

FILED

JAN 11 2001

3rd District
Juvenile Court

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**IN THE THIRD DISTRICT JUVENILE COURT
IN AND FOR SALT LAKE COUNTY, STATE OF UTAH**

STATE OF UTAH, in the interest of	:	FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER
BIERLY, JORDAN	:	Case No. _____
BIERLY, LEIGH	:	Case No. _____
BIERLY, PETER	:	Case No. _____
Child(ren) under 18 years of age.	:	JUDGE OLOF A. JOHANSSON

This matter came on regularly before the Court for trial on the state's Amended Verified Petition on November 17, 1999 ~~2000~~.

PARTIES PRESENT:

<input checked="" type="checkbox"/> DCFS: Kellie Lewis	:	<input checked="" type="checkbox"/> GAL: Liz Knight
<input checked="" type="checkbox"/> AG: Paul G. Amann	:	<input type="checkbox"/> Father: _____
<input checked="" type="checkbox"/> Mother: Lisa Bierly	:	<input type="checkbox"/> Attorney for Father: _____
<input checked="" type="checkbox"/> Attorney for Mother: Russ Pietryga	:	
<input type="checkbox"/> Child(ren):	:	
<input type="checkbox"/> Others:	:	

Adjudication Hearing informed or Darryl never served.

The Court heard the testimony of the mother and Dr. Dana Hardin, University of Utah Medical Center. The state admitted into evidence letters generated by Dr. Hardin on September 18, 2000; October 3, 2000; and October 10, 2000 as Exhibit 1, 2 and 3 respectively. Angie Draper testified on behalf of the mother. The Court having considered the evidence, the arguments of counsel, being fully familiar with the file and good cause appearing therefore, hereby enters the following:

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. The Court is satisfied that the state has proven each and every element of its petition by clear and convincing evidence.

This Findings of Facts Con. of Law was made up by Paul Amann

Doctor Hardin never saw, examined or talked to me or Jordan Bierly prior to his going into Elizabeth The Hospital (at moms request) following Shelter Mothers neglect of Jordan the weekend after he was taken.

2. The testimony of Dr. Hardin was very compelling. She was very frank. She was very credible. She has highly impressive credentials.
3. The mother testified that the child's height and weight was age appropriate.
4. Dr. Hardin testified that the child's growth chart had taken a "nose dive" that was attributable to a lack of proper medical care.
5. The mother testified that medical appointments for Jordan were "not mandatory."
6. Dr. Hardin testified that medical appointments were necessary to monitor Jordan's glyco-hemoglobin and his blood sugar.
7. Dr. Hardin indicated that she likes the mother. She stated that she "means this with my heart, whatever is interfering with Lisa caring for her child needs to be resolved. She cannot disappear for two to three days. He could die during that time."
8. The mother has not provided consistency in the medical treatment of her son, Jordan Bierly. Jordan's condition requires consistency.
9. While in the state's care, Jordan's glucose level and hemoglobin levels have made marked increases. The child has also had a substantial weight gain of eight pounds between September 28, 2000 when he was taken into custody and November 17, 2000, the date of the trial herein.
10. It is in Jordan's best interest to remain in the care, custody and control of DCFS for appropriate treatment and placement.
11. DCFS should provide PSS for the child Leigh who was removed from the home and has since been returned to the mother's care and for Peter who has not been attending school regularly.
12. All prior Orders not inconsistent herewith should remain in full force and effect.

found

How can a lie this be? He was fine!

I took him to his appts.

- didn't this say

when does this happen?

Jordan's diabetes has been taken care of since he was 11 months old.

There is no proof of this just Dr. Hardin's word.

no one confirmed this. the nurses weigh the patients, not the dr's

ORDERS

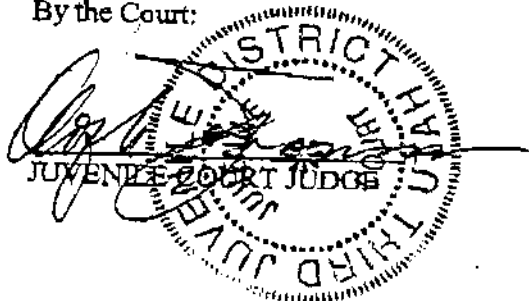
Based on the foregoing Findings and Conclusions, it is hereby ordered, adjudged and decreed in the best interest of the child(ren):

1. That Jordan Bierly shall remain in the temporary custody and guardianship of DCFS for appropriate treatment and placement.
2. Leigh and Peter Bierly shall remain in their mother's care and DCFS shall provide protective supervision over the mother for their benefit.
3. The matter of the disposition of this case shall be heard by the Court on November 19, 2000 at the hour of 3:45 p.m. All parties are ordered to attend.

4. The father shall have no visitation until such time as he makes an appearance before this Court.
5. All prior orders not inconsistent herewith shall remain in full force and effect.
6. The 12 month permanency review hearing shall be held in September, 2001 on agency petition unless brought sooner by any interested party.

DATED this the 11 day of January, 2001.

By the Court:



(order)
 This paper was signed January 11th 2001
 the same day that Paul amman took custody
 of my daughter personally for no other reason
 except to punish her mother for standing up to
 him. Leigh was there waiting outside with
 Ira Reed (mom's friend) because her babysitter
 friend + neighbor couldn't watch her due to
 a family emergency. 1 week later Leigh was
 so traumatized by being taken away for
 the 2nd time from her mother and family
 she started pulling her hair out,

NOTICE

YOU ARE HEREBY NOTIFIED that your copy of this court order is your personal notice of the date and time of future proceedings. You will not receive further notice. You are hereby ordered to appear or you may be held in contempt of court and a warrant issued for your arrest.

CERTIFICATE OF MAILING

I certify that on the 11th day of January, 2001, I hand-delivered a correct copy of the foregoing order to the following:

LIZ KNIGHT
Guardian ad Litem
10000 South 210 West
Salt Lake City, Utah 84070

RUSS PIETRYGA
Laherty and Associates
9 East Exchange Place, #400
Salt Lake City, Utah 84111

