

CN: 201703018170

SN: 340

PC: 3

Wednesday, November 27, 2019

Judge Michael Price

Oral Ruling:

17-3-01817-0

FILED

DEC 20 2019

Timothy W. Fitzgerald
SPOKANE COUNTY CLERK

Name: Sirinya Polarj Surina holds Surina last name.

Petitioner Request: A.S. declared vexatious litigator – Request Denied

Plentiful actions have been taken against Aaron Surina, he has been sanctioned for costs at more than \$33,000.00

Judge Price – I did not have these matters, I don't agree with them, would not have done the same but I can not change them. They were not brought to appeal or ...

RULING – AARON SURINA IS NOT VEXATIOUS

ALL FURTHER MATTERS WILL BE HEARD AND HANDELD BY JUDGE PRICE

- ATTORNEYS FEES – PETITIONER REQUEST A.S. TO PAY HERS
 - Must show ability to pay and contempt to order -
RULING – NONE – NO CONTEMPT AND NO ABILITY TO PAY
 - AARON HAS ALREADY PAID OVER AND ABOVE, ANY FURTHER REQUIREMENT TO PAY
WOULD BE SECONDARY SANCTIONS –
 - SUMMARY – AARON SURINA NOT TO PAY PETITIONERS ATTORNEY FEES

REGARDING PROPERTY IN THAILAND:

- Acceptable Proof of Thailand Property has not been provided to the court therefore cannot divide Thailand Property.
- RULING: Community does not have Thailand Property for court to divide.

PROPERTY DIVISION:

- Vehicles and personal effects –
- Each will keep their personal effects and the vehicles they currently have
 - Each party will sign off to the other, within 7 days, title and liability for the vehicles each has.
 - Debt owed on the Hyundai will be paid by Sirinya Surina.
- Proceeds from the sale of Rocky Ridge Home –
 - Proceeds are Community asset
 - Quit Claims not counted for asset
 - FUNDS REMAINING

- Approximately \$57,000.00 held in trust
 - ACTUAL \$56,496.30 to be divided as follows:
 - Judgements currently unsatisfied on Aaron Surina \$33,044.21
 - Paid by the trust
- Regarding Judgements -
Judge Price said -
Unfairly, inequitably assigned, I don't agree with the sanctions, I can't overrule another judge orders, I have no authority to change or modify.
- \$56,496.30 – if equally split would be approx. \$28,500.00 each
(Exact numbers \$28,248.15 x 2)
note - \$1,000.00 Real Estate Attorney paid
 - Proceeding Disbursement –
 - Actual Remaining Funds from Rocky Ridge = \$23,452.19
 - Disburse to Petitioner – Sirinya Surina
 - Difference of House Proceeds Split
 - Sirinya Surina \$28,248.15 (share) - \$23,452.19 = \$4,795.96
 - Judge Michael Price noted – approximately \$5,000.00
 - Enter – Health Savings and Retirement
 - Date of Separation Balance Total: \$23,191.76
Split 50/50 is \$11,595.88 Each
 - Disbursed as follows:
 - Less house difference to Petitioner \$5,xxx.xx
 - \$16,642.88 to Sirinya Surina
 - \$6,548.88 to Aaron Surina

Community Assets Distribution Summary:

- Each party keep current personal effects, vehicles in possession, sign off title and liability.
- Community Funds Totals:
 - Rocky Ridge: \$56,496.30
 - Health Savings and Retirement: \$23,191.76
 - Total: \$79,688.06
 - 50/50 Split = \$39,844.03 to each party
 - Disbursed as follows:
 - Sirinya Surina: \$23,452.19 (Trust Funds) + \$16,642.88 (Retirement) = \$40,095.07
 - Aaron Surina: \$33,044.21 Judgments + \$6,548.88 Retirement = \$39,593.09
 - Difference in Disbursement:
 - \$40,095.07 (Petitioner) - \$39,593.09 (Respondent) = \$501.98
 - Total Disbursements:
Petitioner \$40,095.07 + Respondent \$39,593.09 = \$79,688.16
* This total is 10 cents over actual funds of \$79,688.06

SPOUSAL MAINTENANCE:

Petitioner Requests Spousal Maintenance: Request Denied – No Spousal Maintenance to be paid from the Respondent to the Petitioner, No Spousal Maintenance to be Paid.

Ruling based on ability to pay and need

Marriage: 12/29/11 – 8/7/20017 (Correction ????? needs to be to 8/14/2017)

5 years, 8 months marriage

Short Term Marriage

Marriage Life did not have extravagance

Spousal Maintenance in Washington State is Rehabilitative Payment

No Rehabilitation Payment needed based on Petitioners ability as young, bright, skilled cosmetologist, who has owned and operated a beauty salon and is receiving equity from the marriage.

Ability to pay by the respondent is not found.

Ruling: No Spousal Maintenance

WASTE – Community Property Waste

Petitioner Requests Community Waste against Respondent regarding house sale.

Request Denied