Superior Court of Washington County
of Kitsap

In re: Petitioner Heather Wood Respondent Lenard Feulner	No. 07-3-01713-1 In RE: Motion to Terminate Restraints. Counter Declaration by Heather Wood of Lenard Feulner's Response.

I, Heather Wood, am a US citizen over the age of 18, and a resident in the State of Washington; the facts that I have provided on this form are true.

COUNTER DECLARATION (in brackets).

My name is Lenard Feulner, I am the Respondent in this action. I am providing this response to the Petitioner's Motion to Amend/ Terminate the Restraining Order entered on August 4, 2023. The Temporary Restraining

Order terminated on August 15, 2023 when the court entered an order placing our daughter into my care. There is no restraining order to amend or terminate.

[Respondent is, once again, misconstruing the record and misleading the Court—a pattern evident in the Respondent's pleadings, declaration, and arguments ab initio.]

In response to the Petitioner's declaration filed on December 14, 2023, I have never molested my daughter or anyone else for that matter. The Petitioner has been attempting to use this narrative against me since the start of this action. I was not present during any of the statements the Petitioner includes in her declaration so I cannot speak to her allegations. I will have to defer to Adeline's attorney, Kerry Stevens to address these statements.

[A police report was filed 6-8-2013 by Petitioner w/Kitsap County Sheriff documenting Adeline's complaint her father raped (French kissed) her

when the girl was barely 6yo. This report is currently in WASPC's possession and a subpoena for it was issued. In it, Lenard admitted to the investigating detective the girl's complaint to her mother was accurate. He now denies it and has coached/manipulated his 16yo daughter into denying it ever happened despite the record of his having admitted the fact to the Sheriff's detective. The Sheriff never took the steps to have the crime prosecuted and even discouraged Ms. Wood from pursuing it. Respondent improperly attempted to have the Court recognize him as Adeline's advocate—i.e. the practice of law, in a parenting case promoting a proposed parenting plan the Court improperly elected to treat as a parentage case despite its disposal 15 years earlier and static w/o prosecution for 14 years—a clear violation of laches and conversion of the case into one pitting the state against the mother using the Respondent as a blind for its improper intrusion, alienation of affection, and violation of both the child's an mother's most fundamental rights under the sham rubik of the 'best interests' of the child instead of the application of strict scrutiny.]

In response to the Petitioner's declarations and concern about our daughter being

bitten by a dog *while in her care* about 11 years ago, I was not present when this occurred. On August 21, 2023 the Petitioner, in her Motion for Continuance stated that "The father initiated close contact with pit bulls, one of which bit Adeline on her face when she was five years old... then blamed her despite encouraging her to put her face next to his friend's dog's face... ". On September 1, 2023, Donna Ebentheuer, the owner of the dog, provided a declaration that described the events that she recalled. The declaration from Donna states that the Petitioner was on her laptop computer when the dog bit our daughter who was poking the dog in the face. On December 14, 2023 the Petitioner states in her declaration that "Lenard was not present I and Adeline were the only eye witnesses." On December 18, 2023 I stated under penalty of perjury that I do not now, nor have I ever owned dangerous dogs. I do not recall blaming my young daughter for being bitten. The Petitioner has asked that Donna' declaration be stricken from the record. I do not understand why the Petitioner is so wrapped up in this issue that occurred 11 years ago and by her own admission I was not ever present for. I ask that the court not strike the declaration without further testimony from Donna, which should be reserved for trial.

[Respondent admits the event complained of took place. Respondent admits he was not present. Respondent admits he has no memory of blaming his daughter, thus cannot contradict those who DO have a memory of him doing so. Petitioner argues Respondent habitually encouraged his daughter to rub her face against dogs such as pit bulls to demonstrate they were innocuous. This particular pit bull had bitten others in the past, including my daughter. Petitioner's critique is focused on Respondent's failure to protect and even hold those responsible accountable in the aftermath. Adeline bears a scar from the incident to this day which bothers her.]

The Petitioner continues to state that I molested our daughter which is not true, no charges have ever been filed. Petitioner states that I was responsible for the dog biting our daughter, then states that I wasn't present. Petitioner obtained a statement that I axed my thumb off to obtain public assistance and get time off of work, I still have both of my thumbs and provided a statement from my former manager on September 1, 2023 that says she does not recall me dismembering my thumb. The Petitioner's statements are not credible.

[Respondent DID rape Adeline when she was 6yo according to the U.S. Supreme Court definition of 'rape'. The Statute of limitations for sexual abuse of a minor under 16yo has been eliminated in WA. law. Petitioner seeks to have Respondent held criminally accountable even now. Petitioner seeks to have this declaration serve as notice she will subpoena Respondent as a witness and testify to these events under penalty of perjury. She will also subpoena the detective Feulner made his admissions to. These events and Respondents own misleading written statements belie Respondent's claims to be a fit parent—a pernicious fantasy in the Respondent's own head and disingenuous arguments. E.g. Respondent claims to be too illiterate to fathom how to send and receive e-mail, yet simultaneously complains of the number of pages he receives from Petitioner in e-mail along with the legibility of some of these pages—an oxymoron at best, perjury at worst. Here he denies injuring his thumb to defraud L&I. Yet his thumb bears the scar of the injury. The court should compel the Respondent to present his thumbs to view and have him sworn before allowing him any future statements Respondent seeks to have the court rely on in the arc of these proceedings or this cause.

