

CN: 201703018170

SN: 446

PC: 15

FILED

DEC 15 2020

Timothy W. Fitzgerald
SPOKANE COUNTY CLERK

Superior Court of Washington, County of Spokane

In re:

Petitioner/s *(person/s who started this case)*:

Sirinya Surina

And Respondent/s *(other party/parties)*:

Aaron Surina

No. 173018170

Declaration of

(name): Sirinya Surina

in opposition to respondent Aaron Surina
motion to dismiss

(DCLR)

Declaration of : Sirinya Surina

I did not receive Respondents motion/response until Dec 14th 2020 at 3:19 pm

This is my response to Respondent's 12th hour response.

1. I agree that there is a final order for case #17-3-01817-0 which includes a very specific Parenting Plan. Feigning ignorance Respondent continues to demonstrate that he cannot or will not abide by the current parenting plan signed by Judge Price on December 20, 2019

2. The purpose of the hearing on Nov 23rd was to see if the TRO against Benjamas Srirattankun (case # 2020297532) should be terminated or extended. Respondent clouded the hearing by introducing some vague motion for a change of venue.

3. Respondent is attempting to blame his current employment situation as an excuse why he cannot pay child support. I have contacted Child Support who verified that Respondent has not filed for Washington State Unemployment benefits. Respondent moved to Idaho and I have no way of knowing if he is working or not.

The missing unemployment benefits are a weak argument with regards to paying child support. I believe that Respondent has more than the \$5,425 owed to me in his Fidelity retirement account that could be accessed easily by the Respondent

4. On Nov 25th 2020 @ 6 pm Respondent was served the ORDER TO SHOW CAUSE 12/17/20 by Eric

Brubaker which was signed by Commissioner Tami M. Chavez on Nov 24th 2020

I have attached Proof of Service dated Nov 25th 2020

See Ex A

On Dec 3rd 2020 Respondent was served copies of the following documents by Deputy Jonathan

Bixby #2333 Kootenai County Sherriff's Dept. I have attached Proof of Service dated Dec 3rd 2020

See Ex B

2020-11-24	433	ORDER TO SHOW CAUSE 12/17/20
2020-12-03	434	PROPOSED ORDER FINDINGS CONTEMPT HEARING
2020-12-03	435	MOTION FOR TEMPORARY FAMILY LAW ORDER AND RESTRAINING ORDER
2020-12-03	437	NOTICE OF HEARING 12/17/20

Upon being served the above documents on Dec 3rd 2020 Respondent retaliated against me by kidnapping David and Andrew om my residence at 7:20 pm which left me no option but to file another writ of habeas corpus on Dec 4th Judge Dixon signed it on Dec 8th.

With regards to the Exhibits submitted by the Respondent as evidence I submit to the court that nothing submitted by the Respondent is actual evidence only the exaggerated opinions of the Respondent.

I object to all of the Respondents Exhibits for the following reasons:

Ex A - is not proof that he filed for Washington State Unemployment

Ex B - is Respondents erroneous interpretation of the Parenting Plan signed Dec 20th 2019

however it does show that the last day of school was Thursday June 11th the following week should have been my week because the first and last weeks of summer are my weeks according to the Parenting Plan dated Dec 20th 2019

Ex C – is another example of how difficult Respondent has made the exchanges.

Ex D – The dates showing in this exhibit are during the time that Respondent ignored the Nov 5th court order and retained custody of David and Andrew until Nov 10th 2020 Writ of Habeous Corpus hearing. This is actually evidence that David does not do his homework when he visits his dad.

Ex E - Respondent does not understand that Motion for Temporary Family Law Order is only a motion of the Petitioner asking for a court order. Respondent likes playing at being a lawyer woefully ignorant how the court actually works. This exhibit is not evidence, its is only the exaggerated opinions of the Respondent.

Ex F - I did sign page 13 of 13. In yet another Pro Se mistake Respondent claims that the Proposed Contempt Hearing Order is an unsworn affidavit. There is no new evidence in this exhibit.

