

FILED
JAN 16 2024
KITSAP COUNTY CLERK
DAVID T. LEWIS III

Superior Court of Washington
County of Kitsap

In re:

Petitioner
Heather Wood

Respondent
Lenard Feulner

No. 07-3-01713-1

Declaration of Lenard Feulner

My name is Lenard Feulner, I am the Respondent in this action. I am providing this response to the Petitioner's Motion for Contempt. Petitioner has withdrawn her Motion for Summary Judgment because it was not timely noted. I would add that she has failed to use the form for the Motion for Summary Judgment in a Parentage case and as such is seeking relief which is not available to her under that statute.

The court has preassigned this case to Judge Adams; the Petitioner's complaints about the commissioner are unsubstantiated. The court does not lack jurisdiction. The original parenting plan action was filed in Kitsap County and Adeline and I live in Kitsap County. I do not contest that Adeline lived with her mother and that they primarily lived in Thurston County – however that is no longer the case.

The Petitioner claims that I failed to obey the orders entered in December 2007. These orders designated the mother as the custodial parent of our infant daughter and



reserves my right to obtain a parenting plan. I have considered through the years pursuing a parenting plan, but frankly wasn't up to the battle I knew I would have with the Petitioner. Petitioner makes claims some of which could be very damaging (including claims of sexual misconduct) which I was worried would further alienate me from our daughter. When Adeline contacted me about the issues she was having with her mother, I knew that I could no longer stand-by and allow the Petitioner to control our daughter's life in the same way she had controlled mine. No one coached Adeline to flee the courthouse, we didn't know that the Petitioner would act so inappropriately in a public space. The Petitioner implies that we knew she would attack Adeline after the initial hearing. In hindsight, if I had known that the Petitioner was going to be so inappropriate I would have encouraged Adeline to not attend the hearing.

The Petitioner makes wild allegations which are difficult to respond to other than saying they are not true. I will go through each of these as best I can. The Petitioner claims that I broke the order from July 20, 2023 – there are no orders of that date. This action was initial by myself on August 4, 2023. There was no ruling that required reconciliation. The custody investigator recommended FFT, but after contacting him we discovered that FFT is available in juvenile court and is not available to the public. Adeline has since started her own counseling and if / when the counselor sees fit may include the Petitioner. The Petitioner has taken no initiative to begin this process.

I reside at my mother's home and spend time with my girlfriend, often spending the evening over at her house. Adeline (though her attorney has provided a declaration that addresses this allegation more fully). While our daughter was in her mother's care, she may have ordered the things she claims, this was not while Adeline was in my care. The

Petitioner claims that Adeline attempted "sex trafficking" of a friend of her is just silly. Talking to her friend about boys is something teenagers do; the Petitioner exaggerates the situation.

I took Adeline to her family's Thanksgiving Day celebration / dinner. We left as soon as the Petitioner arrived, Adeline and I never spoke to the Petitioner. We did not say anything that was not true; Petitioner would like to characterize our statements as slander only because she has no insight into her own actions.

I have always paid child support to the best of my ability and do not owe any arrears. The Division of Child Support has started collections actions against the Petitioner which I believe has precipitated a great deal of the Petitioner's current animosity. The Petitioner believes that she can seek support from me from July to current despite the fact that Adeline lives with me. The Petitioner could have sought unpaid (or underpaid) expenses from Support Enforcement, she failed to do so and is only now seeking reimbursement of these expenses. I argue that I have paid any and all support that has been ordered.

The Petitioner provides a list of items that she claims are "facts". In order to make this response easier to read I am going to list them under the same numbers that the Petitioner put in her motion.

1. Agree
2. Parentage was filed in WA under 07-5-00352-8, that action was converted to this instant action. I do not resent being ordered to pay child support.
3. The Parentage Order granted the Petitioner the custodial designation and placed the child into her care. The Petitioner distorts the facts regarding the

child "residing with the mother at all times". The child has resided with her mother, this language does not limit my ability to visit with our daughter. Furthermore, when it was clear that our daughter no longer wanted to live with her mother I sought a court order that placed her with me (which was granted by the court on August 15, 2023).

4. To my knowledge I was never been contacted by CPS for my parenting. I think I was contacted by CPS once because the Petitioner was under investigation. I have never neglected either of my daughters.
5. I am unsure what the Petitioner is trying to say here.
6. I have always paid my support to the best of my ability. At times payments were delayed, but I did pay. I currently do not owe any arrears.
7. The Petitioner should have sought reimbursement for expenses through the Division of Child Support. Petitioner is often overly wordy, and it can be difficult for me to hold her statements at face value. If there was evidence that these expenses were valid, and I had agreed to pay such expenses *before* they were acquired then I would have paid them.
8. The Petitioner seeks reimbursement from me for things that should be paid for with child support. Again, if the Petitioner had sought my approval for these expenses before she acquired them, I would have been willing to pay them.
9. I do not owe any child support arrears at this time.
10. This is hearsay, I cannot speak to a conversation the Petitioner may have had with my mother.
11. This is the Petitioner's opinion – not fact. I do not deny that the Petitioner took

our daughter to the hospital to obtain a drug test.

