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Hearing Date: 9/14/21
Hearing Time: 9am
Judge/Calendar: Thomas
X Expedite

E-FILED
THURSTON COUNTY, WA
SUPERIOR COURT
09/10/2021 10:59:56 AM
Linda Myhre Enlow
Thurston County Clerk

21-4-00578-34
DCLR 24
Declaration Affidavit
11000913



Superior Court of Washington, County of Thurston

In re:

Petitioner/s (person/s who started this case):
Kathryn and Hans Stoker

And Respondent/s (other party/parties):
Dansen + Onawa
Smith - Wells

No. 21-4-00578-34

Declaration of
(name): Kat Stoker Declaration
(DCLR) Re: 9/14/21 Review Hearing

Declaration of (name): Kat Stoker

1. I am (age): over 18 years old and I am the (check one): Petitioner Respondent
 Other (relationship to the people in this case): _____

2. I declare: Please see attached, submitted under penalty of perjury.

Declaration of Kathryn Stoker Re: 9/14/21 Review Hearing

This declaration will provide necessary updated information to the Court before addressing the pending case issues and proposed orders for presentation.

Updated Situation. As this Court may recall, on July 17, 2021 Selena appeared without warning at our home, and refused to leave without the children, telling us we would need to call the cops if we didn't let her take the children. Additional details are provided in my declaration filed on 7/20/21 and in the police report also filed on 7/20/21, and will be omitted here for brevity.¹ Ms. Smith has been charged with three counts of Assault in the 4th Degree (DV) and one count of Residential Burglary (DV) stemming from the incident. As a result, there are no contact orders prohibiting her contact with Onawa and Hazel², as well as Kathryn Stoker.

As part of her conditions of release, she was ordered to stay in the State of Washington. She was released to her Father, John Smith's, residence. Sometime thereafter, Mr. Smith called my attorney to advise her that Selena was no longer allowed to stay at his home. It is my understanding that she is now homeless, and staying in a homeless encampment in Olympia. I believe there was a hearing on modifying her release conditions in the criminal case, but don't know the outcome.

Emergency Guardianship Orders/Extension of 7/6/21 Order:

Extension of Emergency Guardianship Order: 577/Raven and Onawa. On 7/6/21 this Court granted the Motion for Emergency Guardianship for Raven and Onawa. On 7/29/21 my attorney attempted to present the written order as directed, but because counsel had by then been appointed,

¹ Selena has repeatedly expressed her belief that the Court's Orders are not valid, as well as her disdain for the legal system, especially police. During the incident she repeated those sentiments, and included arguments that both she and John Smith have verbosely made in this case. As such, I do not believe that she is willing to acknowledge and follow Court Orders. For this reason, by the time of the review hearing, my attorney will have filed motions for protective orders for all three of the children for later hearing.

² Fortuitously, the infant, Raven was temporarily with a family member and not at the residence during the incident.

the Court asked for said counsels' signature before entering the Order (from the hearing that occurred prior to the appointment). Selena's appointed counsel was on vacation until 8/24/21. As such, the Emergency Guardianship Order for 21-4-00452-34, which expired on 9/6/21, has been filed for presentation at this review hearing.

60 Day Extension: Raven and Onawa. Also filed under separate cover is another Emergency Guardianship Order for 21-4-00578-34, extending the emergency guardianship (for the first time) 60 days from 9/6/21, to 11/5/21.

First Emergency Guardianship Order: 21-4-00577-34 was stayed pending a UCCJEA conference with Colorado. The Court in Colorado subsequently contacted this Court and ceded jurisdiction to Washington. The Emergency Guardianship Order for Hazel is also set to expire on 11/5/21, in order to mirror the expiration set in the Emergency Guardianship Extension Order for Raven and Onawa.

There is no parent able to currently exercise parenting functions – in addition to mental health and other issues which formed the basis for Selena's inability to exercise parenting functions before she was charged with crimes on 7/17/21, she is now prevented via criminal no contact orders from exercising any parenting functions. Among other concerns, Mr. Wells is unable to exercise parenting functions as a result of incomplete requirements for the DVPO. Hazel's father, Robert Ayers, has not been locatable and can't exercise parenting functions.

Order Appointing Court Visitor. In its 7/29/21 Order, this Court also ordered a Court Visitor appointed but no specific order of appointment or court visitor has been selected. As such, filed herewith under separate cover is a proposed Order.






Declaration for 9/14 Review Hearing - Due noon 9/10/21

Final Audit Report

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