Ex G - Yet another exaggerated opinion of the Respondent attempting to argue that his opinion of the start of summer trumps the court ordered parenting plan. Spokane School districts last day of school was Thursday June 11th 2020 therefore the following week should have been mine.

Finally, on Page 3 of 4 of the Respondent's Affidavit in conclusion line 13 and 14 Respondent argues that for his rights when states "it is my right after all" which is interesting because Respondent

has filed an AFFIDAVIT OF DEFENDANT RESPONDENT REVOCATION OF OATH with the
Federal Court in an attempt to denounce his citizenship. See attached.

See Ex C

I declare under penalty of perjury under the laws of the state of Washington that the facts I have
provided on this form (and any attachments) are true. I have attached 14 pages.

Signed at (city and state): Spokane, WA _____ Date: Dec 15th, 2020 _____

Sign here

Sirinya Surina
Print name

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

EX A

Superior Court of Washington, County of SPOKANE

In re:

Petitioner/s (person/s who started this case):

SIRINYA SURINA

And Respondent/s (other party/parties):

AARON SURINA

No. 173018170

Proof of Personal Service
(AFSR)

Proof of Personal Service

Server declares:

1. My name is: ERIC BROBAKER. I am **not** a party to this case.
I am 18 or older.

2. **Personal Service**

I served court documents for this case to (name of party): AARON SURINA
by (check one):

☒ giving the documents directly to him/her.

☐ giving the documents to (name): _____,
a person of suitable age and discretion who lives at the same address as the party.

3. **Date, time, and address of service**

Date: 11-25-20 Time: 6:00 [] a.m. ☒ p.m.

Address:

227 E. 22ND AVE SPOKANE WA 99203
Number and street city state zip

4. List all documents you served (check all that apply):

(The most common documents are listed below. Check only those documents that were served. Use the "Other" boxes to write in the title of each document you served that is not already listed.)

☐ Petition to/for _____	
☐ Summons (Attach a copy.)	☐ Notice of Hearing _____
☐ Order Setting Case Schedule	☐ Motion for Temporary Family Law Order [] and Restraining Order
☐ Notice Re: Military Dependent	☐ Proposed Temporary Family Law Order
☐ Proposed Parenting Plan	☐ Motion for Immediate Restraining Order (Ex Parte)
☐ Proposed Child Support Order	☐ Immediate Restraining Order (Ex Parte) and Hearing Notice
☐ Proposed Child Support Worksheets	☐ Restraining Order
☐ Sealed Financial Documents	☐ Motion for Contempt Hearing
☐ Financial Declaration	☒ Order to Go to Court for Contempt Hearing
☐ Information for Temporary Parenting Plan	☐ Motion for Adequate Cause Decision
☐ Declaration of: _____	☐ Notice of Intent to Move with Children (Relocation)
☐ Declaration of: _____	☐ Objection about Moving with Children and Petition about Changing a Parenting/ Custody Order (Relocation)
☐ Other: _____	☐ Other: _____
☐ Other: _____	☐ Other: _____

5. Fees charged for service

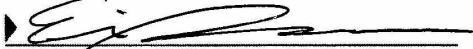
☒ Does not apply.

☐ Fees: \$ _____ + Mileage \$ _____ = Total: \$ _____

6. Other Information (if any): _____

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

Signed at (city and state): SPOKANE, WA Date: 11-25-20


Signature of server

ERIC BRUBAKER
Print or type name of server

To the party having these documents served:

- File the original *Proof of Personal Service* with the court clerk.
- If you served a *Restraining Order* signed by the court, you must also give a copy of this *Proof of Personal Service* and a *Law Enforcement Information Sheet* to law enforcement.
- If the documents were personally served outside of Washington state, you must fill out and file form FL All Family 102 (*Declaration: Personal Service Could Not be Made in Washington*).

☐ **To the Server:** check here if you personally served the documents *outside* Washington state. Your signature must be notarized or sworn before a court clerk.

(For personal service in Washington state, your signature does **not** need to be notarized or sworn before a court clerk.)

