



FILED
LEWIS COUNTY
2020 JUL -7 PM 1:43
SUPERIOR COURT
CLERK'S OFFICE

Superior Court of Washington, County of Lewis

In re:

Petitioner/s (person/s who started this case):

Kathleen Huestis

No. 19-2-00710-21

Declaration of
(name): Tad Stuck
(DCLR)

And Respondent/s (other party/parties):

Tad C. Stuck

Declaration of (name): Tad Stuck

1. I am (age): 55 years old and I am the (check one): Petitioner Respondent
 Other (relationship to the people in this case): _____

2. I declare: *see my attached declaration/statement*

(Number any pages you attach to this Declaration. Page limits may apply.)

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 (number): 60 pages.

Signed at (city and state): Chehalis, WA Date: 07/07/2020

Tad Stuck
Sign here

Tad Stuck
Print name

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

The claimant, Mr. Tad C. Stuck, contends that Ms. Kathy Heustis deceived this court through the filing of a false claim of endangerment. It is the contention of the claimant, Mr. Stuck, that Ms. Heustis engineered the events leading up to and including the fall she claimed occurred at the hands of Mr Stuck. Records indicate that Ms. Heustis has a pattern of finding ways to keep herself in a dwelling for an extended period of time without paying any rent. The claimant contends that Ms. Heustis through this false claim has perpetrated yet another scam to get free rent. This time her scam resulted in the owner of the trailer in which she was staying being kept away from the trailer while she lives there, free of any rent. A pattern she has exhibited many times in the past. (Other local residents and legal resources can attest to this past pattern of deception.)

The claimant contends that when the fall occurred at the trailer, Ms. Heustis had been away from the trailer for three days and the expectation was that she would not return. During this three-day period, Ms. Heustis and her son came to the trailer to get some of Ms. Heustis' personal items. After retrieving some of these items, Ms. Heustis' son called the claimant (Mr. Stuck) and insisted that Ms. Heustis be allowed to return to the trailer because his landlord was making inquiries and he was concerned that having his mother there could cause him difficulty with his landlord. (The truth of his assertion about his landlord has not been ascertained.) It was agreed that she could return, but only on the provision that she would leave again if there were any further upsets. Upon her return, Ms. Heustis immediately began saying whatever she could to elicit an angry reaction from claimant. When claimant asked Ms. Heustis to please honor her agreement to leave if things did not work out, she refused to move. When claimant tried to physically move her chair, Ms. Heustis dropped to the floor and called the police, claiming she was being abused. After she contacted the Sherriff's department, Mr. Stuck was arrested. Following that arrest, Mr. Stuck lost all use of the trailer he owns, loss of all his possessions, loss of use of the land on which the trailer rests (which is owned 50/50 in common with Ms. Heustis).

A restraining order was issued following Mr. Stuck's release from his arrest. The order prohibits Mr. Stuck from being near Ms. Heustis who, since this incident, has inhabited Mr. Stuck's trailer. This situation provides Ms. Heustis with a free dwelling. The claimant contends that Ms. Heustis is not entitled to live in his trailer free of any monthly charge and asks the court to remedy this situation.

A hearing was held related to Mr. Stuck being able to retrieve some of his belongings from his trailer. At the hearing Ms. Heustis was directed by the court to leave certain items (including Mr. Stuck's keys) on a table at Mr. Stuck's trailer. The items were not there when Mr. Stuck went to the trailer at the time that had been arranged. Ms. Heustis did not follow the directions of the court. Mr. Stuck found that Ms. Heustis had removed or otherwise disposed of virtually all of Mr. Stuck's personal property. Mr. Stuck was accompanied by a police officer when he went to the trailer to retrieve his belongings. While there, Ms. Heustis drove up to the trailer. Mr. Stuck

asked the deputy if he would get his keys. When the officer asked Ms. Heustis for the keys, she refused and drove away. The claimant asks the court to hold Ms. Heustis responsible for the cost of replacement of all of claimant's property that was removed without his permission or knowledge and prohibit Ms. Heustis from further removal or destruction of Mr. Stuck's property, including (but not limited to) his trailer. The estimated loss of this personal property is approximately \$10,000. (A detailed list of items and amounts is available.)

