

Date: 1/19/24
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Judge Adams, Departmental

FILED

JAN 17 2024

**KITSAP COUNTY CLERK
DAVID T. LEWIS III**

SUPERIOR FAMILY COURT OF WASHINGTON
COUNTY OF KITSAP

In re:)	
HEATHER WOOD,)	NO. 07-3-01713-1
Petitioner,)	
And)	COUNTER DECLARATION AND
LENARD FEULNER)	OBJECTION OF HEATHER WOOD &
Respondent.)	ATTACHMENTS. <i>To Adelines Decl Response</i>
_____)	

**To: The Kitsap County Superior Court Clerk, 614 Division St #202, Port Orchard,
WA, 98366, (360) 337-716 AND**

**Lenard Feulner, Respondent, 333 Lippert Dr, W, #C129, (360) 228-6079,
Lenardfeulner@gmail.com**

(AND)

**Adeline Feulner, 4101 Anderson Hill Rd SW, Port Orchard, WA, 98367, (564) 220-
8922, Adelinewolfpaw@gmail.com , And**

**Nancy Tarbell, ESQ, BAR #26686, PO Box 840, Manchester, WA 98353-0840,
(360)871-2794, AND**

**Kerry Stevens, ESQ, Bar #15420, 11074 SE Glendale Ave Unit A, Port Orchard, WA
98366-9033, (360) 269-2947**

**Commissioner Matthew Clucas, ESQ #22929, 614 Division St, Port Orchard, WA
98366-4683, (360) 337-7140**

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07-3-01713-1
DCLR 155
Declaration Affidavit
15952157



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OBJECTION

1. I, Heather Wood, THE PETITIONER in the above cause, take exception to Adeline's Counsel TAMPERING with the record by submitting an improper document defective on its face into the record. This has been a recurring theme throughout the arc of these proceedings. Judge Adams granted the mother's motion to remedy and clarify these fatal errors on 12/13/2024. Clearly, Kerry Stevens, esq. is unfamiliar with the record. The mother has long argued to the Court and a recalcitrant Clerk's office that these errors are not harmless, to no avail until Judge Adams made a dispositive ruling on the matter. By definition, this issue is substantive. The record **MUST** be Clear, Accurate, and Unambiguous. Judge Adams' ruling and the corrected record serve notice on all parties and litigants of the correct caption. Moreover, Adeline Feulner is not a litigant in this cause. While a declarant need not be a litigant, it has long been Family Court Policy in Washington State to prohibit inviting minor children to denounce either of their parents in a Parenting case proposing a Parenting Plan – else, it would open the flood gates to the use of a petition for a Parenting Plan to abuse of process, and parental alienation.

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No good can come from allowing an incorrigible truculent child to use a Parenting Plan Petition to denounce their parent. Kerry Stevens, esq., has done just that, in the face of an open question as to whether this court even has proper jurisdiction. This Court, and the abuse of its proceedings, have become part of the problem rather than the solution inasmuch Ms. Kerry Stevens', esq., submissions are fatally defective on their face. They should be stricken from the record, and Ms. Stevens, esq., should be sanctioned under rule 11. This petition was brought by Ms. Wood, and belongs to her, not her minor child, Adeline Feulner.

2. Ms. Kerry Stevens, esq., has been appointed as Adeline Feulner's attorney at public expense. Her incompetence and failure to exercise due diligence familiarize herself with the record is tantamount to defrauding that public. Ms. Stevens, esq., should be dismissed from this case, and a competent counsel appointed to Adeline Feulner. This is not a matter of no harm, no foul, but clear evidence of how pernicious tampering with the record can be – a tampering that began per the Court Clerk's suggestion to Mr. Feulner when he filed his paperwork for an 8/4/23 emergency ex parte hearing in this Court, according to the Clerk's suggestions in the midst of providing Mr.

Feulner with erroneous legal advice. This has been admitted to in the record by Mr. Feulner himself. Ms. Wood cannot receive a fair hearing or trial in Kitsap County, or the appearance of one, with this panoply and accumulation of substantive errors. The Court would do well, sua sponte, to grant Ms. Wood a change of venue. Ms. Stevens, esq., through her lack of due diligence, has added to the heap of mess this case has become.