An additional declaration was filed by the Petitioner on December 14, 2023, this declaration outlines my perceived parenting deficiencies from 2008 and two events in 2018. The Petitioner's version of events that took place in 2008 are false and are ridiculous. In 2018 the Petitioner said she observed me drinking with my family and I invited them to go shooting. She never saw me shooting while I was drinking, she left and that was the end of the visit. She complains that later the same year (2018) I suggested a YouTube video that she did not find appropriate, and I didn't help Adeline up when she fell while skiing.

[Assertions the Petitioner did not see the incident complained of is not a denial of its occurrence. Nor does Respondent deny exposing Adeline to age-inappropriate material on the internet which the Petitioner complains of.]

All of this is not relevant, especially given we are before the court because of the mother's inappropriate behavior in the courthouse, her literal abandonment of our

[All of this IS relevant. The mother's behavior in the courthouse, but outside the courtroom, was sterling as she attempted to parent her child and return

the child to her home in Thurston in the face of her father encouraging thje child's defiance ("There's nothing they can do about it," he told her.) culminating in her unlicensed reckless driving his car, unaccompanied, onto the sidewalk endangering both herself and the public. She was not cited for this offense documented in the police report. But her father encouraged and instigated it. The mother never abandoned her child. Police records and the hospital's are replete w/the fact Adeline refused to return home and leave the hospital in her mother's company. Why? Because her mother had discovered the child's deception and putting the public at risk while serving as a lifeguard at the Great Wolf Lodge responsible for child swimmers' safety, yet under the influence of drugs.]

daughter (she moved the bus and the van so Adeline could not come home) and her statements that she no longer wanted to care for Adeline. The Petitioner makes

[The mother relocated her bus home and vehicles out of fear of one convicted aggressive male druggie friend of Adeline's and vandalism to her home/vehicles. The mother

wanted Adeline, who had her phone #, to come home—and still does. The child's refusal to come home with her mother and the lack of assistance in aiding this goal do NOT amount to abandonment—yet another instance of gaslighting this court.]

dramatic and unsubstantiated statements about me in her journal and would like the court (presumably) to consider these statements as my inability to parent our nearly adult daughter. None of this is relevant or warrants a response, other than to say that this was a long time ago and I do not believe her statements are true.

[Respondent's beliefs are evasive regarding Petitioner's allegations as Respondent would have perfect knowledge of them as they pertain to him, his nature, and his acts directly. His 'beliefs' are no denial. All of this warrants a response, though no law requires one. The lack of response leaves the allegations unmitigated and unchallenged/undisputed. Time does not mitigate the rape of my 6yo child.]

The Petitioner provided in addition to the above referenced declarations a 155+ page declaration in support of her motion to Amend / Terminate the

Temporary Restraining Order. The court retains jurisdiction in this matter as the initial Petition was filed in Kitsap County and the minor child and residential parent reside in Kitsap County. THERE IS NO RESTRAINING ORDER AND NOTHING THAT PROHIBITS MYSELF OR THE CHILD FROM HAVING CONTACT OR COMING WITH IN A CERTAIN DISTANCE

OF THE PETITIONER.

[OXYMORAN: Feulner contradicts himself under penalty of perjury on both prongs of this oxymoron. He complains of the precise length of Petitioner's e-mail attachment to him, then claims he is too ignorant/dull to comprehend/use e-mail when objecting to judge Adams ruling Ms. Wood is to keep her documents provided in e-mail to under 100 pages. Judge Adams found Feulner's objection suspicious and directs her clerk to instruct Feulner in. the protocol after ordering him to produce his cell phone to the bench. On the record, Feulner ultimately admits he grasps the process. This pattern of chicanery, obfuscation, and mendacity before the court demands it place Feulner under oath before it accepts any statements, he makes expecting the court to rely on them.

Commissioner Clucas on 8-15-23 issued just such a restraining order prohibiting the mother from initiating any communication or presence w/her daughter whatsoever but allowing the daughter to initiate them. Once again, Feulner misleads the court and even confuses the mother along with his child. No doubt, during his improper collaboration with this child, he has left her with the misapprehension the mother's lack of communication or presence is voluntary rather than prescribed/prohibited. This entire deliberate miscarriage of justice and abuse of process is tantamount to parental alienation which is currently recognized as child abuse—hardly surprising found in a man who would rape his 6yo daughter and expose her to age inappropriate material on the internet. Adeline's sexualization and inappropriate behavior w/other minors hardly sprang from the temple of Zeus nor from an extremely protective mother. The residency of the child is temporary as defined by the court currently. Her domicile remains in Thurston, thus proper venue--especially with respect to any dispute other than a long stale proposed parenting plan. Clucas himself urged an ARY petition in Thurston.