The claimant contends that Ms. Heustis contacted the Sherrif's office on multiple occasions to file false police reports involving the claimant's proximity. Each report shows that the police found there was no credible evidence of any wrongdoing on behalf of the claimant. Ms. Heustis has endangered Mr. Stuck's well-being by each of these false reports. The claimant contends that Ms Heustis has demonstrated a pattern of using local law enforcement as a tool of harassment against the claimant and asks the court to prohibit any further filing of false claims from Ms. Heustis.

The claimant contends that Ms. Heustis discharged a firearm at someone approaching her property on foot, that she mistook for the claimant. The conclusion one might draw from this event is a desire to commit serious bodily harm to Mr. Stuck who asks the court to put in place some measure of protection from Ms. Heustis and her family.

Proposed List of Possible Remedies:

- Monetary reimbursement for lost items
- Monthly Payment of Rent for use of Trailer
- Monthly Payment of Rent for use of land
- Restraining Order Prohibiting further false police reports
- Restraining Order to prohibit stalking and harassment
- Order to dispose of property held in common and division of land assets
- Order return of all personal property (may have been dispersed to relatives of Ms. Heustis)

Cause 1: Breach of contract

Sustained campaign of passive/aggressive, belligerent and combative behavior over more than a year

When she became unreasonable she would often say, "Hit me. Go ahead, hit me."

She would purposely aggravate any attempt at conversation by turning her back to me and not answering even basic questions.

For more than a year Kathy claimed I had a relationship with some other woman or even more than one I somehow kept hidden. However, we were almost always together. I usually remained home if she went out. She said I was just like Bill, her previous relationship, the father of her adult son. Bill is an alcoholic and she claimed he had sex with many other women while they were together. I am not an alcoholic and had no other female relationships. She would bring this up repeatedly, questioning my integrity. Later I spoke with Bill who happens to live on Meade Hill road also. He told me that in fact she did these same things to him.

Pattern of fraud, stalking, harassment and slander

She left and was gone 3 days. During this period she came with her son and retrieved some personal items.

Her agreement regarding returning after being away 3 days. Kathy's son contacted me insistently to request she be allowed to return. I was reluctant. He claimed the landlord was "sniffing around" and might cause trouble if she were around. However, the landlord lives out of state. So this was likely a lie. Furthermore, the mother of his girlfriend lived together with them for several years. I would not have allowed her to return without an agreement she would again leave if further problems arose.

Fraudulent claim of abuse, followed by false claim I assaulted her by pushing her out of the chair. She purposely fell forward out of the chair. I did not push her out of it. She purposely fell forward to commit a fraud to get me arrested.

She fraudulently used a cane and leg braces during the hearing to modify the restraining order. She fraudulently used a cane and leg braces during the domestic violence trial.

During the trial when getting down from the witness chair she feigned weakness and inability to step down 6 inches one step to the floor.

The security people, and I mean all but perhaps 1 of them, told me they observed her walking normally and moving normally when getting in and out of her car. They also stated she seemed just fine outside the courtroom but suddenly portrayed great infirmity once she entered.

Fraudulently reported on the day of the domestic violence trial that the person I rode there with was peeping into cars in the parking lot. Therefore a member of the security staff did contact my friend while he dozed in the car we arrived in. This again induced alarm and created stress.

Fraudulently claimed I contacted her through 3rd parties. Whereas alleged third parties were not questioned by deputies. Instead I was harassed by being contacted by deputies while under false pretenses. I was cited for driving without a license at this time. Being cited would not have happened if she had not made a false statement to deputies in the first place.

I was in my car in a park in Morton. I called the sheriff department because while I was there a friend contacted me to alert me that she had just contacted HIM. He asked if I were in a park. I said yes. He then said well she said she just drove by you and that you have a warrant. As with all of these actions by Kathy, I was alarmed. It is clearly stalking behavior. She was contacting me through a 3rd party in doing this, not the reverse. When I called the sheriff office I asked if there were any warrants for me and I was told there were none. The experience was very stressful to me.

On the day of the hearing the commissioner verbally directed Kathy to return my brass bell and keys by leaving them for me on the table in my trailer. There were no keys nor my bell on the table when I arrived.

Among my keys was my PO box key. Kathy got into my PO box and took letters and a package family sent. She opened the letters and the package. I have never received the letters she stole. The package I received when my dog was brought to me but it was opened. I reported this to the postmaster. At this time I was residing in a heavily mouse-infested trailer.

