CN: 201703018170
SN: 457
PC: 10

CLERK

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TIMOTHY W. FITZGERALD
SPOKANE COUNTY CLERK

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2021 FEB 16 P 11:15
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SPOKANE COUNTY CLERK

Superior Court of Washington, County of Spokane

In re: Custodial Interference 01/28/2021

Petitioner : **SIRINYA POLARJ** And Respondent: **AARON SURINA**	No. **17-3-01817-0** Motion for Contempt Hearing (MTSC) 6 Pg Exhibit Attached

Motion for Contempt Hearing

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.

The court may not allow you to testify at the motion hearing. Read your county's Local Court Rules, if any. Bring proposed orders to the hearing.

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.

I declare:

1. I am the father of DMS and AAS, 43 years old, competent to testify in these matters and the Respondent in this case. See Supplemental Affadavit of Facts RE CALENDAR-

2. The other party, **Sirinya Polarj**, did **not** obey the orders checked below that were signed by the court 12/20/2019.

The parenting plan (Page 3 section 8, Page 5 section 12, and Page 10 Lines 10 and 11 which outlines the following:

a. *The current Parenting Plan under the* ***school schedule*** *is clear that Dad picks up DMS on his Thursdays at school* ***(Page 3 s8)*** *which was intentionally ignored after Mr. Surina asked Ms. Polarj to return home and not cause conflict kindly. Mr. Surina transports after pickup to Petitioner's to pickup Andrew* ***(Page 5 s12)*** *and there is to be no interference or intentional conflict.* ***(See attached Order)***

☐ **Parenting plan or residential schedule**

Describe how the order was ***not*** *obeyed including dates and times:*

- Sirinya refused to comply with the court's order regarding the parenting plan Thursday, Jan 28, 2021, during Mr. Surina's school pickup of DMS.
- Note: Sirinya has been able to follow the court order in the past as Mr. Surina always picks up DMS from school on his Thursday school days.
- Sirinya showed up at DMS's school, drove to Mr. Surina in the office parking lot while he was walking to meet in the school yard for pickup.
- Sirinya began yelling out of her car window that she will pick up David and she's not giving the boys to Mr. Surina.
- Mr. Surina kindly asked her to return to the house and get Andrew ready for pickup and to not cause anymore conflict at DMS's school. Please.
- Sirinya Polarj then turned around, exited the parking lot, drove towards the side of the school where the drive thru pickup area is and Sirinya proceeded to pick up DMS, intentionally violating the court's orders.
- **An attempt to file a Criminal complaint under 9A.40.060 was made as outlined in the court ordered parenting plan on Page 10, Lines 10, 11.**

The Spokane Police Report #2021-2001-8793 was filed with crime check immediately that day. This report has been requested through a public records request filed with the city but has not yet been received.

☐ **Other order:**

Describe how the order was ***not*** *obeyed including dates, times, and amounts, if any:*

- Sirinya was also speaking disparagingly about Mr. Surina in front of the child(ren), stating that Mr. Surina is not allowed to be at the school.
- Sirinya continued to withhold Mr. Surina's two sons and delayed pickup beyond the 5 minutes allotted for exchanges outlined in the court's order. Mr. Surina walked back to his car and went to her house to pick up his two sons and they were not there 10 minutes later. They eventually showed up around 2:45pm.

3. Request – I ask the court to:

- Order the other party to go to court to show why the court should not approve the judgment and orders I've requested,
- Consider this motion under the statutes listed in the parenting plan (P10.L10,11), allowing respondent access to the statutory relief available in these matters.
- Please see attached OFW messages, parenting plan and calendar filed with this motion
- ☐ Order Petitioner to take the AAPI-2 adult adolescent parenting skill examination.
- ☐ Approve the requests checked below.

4. Money judgment requested

☐ I ask the court to approve a judgment ordering the other party to pay:

	Amount	Interest	From *(date)*	To *(date)*
Violation of Parenting Plan (1st time mandatory $100.00)	$ 100.00	$	1/28/2021	1/28/2021
	$	$		

5. Fines and penalties or remedial sanctions requested

☐ Does not apply.

■ Approve other reasonable orders, including ordering the other party to:

- Pay a fine – civil penalty (required for violations of parenting time orders),
- Any other relief allowed by law under (**Chapter 9A.40**, Chapter 7.21 RCW, **Chapter 26.09 RCW**, Chapter 26.10 RCW, Chapter 26.16, Chapter 26.26 RCW, and RCW 26.18.040).

☐ Do not send the other party to jail.

