

(16) REC'D & FILED
MASON CO. WA.
2009 OCT 22 P 3:46
PAT SWARTOS, CO. CLERK
BY MS DEPUTY

Superior Court of Washington
County of MASON

In re the Marriage of:

NICHOLAS W. POUCH

No. 09-3-00261-1

Petitioner,

Declaration of
Brittany Pouch
(Optional Use)
(DCLR)

and

BRITTANY F. POUCH

Respondent.

This declaration is made by:

Name: Brittany Pouch

Age: over 18

Relationship to the parties in this action: Respondent

21

1 ***I Declare:***

2
3 **I. Respondent and Our Daughter**

4 Regarding the abortion I had on December 19, 2008, Nicholas called me a
5 murderer--many times--in front of our daughter (Elizabeth). He also said "How could
6 you KILL a member of our family?!" This was also said in front of our daughter. He told
7 her "I'm sorry your mom is going to kill your baby sister or brother."

8 I always thought I was against abortion too, but when it came down to it, I was in
9 an abusive relationship (trying to get out), and had been manipulated into having sex.
10 Out of fear I had sex, and got pregnant. Out fear I had the abortion. I wasn't thinking
11 clearly, as the abuse I had been receiving had dissolved the structure of my psyche.

12 Nicholas says that my mother and I pressed him to take Elizabeth while we went
13 to Michigan, but it was highly the opposite. I wanted to take her, and I knew if I told him,
14 he wouldn't let me. I told him that I would either leave her or take her, whatever he
15 wanted. He said the only way he was going to let me go was if I took her and I was very
16 relieved.

17 When I went to Michigan in July 2009, Nicholas knew about it. In fact, my
18 parents were so scared of him they asked that I not come unless he knew about it. He
19 gave us permission and knew the dates. I had emailed him the itinerary as soon as I
20 booked the flights. When we got back in August, after 3 weeks, Nicholas was too busy
21 blowing glass for Hempfest (a marijuana smoking celebration) to even see Elizabeth for
22 2 days. In the whole first week we were back, he only saw her for 2 hours one day and
23 for Sat/Sun, where he had a babysitter for both days; he told me this. The sitter, who I
24 know uses methamphetamines, and his violent actions filled me with fear for my
25 daughter's life and I went and got her on August 9, 2009. Since then, I have gotten
advice from several counselors including Turning Point Domestic Violence shelter, and
was advised to do exactly what I have done: keep me and my daughter safe.

In Response to Nicholas Pouch's declaration of approximately September 25,
2009:

19 **II. Respondent's False Accusations**

20 Nicholas says that I physically battered him. That is ridiculous. It did not happen.
21 I (a 5' 8" woman) was way too afraid of him (a 6' 4" man) to attempt any assaults on
him.

22 Nicholas says that I was gone for 6 weeks and only allowed Elizabeth to talk to
23 him rarely. I was gone for just over 4 weeks, which was how long my mom and he
24 agreed on. He knew we were going to be gone that long. I did allow him to talk to our
25 daughter, although I tightened up on that when he began to interrogate and harass her.

He denies threatening my family, but every member can attest to it happening
several times between December 2008 and January 2009.

1 I have never left my daughter with a stranger in her life, and I have never drunk
2 and drove with her in the car. I don't even drink, let alone drink and drive. Nicholas
3 knows this. Nicholas is saying whatever he can think of to turn this around and take the
4 attention away from his abusive behavior. I have never slept in my car with her except
5 for the night we got abused, tried to leave for help, and he blocked us in the driveway.

6 Elizabeth was never with Nicholas for 70% of the time. Even when he had her
7 for the weekend, she was in the care of a babysitter more than 50% of the time.

8 Nicholas said I dismissed the protection order (Mason County Superior Court
9 case #09-2-00816-1) because I knew his witnesses would refute my allegations. Every
10 single one of those people contacted me during the week of that hearing to tell me that
11 they were not taking sides; they still cared about me, and were only being character
12 witnesses for Nicholas. One of them called me and left a message (which I still have)
13 saying that they don't even want to be friends with Nicholas anymore because he has
14 manipulated them so much and tried to pry so much information out of them. People
15 that were there for him in his case against Ms. Baumley would not be there for him
16 again because they realize that in many ways she was a victim as well.

