

CN: 201703018170

SN: 435

PC: 5

FILED

DEC 03 2020

Timothy W. Fitzgerald
SPOKANE COUNTY CLERK

Superior Court of Washington, County of Spokane

In re:

Petitioner/s (as listed on the Petition):

Sirinya Surina

And Respondent/s (as listed on the Petition):

Aaron Surina

No. 173018170

Motion for Temporary Family Law Order
(MTTO)

[X] and Restraining Order (MTTMO)

**Motion for Temporary Family Law Order
[X] and Restraining Order**

Use this form only for cases about changing a parenting/custody order when it is not an emergency and you have notified the other party. For other cases, use FL Divorce 223, FL Parentage 323, or FL Non-Parent 423, depending on the type of case.

To both parties:

Deadline! Your papers must be filed and served by the deadline in your county's Local Court Rules, or by the State Court Rules if there is no local rule. Court Rules and forms are online at www.courts.wa.gov.

If you want the court to consider your side, you **must**:

- File your original documents with the Superior Court Clerk; AND
- Give the Judge/Commissioner a copy of your papers (if required by your county's Local Court Rules); AND
- Have a copy of your papers served on all other parties or their lawyers; AND
- Go to the hearing.

Read your county's Local Court Rules, if any.

Bring proposed orders to the hearing.

To the person filing this motion:

You must schedule a hearing on this motion. You may use the *Notice of Hearing* (form FL All Family 185) unless your county's Local Court Rules require a different form. Contact the court for scheduling information.

To the person receiving this motion:

If you do not agree with the requests in this motion, file a statement (using form FL All Family 135, *Declaration*) explaining why the court should not approve those requests. You may file other written proof supporting your side, and propose your own *Parenting Plan*, *Residential Schedule*, or *Child Support Worksheets*.

1. My name is: **Sirinya Surina**, I am the Petitioner and I ask the court for temporary orders approving the requests listed below.

2. **Children**

☒ I want these children under 18 listed below to be included in the court's orders:

Child's name	Age	Child's name	Age
1. David M. Surina	8	4.	
2. Andrew A Surina	4	5.	
3.		6.	

3. **Active duty military**

☐ None of the other parties are covered by the state or federal Servicemembers Civil Relief Acts.

4. **Care and safety of children** (check all that apply)

☒ Order: Aaron Surina not to take the children listed in **2** out of Washington State.

5. **Provide support**

☒ Order child support according to the Washington state child support schedule.

6. **Pay fees and costs**

☒ Order: Aaron Surina to:

☒ Pay my lawyer's fees for this case. Amount: \$3,000_____

Make payments to: TBD

7. **Restraining Order**

☒ I ask the Court for a *Restraining Order* (form FL All Family 150) that orders (name/s): Aaron Surina to obey the restraints and orders checked below. (Check all that apply; also check the "and Restraining Order" box in the form titles on page 1):

☒ **Do not disturb:** Do not disturb my peace or the peace of any child listed in **2**.

☒ **Stay away** – Do not go onto the grounds of or enter my home, workplace or school, and the daycare or school of any child listed in **2**.

☒ Also, do not knowingly go or stay within 500 feet of my home, workplace or school, or the daycare or school of any child listed in **2**.

☒ **Do not hurt or threaten**

- Do not assault, harass, stalk, or molest me or any child listed in **2**; and
- Do not use, try to use, or threaten to use physical force against me or the children that would reasonably be expected to cause bodily injury.

Warning! If the court makes this order and the parties are intimate partners, the court must consider if weapons restrictions are required by state law; federal law may also prohibit the Restrained Person from possessing firearms or ammunition.

[X] Intimate Partner: The Restrained Person and the Protected Person are/were intimate partners because they are (*check all that apply*):

[X] current or former spouses or domestic partners, or parents of a child-in-common.

[] age 16 or older and are/were in a dating relationship, and are currently residing together or resided together in the past.

[] age 16 or older and are/were in a dating relationship, but have *never* resided together.

