in oversight, communication, and due diligence involving Judge Lunnen and numerous prosecutors and clerks over a six-year span. The JCC must act immediately to evaluate whether these failures constitute misconduct under judicial and prosecutorial codes.

I. Misrepresentation of Record Status

Treena Hansen affirmed that the court "*does not delete anything*", yet admitted that prior GRAMA requests submitted by me were *returned or discounted*. This contradiction raises concern as to whether:

- The clerk's office mishandled or refused valid certified record requests;
- Audio/video court records may have been omitted, excluded, or concealed;
- Improper docketing, intentional or negligent, has obstructed judicial transparency.

This directly impacts Judge Lunnen's duty to oversee the accuracy and completeness of his court's administrative operations. If Hansen was correct, then other officials misled the public or federal reviewers. If Hansen was incorrect, then record spoilage has occurred under Lunnen's watch—or perhaps a combination of both—and cumulative errors or omissions from Case 191400132 could have compounded the spoilage or influenced the procedural trajectory of 211401656.

II. Conflict with Prosecutorial Assertions of Expungement or Spoilage

Treena's statement contradicts written statements from AG office staff — **Craig Peterson, Daniel**

Burton, and Lohnny Pehrson — who have all referred to case 211401656 as potentially “expunged” or “not open.” Ms. Hansen's unequivocal claim that nothing is deleted implies:

- These statements were materially false or recklessly made;
 - They may reflect an attempt to mislead DOJ investigators regarding access to court materials;
 - A need for the JCC to determine whether Judge Lunnen failed to correct or report this misinformation to the proper authorities, despite being made aware.
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III. Systemic Obstruction of Certified Record Access

When I informed Ms. Hansen that I had formally requested certified copies of records from case 160400655 and 211401656, she dismissed them:

"Those were kicked back... I don't think those are official."

This treatment stands in stark contrast to cases 171402280 and 191400132, where identical certified GRAMA requests were honored. It reflects discriminatory treatment and obstructs submission of evidence to federal agencies including the DOJ. The implication is that Hansen or her superiors applied improper or arbitrary standards, possibly influenced by directives from Judge Lunnen or prosecutorial parties.

IV. Suppression of Hearing Video Access

Ms. Hansen also admitted that courtroom video requests must go to her superiors, and may be denied. This raises concern for the preservation of:

- Post-dismissal May 1, 2025 hearing footage,
- Video of Judge Lunnen **muting my microphone** while I sought subpoenas and record preservation,
- All Zoom/Webex hearings related to 211401656 and its related matters.

Such suppression interferes with evidence vital to due process and ongoing DOJ investigations. The denial of access prejudices my ability to litigate, respond to false narratives, or demonstrate factual claims. The JCC must determine whether such denials originated from Judge Lunnen or higher administrative levels.

V. Request for Internal Messages and Preservation Confirmation

I respectfully ask that the JCC formally request and review **all instant messages, internal emails, and court staff communications** relating to case 211401656, including any communications between Judge Lunnen, Treena Hansen, clerks, and record personnel.

Please specifically determine:

- Whether Judge Lunnen gave instructions to block or delay my filings;
- Whether there is internal acknowledgment of the errors I have repeatedly brought forward;
- Whether case 211401656 has been administratively frozen or obstructed from within the court.

The Commission should also request that **Mark Ury or court IT confirm that no video or record in case 211401656 has been expunged or deleted**, per Treena Hansen's statement. Such confirmation is essential to prevent further record spoilage and to expose whether judicial staff have misrepresented the case status.

Conclusion and Request for JCC Review

This sworn summary of the Treena Hansen conversation confirms:

- Material knowledge of administrative record issues;
- Misleading public statements regarding expungement;
- Systemic discrimination in record handling;
- Possible complicity in obstruction of certified GRAMA filings.

Furthermore, I respectfully request that the JCC consider scheduling formal depositions of key individuals whose actions or omissions directly contributed to the ongoing harm and record integrity failures in this matter. These include:

- Craig Peterson, State Prosecutor, Attorney General's Office
- Treena Hansen, Judicial Case Manager, Judge Robert Lunnen and Judge Sean Petersen, Provo District Court
- Shawn Minter, Court Record Supervisor
- Bethany Warr, Assistant Attorney General
- David Leavitt, former Utah County Attorney
- Rhonda Gividen, Utah County Prosecutor
- Sandi Johnson, Utah County Prosecutor
- Carl Hollan, Utah County Prosecutor
- Christine Scott, Jeff Gray, Justin Seitzinger (Utah County Attorney Investigator), Paul Jones (Utah County GRAMA oversight)

These individuals, along with the following members of the prosecutorial screening team, failed to disclose fatal jurisdictional defects or intervene on a faulty case that led to years of unlawful prosecution and significantly contributed to the mishandling of Case 211401656:

- Doug Finch douglasf@utahcounty.gov
- Jared Quist JaredQ@utahcounty.gov
- Russell Smith RussellSm@utahcounty.gov

- Barbara Finlinson BarbaraF@utahcounty.gov
- Lauren DeMarco LaurenD@utahcounty.gov
- Matt Hubbard MattH@utahcounty.gov
- Sherrie Hall Everett PIO-UCAO@utahcounty.gov

Each of these parties contributed to providing Judge Lunnen with a facially defective prosecution record in Case 211401656, a matter which took him nearly three years to reconcile due to his failure to review filings, motions, or conduct basic due diligence.