The judge gave me a wide portion of the scheduled day in which to collect my things. However, when I arrived I found my trailer and dome/workshop and all electrical equipment ransacked and removed. There was almost nothing left I could collect. There is an extensive yet partial list of personal items, tools and equipment her attorney stated I should be able to collect. However no method of collection has been offered.

It is my contention she has done all this out of jealousy and spite for the purpose of hurting me. She repeatedly engaged in behavior that triggered my PTSD. I told her this repeatedly over several months. It is a chief reason I was demanding she move out. Because she continued to do it and would not stop despite my frequent pleadings.

Fraudulently claimed I came on the property. That while I was allegedly on the property I took a chainsaw belonging to me. In point of fact I collected the saw when I had sheriff service for just 20 minutes. Without any substantial evidence or verification of any kind, I was again harassed and alarmed by being contacted by the deputy. This was done to alarm, harass and stalk me through 3rd parties by inducing deputies to contact me through fraudulent claims.

The deputy sheriff who provided the initial 20 minutes I got, witnessed Kathy trying to take something out of the hands of one of the people helping me get my things. The deputy also witnessed Kathy roar up the driveway in her car. Then jump out of the car and run over to the person carrying something to the van. The deputy exclaimed "MAAM! You can't touch him. Maam, don't touch anyone." All while reaching for his taser. After that she jumped up AND down

several times while waving her arms and yelling at the deputy. It was at this time I asked the officer to get my keys and phone from her. The deputy said to Kathy, "You have his keys.... Will you give them to me now so I can give them to him?" NO I WON'T, she cried - then jumped in her car and then sped down the driveway and away. We were all shocked. My heart rate reach 220bpm during this 20 minute period.

Regarding my effort to have the restraint modified: The day prior to when she was served, my friend and I made an attempt to serve the papers but she was not there. While leaving the area, we were suddenly pursued by men in pickup truck. They hollered at us as we drove to the stop at US12 and Meade Hill road. At that time one got out and menacingly came to the passenger side asking what business we had coming into the neighborhood. My friend replied that we were serving court documents. This left the man unsure how to proceed. So I said "Do you have any more questions?" He responded with "No" and walked bacy to the truck that had pursued us. On the day Kathy was served to appear regarding modifying the restraint, she fraudulently claimed there was a trespasser who left a document in the door knocker but she hadn't touched the document. When the deputy was speaking to my friend and I the deputy stated that she asked him "Will you please explain what this means to me again?" She said "again" because she also asked my friend to explain what it meant. To which he replied - it means you need to appear in court. This was yet another unwarranted, unsubstantiated act of harassment and stalking by inducing deputies to make another both unwanted and unsubstantiated contact that was alarming.

When I was released from jail I had suffered a psychotic break and was devastated. I am still homeless. At the time, I felt I really needed my dog. A friend took initiative on his own accord then contacted me about getting my dog. He told me she would give him my dog if I surrendered my cell phone. I needed my dog and in desperation I gave him my phone. He got my dog for me. But later I became confused because while I was communicating with family and friends during this difficult time she seemed to be growing more reactive because she kept making slanderous and inflammatory remarks to friends and others like cashiers. Finally one day I got a call from a friend. He doesn't usually call me, I call him. Suddenly he got a call and had to ring me back. He said it was Kathy wanting to know who was calling on "her phone". I then saw several attempts to fraudulently access my online accounts, including my google and personal domain email accounts. I realized she was stalking and surveiling me through electronic means. I had to remove the phone she took from my google voice account because she was using it to read my messages to family and friends.

The trailer is my property. She has no claim to it and I have the title.

I am joint owner of 295 Mead Hill Rd., both our names are on the deed.

Damage to my property

Loss of my property

History of being evicted

Rent she owes

Ability to make repairs and restore services

Restraints make mediation impossible

Malicious location of 16ft shed to prevent possibility of moving trailer

Remedies (including remedies the court may see fit)

Surrender of unlawfully detained trailer

Surrender of stolen property

Monetary award for damages to property

Monetary award for hardship

Lift restraints

Insure property not again removed before I can reclaim it

Restrain her from any further harassment and stalking

Set another hearing date to resolve any aftermath

Proposal to be adopted outlining dispensation of property going forward