17 Nicholas keeps saying that I am financially unstable. I have always had a job.
18 He is constantly making up his own reality and it doesn't change even if you tell him the
19 truth. He also says that I lived with a drug dealer. That is completely false.

20 I have never been violent or abusive. My daughter is very safe with me and now
21 much happier that I have ever seen her. She is so used to him not being around
22 because he never was when we lived there.

23 III. Life in Michigan

24 My daughter, by 2 years old was a victim of depression. Crying often and when
25 asked why, she said she didn't know; she was just sad. One of our counselors (Dan)
believes that I am suffering from Post Traumatic Stress Disorder, due to the abuse I
have received from Nicholas. Upon hearing Nicholas' voice, seeing him, or sometimes
just by thinking of him, it feels like chemical reactions happen in my brain that change
my mood drastically (anxiety, fear, and paranoia). Only since I have separated
Elizabeth and myself from him, have we improved (and significantly). I ignored him for
much of the time we were in Michigan in July 2009. I have had minimal contact with
him since then. My daughter is much happier. She spends her time singing instead of
crying. She doesn't ever want to talk to her dad, or even bring him up. She used to tell
me, "Don't be sad, mom. Just don't talk to dad, okay? It will be okay. You won't cry
anymore." Now she asks if I'm happy. I tell her "Yes I am." She says "I am too,
mama."

Now that we live in Michigan, the nightmares have stopped. Elizabeth does not
grind her teeth at night, and doesn't tell me not to talk to Daddy. My health is improving
again. Neither of us have anxiety. Elizabeth is surrounded by family and has friends
her age (which we had NONE of in Washington). We have our own place to live.
Elizabeth is attending a story-time club for kids her age twice a week, is enrolled in
swimming classes for the fall, and is in the process of getting into preschool.

1 I am happy to be going back to school this winter, and to be involved in a rock
2 club, as well as a book club. Friends, family, and educational social interaction now
3 surround us. This is a huge improvement from the isolation of living with Nicholas, and
4 the drug-centered, abusive lifestyle that we were once engulfed in. I haven't even been
5 around drugs since we've been in Michigan, which was a daily routine living with
6 Nicholas.

7 I have a protective order in effect against Respondent in Michigan until Sept 14,
8 2010 (see attachment A). This prohibits Nicholas from calling or seeing us. This is a
9 huge relief for me, however Nicholas still hasn't stopped calling. Ignoring the calls
10 definitely makes for less stress than before. Elizabeth and I are safe, and connected
11 here. I am thankful to have a family that is so active and eager to be in our lives. I
12 forgot what it was like to be connected. Nicholas did everything he could to isolate us
13 from friends and family.

14 I will be happy when this divorce/custody process is over, but just getting us out
15 of the abuse is a huge relief.

16 IV. Respondent's Telephone Harassment

17 Here is a glimpse into Mr. Pouch's repetitive phone calls to me. Here I have
18 taken notes from my cell phone history from the months of April 2009-July 2009. These
19 are only the calls I have answered. These do not include missed/ignored calls, or calls
20 that went through to voicemail. I have only included days that he has called (and I have
21 answered) more than 5 times. I have turned my phone off for a day or two at a time
22 because of the harassment, and my phone battery has died several times because of
23 these repetitive calls.

24 April 2009

25 11th- 17 times

12th- 11 times between 8:00 am-noon

14th- 17 times

18th- 11 times

20th- 20 times

21st- 7 times

22nd- 11 times between 11:00 and 6:00 pm

24th- 6 times

25th- 9 times

26th- 9 times (6 calls between 9 and 11 am)

29th- 8 times

May 2009

1st- 8 times

8th-12 times (7 calls between 8 and 9 am)

9th- 15 times (5 between 8 and 9 pm)

