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**FILED**

**MAR 1 2024**

TIMOTHY W. FITZGERALD  
SPOKANE COUNTY CLERK

**Superior Court of Washington, County of Spokane**

**In re: Relocation w/o notice**

Petitioner: **Sirinya Surina**

And Respondent: **Aaron Surina**

**No. 17-3-01817-0**

**Request to take Judicial Notice**

**RESPONDENT'S REQUEST FOR JUDICIAL NOTICE UNDER EVIDENCE RULE 201/401**

I, Aaron Surina, being duly sworn, declare under penalty of perjury under the laws of the State of Washington that the following is true and correct:

To the Honorable Presiding Judge (K. P. Balupicki)

I, Aaron Surina, Father of DMS and AAS and the Respondent in the above-entitled case, respectfully submit this Request for Judicial Notice pursuant to Washington Rules of Evidence (ER) 201 & 401 (Relevant Evidence). I ask this Court to take judicial notice of the following facts, which have a direct and significant impact on the custody matter before the Court:

**Relevant Facts for Judicial Notice**

Pursuant to RCW 26.09.220 and established legal precedents, the Respondent humbly requests that this Court take judicial notice of the incontrovertible facts presented in this case, which conspicuously illustrate the Petitioner's persistent failure to adhere to court orders, the statutory requirements of the State of Washington, and the paramount welfare of the children involved.

**Affiant: Aaron Surina**  
**Respondent (Father)**

Affiant: Aaron Surina

Notarized Request to take jud notice  
Case# 17-3-01817-0

**Flagrant Disregard for Relocation Statutes:** The Petitioner's actions contravene Washington's relocation statutes (specifically RCW 26.09.520), as elucidated in the landmark case **In re Marriage of Black, 188 Wn.2d 292 (2017)**, where the court underscored the criticality of adhering to relocation procedures to safeguard the children's interests and ensure fairness to both parents.

**Non Compliance with court's orders:** The repeated sanctions against the Petitioner for non-compliance reflect a grave disrespect for the judicial process and an adverse impact on the children's well-being. **In re Marriage of Littlefield, 133 Wn.2d 39 (1997)**, illustrates the Court's stance on non-compliance with court orders and underscores the necessity of upholding these orders to maintain the integrity of legal proceedings and protect the best interests of the children.

The Petitioner's unilateral decision to relocate without proper notice and in defiance of previous court orders mirrors the adverse actions penalized in this pivotal case.

**Evasion of Financial Obligations and Legal Accountability:** The Petitioner's refusal to provide essential financial documentation and comply with court-ordered financial responsibilities is reminiscent of the circumstances in **In re Marriage of Rockwell, 141 Wn.App. 235 (2007)**, where the court emphasized the necessity for transparency and compliance in financial dealings to ensure equitable resolution and the children's welfare.

**Contempt of Court:** **In re Marriage of Rider, 177 Wn.2d 224 (2013)**, illustrates the Court's stance on non-compliance with court orders and underscores the necessity of upholding these orders which are the court's intention to protect the best interests of the children.

**Refusal to share the children or allow children to communicate with their father.**

**Punishing children/Taking xbox away for playing or messaging with their father:**

Additionally, the refusal to facilitate the relationship or communication between the other parent and children, as highlighted in **In re Marriage of Farr, 76 Wn. App. 246 (1994)**, further demonstrates the harmful effects of such behavior on the children's

well-being and underscores the importance of fostering healthy parent-child relationships.

**Unilateral Actions Detrimental to the Children's Stability:** The unwarranted changes inflicted upon the children's living and educational arrangements by the Petitioner are detrimental, underscoring principles outlined in **In re Marriage of Griswold, 112 Wn.App. 333 (2002)**, where the court held that actions disrupting children's stability and educational environments are contrary to their best interests.

**Misuse of Legal Resources and Neglect of Children's Needs:** The Petitioner's proclivity for legal confrontation over amicable resolution, especially when such actions detract from the children's needs and financial security, is contrary to the ethos promoted in this honorable court, which criticizes using legal proceedings as a tool for personal vendetta at the expense of children's welfare.

**Conclusion:**

Therefore, in light of these facts and legal precedents, the Respondent respectfully implores the Court to take judicial notice of the Petitioner's consistent disregard for legal norms, court orders, and, most importantly, the children's best interests.

The Respondent pleads for a decision that reinstates the fundamental principles of justice, equity, and the paramount welfare of the children.

Very Respectfully submitted,

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Aaron Surina  
Executed on this 18 day of March, 2024  
Aaron Surina  
PO BOX 30123  
Spokane, WA 99223  
707-200-4372

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Affiant: Aaron Surina  
Respondent (Father)

Affiant: Aaron Surina

p. 3 of 4

Notarized Request to take jud notice  
Case# 17-3-01817-0

**NOTARY BLOCK**

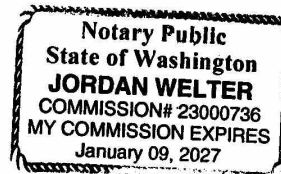
Subscribed and sworn to (or affirmed) before me on this 1<sup>st</sup> day of March, 2024,  
by Aaron Surina, proved to me on the basis of satisfactory evidence to be the  
person who appeared before me.

**Notary Public for the State of Washington**

DECLARATION DATE: 3/1/2024

FULL NAME: Jordan Welter

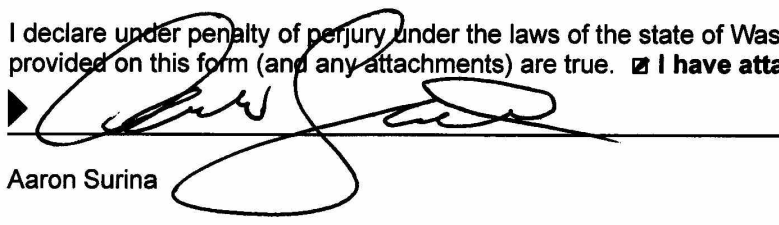
COUNTY OF SPOKANE



My commission expires: January 09, 2027

  
Notary Signature

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 : 1 pages.

  
Aaron Surina

Signed at : Spokane, Washington \_\_\_\_\_

Date: 3/1/2024

Sworn and subscribed attached Document:

Affiant: Aaron Surina  
Respondent (Father)

Affiant: Aaron Surina

p. 4 of 4

Notarized Request to take jud notice  
Case# 17-3-01817-0

## JUDICIAL NOTICE OF ADJUDICATIVE FACTS

**(a) Scope of Rule.** This rule governs only judicial notice of adjudicative facts.

**(b) Kinds of Facts.** A judicially noticed fact must be one not subject to reasonable dispute in that it is either (1) generally known within the territorial jurisdiction of the trial court or (2) capable of accurate and ready determination by resort to sources whose accuracy cannot reasonably be questioned.

**(c) When Discretionary.** A court may take judicial notice, whether requested or not.

**(d) When Mandatory.** A court shall take judicial notice if requested by a party and supplied with the necessary information.

**(e) Opportunity To Be Heard.** A party is entitled upon timely request to an opportunity to be heard as to the propriety of taking judicial notice and the tenor of the matter noticed. In the absence of prior notification, the request may be made after judicial notice has been taken.

**(f) Time of Taking Notice.** Judicial notice may be taken at any stage of the proceeding.

[Adopted effective April 2, 1979.]

Comment 201

[Deleted effective September 1, 2006.]

EXHIBIT (A)