Signed and sworn to before me on (date): _____

Signature of notary or court clerk

Print name of notary or court clerk

☐ I am a notary public in and for the state of: _____

My commission expires: _____

☐ I am a court clerk in a court of record in (county): _____

(state): _____

(Print seal above.)

EX B

Superior Court of Washington, County of SPOKANE

In re:

Petitioner/s (person/s who started this case):

SIRINYA SURINA

And Respondent/s (other party/parties):

AARON SURINA

No.

173018170

Proof of Personal Service
(AFSR)

Proof of Personal Service

Server declares:

1. My name is: DEP. P. BIXBY #2332. I am **not** a party to this case.
I am 18 or older.

2. Personal Service

I served court documents for this case to (name of party): AARON SURINA
by (check one):

☒ giving the documents directly to him/her.

☐ giving the documents to (name): _____
a person of suitable age and discretion who lives at the same address as the party.

3. Date, time, and address of service

Date: 12-03-20 Time: 1435 [] a.m. ☒ p.m.

Address:

12000 STINSON DR HAYDEN ID 83835
Number and street city state zip

4. List all documents you served (check all that apply):

(The most common documents are listed below. Check only those documents that were served. Use the "Other" boxes to write in the title of each document you served that is not already listed.)

☐ Petition to/for _____	
☐ Summons (<i>Attach a copy.</i>)	☒ Notice of Hearing <u>12/12/20</u>
☐ Order Setting Case Schedule	☒ Motion for Temporary Family Law Order ☒ and Restraining Order
☐ Notice Re Military Dependent	☐ Proposed Temporary Family Law Order
☐ Proposed Parenting Plan	☐ Motion for Immediate Restraining Order (Ex Parte)
☐ Proposed Child Support Order	☐ Immediate Restraining Order (Ex Parte) and Hearing Notice
☐ Proposed Child Support Worksheets	☐ Restraining Order
☐ Sealed Financial Documents	☒ Motion for Contempt Hearing
☐ Financial Declaration	☒ Order to Go to Court for Contempt Hearing
☐ Declaration of: _____	☐ Notice of Intent to Move with Children (Relocation)
☐ Declaration of: _____	☐ Objection about Moving with Children and Petition about Changing a Parenting/ Custody Order (Relocation)
☐ Other: _____	☐ Other: _____
☐ Other: _____	☐ Other: _____

5. Fees charged for service

☐ Does not apply.

☐ Fees: \$ _____ + Mileage \$ _____ = Total: \$ _____

6. Other Information (if any): _____

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

Signed at (city and state): HAYDEN, IDAHO Date: 12-03-20

DEP. P. B. #2332 DEP. P. BOKIS #2332
Signature of server Print or type name of server

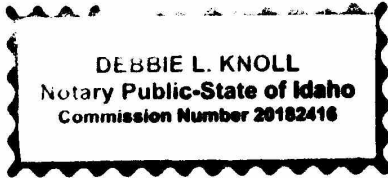
To the party having these documents served:

- File the original *Proof of Personal Service* with the court clerk.
- If you served a *Restraining Order* signed by the court, you must also give a copy of this *Proof of Personal Service* and a *Law Enforcement Information Sheet* to law enforcement.

[] **To the Server:** check here if you personally served the documents *outside* Washington state. Your signature must be notarized or sworn before a court clerk.

(For personal service in Washington state, your signature does **not** need to be notarized or sworn before a court clerk.)

Signed and sworn to before me on (date): 12/4/20



(Print seal above.)