1 10th- 9 times
2 12th- 6 times
3 14th- 7 times
4 15th- 27 times (19 calls between 5 and 9 pm)
5 18th- 9 times (8 calls between 1:30 and 2:00 pm)
6 20th- 7 times
7 21st- 11 times
8 22nd- 11 times (7 between 4:30 and 5:30 pm)
9 24th- 19 times (7 between 7:30 and 10:45 pm)
10 25th (my birthday) 11 times (7 between 8 and 9 am)
11 28th- 12 times (9 between 11:30 and 12:30 in the morning)
12 29th- 6 times
13 31st- 10 times

14 June 2009

15 1st- 9 times (all between 10:45 and 11:15 am)
16 2nd- 8 times
17 4th- 32 times (7 between 11:30 and noon, 13 between 3:30 and 5:30)
18 6th- 21 times
19 7th- 13 times
20 8th- 6 times
21 9th-20 times
22 11th-10 times
23 13th-8 times
24 14th- 6 times
25 15th- 8 times (5 between 12:00 and 12:30 pm)
16 16th-15 times (6 between 1 and 1:30 pm)
17 19th- 10 times
18 20th- 10 times
19 27th- 8 times
20 29th-11 times
21 30th- 6 times (5 between 10:30-11:00 am)

22 July 2009

23 2nd- 8 times
24 4th- 6 times
25 7th- 14 times (5 between 3 and 3:20pm)
26 30th- 5 times between 10:00 and 10:10am)
(Elizabeth and I were in Michigan for most of the month and through the encouragement of my family and counselors, I kept my phone off)

27 He called up to 50 times in a row, when I was in Michigan, after being asked to

1 stop. He did this to my parents, as well as to any number I called him from (friends,
2 grandma, etc.)

3 He threatened to make my life hell many times... if I did not get back there and
4 satisfy him because he was lonely and sexually deprived.

5 V. Respondent: Controlling and Intimidating

6 Nicholas has tried to stop me from talking to my family by pulling the phone cord
7 out of the many times, as well as calling them and telling them (friends and family,
8 particularly my mother) not to talk to me or help me at all through my "made up"
9 depression and self pity.

10 His jealous, suspicious behavior resulted in him snooping through my phone
11 history and other things, calling numbers that he didn't recognize, and leaving
12 messages like "you must not be answering because you and Brittany are up to
13 something. I know you've been talking to her." Little did he know, he was calling our
14 mutual friends whom which I sought counsel. When returning from errands, Nick would
15 interrogate me and demand I account for every minute I was gone.

16 There has been constant intimidation (him saying things such as "...or I'll make
17 your life hell."), degrading/belittling my parental authority position, constant calls and
18 isolation from family. I am concerned about the message Respondent communicates to
19 our daughter when he says these things.

20 VI. Further Effect on Elizabeth

21 I had agreed to go to a visit with his sons (children in Baumley and Pouch,
22 Mason County Superior Court case #05-3-00014-4) a few months ago, we had been
23 separated and fighting regularly, but he pressed the subject, saying how bad the boys
24 felt for not seeing me, and that he didn't know what to tell them. On the way to Olympia,
25 he told me about the story of the neighbor, Bill coming over and leaving with his middle
finger up. I said nothing. I feared Nicholas' reaction to anything I could have said. He
would not let it go. For 15 minutes, he pressed me for a verbal reaction, cussing at me,
and demanding an excuse to MY behavior. I kept repeating myself, but that wasn't
good enough for him. Finally, I could not take it anymore. He became so irate; his
mood changed so drastically, I got out of the car and started walking. I walked several
miles, while he continued on to the visit. Elizabeth was in the car the whole time, yelling
to Nicholas to "Stop talking to mama!" This was just one example of Nick's severe
mood swings.

I believe that Elizabeth has been (at least during time spent with Nicholas)
suffering from depression. She cries and tells me she's sad for no apparent reason,
and says she does know why she is so sad. This usually occurs after talking or
spending time with her dad.

She grinds her teeth excessively at night (Nicholas has always denied this, even
when I raised it as a big concern to him...I hear it happening), also a sign of anxiety.

1 This has ceased since she has been away from him. I myself have also suffered from
2 anxiety, depression, and symptoms of Post Traumatic Stress Disorder.