Likewise, that is the proper venue for Adeline's emancipation petition. Adeline is NOT a litigant in the instant cause herein.]

An error in the caption does not void pleadings previously filed. I have never filed false or misleading pleadings (unlike the Petitioner).

[As a matter of law, a substantive error in the caption DOES make the document defective on its face and subject to being struck from the record as it tampers w/the record, (This IS a COURT OF RECORD and the record is ALL an appellate court reviews. If the record is defective/erroneous, it is NO Court at all.) introduces ambiguity, & confusion, errors, and reflects the confirmation biases of the judicial and clerical staff. It tears at the very core of Due Process. The documents Fuelner introduced are defective on their face derived from erroneous legal advice he sought and received from an incompetent court clerk which he admits on the record. That does not excuse his acting on bad legal advice from one unauthorized to practice law. The Court invited this fatal error and is responsible for removing it. Strike the facially defective pleadings from the record and hold the judiciary accountable as it would demand from the parties. This is not a parentage case despite the Court's assertion that is how it wishes to treat it. It is a long languished petition for a proposed parenting plan. Heather

Wood is not on trial. Aderline is not a litigant. It is inappropriate to invite a child to denounce her mother in open court. No good can/will come of it. Nor is it in the best interest of the child. Yet this court has pitted the child against the mother and acted as Mr. Feulner's advocate, offering erroneous legal advice in the bagain as well as the clerk's office having done so—erroneous advice Feulner and his daughter acted on. Adeline is not pro se in this cause, nor is she a "juvenile victim" as the clerk erroneously states in the docket record—all some judges read in preparation. The pattern form proffered by the Court and GAL to Ms. Wood is intended for a parentage case, not a parenting case proposing a parenting plan. The Court is urged to stop doubling down at the behest of Feulner, admit its error, and dismiss the case. It acted without proper jurisdiction flowing from Commissioner Clucas' impromptu kangaroo hearing on 8-15-23 and continues to do so. All that flowed from. that hearing which lacked not just some elements of Due Process, but ALL of them, are the fruit of a poisoned tree void ab initio.]

I do not contest that

the mother was the primary residential parent prior to my initial request for restraints. Most of this "motion" contains hearsay and is not substantiated by the person she claims is speaking. I have cancelled child support, the child is in my care and not her mother's care, it is only appropriate that child support be suspended until this matter has been concluded. Naming one party as the Petitioner and or Respondent has absolutely no impact on the outcome of the hearing, nor does it create a bias. Adeline is enrolled in therapy, her first appointment is January 9, 2024. She has also taken a UA, the results are pending, the results of the UA will be provided to the Guardian ad Litem. I am not providing a response to the Petitioner's Live Testimony Transcript(s), while this is not provided by a court transcriptionist, the Petitioner is entitled to *her* version of the events. I assume the Petitioner is attempting to relitigate the previous hearing by providing her version of the testimony in court and what she would have said. This is too little too late, there are legal remedies to return to court to litigate the same issues though her opportunity for reconsideration has expired. I would argue that these issues have already been disposed of and the Petitioner is attempting to cloud the subject by filing literally hundreds of pages of pleadings.

The Petitioner thinks that there is a restraining order which prohibits Adeline's contact with her family. Adeline told me that her family's Thanksgiving would be at her cousin Dillon's house this year. Adeline told me that there was a possibility that her mom would arrive at her cousin's house. Adeline told me that she told her great aunt that she had a restraining order against her mother -Adeline knows now that this is not the case. We made an agreement that if the Petitioner did show up that we would leave

immediately. When the Petitioner showed up, Adeline and I immediately left as we ha

agreed. Neither one of us spoke to the Petitioner on Thanksgiving Day. This issue will be addressed more fully in response to the Petitioner's motion set to be heard next week (January 19, 2024) in which she is seeking Contempt and a Summary Judgment.

In conclusion, there is no restraining order to amend or terminate. The issues regarding the dog bite should be reserved for trial so that the witness can provide testimony. I was not the primary parent when our daughter was young, but I have always had a presence in her life (as evidenced by the Petitioner's journal entries). While the Petitioner may not have always approved of my parenting choices, having only a few complaints about my parenting over the last 16 years should be evidence enough that I am able and fit to parent our daughter. I am not interested in listing the Petitioner's parenting faults, but if I did I would be able to list several concerns I have for her ability to parent our daughter as well.

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 8, 2024

Lenard Feulner/ Respondent

I declare under penalty of perjury under the laws of the state of Washington and pursuant to General Court Rule 13 and RCW 9A.72.085 that the foregoing is true and correct.

Dated this 15th day of January, 2024 in the county of Kitsap, WA

Person making this motion signs here Print name here: ***Heather Wood***