6. Other orders requested (if any): **N/A**

Person making this motion 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 *(city and state)*: Hayden Idaho Date: February 10, 2021

Aaron Surina
Person making this motion signs here *Print name here*

I agree to accept legal papers for this case at the following address :

12000 N Stinson Dr **Hayden** **Idaho 83835**

street address or PO box *city* *state* *zip*

Ex C p1 of 6

Avirat, Inc. d/b/a
The OurFamilyWizard® Website
230 13th Avenue NE
Minneapolis, MN 55413
OurFamilyWizard.com
info@ourfamilywizard.com
(866) 755-9991

Message Report

Total Number of messages: 1

Generated: Aaron Surina generated this report on 02/14/2021 at 04:21 PM

Time zone of times listed:

America/Los_Angeles

Family Account Structure: Surina - Surina

Parents: Aaron Surina, Sirinya Surina

Child(ren): Andrew Surina, David Surina

Third Party Account(s): KARI CARSON, KARMEN CARSON, CHRISTINE SURINA

Message 1 of 1

Sent: 01/28/2021 at 02:48 PM
From: Sirinya Surina
To: Aaron Surina (*First Viewed: 01/28/2021 at 03:17 PM*)
Subject: Pick up

Aaron's showed up at David school at 2:20pm.
Picked up at home at 2:30pm.

Please take David to school tomorrow morning. All students will be in class not online.
Thanks

Exc pg 2 of 6

Avirat, Inc. d/b/a
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Message Report

Total Number of messages: 1

Generated: Aaron Surina generated this report on 02/14/2021 at 05:07 PM

Time zone of times listed:

America/Los_Angeles

Family Account Structure: Surina - Surina

Parents: Aaron Surina, Sirinya Surina

Child(ren): Andrew Surina, David Surina

Third Party Account(s): KARI CARSON, KARMEN CARSON, CHRISTINE SURINA

Message 1 of 1

Sent: 02/01/2021 at 09:20 AM
From: Aaron Surina
To: Sirinya Surina (*First Viewed: 02/01/2021 at 09:46 AM*)
Subject: Re: Pick up

You went to the school and interfered with the court order, I asked you to go home and you started yelling at me at the school.

This constant conflict from you is going to cause David more stress. His asthma flares up when he has to return to your house. It's not a good thing.

Why is it so hard for you to get along?

It is another contempt, behaving like that at his school during my pickup. Why did you go around the back of the school and flash your lights and pickup David?

You knew it was not your day! Is it because you have went to the school and told them I am not allowed to have any contact with the boys? You told them I was restrained and not allowed to be a parent? What is the deal?!

Then you were going to "go get some food" to avoid the exchange?! What are you doing?

Please relax and take care of yourself.

I'm going to ask the court to order the evaluation of this whole thing.

Ex C pg 3 of 6

Your winner take all attitude is hurting your children. Don't you see the pain in their lives?

Have a good week, see you tomorrow.

On 01/28/2021 at 02:48 PM, Sirinya Surina wrote:

To: Aaron Surina (*First Viewed: 01/28/2021 at 03:17 PM*)

Subject: Pick up

Aaron's showed up at David school at 2:20pm.
Picked up at home at 2:30pm.

Please take David to school tomorrow morning. All students will be in class not online.
Thanks

Ex C p 4of6

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(866) 755-9991

Message Report

Total Number of messages: 1

Generated: Aaron Surina generated this report on 02/14/2021 at 04:53 PM

Time zone of times listed:

America/Los_Angeles

Family Account Structure: Surina - Surina

Parents: Aaron Surina, Sirinya Surina

Child(ren): Andrew Surina, David Surina

Third Party Account(s): KARI CARSON, KARMEN CARSON, CHRISTINE SURINA

Message 1 of 1

Sent: 02/08/2021 at 08:33 AM
From: Aaron Surina
To: Andrew Surina (*First Viewed: Never*)
David Surina (*First Viewed: Never*)
KARI CARSON (*First Viewed: Never*)
KARMEN CARSON (*First Viewed: Never*)
CHRISTINE SURINA (*First Viewed: Never*)
Subject: Re: Feb 4, 2021 Thursday

School gets out at 2:25pm, picked up Andrew afterwards.

On 02/04/2021 at 02:39 PM, Sirinya Surina wrote:

To: Aaron Surina (*First Viewed: 02/08/2021 at 08:32 AM*)
Subject: Re: Feb 4, 2021 Thursday

Today picked up at 2:30pm

Ex C 85 of 6

On 02/04/2021 at 01:40 PM, Aaron Surina wrote:

To: Sirinya Surina (*First Viewed: 02/04/2021 at 02:39 PM*)

Subject: Feb 4, 2021 Thursday

I'm on my way to get David from school, and I am going to pick Andrew up at your house afterwards.

Keeping you in the loop.

I hope you have a wonderful weekend, I plan to as well.

Family, FAMILY LAW, Holidays in Thailand, [illegible]

Jan 2021 (Pacific Time - Los Angeles)

Sun	Mon	Tue	Wed	Thu	Fri	Sat
27 Dad weekend 2 of 2 - forfeit by Holiday schedule	28	29	30	31 New Year's Eve New Year's Eve	1 New Year's Day New Year's Day	2
3	4	5	6	7 3pm - Dad week 1 of 2	8	9
10 Dad week 1 of 2	11	12	13	14 3pm - Dad weekend 2 of 2	15	16
17 Dad weekend 2 of 2	18 Martin Luther King Jr.	19	20	21	22	23
24	25	26	27	28 3pm - Dad week 1 of 2 [redacted] - KIDNAPPED	29	30
31 Dad week 1 of 2	1 First Day of Black	2	3	4 3pm - Dad weekend 2 of 2	5	6

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