[X] Prohibit weapons and order surrender

- Do not access, possess, or obtain any firearms, other dangerous weapons, or concealed pistol licenses until the Order ends, and
- Immediately surrender any firearms, other dangerous weapons, and any concealed pistol licenses that he/she possesses to (*check one*): **[]** the police chief or sheriff. **[]** his/her lawyer. **[]** other person (*name*): _____

[] Other: _____

8. Other temporary orders

[X] (Specify):

All future exchanges are to be at the Fulcrum Institute located at
211 W Augusta Ave, Spokane, WA 99205 Phone: (509) 838-2799

Both parties are to share equally in this expense

Respondent Aaron Surina is to have a full psychological exam

Conducted by:

RESPONDENT AARON SURINA IS
FOUND TO BE A VEXATIOUS LITIGANT
ALL VISITATIONS TO BE SUPERVISED

➤ Reasons for my requests

9. Why are you asking the court for the orders you checked above? (Explain):

- If you need additional space use the *Declaration* form FL All Family 135.
- If you are asking for a parenting plan or residential schedule, also fill out the *Information for Temporary Parenting Plan*, form FL All Family 139, and a proposed *Parenting Plan*, form FL All Family 140, or *Residential Schedule*, form FL Parentage 304 or FL Non-Parent 405.
- If you are asking for child support, also fill out the *Child Support Worksheets and Financial Declaration*, form FL All Family 131, and file the required financial records. If you or anyone else has ever received public assistance for any child in this case, also fill out the *Public Assistance Declaration*, form FL All Family 132.
- If you are asking to prohibit weapons or order surrender, give your reasons at the end of this section.
- If you are asking to change an earlier temporary order, give the date of the earlier order and explain how circumstances have changed since then.

Respondent Aaron Surina was cited for "Abusive use of conflict" in the Parenting Plan dated 12/20/2019

Respondent Aaron Surina has been found in contempt of court on multiple occasions And cannot or will not lawfully abide by the Parenting Plan dated 12/20/2019

Petitioner Sirinya Surina had to file a writ of habeas corpus on Nov 9th 2020 to force Respondent Aaron Surina to return David and Andrew Surina to Sirinya Surina as directed by Commissioner Swennumson on Nov 5th 2020

[] Reasons for "Prohibit weapons and order surrender" request (check all that apply):

[] (Name): _____ has used, displayed, or threatened to use a firearm or other dangerous weapon in a felony. (Describe):

[] (Name): _____ previously committed an offense making him or her ineligible to possess a firearm under RCW 9.41.040. (Describe):

[] (Name): _____'s possession of firearm presents a serious and imminent threat (harm that may happen immediately) to public health or safety, or to the health or safety of any individual. (Describe):

Person asking for this order fills out below:

I declare under penalty of perjury under the laws of the state of Washington that the facts I have provided on this form are true.

Signed at : Spokane, WA

Date: 12/3/20



Person asking for this order signs here

Print name here

I agree to accept legal papers for this case at (check one):

[X] the following address (this does **not** have to be your home address):

Box 30491

Spokane

WA

99223

street address or PO box

city

state

zip

Note: You and the other party/ies may agree to accept legal papers by email under Civil Rule 5 and local court rules.

(If this address changes before the case ends, you **must** notify all parties and the court clerk in writing. You may use the Notice of Address Change form (FL All Family 120). You must also update your Confidential Information form (FL All Family 001) if this case involves parentage or child support.)

Lawyer (if any) fills out below:



Lawyer signs here

Print name and WSBA No.

Date

Lawyer's street address or PO box

city

state

zip

Email (if applicable): sirinyaandrew@gmail.com

Warning! Documents filed with the court are available for anyone to see unless they are sealed. Financial, medical, and confidential reports, as described in General Rule 22, **must** be sealed so they can only be seen by the court, the other party, and the lawyers in your case. Seal those documents by filing them separately, using a Sealed cover sheet (form FL All Family 011, 012, or 013). You may ask for an order to seal other documents.