3. Ms. Stevens, esq., introduces immaterial arguments and assertions relevant to Adeline Feulner's petition, but immaterial to Heather Wood's petition for a Parenting Plan. Heather Wood is not on trial in the emancipation proceedings, nor is her character or her actions relevant to those proceedings. Heather Wood is not on trial, despite Mr. Clucas' efforts, in these proceedings. These proceedings are not a dependency hearing, a CHINS hearing, a criminal proceeding, or a Parentage case. The Restraining order signed by Judge Houser was gratuitous and without a proper basis legally or factually, ab initio. If Mr. Feulner or the child, Adeline Feulner, wishes to try the mother for her fitness as a parent, let them file, and serve Miss Wood with original process, and pay the filing fees. This proceeding is an improper forum for Ms. Stevens, esq., Mr. Feulner, the Court, and Adeline

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Feulner to hijack these proceedings for the purposes of an entirely different agenda – by definition, an abuse of process. An abuse of process is defined in law as entering pleadings ostensibly for one purpose, but, in fact for a hidden/surreptitious agenda/goal. Such abuse of process is improper for the reason that the hidden agenda cannot be properly tried because it is not transparent. For all these reasons, Kerry Stevens, esq., should be sanctioned under Rule 11 and dismissed.

COUNTER DECLARATION

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

ADELINE FEULNER, as her declaration concerning the Restraining Order at issue states as follows:

I am the daughter of the above-named parties. ***[Agreed]*** I am currently sixteen years-old. ***[Agreed]*** I have filed a Petition for Emancipation because I believe that I am capable of providing for my own needs. ***[The child, Adeline Feulner, has not demonstrated or provided any evidence, nor is she capable of supporting herself without assistance. Nor is this statement material or relevant in this instant case for a Proposed Parenting Plan. I object to this statement on***

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that basis.] I am a sophomore at South Kitsap High School. [Possibly. The record does not indicate whether Adeline Feulner physically attends classes at that school. She may be attending remotely.] I am currently employed at Taco Bell in Port Orchard. [Possibly. The record does not indicate how many hours Adeline works, her schedule, or her wages. The record is silent on these points, inviting conjecture, calling for speculation. Nor is it relevant/material to the Proposed Parenting Plan. This point may be relevant to Adeline's emancipation petition, but it is immaterial in the instant case.] If I were emancipated I could work more hours at Taco Bell. [Immaterial and irrelevant to the instant case. I object to it on that basis. Introduction of extraneous, irrelevant, and immaterial claims/arguments violates the rules of evidence and introduces confusion/ambiguity into the proceedings. We are not here to litigate whether Adeline's pet rabbit lives on the far side of the moon.] I currently live with my paternal grandmother's home. [The mother has no actual knowledge of this assertion but questions its relevance. Still, the mother is willing to accept the assertion as to form and on a TEMPORARY basis. i.e. the grandmother's home is Adeline's residence, but as of yet, not her domicile. It is temporary in nature, pending a determination in Adeline's emancipation petition.] I have a room in an RV outside of her home, but I share

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the home with her as well. ***[The mother has no reason or basis to question this assertion.]*** My father is part of the household, although he typically spends the night with his partner. ***[A fiction, and misapprehension of the law by my child. Mr. Feulner's domicile is where he lives and sleeps and intends to return to. Adeline does not assert where Mr. Feulner eats. The child gives no basis to argue Mr. Feulner is a member of his mother's household, or that it is his domicile. This fiction solely serves Adeline's agenda to be emancipated. The mother has removed her objections to Adeline's emancipation conditioned upon the Summary Granting of it.]*** If the court does not permit me to become emancipated, I would like to be in the custody of my father. ***[The Court is not obligated to give weight to a child's preference to reside with her rapist. The child does not live with her father. The child welcomes Custody with her father as an alternative to Emancipation, fecklessly conflating it with domicile. It would appear the child is using a declaration to argue and posture as a litigant in the instant case. She is not. The mother objects t the statement on that basis.]***

I do not believe that it is in my best interest to reside with my mother. ***[The child is not adequately mature enough to reliably argue what is in her best interest over her mother's decisions. It is black letter law a fit mother's decisions***

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are presumed to be in the child's best interest, whether the child agrees or not, else there would be no need for their minority status. The child presumes to put the cart before the horse. The child is proposing a fatuous legal oxymoron.] While in the custody of Heather Wood, we have moved twenty-one times. ***[So? How often do military brats move? Parents have the right to make these kinds of decisions. The US Supreme Court has ruled: Poverty is not to be construed as negligence. The number of moves was of necessity, and the sole responsibility/purview of the mother.]*** For approximately three years we

lived in a car, or more recently in a van. ***[The child is exaggerating. We never lived in the mother's car. We do have a certified RV, our home on wheels.]*** I did not attend public school more the majority of my childhood, as my mother wanted to homeschool me and teach me "life lessons". ***[Regardless of the child's approval or disapproval, homeschooling is lawful in Washington State. The mother provided the child with an excellent education at home. Additionally, the child did attend public schools, she attended private schools, benefited from them, and I have documentation/evidence of the truth of this. The essence of parenting is teaching***