Signature of notary or court clerk: Debbie L Knoll

Print name of notary or court clerk: Debbie L Knoll

[x] I am a notary public in and for the state of: Idaho

My commission expires: 12/11/24

[] I am a court clerk in a court of record in (county): _____

(state): _____

Kootenai County Sheriff's Office
Civil Section

RETURN OF SERVICE

SIRINYA SURINA
Plaintiff/Petitioner

-VS-

AARON SURINA
Defendant/Respondent

SPOKANE COUNTY DISTRICT COURT
Court Case # 173018170
Sheriff's process # 20008044

I, DEPUTY JONATHAN BIXBY, certify that the below documents were received on 12/3/2020 at 11:38 AM, And I

PERSONALLY SERVED a copy of the:
TEMPORARY PROTECTION ORDER, NOTICE OF HEARING, MOTION AND RESTRAINING ORDER AND
MOTION OF CONTEMPT HEARING

To: AARON SURINA

At: 12000 N STINSON
HAYDEN, ID 83835

On: 12/3/2020 at 2:35 PM

Dep. P. Bixby #2332

By: _____
DEPUTY JONATHAN BIXBY 2332

FILED

FILED

SEP 23 2020

Timothy W. Fitzgerald
SPOKANE COUNTY CLERKEX C
CASE # 17-3-01817-0

OCT 29 2020

NUNC PRO TUNC AT LAW AND PUBLIC NOTICE
REVOCATION OF OATHS AFFIDAVIT
of Aaron Surina

FILED

TIMOTHY W. FITZGERALD
SPOKANE COUNTY CLERK

2020 SEP 23 P 4: 35

NOTICE: This Affidavit is intended to clarify previous affidavits you might have received in the past. This may be the first affidavit for others removing my signature from all Contracts of a founder of the adhesion nature, as well as Oaths created by the government naming me as a beneficiary with County knowledge or consent. This Affidavit shall also serve as my intention to remove any Oath Aaron Surina may have taken in the past Nunc Pro Tunc. As my religious instruction has led me to believe that as a Christian Aaron Surina can make no Oath. This was clearly stated by Our Lord and Savior Jesus Christ's command against swearing Oaths (Matt 5: 33-37). It is required of you or any party of interest to file and or refute this Affidavit, which contain truths and law. Failure to refute is deemed acceptance.

2020 SEP 23 P 4: 35

TIMOTHY W. FITZGERALD
SPOKANE COUNTY CLERK

PREAMBLE

Aaron Surina, being a free American adult, natural born soul in the Republic State of Washington since April of 1977, living and working as an inhabitant in the Idaho Republic. Aaron Surina being of such status, hereby make this Special Appearance, by Nunc Pro Tunc Affidavit as the Citizen in Party, proceeding Sui Juris, at Law. Neither conferring nor consenting to any foreign jurisdiction, except to the common law power of Idaho and or the United States of America. As such Aaron Surina willfully enforce all constitutional limitations and restraint respectively on all government agencies when dealing with them, wherefore the undersigned Affiant, named herein and above, upon affirmation declares and evidences the following:

Aaron Surina, am of lawful age and competent to make this Affidavit and have first hand knowledge of the facts addressed herein. Aaron Surina am a free Sovereign natural born inhabitant, in the Idaho Republic and as such in the United States of America.

In fact, by right of heritage and inheritance, of the Idaho Republic, protected by hereditary succession of all predecessors previous Contracts with government as found in the Northwest Ordinance of 1787, the Organic Act, of 1849, the original Constitution of Idaho, the Articles of Confederation of 1777, the Constitution for the United States of America (1787) including it's Preamble, and the Bill of Rights (1789) including it's Preamble.

As such Aaron Surina retain all my unalienable rights granted by God incorporated into positive law, embodied in the Declaration of Independence (1776) and binding Rights upon my parentage and myself since the beginning of the World till 10 days from the end of the World. And further

As a free natural born inhabitant, proceeding Sui juris in Law, not within the corporate entity or a corporate member, being duly sworn to God and affixing my signature to this document, do hereby make the following statement of fact and affirm: the so - called "Social Security Number" 6*3-*0-**** is revoked, returned, and terminated in application, in body and in signature nunc pro tunc.

For Aaron Surina affirms that this agreement was imposed upon a corporate fiction, with a name sounding similar to mine if spoken but dissimilar when spelled in all capital letters, under Corporate State of Washington statute, at my birth, or sometime thereafter, by usage of threat, coercion, withholding of material facts, and uninformed consent.