3 I fear Elizabeth seeking out an abusive partner if something isn't done to tame
4 Nicholas' outrage.

5 As a person, he is extremely aggressive and controlling. He is confrontational,
6 manipulative, and has little self control. He will not be told "no" or that he's doing
7 something wrong. He is constantly interrogating me, the children, and my family. The
8 interrogation to his boys (his and Katie Baumley's boys) did not stop even in the
9 supervised visits.

10 He thinks that nothing should be hidden from the children, including his
11 marijuana lifestyle and our arguments. He cusses, yells, interrogates, harasses, sells
12 and smokes marijuana all in front of the children.

13 He sexually harasses me, and in front of our daughter. He is leading her to
14 believe this is the appropriate way for a man to treat his wife. He tells me it's my duty to
15 give him oral sex daily and doesn't care if our daughter is present, he still insists. (I have
16 voiced my opposition to this many times but he ignores it.) He is a workaholic. Working
17 12 hours a day, 365 days a year.

18 Slowly his verbal abuse started to get physical. One time last year an argument
19 had escalated to me frantically calling my parents for help. I took the phone and locked
20 myself in the bathroom with Elizabeth. He broke the door in and grabbed Elizabeth.
21 She was scared to death and less than 2 years old. I ran out, mom on phone. He
22 chased me into the back room, still holding Elizabeth. While trying to grab the phone
23 from me, he slammed my head into the bed board. When I tried to leave the room, he
24 positioned himself in the doorway so I would have to push by him. When I did so, he
25 dramatically threw himself against the wall and onto the ground as if I assaulted him.

Once after verbally abusing me, I tried to ignore him. He stormed out, and I locked
the door behind him because I was afraid of what he might do next. He came back 10
minutes later and kicked the front door in (my step dad had just installed a brand new
door while visiting from Michigan).

He has thrown a trunk full of clothes at me while I was holding our daughter. I
dove out of the way and it put holes in the wall at our home.

He has opened my mail, broke into my car, gone through my phone history, my
checkbook....all after we had been separated for several months. He goes into a rage
when I do not back him up on what I think are idiotic actions and has destroyed my
possessions.

He has driven recklessly many times, with me and my daughter in the car, doing
U-turns, speeding, slamming on the brakes, and driving on the wrong side of the road.
This usually happened when I got out of the car after an argument and started walking.
He would drive along side me, doing anything to not let me have the space I needed.
This has created a very dangerous situation for me and my daughter many times.

VII. Respondent: Isolated

Most people aren't aware of the extent of his anger and aggression. The only

1 people that have gotten a true glimpse have left him. His parents, after being harassed
2 continually for smoking and drinking, and not calling Nicholas enough, moved and
3 changed their number. His siblings told Nicholas that his family wanted nothing to do
4 with him. They now send only the kids birthday cards, with no return address.

5 VIII. Marijuana: Smoking it; Selling it

6 Respondent is a farmer and a glassblower, supplementing his income by making
7 and selling glass pipes. He claims that they are for tobacco use; however Nicholas is
8 strongly against tobacco. The pipes are designed for marijuana smoking. I have
9 witnessed him sell pipes at festivals and then smoke marijuana out of them with the
10 customers that just purchased the pipes. Some of his customers may be medical
11 marijuana patients like himself, but the majority of them are high school aged kids who
12 come to these festivals and buy paraphernalia because they are not old enough to do it
13 in a head shop. I have been watching Nicholas sell pipes for 4 years, he does not
14 check for ID's or medical marijuana permits.

15 He does sell his excess marijuana at the hemp fests, barter fairs, as well as to
16 friends. I have witnessed this many times. He also makes and sells ganja food items at
17 these shows. I have been present when, in one weekend, several hundred (sometimes
18 over 500) treats have been distributed. He also pays people to sell them for him at
19 these shows.

20 He smokes marijuana all day long and doesn't care who is present. He smokes
21 it while driving, and many times our daughter is in the car. He makes hash after his
22 harvests, also making it out of "trim" from other local growers, many of them not medical
23 patients.

24 He drowns our family in the pothead lifestyle. He smokes recreationally, with just
25 about everyone who comes over.

He trims, cures, and smokes marijuana in the presence of our child. Before he
has been ordered to supervised visits with his sons, he did it all in front of them too. He
also makes hash in front of our child. All of the music he plays loudly throughout the
property and in the car is promoting marijuana use as a lifestyle.