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children lessons of life.] I am behind in many of the subjects that are part of the curriculum at South Kitsap because I never learned what the other pupils learned in school. ***[A teacher is only half of the equation in a student's academic progress, mother, or otherwise.]*** After I finish High-School my plan is to go on to a technical school to become a mechanic. ***[The mother already provided schooling and training toward those ends at the mother's expense. The mother was granted sole custody of the child. That included making educational decisions on behalf of her child, which the mother did not shirk.]***

My mother did not always provide me with adequate food. We went without food for as long as three days. ***[Poverty is not to be misconstrued as negligence in law. My daughter was never malnourished or starved for three days. This is a parenting plan case, not a dependency hearing. If the Court is going to continue to allow my child to treat this as a dependency hearing, arguably it is required to appoint an attorney for me. Adeline's attorney should be sanctioned, under Rule 11, for submitting a document that intends to virtually convert this hearing into a dependency hearing.]*** When my mother had money, I would encourage her to buy groceries, but she would splurge by going out to eat, or she would purchase some extravagant item, and we would be without basic food. ***[Restaurants don't accept***

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food stamps. I, the mother did the grocery shopping, not the child. The child was not and is not malnourished. A casual observer can see Adeline has not missed any meals. Ironically, despite Adeline's protestations, the mother observed her all too frequently using her money to buy sweets, candy, and other items of no nutritional value. The child was not buying milk, eggs and potatoes. This is yet another attack on the mother, inappropriate in this forum. Adeline does not mention her father's grocery list, because there isn't one, nor does the father offer an itemized grocery list. Are these proceedings, seriously, intended to debate the past, or history of what's on the menu?]

In my opinion, my mother likely has some undiagnosed and untreated mental health issues. ***[Conjecture calling for speculation by an admittedly untutored 16-year-old child that hasn't completed basic education. Not only is the child no expert but has no basis for her speculation. Opinions by non-experts are non-admissible. The mother objects to the child's statement and cruelty on that basis. The mother urges the court to strike the inadmissible and improper opinion from the record.]*** She can be pleasant and rational one minute, and then get extremely angry and irrational in the next minute. ***[Is the child describing herself, or the mother?]*** She will scream and yell at me for either the slightest provocation, or what

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seems like no reason at all. ***[The mother has found occasion to excoriate her child in the child's best interest. The mother is rational and does not abuse her child in any respect. Again, these proceedings are not a platform to denounce the mother. I object to them on that basis.]*** I do not feel safe with my mother. ***[Feelings are subjective, and ill-suited to litigation. The proper venue for Adeline to vent her feelings is with her therapist, and not in a Court of Law denouncing her mother. Did Adeline feel safe when she, unaccompanied, drove her father's car up on the sidewalk, endangering both herself and the public? The mother is not the one out of control in this dispute. The Child is out of control, and in desperate need of parenting which the father does not and cannot provide. The mother is a certified school bus driver entrusted to transport children to and from school – a weighty responsibility.]*** I have been subject to physical, emotional and mental abuse while in the care of my mother. ***[The child is not a litigant in this case, nor are the allegations specific enough to respond to. Thus, they are inadmissible. The child's allegations are insufficiently specific, nebulous, subjective, and conjecture calling for speculation. I object to them on that basis. The child and her attorney have failed to establish an offer of proof. The mother has never physically, emotionally, or mentally abused her child. The child accuses the mother of raising Hell, But the***

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mother merely disciplined the child, and the child thought it was Hell. The mother does not physically discipline the child, moreover, it is a parent's duty to discipline the child in their best interest, even over the child's objections. A parent must meet this obligation to the child and place that before being the child's friend, in the best interest of the child, else it would be counted as failure to protect.]

