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FILED

JUN 07 2023

TIMOTHY W. FITZGERALD
SPOKANE COUNTY CLERK

Superior Court of Washington, County of Spokane

In re: Surina Parenting Plan, Taxes,
Exposure

Petitioner:

Sirinya Polarj

And Respondent:

Aaron Surina

No. 17-3-01817-0

Motion for Contempt Hearing
(MTSC)

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 filing this motion:

To schedule a hearing on this motion, you must ask the court to sign the Order to Go to Court for Contempt Hearing (Order to Show Cause) (FL All Family 166). This Order may be signed "ex parte" (without the other party there). Contact the Superior Court Clerk's office for the procedure in your county. You must have this Motion and the Order to Go to Court personally served (by someone else) on the other party.

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 lower income parent and Respondent in this case.
2. The other party, **Sirinya Polarj**, did not obey the orders checked below that were signed by the court on: **December 20, 2019** _____
in (county and state): **Spokane, Washington** _____:

The child support order including (check all that apply):

provide the respondent with the necessary 8332 tax forms every year as ordered by the court after her counsel argued with Judge Price.

provide health insurance for the children and pay health care costs not covered by insurance as ordered by Judge Price

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

1. **Moved out of the school district without providing notice.** Page 6 of the current parenting plan outlines the court's order. This was a big deal during trial. The petitioner's final parenting plan was modified and accepted. See Exhibit A.
2. Refuses to obtain childcare for our children instead of exposing them to bar patrons where they learn about drugs, drunks and disasterous behavior.
3. The children are continually being exposed to intoxicated regulars in airway heights at Mom's bar. Parenting Plan Page 9 letter f outlines the court's order not allowing intoxication and exposing the children around intoxicated people. This is now happening on a daily basis.
4. **Page 5 of child support order: Taxes:** The final ruling outlined that Dad had full rights to both children going forward for taxes.
5. _____

The parenting plan, residential schedule or custody order.

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

Page 6 outlines washington state law about moving out of the school district with the children. I was not notified and nor was the school and DAvid's IEP support staff at the school about how this affects transportation, what the address would be if she moved, parenting plan modifications etc. I have a right to know what is going on with my

children. My children are denied any phone access to their father and both of them are waiting until David reaches 12 to move back home with dad. The respondent asks the court to consider that.

☐ Other order (specify): **Child Support Order** _____

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

Sirinya refuses to provide Andrew's 8332 form and this has held up the respondent's taxes since 2019 when the court forced her to sign the tax forms and delivered them to the respondent. The respondent asks for closure in this regard with this motion to compel her signature on those forms for 2020, 2021, 2022. This prevented the respondent from any stimulus money, all his child credits and because respondent is a stay at home Dad, would like to ask that be ordered, as he's the lower income household and needs financial remedy in this matter.

The respondent never was able to receive any stimulus, child tax credits and the court ordered he have these tax deductions for the rest of the childrens lives or until it is brought before the court and changed. There may be a clerical error in the written order which i outline in the motion filed contemporaneously.

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,
- Find the other party in contempt, and
- Approve the requests checked below.

4. Money judgment requested

☐ No request.

5. Fines and penalties (remedial sanctions) requested

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

- Pay a fine – civil penalty (required for violations of parenting time orders),
- Approve the parenting plan attached to this motion
- Pay a fine for each day the court's orders are not followed,
- Compel the petitioner to provide 2020, 2021 and 2022 8332 forms for taxes.
- Meet certain conditions to stop being in contempt (purge the contempt),
- Give me make-up parenting time, if appropriate, and

- Any other relief allowed by law (Chapter 7.21 RCW, Chapter 26.09 RCW, Chapter 26.10 RCW, Chapter 26.26 RCW, and RCW 26.18.040).

☐ Send the other party to jail.

6. Other orders requested (if any): Approve the parenting plan provided as circumstances have drastically changed, I as

Order the children are not to go to the bar or be forced to go to work with mom. The petitioner was a stay at home mother. That ended a couple years ago. The petitioner now has very little time for the children as her priority is her bar / restaurant and the children are held at the bar often until after midnight on school nights. This is something I have asked to cease in the OFW app and which continues in spite of my intent to help and bridge the gap on this matter. It is my prayer that the court will agree this can not continue.

I live close, walking distance from both of the children's schools, friends and support staff for educational assistance. I ride with my boys on bicycles to school in the mornings. They meet their friends there at the bicycle rack and have developed good healthy social circles which would vanish for them.

After a long night at the bar on a school night, The petitioner drops the kids off at school the next morning and goes home and back to bed not considering the toll this has had on my children's school and wellbeing. My children don't belong at a bar and their mother is no longer a stay at home mother. I am a stay at home dad who works from home, although I do not make as much as the petitioner, I strive to provide everything for my children and they lack nothing because of this.

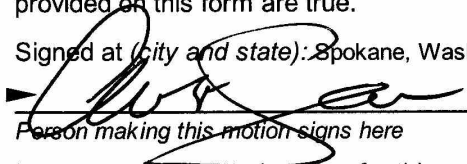
The respondent has the time after school to care, tutor and provide a stable alcohol and drug free environment. The bar is not a place for 6 and 10 year old impressionable children and has had very negative impact on the children.

I ask that the court allow the children to temporarily stay with me until the court can review the motions and contempt and make an educated decision on these matters.

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): Spokane, Washington Date: 06/01/2023 _


Person making this motion signs here

Aaron Surina

Print name here

I agree to accept legal papers for this case at the following address (this does **not** have to be your home address):

PO BOX 30123, Spokane, WA 99223

street address or PO box

city

state

zip

(Optional) email: _____