IX. Undermining My Authority

In the past year these are some of the things Respondent has said or done:

To Elizabeth (our 2 yr. old daughter):

"Don't believe what your mom says, she doesn't even live here anymore" (when
I did)

"Aren't you sick of your mom dragging you all over hell?"

"Who has she been dumping you on, lately?"

"Your mom is an idiot, and doesn't know what she is doing"

"I'm sorry your mom doesn't want to feed you"

"....change you"

"....take care of you"

1 "It sucks your mom doesn't love me anymore"

2 "...want to be a family anymore"

3 "...wants to take away your home"

4 To me:

5 He has called me every name in the book.

6 "Shut the fuck up, you stupid _____-(fill in the blank with any name you wish, he's used it.)

7 "You better get home and do the dishes"

8 "...your duty"

9 "...clean the house"

10 "Don't be such a hater" (in which Elizabeth repeated to me)

11 "This is not your home, you are not my wife, and you don't deserve anything here."

12 "You don't own any of this"

13 "You aren't making an effort to help yourself; you are just saying you are."

14 "You don't have a home to come back to." Until he needs something from me and then it's:

15 "You better come home and do your duty or I am going to call the cops and...

16 Say you kidnapped our daughter....

17 Say you're psychologically fucked up...

18 He has threatened to destroy my possessions.

19 He has threatened to do these things if I took our daughter to the dentist or tried to get food stamps.

20 He tells me to "shut the fuck up" in front of my daughter. When I discipline her, he tells me "don't treat her like that." Repetitively, this belittles me and weakens my authority position in the eyes of my daughter. She says, "Yeah, mom, don't talk to me like that." He has taught her to call me a hater, an idiot. She defies my instruction after this belittling.

21 Elizabeth has said the following to him:

22 "You can share your house with mama. She can live here, just don't talk to her."

23 "Stop it! "

24 "Don't" ...referring to him yelling and throwing things.

25 Because of him, she has said to me:

"Don't be stupid." (After I hung up on him) I said "who told you I was stupid?" She replied "Daddy."

"When can I smoke? Daddy smokes"

"When can I have a cigarette?.Kyla smokes" (his babysitter)

"Fuck you"...she has also said that to my grandma. Grandma told her never to say that. She said "daddy says it."

X. Atmosphere at Father's Home

I am very worried when Elizabeth is with her dad. Not only is he filling her mind with garbage about me, drug lifestyle, and militant discipline, but he rarely has time for her. He puts her in the care of a neighbor, who has told me herself of her

1 methamphetamine and pill usage, along with daily use of cigarettes and alcohol. This is
2 scary. He thinks its ok because most of the time he is still on the property. He has
3 never taken her to play at a park or with other kids. She either is in care of a drug user,
4 or wandering around the property with all kinds of dangerous things to get into.

5 Nicholas allows people to live in junky vehicles on the property. Many of them
6 are homeless, jobless, drug users. Right now there are 2 people living there; one with a
7 pit-bull, one with a rottweiler, and Nicholas himself having 2 bull mastiffs (hoping to
8 breed them). These are not friendly animals and definitely put my daughter's life at risk.
9 He takes in these jailbirds (with marijuana tattoos) because they are the only people
10 that will let Nicholas control them, work for pot, and have been kicked out of everywhere
11 else.

12 On August 16, 2009, I went out to the house to retrieve some of my belongings
13 and important documents. Nicholas was at the Seattle Hempfest. I was greeted by an
14 unfamiliar aggressive dog (rottweiler), which is owned by a new person living on the
15 property. I had to climb through a window because Nicholas locked me out (knowing
16 that many of my things are there and I don't have a key). The house and property
17 reeked like rotten garbage. The place was trashed with dirty clothes, garbage and
18 moldy dishes. There was paraphernalia (rolling papers, several hand and water pipes
19 with marijuana residue) out in many rooms. I was not surprised to discover 10 empty
20 boxes of Rice Krispies next to the fireplace and pans dirty with ganja butter (butter
21 cooked down w/ marijuana). I recognize this as the aftermath of someone preparing
22 hundreds of ganja treats. Nicholas does this annually to sell at the festival.