12. This is the Petitioner's opinion – not fact.

13. This is the Petitioner's opinion – not fact.

14. This is the Petitioner's opinion – not fact.

15. This is the Petitioner's opinion – not fact.

16. This is the Petitioner's opinion – not fact. I was not present at the hospital so I cannot respond to this.

17. Adeline refused to leave with her enraged mother (the Petitioner) and sought support from the hospital staff.

18. This is the Petitioner's opinion – not fact.

19. The Petitioner lacks insight into the rights of our daughter. Petitioner incorrectly believes that she can force her will on our daughter (and the hospital staff).

20. This is the Petitioner's opinion – not fact.

21. This is the Petitioner's opinion – not fact.

22. This is the Petitioner's opinion – not fact.

23. This is the Petitioner's opinion – not fact.

24. This is the Petitioner's opinion – not fact.

25. This is the Petitioner's opinion – not fact.

26. This is the Petitioner's opinion – not fact.

27. This is the Petitioner's opinion – not fact.

28. This is the Petitioner's opinion – not fact.

29. This is the Petitioner's opinion – not fact.

30. This is the Petitioner's opinion – not fact.

31. This is the Petitioner's opinion – not fact.
32. This is the Petitioner's opinion – not fact.
33. This is the Petitioner's opinion – not fact.
34. The Petitioner never contacted me to obtain "verification". The only contact I received was from Adeline.
35. The Petitioner chose to take no action and instead attempts to shift the blame to me.
36. This is the Petitioner's opinion – not fact. As previously stated, the Petitioner is in this mess because of her own actions in a courthouse.
37. The court has authority to enter an order ex parte, the Petitioner was allowed her "day in court" and used that time to act foolishly and aggressively in a public forum.
38. The court may conduct their hearings in any way that best serves the rights of the parties (including the minor child) and upholds the rules of the state and court.
39. I renew my statements from above. The Petitioner lacks insight into her own behavior and that such behavior has recourse.
40. The orders entered in this case have all been properly obtained.
41. I renew my statements from above regarding jurisdiction.
42. I agree that the order places our daughter with me temporarily. I do not agree that there was "unlawful testimony".
43. Our child was never abandoned by me. I renew my statements from above regarding our living situation.

44. I renew my statements from above regarding our living situation.
45. Adeline has missed some school, primarily due to illness. I find it ironic that the Petitioner is concerned about Adeline's school attendance when she was against sending her to public school to begin with (see declaration of Adeline Fuelner filed in response to these motions).
46. Unfortunately, Adeline was in an accident in Thurston County, this is not uncommon for teens drivers. The case was dismissed today when the court could not determine fault (Adeline believes it was the fault of the other driver moving into her lane while going through a roundabout).
47. Adeline has been to the hospital for strep throat, an ovarian cyst and when she fell at work and hit her head. I was most certainly not responsible for any of these medical issues.
48. This is the Petitioner's opinion – not fact.
49. I renew my statements from above. Teenage girls talking about boys (and sex) is common and is not an attempt at "sex trafficking" despite the Petitioner's attempt to delude the other child's mother.
50. Adeline is doing okay in school, she is slowly figuring it out. The public school experience has been a challenge. I have stayed on top of her schooling and have called Adeline out on some of her excuses – like claiming she couldn't use her Chromebook to do her homework. I told her that I was going to meet with the school counselor to discuss these limitations. Before I could have that meeting Adeline meet with her and "figured" out how to access her homework.
51. I renew my statements from above regarding Thanksgiving.

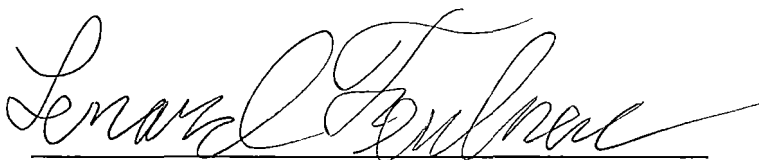
52. I have not ever neglected our daughter.

53. I am unsure why the Petitioner pursue this line of argument when there have been several witnesses that testified that her behavior towards our daughter after the hearing was inappropriate.

In conclusion, I ask the court to deny contempt. I have not acted in bad faith. I live at my mother's home, as does Adeline. Adeline regularly spends here evenings in the RV, but uses facilities in the home. I have a girlfriend, but I have not been staying with her recently. My mother has not been doing all that well lately and I have been staying with my mom to make sure I can help out. I suggested that Adeline sleep in my mom's house (grandma's house) and I sleep in the RV, but she prefers her privacy which is understandable given that my mother's home is very small.

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

Signed at Bremerton, WA on January 16, 2024

A handwritten signature in cursive script, reading "Lenard Feulner". The signature is written in black ink and is positioned above a horizontal line.

Lenard Feulner / Respondent