That Aaron Surina was not of the age of majority; therefore, this aforementioned government action constitutes constructive fraud and placed me under duress of mind and body therefore depriving me of giving any meaningful consent to the original "Social Security" application and agreement titled SS-5. In

general, an infant is not bound by his contracts, unless to supply him necessities. Vasse v. Smith, 3 L. Ed. 207. This contract is null and void, nunc pro tunc; due to the aforementioned fraud. And further

AFFIDAVIT AMENDMENT PROTECTION CLAUSE

Aaron Surina the undersigned, in order to protect my unalienable rights to life, liberty and property, inclusive of my unalienable right to property in rem and in personam, inhabitant status has been forced to amend certain legal documents and statements and cancel any and all Oaths not made directly to God, due to the continuous acts of fraud upon me by the de facto governments, both State and Federal.

Therefore Aaron Surina declares to God to be noticed by other parties with interest, that Aaron Surina am free to amend any and all such documents, statements and Oaths as a matter of substantive right, for Aaron Surina cannot be held liable for either the acts or the omissions by governments which are out of my control, which acts and omissions constitute fraud in one form or another, which have caused untold suffering to millions of human beings in this country and around the world.

Therefore, Aaron Surina proceeds at all times with explicit reservation of all my rights and without prejudice with respect to any of my unalienable rights, inclusive of my personal right to substantive and procedural due process proceedings under the Judicial Power of both my State and my Nation as guaranteed by the National and State Constitution and Congress granting each State of the Union under the equal footing doctrine, a Republican form of government, not a Corporate form of government. And further

Aaron Surina, state and affirm the following to Almighty God to be noticed by other parties with interest:

1. That Aaron Surina rebuts any erroneous presumptions and or terminates any erroneous election of U.S. "residence" which may have been established in error by the filing of any prior IRS forms, schedules and other statements, by mistake resulting in part from the demonstrable vagueness that is evident throughout Title 26 USC and its regulations, and by mistakes resulting also from the constructive fraud and misrepresentation mentioned throughout this Affidavit; that Aaron Surina was neither born nor naturalized in the "United States", Aaron Surina has never been subject to that jurisdiction except in National Military Service and Aaron Surina has never been a "United States citizen" as defined in 26 C.F.R. 1.1.1.1 and as defined in the alleged 14th Amendment to the United States Constitution. And further
2. That Aaron Surina am not now, nor has Aaron Surina ever knowingly, intentionally, and voluntarily, with informed consent, entered into any personal, internal, public or private agreement, contract, stipulation, account or similar contrivance with the "United States", the "Federal Government" or the "District of Columbia", its territories, agencies or other property appurtenant thereto, which would have altered or waived my de jure Sui Juris status, or my natural unalienable God-given natural rights: that any such agreements or contracts, expressed or implied, such as a application for a Social Security number, application for Driver's License, Bank Signature Card or the use of Federal Reserve Notes (which are not constitutional specie), the Oath of Office as a Naval Officer in the United States Marine Corps, a Commissioned Police Officer of the City of Chicago and Round Lake Park, Illinois and Oaths taken as a litigant or counsel in judicial proceedings, etc., are all hereby revoked due to the fraudulent withholding of material facts, which became a jurisdictional trap and as such are a Bill of Attainder on this free American natural born man upon the land, Inhabitant and inhabitant in the united States of America, for Aaron Surina cannot become a nexus by the effect of fraudulent device, as none of my unalienable natural rights are negotiable and the government both State and Federal has not proved that they ever had jurisdiction to change my status, as required by Title 5 U.S.C. Section 556 (d) or as defined and set out as a constitutional requirement that any change of status would lawfully have to take place in a Common Law Superior court under the due process clause of the 5th amendment to the United States of America Constitution. And further

