

CN: 201703018170

SN: 595

PC: 5

FILED

MAR 28 P 4: 24

TIMOTHY W. FITZGERALD
SPOKANE COUNTY CLERK

FILED

MAR 28 2024

TIMOTHY W. FITZGERALD
SPOKANE COUNTY CLERK

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

In re: OBJ RELO - PET MOD
CUST

Petitioner:

Sirinya Polarj (Surina)

And Respondent:

Aaron Surina

No. 17-3-01817-0

**Motion for sanctions and
order to correct or withdraw
false statements submitted to
the Court
(MT)**

**AFFIDAVIT of Truth in Motion for Sanctions Against Counsel and to
Correct or Withdraw False Statements Submitted to the Court**

I, Aaron Surina, being duly sworn on oath, depose and state that COMES NOW the Respondent, Aaron Surina, appearing pro se, respectfully submits this Revised Motion for Sanctions Against Counsel and to Correct or Withdraw False Statements Submitted to the Court, and as grounds therefore states as follows:

Introduction

Your Honor, before this esteemed court, I present a plea for justice marred by the shadow of deception. The fraudulent conduct of the Petitioner's counsel, Stanley

Case: 17-3-01817-0

MOTION FOR SANCTIONS & ORDER

AARON SURINA -

PO BOX 30123, SPOKANE, WA 99223 -

707-200-4372 -

legal@surina.org

Page: 1 of 5

Kempner Jr., has tainted the sanctity of these proceedings, inflicting irreparable harm upon myself, a pro se litigant striving for fairness and integrity in the pursuit of justice for my cherished children.

Factual Background

As a devoted father committed to the well-being of my children, AAS and DMS, I stand before you, burdened by the weight of legal battles waged alone, without the resources to secure legal representation. Yet, in my journey for justice, I have encountered deceit and obstruction orchestrated by Mr. Kempner, who knowingly perpetrated falsehoods and attempted to manipulate the course of these proceedings to his advantage.

Mr. Kempner's egregious actions include falsifying his certificate of service, falsely asserting the occurrence of a modification of custody trial on March 12, 2024, and proposing findings and facts from this purported trial. Furthermore, during the hearing, Mr. Kempner endeavored to reopen matters settled on September 14, 2023, where his client faced sanctions, refusing to acknowledge the inherent right to modification of custody, even within the same school district in Washington State.

Legal Standard

Your Honor, I beseech your attention to the gravity of Mr. Kempner's transgressions, which not only breach ethical standards but also contravene Washington State statutes and rules governing legal proceedings. His conduct strikes at the heart of justice, eroding trust and fairness within this courtroom.

Washington State statutes, including RCW 9A.72.020, unequivocally condemn perjury, a grave offense punishable by law. Additionally, Rule 3.3 of the Washington Rules of Professional Conduct (RPC) mandates attorneys to uphold the utmost integrity in their dealings with the court, a duty egregiously flouted by Mr. Kempner.

Case Law

Caselaw such as *In re Disciplinary Proceeding Against Ritter*, 139 Wn.2d 536 (1999), underscores this court's authority to impose sanctions on attorneys for misconduct, including the submission of false evidence or misrepresentations to the Court. In *In re Disciplinary Proceeding Against Schafer*, 113 Wn.2d 454 (1989), this court held attorneys as officers of the court with a solemn obligation to uphold the integrity of the legal system, emphasizing the repercussions of failing to do so. Furthermore, the precedent established in *State v. Johnson*, 146 Wn.2d 582 (2002), underscores the paramount importance of maintaining the integrity of legal proceedings and sanctioning individuals who engage in fraudulent conduct that undermines the judicial process.

Argument

Your Honor, I implore this court to consider the profound ramifications of Mr. Kempner's actions on the integrity of these proceedings and the rights of an unrepresented litigant. As an officer of the court, Mr. Kempner's betrayal of trust and flagrant disregard for ethical obligations cannot be overlooked or excused. By knowingly submitting false statements and attempting to manipulate the outcome of this case, Mr. Kempner has not only violated his ethical obligations but has also attempted to deprive a pro se litigant of a fair and just resolution. Such egregious behavior must be met with swift and decisive action.

Conclusion

In light of the foregoing, Your Honor, I respectfully request that this court exercise its authority to sanction Mr. Stanley Kempner Jr. for his misconduct. Justice demands accountability, and it is imperative that Mr. Kempner be held responsible for his unethical actions. Furthermore, I urge the court to order corrections to the false statements and ensure that fairness and integrity prevail in these proceedings.

Mr. Kempner for his fraudulent conduct, including but not limited to ordering corrections to false statements, directing Mr. Kempner to withdraw the unethical submissions, and imposing appropriate disciplinary measures.

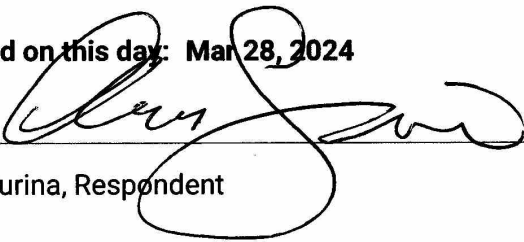
This Motion is submitted to address the alarming discovery of fraudulent conduct by the Petitioner's new counsel, Stanley Kempner Jr., of Kempner Law, located at 900 N. Maple #200, Spokane, WA 99203.

Based on the foregoing, Respondent respectfully requests that this Motion be granted in full, and for any other relief the Court deems just and appropriate to rectify the harm caused by Mr. Kempner's fraudulent conduct.

And respectfully request that this honorable court include and consider all submissions signed by me in the motion for trial or reconsideration. It is my sincere belief that a thorough review of these documents will elucidate the necessity of revisiting and, potentially, revising the current custody arrangement to truly serve the best interests of my children, AAS and DMS.

I affirm, under penalty of perjury under the laws of the State of Washington, that the foregoing is true and correct.

Executed on this day: **Mar 28, 2024**



Aaron Surina, Respondent

NOTARY BLOCK

Subscribed and sworn to before me on this 28th 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:

FULL NAME: _____

COUNTY OF SPOKANE

My commission expires: _____

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 : __ pages.

Aaron Surina

Signed at : Spokane, Washington

Date: 3/28/2024

Sworn and subscribed attached Document:

Documents: _____

Date: March 28, 2024

CERTIFICATE OF SERVICE

I hereby certify that on this day, I had a copy of this Motion for Reconsideration served on the opposing party/counsel via personal delivery.

Aaron Surina