23 I also checked his grow room (marijuana)...which had 15 plants (the legal limit
24 for his permit), but was UNLOCKED. This means anyone, including our child could
25 enter at will. On the shop walls, he had hung new posters depicting people smoking
marijuana, and hung a pro-marijuana protest sign in the CHILDREN'S ROOM. All of
these things I have documented with photographs (see attachment B).

Additionally, he is making wine and hash in the kitchen/dining room. Over a
dozen bottles of wine and a still, hash bags and mixer were sitting on or near the table
within reach of any child. I discovered a jar with opium in it, in his bathroom closet.
Nicholas is under close watch by the courts. He has two women trying to take away his
kids. He is already under supervised visits, and yet the setting of his home is still highly
inappropriate for the presence of children.

20 XI. An Abortive Counseling Session

21 Earlier this year, Nicholas and I were seeking counseling at Family Life Skills
22 center in Lacey. After our counselor (whom Nicholas had selected) talked with us
23 together, she realized that she didn't think she could help us. She called us to an
24 appointment with the owner/manager of the center (Dan), and herself. Elizabeth was in
25 the playroom, occasionally peeking her head in to check on us. During one of those
times, I was in tears crying out about the abuse my daughter had been receiving.
Nicholas became irate and started swearing at me and told me to "shut up with all of
that shit." Dan immediately became aware that Nicholas obviously disregards our

1 daughter, and was making her a victim right there in front of them. He said "Nicholas,
2 you are close to having me call Child Protective Services." Nicholas became more
3 irate. At this time Dan asked that I leave the room with our daughter and the other
4 counselor. We went to an office four doors down. I could hear them yelling back and
5 forth. Darcel (the other counselor) was very surprised, saying this never happens.
6 Nicholas stormed out and never went back. When I told him later that I wanted to keep
7 going with him, and that he needed to accept what he was told, he refused, calling the
8 counselors profanities ("they are full of shit," "They don't know what they are talking
9 about, I never did anything wrong," "They should not even have those jobs").

10
11 I declare under penalty of perjury under the laws of the state of Washington that
12 the foregoing is true and correct.

13
14 Signed at _____, [City] _____ [State] on
15 _____ [Date].

16
17 _____
18 Brittany Pouch
19 Signature of Declarant
20
21
22
23
24
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

daughter, and was making her a victim right there in front of them. He said "Nicholas, you are close to having me call Child Protective Services." Nicholas became more irate. At this time Dan asked that I leave the room with our daughter and the other counselor. We went to an office four doors down. I could hear them yelling back and forth. Darcel (the other counselor) was very surprised, saying this never happens. Nicholas stormed out and never went back. When I told him later that I wanted to keep going with him, and that he needed to accept what he was told, he refused, calling the counselors profanities ("they are full of shit," "They don't know what they are talking about, I never did anything wrong," "They should not even have those jobs").

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at Nuviza, [City] MI [State] on
10/22/09 [Date].

Brittany Pouch
Brittany Pouch
Signature of Declarant

Approved, SCAO

Original - Court
1st copy - Law enforcement agency (file) (green)
2nd copy - Respondent (blue)

3rd copy - Petitioner (pink)
4th copy - Return (yellow)
5th copy - Return (gold)

STATE OF MICHIGAN
20th JUDICIAL CIRCUIT
Ottawa COUNTY

(A) PERSONAL PROTECTION ORDER
 EX PARTE
(DOMESTIC RELATIONSHIP)

(B) CASE NO.
Hon. Jon Hulsing
09-0548 S-PP

Court address 414 Washington Avenue, Room 320, Grand Haven, MI 49417

Cour telephone no. (816) 846-8315

ORI
MI- 700025J

(C) Petitioner name
Brittany Faye Pouch
Address and telephone no. where court can reach petitioner
13507 Cone St. Nunica, MI 49448
360-229-5607

Respondent name, address, telephone no., and DLN
Nicholas William Pouch WA
Deckerville rd. Elma, WA 9854
360-229-0610 DLN-unk own

Height 6'4" Weight 160 Race White Sex M Date of birth or age 6/14/73 Hair color brn Eye color blue Other identifying information long dreadlocks

These items must be filled in for the police/sheriff to enter or file. The other items are not required but are helpful. *Needed for entry.

