CN: 201703018170

SN: 496

PC: 4

FILED 2023 JUL -3 P 4: 16

JUL 0 3 2023 TIMOTHY W. FITZSFRALD SPENANE COUNTY CLERK

TIMOTHY W. FITZGERALD SPOKANE COUNTY CLERK

Superior Court of Washington, County of SPOKANE

In re: ?

Petitioner/s (as listed on the parenting/custody order):

SIRINYA SURINA

And Respondent/s (as listed on the parenting/custody order):

**AARON SURINA** 

No. 17-3-01817-0

Motion for Temporary Order Preventing Move with Children (Relocation) (MTPM)

## Motion for Temporary Order Preventing Move with Children (Relocation)

## 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 <a href="www.courts.wa.gov">www.courts.wa.gov</a>.

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:

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.

RCW 26.09.480(2), .510(1) Form (06/2018) FL Relocate 725 Motion for Temporary Order Preventing Move with Children p. 1 of 4

2.	I have a court order giving me a legal right to spend time with the following children:								
	Child's name	Age		Child's name	Age				
	1. DAVID	10	4.						
	2. ANDREW	7	5.						
	3.		6.						
3.	The other parent (or non-parent custodian) (name): SIRINYA SURINA (check one).  plans to move with the children on (date):								
<b>4.</b> 5.	Objection I am filing with this motion, an Amended Objection about Moving with Children and Petition about Changing a Parenting/Custody Order (Relocation) (form FL Relocate 721).  Request								
	I ask the Court to order the other parent (or non-parent custodian) to								
	<ul><li>☐ not move with the children.</li><li>☑ return the children.</li></ul>								
	Warning to the parent (or non-parent custodian) who intends to move!  If the hearing on this motion is scheduled to be held within 15 days of the day you are served with the Objection about Moving, you must not move with the children before the hearing unless the special circumstances described in RCW 26.09.460(3) apply.  RCW 26.09.460(3) says: "If a person intending to relocate the child is relocating to avoid a clear, immediate, and unreasonable risk to the health or safety of a person or the child, notice may be delayed for twenty-one days."								
Rea	asons for request								
6.	Late or no notice of move								
	☐ Does not apply.								
	☐ I have <b>not</b> received a <i>Notice of Intent to Move with Children</i> from the other parent (or non-parent custodian).								
	☑ I received a Notice of Intent to Move with Children from the other parent (or non-parent custodian) on (date): 06/16/2023 This is late notice because I received it after the legal deadline and without good legal reasons to justify delay. (See RCW 26.09.440.)								
	I was substantially prejudiced by the late notice or lack of notice. (Explain how getting late notice or no notice put you in an unfair position):  The petitioner stated she has not moved, is still living in the house etc on June 23rd, Her								
	notice or no notice put you in a	not moved, is st	tilÍ living	in the house etc on June	e 23rd, Her				
	notice or no notice put you in a	not moved, is st	till living	-					

-	The Petitioner is essentially asking to keep receiving support as a stay a home mother, and I shouldn't have to				
-	1				
-	Move happened without agreement, court order or proper notice				
E	Does not apply.				
2	<ul> <li>The other parent (or non-parent custodian) already moved with the children and:</li> <li>I did not agree to the move;</li> <li>There was no court order allowing the move; and</li> </ul>				
	The other parent (or non-parent custodian) did not give proper notice of the move.				
ľ	Move unlikely to be approved				
	☐ Does not apply.				
[	The court is unlikely to approve the planned move at trial. Even though the law presumes that the move will be allowed, I can show that the move would cause more harm to the children than good to the children and the parent (or non-parent custodian) who wants to move. My reasons for believing this are based on the factors in RCW 26.09.520, as explained in my <i>Objection</i> .				
1	No reason to move now				
Ι	☐ Does not apply.				
	Whether or not the move will be approved at trial, the circumstances don't justify allowing the move before the court makes a final decision.				
	Explain: The petitioner works 6 days a week regardless of the claims that she only				
	spends 20 minutes a week at her business. She's the sole proprietor of the				
	lounge and bar. I am a stay at home Dad, I follow the court's rules and I am asking				
	the court to order my motion to block the children relocating temporarily as it will provide a Please consider my amended parenting plan temporarily until the court can hear the facts and decide the case as the law provides.				
. /	Active duty military				
(	The <b>federal</b> Servicemembers Civil Relief Act covers:				
	<ul> <li>Army, Navy, Air Force, Marine Corps, and Coast Guard members on active duty;</li> <li>National Guard or Reserve members under a call to active service for more than 30 days in a row; and</li> </ul>				
S	commissioned corps of the Public Health Service and NOAA. The state Service Members' Civil Relief Act covers those service members listed above who are either stationed in or residents of Washington state, and their dependents, except for the commissioned corps of the Public Health Service and NOAA.)				
	None of the other parties are covered by the state or federal Service Members' Civil Relief Acts.				
[	☐ (Name): is covered by the ☐ state ☐ federal Service Members' Civil Relief Act.				
m (0	6.09.480(2), .510(1) Motion for Temporary Order 6/2018) Preventing Move with Children 10.00 p. 3 of 4				

	For persons covered only by the state act – Military duty may keep the service								
	ask the court to approve	om responding or coming to the temporary orders even if the contract the contract of the contract of the temporary and the contract of the con	covered person ask	s for a					
11. Other	information (if any)								
See de	See declaration filed contemporaneously with this motion.								
_									
Person filii	ng this motion fills out	t below							
	der penalty of perjury und this form are true.	ler the laws of the state of Was	hington that the fac	cts I have					
Signed at (c	ity and state): Spokane,	Washington	Date: 6/28/2023	3					
▶ AARON	SURINA	AARON SURINA							
Person filing t	this motion signs here	Print name							
I agree to ac	cept legal papers for this	case at (check one):	' S						
my lawye	er's address, listed below	. >							
	ving address (this does <b>n</b>	ot have to be your home addre	ess):						
PO BO	X 30123, SPOKANE, W	/A 99223							
	dress or PO box	city	state zip						
(Optiona	<i>I</i> ) email: <u>LEGAL@SURII</u>	NA.ORG							
use the No Form (FL /	otice of Address Change form (	ends, you <b>must</b> notify all parties and FL All Family 120). You must also up lves parentage or child support.)							
Lawyer (ii i	arry, rins out below.								
Lawyer signs	here	Print name and WSBA No.	Date						
-	et address or PO box	city	state zip						
Email (if appli	icable):								
medical, and the court, the	confidential reports, as describe other party, and the lawyers in	are available for anyone to see unlibed in General Rule 22, <b>must</b> be sean your case. Seal those documents 0, 012, or 013). You may ask for an or	aled so they can only b by filing them separate	e seen by ly, using a					