Additional individuals whose conduct or omissions under Rule 3.8 of the Utah Rules of Professional Conduct require scrutiny include:

- Dale Eyre
- Lorie Hobbs – who may have used federal funding and misrepresented her client’s position, as her client Alicia Koehler never applied for a Protective Order and was fully aware no injunction had issued.

Furthermore, materially false police reports were issued by Provo Police Officers, asserting Protective Order violations where none existed. These knowingly false claims were used as the basis for prosecutions in cases 171402280, 191400132, and 211401656. It is of further concern that Judge Lunnen appears to have been the last to realize these foundational defects, despite multiple filings and warnings raised over the course of several years.

Their testimony is critical to evaluating whether willful blindness or administrative neglect enabled systemic violations of due process and preservation standards.

The JCC is now in possession of sufficient evidence to compel inquiry beyond the May 1, 2025 post-dismissal hearing. The layers of misconduct forming this matter trace back over six years, rooted in serial violations of:

- **Rule 3.8** – Special Responsibilities of a Prosecutor;
- **Rule 8.3** – Duty to Report Professional Misconduct;
- **Rule 8.4** – Misconduct undermining the integrity of the profession.

These onion layers of prior misconduct must be peeled back to determine the true institutional failure. The JCC, now in possession of material evidence and witness statements, must initiate or refer:

- Depositions to determine who reported ethical violations;
- Depositions to determine who failed to report;
- OPC inquiry into attorney reporting obligations related to Rule 3.8 violations;
- Institutional review of the damage caused to the judicial branch and public trust.

Leavitt's handoff of a fraudulent case to the State Attorney General's Office, while recent (see Utah Supreme Court Case No. 2023-1103), does not absolve any of the other attorneys listed above from their independent Rule 3.8 reporting obligations.

Request for Immediate Oversight Action

Given the totality of the evidence now before the Commission—including internal contradictions from court personnel, six years of undisclosed Rule 3.8 and 8.3 violations, and a credible pattern of misrepresented recordkeeping—I respectfully request the JCC to consider the following:

- **Immediate administrative leave or suspension** of Judge Robert C. Lunnen pending final resolution of this complaint, due to his multi-year failure to review dispositive motions, accurately administer the court docket, and prevent the unlawful use of court authority post-dismissal;
- **Referral to the Utah Supreme Court** under JCC Rule 12(d) for judicial discipline review due to sustained dereliction of duty;
- **Referral to the Utah Attorney General's Internal Affairs Division and U.S. Department of Justice**, pursuant to federal oversight responsibilities, for potential violations of federal laws involving color of law abuse (18 U.S.C. § 242), civil rights interference (42 U.S.C. § 1983), and destruction or concealment of public records (18 U.S.C. § 1519);
- **A formal request to the Office of Legislative Auditor General or State Records Committee** for immediate review of all digital and paper trail entries associated with case 211401656 and related matters, to ensure no evidence has been altered or destroyed after May 1, 2025;
- **A formal referral to the Office of Professional Conduct (OPC)** for immediate investigation into attorney violations under Rules 3.8, 8.3, and 8.4 of the Utah Rules of Professional Conduct, including a request that the OPC confirm which attorneys (if any) reported these ethical violations;
- **A recommendation to the Utah Supreme Court for De Novo review** of case 211401656 based on systemic failure to correct a fatally defective prosecution.

The Treena Hansen transcript in particular exposes serious contradictions in administrative recordkeeping and post-dismissal conduct—creating the impression that the Judge's own assistant had more accurate knowledge of procedural obligations than the Judge himself. If the Judge was misled by staff, that must be known. If the Judge ignored the warnings, the JCC must act.

This is not simply a case of missed filings—**this is institutional collapse that can no longer be denied, excused, or sealed away under pretext.**

Attached Evidence:

- Full June 25, 2025 Transcript of Treena Hansen conversation
- GRAMA filings for cases 160400655 and 211401656
- Letters/statements from Craig Peterson, Daniel Burton, and Lohnny Pehrson regarding alleged record spoilage or expungement
- JCC acknowledgment letter dated June 19, 2025

Respectfully submitted,

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