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TIMOTHY W. FITZGERALD
SPOKANE COUNTY CLERK

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TIMOTHY W. FITZGERALD
SPOKANE COUNTY CLERK

**Superior Court of Wash ington,
County of Spokane**

In re: contempt, motion for pp mod, objection

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

Sirinya Surina

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

Aaron Surina

No. 17-3-01817-0

RESPONDENT'S RESP DEC TO PET'S

**Affidavit of Aaron Surina in response to declaration of
Petitioner re notice of intent to move with children**

I, Aaron Surina, age 46, the Respondent and Father in this case, hereby submit this affidavit as the legal representative of Aaron Surina, myself, and my two sons, David (11) and Andrew (7). I respectfully present this document in support of my objection to the relocation of the children and as a response to the petitioner's declaration advocating her intent to relocate.

The petitioner's claim, as stated in their declaration most recently filed and signed July 21, 2023 are moot. The facts are that she did move, did not provide any sort of notice

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or even a heads up to begin to try to prepare for such a change in working conditions, hours available and more.

In response to Sirinya's declaration, I must assert that her claims regarding initiating and facilitating all medical and dental appointments are misleading. I have actively worked at the hospital for 8 years and have been extensively involved in organizing both my children's and her medical appointments, including pre-natal care and dental appointments.

The dentist she mentioned is a friend of my co-worker from Providence, Christopher Polito, who retired from the Air Force and is well-regarded. Additionally, the doctors at Providence are part of the healthcare insurance package I used to provide for Sirinya and the children, as advised by the court. However, I must clarify that the court was misled or misunderstood, as Sirinya has not fulfilled her obligation to provide insurance for the children despite being able to do so.

Furthermore, the claim that Sirinya waited to move after my objection is baseless. I filed the objection without her providing any notice of intent to move. In fact, she moved without any conversation about the move or any notice to me. Had I not filed the objection, she likely would not have filed the notice, leaving the parenting plan subject to her unilateral decisions, potentially cutting off my access to the children.

Moreover, I must address Sirinya's emotionally abusive behavior towards the children. She has prevented them from communicating with me on Xbox and has resorted to traumatic measures like cutting the power while they were talking to me. Additionally,

she manipulates the children, making them lie to me and disobey my requests. Such behavior is detrimental to the children's well-being and should not be tolerated.

Regarding the proposed relocation, Sirinya's claims of a minor increase in commuting time are false. The move would result in over an hour of commuting round trip to take my oldest son to school, making it very difficult if not impossible for me to maintain my job without taking further pay decreases or change roles entirely. I am not sure if that is even an option. There is little time to figure any of that out. It would have been nice to know when they went into escrow a few months ago instead of a couple weeks ago.... Furthermore, the relocation would disrupt the children's education, social network, and access to a supportive school environment. The current arrangement, as outlined in my parenting plan, addresses these issues and provides stability and support for the children.

In conclusion, I urge the court and opposing counsel not to delay this case, as the well-being of the children is at stake. Sirinya's move without notice and her attempts to undermine my parenting rights and the children's access to a stable and nurturing environment demand immediate attention. My parenting plan offers solutions that cater to the children's best interests while considering both parties' needs. It is crucial to act swiftly to protect the children from further emotional distress and ensure their well-being is prioritized.

In light of the petitioner's actions, I hereby object to the petitioner's unilateral decision to relocate without providing proper notice or seeking the court's approval.

In conclusion, it is evident that the petitioner's arguments primarily revolve around financial considerations, and her intent with relocating had little to nothing to do with any part of the children improving. In fact just about every aspect of her relocation left our children out of the equation which is evident by the commute she expects to increase for me when the commute for her is the same to come to Spokane and actually more convenient for her. She hasn't even considered the distance of the schools and commuting both of them however. That's odd also. When she has to drive all the way into town in Cheney, which is another 20 minutes on the other side of her house from me, and then turn around and drive back towards Spokane and out of the way to the elementary school, she may find it is a lot easier and more appropriate to allow them to remain in school in Spokane where the two schools are literally 45 seconds instead of 45 minutes apart. This "only a couple minutes difference" is totally misleading the court. The relocation takes her commute to work into consideration while disregarding the impact on the children's education, stability, and structured environment. The petitioner's misleading statements, lack of consideration for the children's best interests, and disregard for proper legal procedures necessitate the court's intervention. I implore the court to grant my objection to the relocation even though she's already decided to relocate and accept my proposed parenting plan and prioritize the children's well-being and access to quality education, while maintaining stability in their lives.

I incorporate the exhibits in my affidavit filed July 24th as well. The messages between my oldest son and myself Saturday the 22nd of July, 2023 where he advised that his mother would take his xbox access away if she caught him talking to his father (me). . This is also abuse and an aggravated form of it that my children do not deserve and should not have to endure any further. There is no need to maintain that type of hatred or vitriol with our children. See Exhibit A.

Furthermore, I hereby request that all exhibits filed with my affidavit, which was notarized on July 7th, be incorporated herein for the purpose of providing additional supporting evidence and context to the matters discussed. These exhibits are integral to a comprehensive understanding of the objections raised and will further demonstrate the validity of my concerns regarding the petitioner's relocation.

I, Aaron Surina, do affirm under penalty of perjury under the laws of Washington that the aforementioned request to incorporate exhibits is true and accurate to the best of my knowledge and belief.

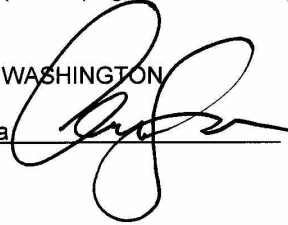
I, Aaron Surina, do solemnly declare under penalty of perjury under the laws of Washington that the foregoing is true and correct to the best of my knowledge and belief.

