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FILED

AUG 30 2024

TIMOTHY W. FITZGERALD
SPOKANE COUNTY CLERK

Superior Court of Washington, County of Spokane

In re the marriage / domestic partnership of:
Petitioner:

SIRINYA SURINA

And Respondent:

AARON SURINA

No. 17-3-01817-0

Motion for Immediate Restraining Order
(Ex Parte)
(MTIRO)

Motion for Immediate Restraining Order (Ex Parte)

Use this form in marriage/domestic partnership cases only. For other cases, use FL Parentage 321, or FL Modify 621, depending on the type of case.

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:

You must ask the court to sign the *Immediate Restraining Order (Ex Parte) and Hearing Notice (FL Divorce 222)*. 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 *Immediate Restraining Order* personally served (by someone else) on the other party.

RCW 26.09.060, CR 65(b)
Mandatory Form (06/2024)
FL Divorce 221

Motion for Immediate
Restraining Order (Ex Parte)
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ORIGINAL

FamilySoft FormPAK PL 2024

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, and propose your own *Parenting Plan* or *Child Support Worksheets*.

If the court grants an *Immediate Restraining Order* without notice to you, you can file a motion to change or terminate it before the hearing date. (Civil Rule 65(b).) There is no pattern form for that motion.

1. I am the Petitioner. I am asking for an *Immediate Restraining Order* against my spouse/domestic partner.

I want my children under 18 to be protected by the order:

Child's name	Age
1. David Michael Surina	12
2. Andrew Alex Surina	8

2. I ask the court to approve an *Immediate Restraining Order* to protect me and/or my children. Without this Order, my children or I could be hurt or suffer damage or loss immediately. This harm could be irreparable.

See accompanying declaration

3. Notice

I **have** notified the other side that I am asking for an *Immediate Restraining Order*.

By e-mail to him notifying him of the date and time that this motion is to be heard. See attached e-mail.

4. Court hearing request

I ask the court to approve an *Immediate Restraining Order* now, and hold a hearing within 14 days to consider all of my requests for temporary orders listed below. I will have my spouse/domestic partner served with notice of the hearing so the court can hear their side.

5. Active duty military

(The **federal** Servicemembers Civil Relief Act covers:

- Army, Navy, Air Force, Marine Corps, and Coast Guard members on active duty;
- National Guard or Reserve members under a call to active service for more than 30 days in a row; and
- 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.)

My spouse/domestic partner is **not** covered by the state or federal Service Members' Civil Relief Acts.

I ask the Court to approve these orders immediately

6. Do not disturb

Order my spouse/domestic partner not to disturb my peace or the peace of any child listed in **1**.

7. Stay away

Order my spouse/domestic partner not to go onto the grounds of or enter my home, workplace, vehicle, or school, and the daycare or school of any children listed in **1**.

My spouse/domestic partner and I do not live together.

8. Do not hurt or threaten

Order my spouse/domestic partner not to:

- Assault, harass, stalk, or molest me or any child listed in **1**; or
- Use, try to use, or threaten to use physical force against me or the children that would reasonably be expected to cause bodily injury.

Warning! If the court extends this order after a full hearing, the court must consider if weapons restrictions are required by state law; federal law may also prohibit the Restrained Person from possessing firearms or ammunition.

9. Surrender weapons

No request.

10. Care and safety of children until the hearing

Order that the children listed in **1** will live with me until the hearing.

Other:

Immediate return of the children

11. Protect property

No request.

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1 **12. Do not change insurance**

2 No request.

3 **13. Other immediate orders**

4 No request.

5 ***I ask the court to approve these temporary orders at the hearing to stay in effect until the***
6 ***case is done***

7 **14. Extend immediate orders**

8 Extend the immediate orders I asked for above to stay in effect until the case is done.

9 **15. Prohibit weapons and order surrender**

10 No request.

11 **16. Care and safety of children :**

12 Approve the parenting plan proposed by me.

13 **17. Provide Support**

14 No request.

15 **18. Family Home**

16 No request.

17 **19. Use of property**

18 No request.

19 **20. Household expenses**

20 No request.

21 **21. Divide debts**

22 No request.

23 **22. Pay for insurance**

24 No request.

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23. Pay fees and costs

Order my spouse/domestic partner to:

Pay my lawyer's fees for this case. *Amount:* \$2000

Make payments to: Stanley A. Kempner, Jr

24. Other temporary orders

No request.

Reasons for my requests:

25. Why are you asking the court for the orders you checked above?

- If you need additional space use the *Declaration* form FL All Family 135.
- If you are asking for a parenting plan, also fill out the *Information for Temporary Parenting Plan*, form FL All Family 139, and a proposed *Parenting Plan*, form FL All Family 140.
- If you are asking for child support, also fill out the *Child Support Worksheets*. If you have received public assistance for any child in this case, also fill out the *Public Assistance Declaration*, form FL All Family 132.
- If you are asking for any order involving money (including child support), also fill out the *Financial Declaration*, form FL All Family 131, and file the required financial records.
- If you are asking to prohibit weapons or order surrender, give your reasons at the end of this section.
- If you are asking to change an earlier temporary order, give the date of the earlier order and explain how circumstances have changed since then.

See accompanying declaration

Person asking for this order 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: Spokane, WA Date: 8/30/2024

DocuSigned by:

02AEBB04E3F0442
Person asking for this order signs here Sirinya Surina
Print name here

I agree to accept legal papers for this case at my lawyer's address, listed below.

Lawyer (if any) fills out below:

RCW 26.09.060, CR 65(b)
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Lawyer signs here

Aaron Surina

Print name and WSBA No.

8/30/24
Date

900 N. Maple St., Suite 200

Spokane

WA

99201

Lawyer's Street Address or PO Box City

State

Zip

Warning! Documents filed with the court are available for anyone to see unless they are sealed. Financial, medical, and confidential reports, as described in General Rule 22, **must** be sealed so they can only be seen by the court, the other party, and the lawyers in your case. Seal those documents by filing them separately, using a Sealed cover sheet (form FL All Family 011, 012, or 013). You may ask for an order to seal other documents.

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From: sakempner@comcast.net
Sent: Friday, August 30, 2024 12:36 PM
To: Aaron Surina (AMS@surina.org)
Subject: Hearing today at 2:30 pm
Attachments: Motion for TRO and Declaration in support240830.PDF

Mr. Surina:

This is provide you notice that I will be presenting the attached Motion for and Immediate Temporary Order today 8/30/24 before the Ex Parte Court, Rm 202 at 2:30 pm. Attached are the motion and declaration in support of the motion.

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