Date: 9-14-2009 Judge: JON A. VAN ALLSBURG no hearing. after hearing.

1. A petition requested respondent be prohibited from entry onto the premises, and either the parties are married, petitioner has property interest in the premises, or respondent does not have a property interest in the premises.

2. Petitioner requested an ex parte order, which should be entered without notice because irreparable injury, or damage will result from the delay required to give notice or notice itself will precipitate adverse action before the order can be issued.

Respondent poses a credible threat to the physical safety of the petitioner and/or a child of the petitioner. Respondent is the spouse or former spouse of the petitioner, had a child in common with the petitioner, or is residing with the petitioner. Respondent has or had a dating relationship with the petitioner.

Respondent Nicholas William Pouch is prohibited from:

entering onto property where petitioner lives.

entering onto property at 13507 Cone St, Nunica, MI 49448 - 11999 Cleveland, Nunica, MI 49448.

assaulting, attacking, beating, molesting, or wounding Brittany Faye Pouch or Elizabeth Pouch.

removing minor children from petitioner who has legal custody, except as allowed by custody or parenting time order. An existing custody or parenting time order is dated 8-14-2009.

talking as defined under MCL 750.411h and MCL 750.411i that includes but is not limited to:

following petitioner or appearing within his/her sight. appearing at petitioner's workplace or residence.

sending mail or other communications to petitioner. contacting petitioner by telephone.

approaching or confronting petitioner in a public place or on private property.

entering onto or remaining on property owned, leased, or occupied by petitioner.

placing an object on or delivering an object to property owned, leased, or occupied by petitioner.

interfering with petitioner's efforts to remove his/her children/personal property from premises solely owned or leased by respondent.

threatening to kill or physically injure Brittany Faye Pouch or Elizabeth M. Pouch.

interfering with petitioner at his/her place of employment or education or engaging in conduct that impacts his/her employment or educational relationship or environment.

having access to information in records concerning a minor child of petitioner and respondent that will reveal the child's address, telephone number, or employment address or that will reveal the child's address or telephone number.

purchasing or possessing a firearm.

6. As a result of this order, federal and/or state law may prohibit you from possessing or purchasing ammunition or a firearm.

7. Violation of this order subjects respondent to immediate arrest and to the civil and criminal contempt powers of the court.

8. This order is effective when signed, enforceable immediately, and remains in effect until Sept 1, 2010.

9. The court clerk shall file this order with Ottawa County Sheriff Dept who will enter into the LEIN.

10. Respondent may file a motion to modify or terminate this order. For ex parte orders, the motion must be filed within 14 days after being served with or receiving actual notice of the order.

11. A motion to extend the order must be filed 3 days before the expiration date in item 8 or else a new petition must be filed.

9-14-2009 at 5:40pm
Date and time issued

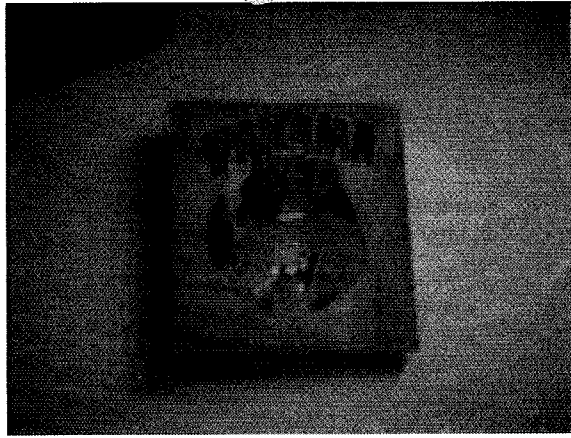
Judge [Signature]
SIGNED IN THE ABSENCE OF
JON HULSING, CIRCUIT JUDGE

Bar no.

