

CN: 201703018170

SN: 442

PC: 8

FILED

DEC 11 2020

Timothy W. Fitzgerald
SPOKANE COUNTY CLERK

SUPERIOR COURT OF WASHINGTON, SPOKANE COUNTY

In Re the Custody of:

DAVID + ANDREW SURINA

a minor childREN

SIRINYA SURINA,

Petitioner,

And

AARON SURINA,

Respondent.

No. 173018170

PETITION FOR WRIT OF HABEAS
CORPUS

This is a petition for writ of habeas corpus pursuant to RCW 7.36.020, 7.36.190 and 7.36.200.

1. I am applying for a Writ of Habeas Corpus and I live at: 227 E 22ND AVE

2. The other party lives at: 12000 STINSON DR HAYDEN or may be located
at: IDAHO 83835

1 3. I have custody of the children listed below under a custody order entered [date]
2 12/20/19 in [county that entered the order] SPOKANE County, in the state of
3 WA [state where court entered your custody order].

4 ☐ I obtained this order without notice to the other party

5 ☐ The order is a temporary order

6 ☒ The order is a final order

7 4. I am applying for a Writ of Habeas Corpus in SPOKANE County based on a Custody
8 Order issued on [date] 12/4/20 in SPOKANE County, in the state of WA.

9 5. Children to be recovered:

10

11 Name (first, 12 middle 13 initial, last)	Age	Race	Gender	How child is related to Petitioner/Respondent	Lives with
14 DAVID M. 15 SURINA	8	W	M	SON	MOM
16 ANDREW A. 17 SURINA	4	W	M	SON	MOM
18					
19					

19

20 6. I believe the children are with the other party at the address listed above, or at this
21 location: _____.

22 7. Steps taken since the custodial interference occurred [check all that apply]:

23 ☐ I contacted Child Protective Services regarding the children on [date] _____

24 ☒ I made a report to [name of law enforcement agency]: SPOKANE POLICE
25 DEPT.

26 ☒ I got an Order to Show Cause Re Contempt against the other party for violating the
27 Parenting Plan/Residential Schedule

☐ The court has found the other party in contempt for violating the Parenting Plan/Residential Schedule

☒ The other party ☐ children have/has taken part in these legal proceedings:

CASE NAME: SURINA V. SURINA

CASE NUMBER: 2020302132

COURT/COUNTY: SPOKANE

AN EMERGENCY EXISTS as described below: I request the court Issue a Writ of Habeas Corpus Immediately without notice to the other party to avoid Irreparable Injury, directing:

☒ SPOKANE County Sheriff's Department to find and take the children listed above into custody and deliver them to the [family law or presiding] FAMILY LAW judge of SPOKANE County Superior Court, State of Washington, SPOKANE County

Courthouse, on a date to be set by the court within five days of the date of issuance of the Writ.

☐ _____ County Sheriff's Department to break into and enter any home, building, structure, or vehicle where they have reason to believe the children are located or where they may find info about the children's location.

☐ _____ County Sheriff's Department to arrest anyone standing in the way or obstructing their lawful efforts to obtain the immediate custody of the children.

☐ _____ County Sheriff's Department to place the children into Child Protective Services' care and custody. If the court is not in session, CPS will keep the children in protective custody until 1 p.m. the first date court is in session following the date of recovery.

STATEMENT:

1 **Nature of abduction** (describe how and when the children were taken and what you
2 did about it):

3 DEC 3RD @ 7:20 PM RESPONDENT LURED
4 DAVID AND ANDREW SURINA INTO
5 HIS CAR ASSERTING THAT IT WAS
6 HIS WEEKEND, THIS WAS NOT HIS
7 WEEKEND BECAUSE HE HAD THE
8 BOYS BOTH OF THE PRIOR WEEKENDS

9 **Risk of flight** (describe why you believe the other party may flee with the children):

10 I HAVE NO IDEA OF WHAT THE
11 RESPONDENT IS CAPABLE
12 OF. HE FLEW TO THAILAND AND
13 OBTAINED A DIVORCE AND CUSTODY
14 DECREE

15
16 **Risk of irreparable harm** (describe the risk of irreparable harm or danger to the
17 children if not returned): I am afraid because:

18 I HAVE NO IDEA WHAT RESPONDENT
19 MIGHT DO PHYSICALLY, OR EMOTIONALLY
20 OR PSYCHOLOGICALLY TO DAVID
21 AN ANDREW

22
23
24
25 **Attachments** - I attach to this Petition and incorporate by reference the following:

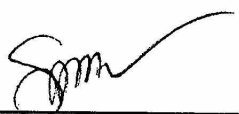
26 ☒ Certified copy of Order granting custody

27

- 1 ☐ Sealed Source Declaration
2 ☐ Certified copy of Writ issued by _____ County, Washington
3 ☐ (other) _____
4 ☐ (other) _____
5

6 I certify under penalty of perjury under the laws of the State of Washington that the info
7 in my Petition for Writ of Habeas Corpus is true.

8 Date: 12/4/20
9 City/State: SPOKANE WA

10
11 
12 PETITIONER
13 [Print your name here:]
14 SIRINYA SURINA
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The OurFamilyWizard® website

230 13th Ave NE

Minneapolis, MN 55413

<https://www.OurFamilyWizard.com>Info@OurFamilyWizard.com**Message Report**

Sirinya Surina generated this report on 12/04/20 at 06:16 AM. All times are listed in America/Los_Angeles timezone.

Message: 1 of 1**Date:** 11/19/2020 3:26 PM**From:** Aaron Surina**To:** Sirinya Surina (First View: 11/23/2020 7:15 AM)**Subject:** At the courthouse

EX B

Hey we just got out of court and I am wanting to know what time you will be there to pick up.

Where

When

Thanks

The OurFamilyWizard® website

230 13th Ave NE

Minneapolis, MN 55413

<https://www.OurFamilyWizard.com>Info@OurFamilyWizard.com**Message Report**

Sirinya Surina generated this report on 12/04/20 at 06:13 AM. All times are listed in America/Los_Angeles timezone.

Message: 1 of 1**Date:** 11/25/2020 5:41 PM**From:** Aaron Surina**To:** Sirinya Surina (First View: 11/27/2020 1:11 PM)**Subject:** Almost there

EX C

Please remember to send the books for any homework that we have to do.



View Message

EXD

From: Aaron Surina

To: Sirinya Surina

Details

Re: RE: Time School ends

Oct 29, 2020 at 02:48 PM

I'm going to be there at 330, please have all the school materials and any missing assignments outlined in David's backpack for pickup.

From: Sirinya Surina

10/15/2020 at 12:46 PM

To: Aaron Surina

Subject: RE: Time School ends