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FILED

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TIMOTHY W. FITZGERALD
SPOKANE COUNTY CLERK

**SUPERIOR COURT OF WASHINGTON
COUNTY OF SPOKANE
APPELLATE COURT, DIVISION III**

In re: Custody of DMS & AAS

Aaron Surina,
Father of DMS & AAS

Appellant, Petitioner

v.

Sirinya Surina
Respondent

No. 404358

Superior Ct No. 2017-3-01817-32

Order on motion for reinstatement of TRO,
order to admit video evidence, order for
proper service and notice, order reinstating
and scheduling hearing, order to review
procedural irregularities

Case No.: 17-3-01817-0

Commissioner / Trial Court Judge: _____

Date _____

1. Order Reinstating Temporary Restraining Order (TRO)

IT IS HEREBY ORDERED:

1. The Temporary Restraining Order (TRO) previously issued in this case on August 23, 2024 is reinstated effective immediately.
2. The parties shall comply with all terms and conditions of the TRO as previously ordered by the court.

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3. A hearing on the TRO shall be scheduled for September 6, 2024, at TBD in Department of the visiting judge of the Spokane County Superior Court.
4. The parties are directed to appear at the hearing to present evidence and arguments regarding the TRO and any related motions.

2. Order to Admit Video Evidence

IT IS HEREBY ORDERED:

1. The video evidence provided by Aaron Surina as well as Sirinya Surina (both video is from Stanley Kempner is admitted into evidence for the hearing scheduled on September 6, 2024.
2. The Clerk of the Court is directed to retain the thumb drive containing the video evidence in Room 200 until September 3, 2024, at which point it will be made available for review in preparation for the hearing.
3. The parties shall have access to the video evidence and are permitted to review it prior to the hearing.

3. Order for Proper Service and Notice

IT IS HEREBY ORDERED:

1. The Court finds that the recent motion to quash the TRO was served with insufficient notice, which did not allow for a reasonable opportunity to respond.
2. All parties are directed to comply with the Spokane County Superior Court

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Local Rules regarding service and notice, including timely delivery of all motions, pleadings, and orders.

3. Future filings and motions must be served with adequate time for the opposing party to respond, as required by SCLCR 5(d) and SCLCR 6(c).
4. The Court directs that proper procedures be followed for ex parte motions and emergency hearings, including detailed explanations for any urgent requests.

4. Order for Reinstating and Scheduling Hearing

IT IS HEREBY ORDERED:

1. The hearing on the motions filed in this case, including the motion to quash the TRO and related issues, is scheduled for September 6, 2024, at **TBD** in Department of the visiting judge of the Spokane County Superior Court.
2. All parties are required to appear at the hearing and provide their evidence and arguments.
3. Any further motions or pleadings must be filed and served in accordance with the Spokane County Superior Court Local Rules and Washington State Court Rules.

5. Order for Review of Procedural Irregularities

IT IS HEREBY ORDERED:

1. The Court shall review any procedural irregularities, including issues related

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to service and access, to ensure compliance with due process requirements.

2. Any failures to provide adequate access or timely communication will be addressed to ensure that all parties have a fair opportunity to participate in the proceedings.

SO ORDERED this _____ day of _____, 2024

[Judge's Full Name]

Judge, Spokane County Superior Court

[Judge's Signature]

Person who brought this motion:

Aaron Surina

 /S/ 08/29/2024

PS 4/04/24