1



5



2



6



3



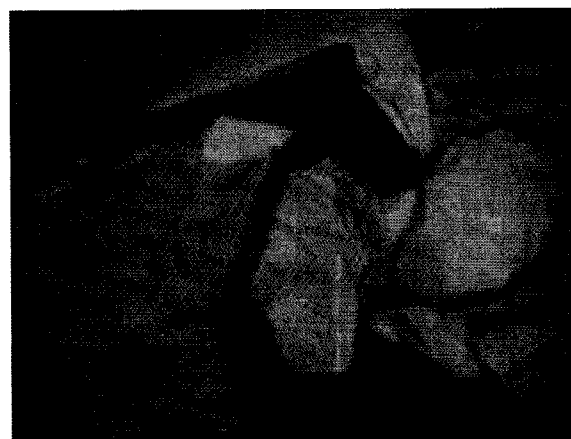
7



4

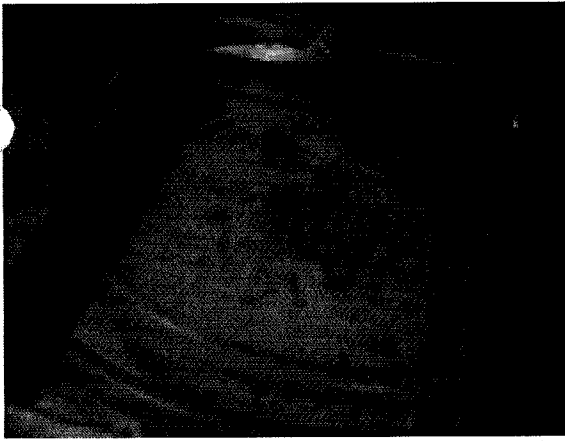


8

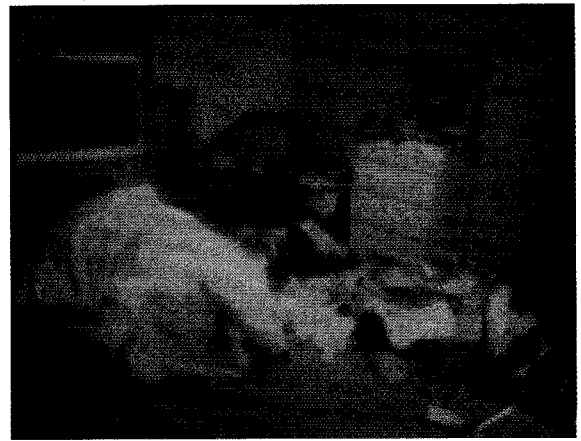


Attachment B-1

9



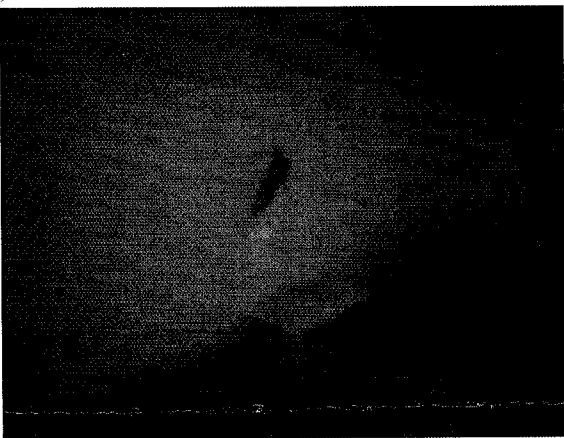
13



10



11



12



All pictures were taken
at Nicholas Pouch's
residence on Aug. 16, 2009
by me, Brittany Pouch.

- 1+5. Marijuana memorabilia hanging in the shop.
2. (10) empty crispie boxes near wood-stove.
3. paraphernalia out in the living room.
4. wine and still on kitchen counter.
6. paraphernalia out in the shop.
7. Seeds, stems, rolling papers, paraphernalia out in bedroom.
8. Hashing making supplies on porch.
9. cake pan on kitchen counter w/ marijuana "crispies" residue.
10. pro-marijuana protest sign hanging in the children's room.
11. 6"x12" hole in the bedroom wall from N.P. throwing a trunk at me + my daughter.
12. opium in jar from bathroom closet,
13. Unsanitary bedroom. B-2