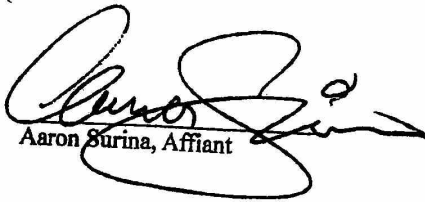
3. That this is to certify that Aaron Surina is a free American natural born inhabitant in the united States of America, living and breathing in the Republic of Idaho state, a Republic state in the North American Continent, in Kootenai County, and will soon be working in that County.
4. Aaron Surina living under the Common Law, having assumed, among the powers of the Earth, the Separate and Equal station to which the Laws of Nature and Nature's God entitles me, in order to secure the Blessings of Birthright that was taken from me by fraud, do hereby asseverate and terminate all Trusts, Feudatory and Adhesion Contracts with the Federal or State government and it's agencies and with the corporate State of Washington and it's agencies, for Aaron Surina, being of sound mind and body, do not choose, nor have Aaron Surina ever chosen, to give up, relinquish or otherwise waive any of my God-given natural, constitutionally secured rights. And further
5. That my use of the phrase "With explicit reservation of all my rights and without prejudice UCC 1.207" above my Signature on this document indicates: that Aaron Surina explicitly rejects any and all benefits of the Uniform Commercial Code, absent a valid commercial agreement which is in force and to which Aaron Surina am a party, and cite it's provisions herein only to serve notice upon all agencies of government, whether international, national, state, or local, that they and not Aaron Surina, are subject to and bound by all of it's provisions, whether cited herein or not; that my explicit reservation of rights has served notice upon all agencies of government of the "Remedy" they must provide for me under Article 1, Section 207 of the Uniform Commercial Code, whereby Aaron Surina have explicitly reserved my Common Law right not to be compelled to perform under any contract or commercial agreement, that Aaron Surina have not entered into knowingly, voluntarily, and intentionally; that my explicit reservation of rights has served notice upon all agencies of government that they are all limited to proceeding against me only in harmony with the Common Law and that Aaron Surina do not, and will not accept the liability associated with the "compelled" benefit of any unrevealed commercial agreement: and that my valid reservation of right's has reserved all my rights and prevented the loses of any such rights by application of the Doctrines of Laches, Waiver or Estoppel. And further
6. That Aaron Surina reserve my unalienable right to amend this Affidavit at times and places of my own choosing accordingly as new facts and revelations are revealed to me, given the massive fiscal fraud, which has now been sufficiently revealed to me by means of material fact and other reliable evidences which constitute satisfactory and incontrovertible proof of the fraud, sophistry and obfuscation to which Aaron Surina refers in this paragraph and elsewhere in this affidavit. And further

REQUIRES ANSWER:

- (a) If you feel that your agency, corporation, business, etc., has Jurisdiction and/or other lawful control over me different than what is stated by me in this Affidavit, provide me with your appropriate answer and jurisdictional authority within ten (10) days. If you cannot provide such, you will lose any legal claim over me as the legal maxim states "He who remains silent, consents". If additional time is needed for rebuttal please inform me in writing of that need and the additional time will be granted.
- (b) Any statement or claim in this Nunc Pro Tunc Affidavit, properly rebutted by facts of law, or overriding Article III Supreme Court ruling as such shall not prejudice the lawful validity of other claims not properly rebutted or invalidated by documentary evidence of law.

FURTHER THIS AFFIANT SAYETH NOT.

Subscribed and affirmed "Nunc Pro Tunc Affidavit on this 22nd day of 2020 by the undersigned. My Yes means Yes and My No means No before Almighty God. "With explicit reservation of all my rights and without prejudice UCC 1.207"


Aaron Surina, Affiant

NOTARIAL

**Idaho state/Republic
Kootenai County**

Subscribed to before me on this 22nd day of September in 2020, did personally appear before me, Aaron Surina and is personally known by me to be the one described in, and who executed by seal, the foregoing instrument, and acknowledged that he executed the same as his free act and deed as a Citizen/American inhabitant free born man of God in this above named state of the Union. In place of the statutory Oath, Affiant stated; My Yes means Yes and My No means No before Almighty God.

FILED
Notary Public
My commission expires
2021 SEP 23 P 4:35
TIMOTHY W. FITZGERALD
SPOKANE COUNTY CLERK