Executed on this 24th day of July, 2023 in Spokane, Washington

I declare under penalty of perjury under the laws of the state of Washington that the facts I have provided on this form (and 2 page attachments) are true.

Signed at: SPOKANE, WASHINGTON

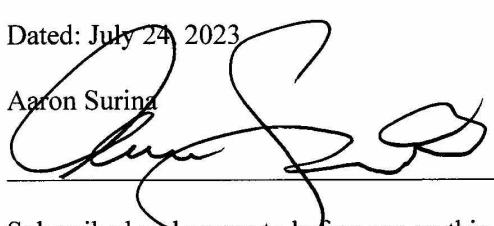
Date: JULY 24, 2023


/s/ Aaron Surina
Sign here

AARON SURINA
Print

name

Dated: July 24, 2023

Aaron Surina


Subscribed and sworn to before me on this 24th day of July, 2023, by Aaron Surina, who is personally known to me or who produced his ID – [Driver license #AD012526X] as identification.

Notary Public Name: Nikki Jones

Notary Public Commission Expiration Date: 07/24/2027

Notary Signature

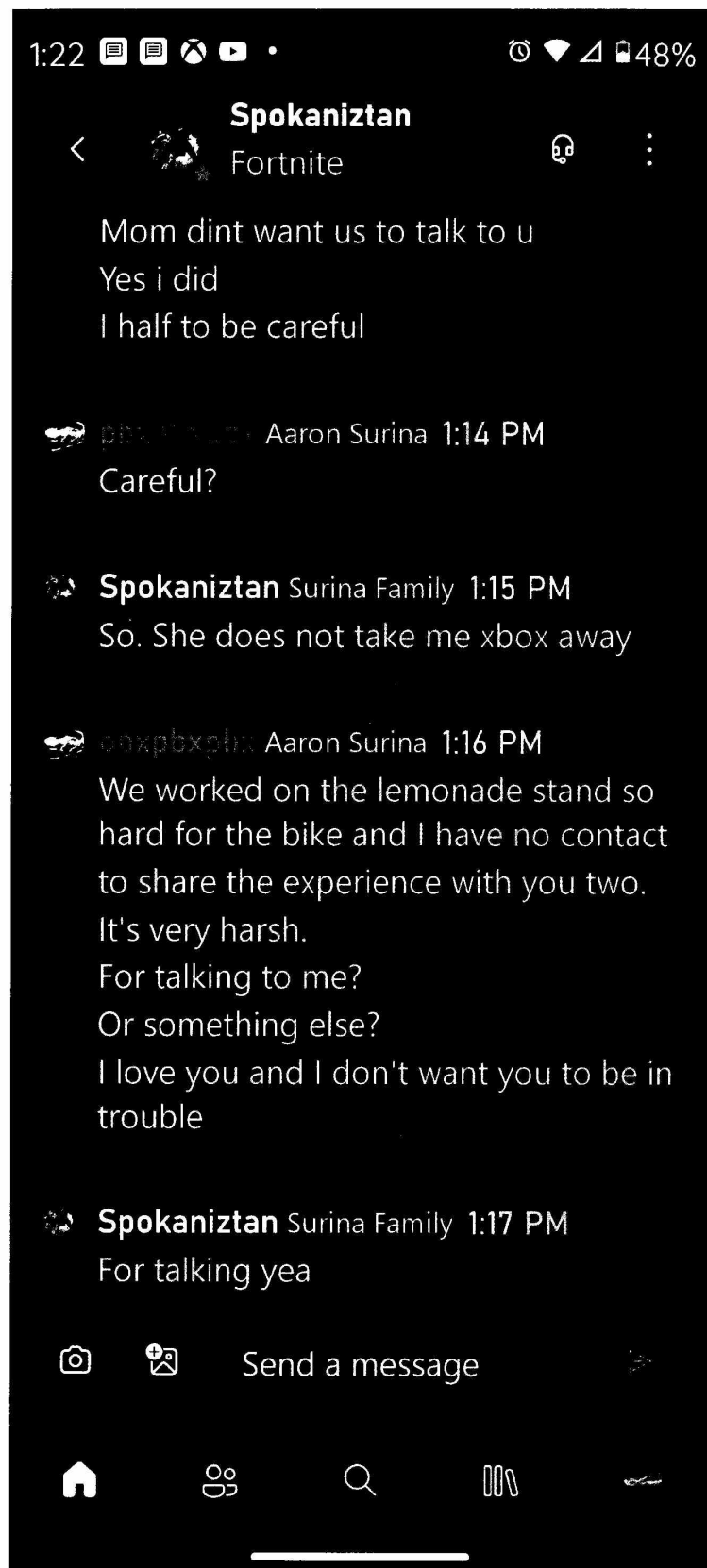


Exhibits:

Exhibits:

As evidence in this civil case pending in the Washington Superior Court, I hereby submit the following image as Exhibit A, obtained on July 22, 2023, at approximately 1:15 PM Pacific Standard Time. This image depicts a conversation on Xbox messaging between my son and me (DMS and Aaron Surina, the respondent), wherein he expresses his fear of his mother taking away his Xbox if she discovers him talking to his father. This communication is pertinent to the issue at hand, as it demonstrates the petitioner's intent to restrict and block communication between the children and myself, their same sex parent, father and #1 role model.

I affirm under penalty of perjury that this image has not been altered or manipulated in any way and represents the actual conversation that occurred between my son and me on the specified date and time. I further assert that this evidence is relevant to the disparaging discussions initiated by the petitioner and the existence of a restraining order in the final parenting plan, which currently limits the children from calling either parent while in the custody of the other parent. This exhibit is essential to support my claim for the protection of the children's emotional well-being and their right to maintain meaningful contact with both parents. See image on page 8.



(EXHIBIT A)