The most recent incident that preceded this court action involved my mother leaving me at a hospital in Olympia that she had taken me to under false pretenses to have me drug tested. ***[The child's statement is patently false and malicious. Medical records and 911 police records documented the fact that my daughter was not abandoned but refused to leave the hospital and come home with me. This instance of perjury illustrates the folly of having a minor child denounce, under oath, a parent in open court without benefit of a colloquy. The mother believes that the father has manipulated the child and suborned perjury. In any event, it is perjury. While a witness has immunity from libel and slander, they do not have immunity from perjury. Allowing the child to directly participate in denouncing her mother in Court, requires the mother to defend herself, and of necessity, subjecting the child to the perils and consequences of perjury. Lying about your mother to your friends and acquaintances is very different than lying***

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about your mother under oath. The Court has done this child a disservice by allowing her to be used as a pawn, exposing her to the perils and consequences of perjury. The child is lying.] I had taken a CBD supplement, and I knew that I would test positive for THC, however, I don't think that was a basis for abandoning me at the hospital. ***[The child is lying. The child knew she would test positive for marijuana because she was using it, and there is ancillary evidence substantiating this. The child miscalculated, in her mendacity and perjury to the court, relying on her misapprehension CBD would return a positive result for THC – extremely unlikely unbeknownst to the child. The child was too clever in her mendacity by half. The custody investigator made note of this in his report and recommended against emancipation. I have removed my objections, conditionally, to emancipation precisely because the child is incorrigible, unparentable, and dangerous to the mother.]*** My mother uses psilocybin mushrooms, and has tried to make me take them as well, which I refuse to do. ***[The child's statement is patently false. Many years ago, I experienced the benefits of therapeutic (micro) amounts of psilocybin which I no longer and have not used since. I have never made my daughter consume anything, let alone a restricted drug.]***

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My father is willing and able to assist me with anything I need to meet my daily requirements, such as having a place to live, groceries, help with my homework, and transportation to my job. ***[The father claims in the record, under penalty of perjury, to this Court he is homeless. The mother challenges the notion that the father is a fit parent. He has failed for 16 years to demonstrate his fitness. The mother has demonstrated her fitness in caring for the child this entire time. This should be given great weight in the Courts determination of the best interest of the child and the mother's credibility.]*** I feel safe with him, and I would therefore request that the court allow me to remain in my father's care if my request for emancipation is denied. ***[The child's judgement is flawed.***

Evidence/video tapes of her snorting a white powdery substance with her 14 y/o girlfriend were recently published on the internet by the Child. The child called her 14 y/o girlfriend's mother, Mrs. Robb, to tell her she'd stolen the girls virginity (disguising her voice, but which Mrs. Robb recognized). This vicious retaliation against Mrs. Robb for sharing the video evidence with Ms. Heather Wood, similarly reveals poor judgement, and calls into question the sexualization of the child as early as 6 years old, if not previously, after being raped by her father. Further reports indicate the child's involvement in attempting to sex traffic her 14-

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year-old girlfriend who complained of it to her mother, Mrs. Robb. The child has not demonstrated she has a sufficient understanding of where the boundaries lie, thus, her FEELINGS of "safety" with her rapist should be discounted.]

I declare under the penalty of perjury ***[The child's understanding of the word perjury was never probed, nor was colloquy ever conducted, making the child's declaration inadmissible and moot.]*** of the laws of the State of Washington that the foregoing is true and correct to the best of my knowledge and belief.

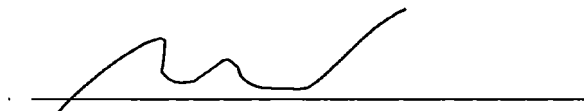
DATED THIS _____ day of January, 2024 at Port Orchard, Washington.

ADELINE FEULNER

[I object to the entire direction that this is taking wherein the Court is allowing the child and Mr. Feulner to hijack these proceedings and take them into the weeds.]

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 Thurston, WA



Person making this declaration signs here

Print name here: **Heather Wood.**

Superior Court of Washington, County of Kitsap

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Proof of Mailing or Hand Delivery
(for documents after Summons and Petition)

I declare:

1. I am (check one): ☒ **the Petitioner** ☐ the Respondent ☐ (name): _

and am competent to be a witness in this case.

2. On (date): **1/15/2024**, I served copies of the documents listed in 3 below to

(name of party or lawyer served): *Lenard Feulner, Nancy Tarbell, Kerry Stevens* by:

X email to (address): lenardfeulner@gmail.com, nancy@tarbelllaw.com
SLO@wavecable.com

3. List all documents you served:

1. Counter Declaration of: Heather Wood to Adeline's response declaration (via Kerry Stevens, ESQ).
2. *NANCY Smiths Counter response by H. wood*
3. *PATRA VOGT's counter response by H. wood*
4. *Lenard Feulner's counter response by H. wood*
5. *Adelines Response counter Decl X H. wood*
- I declare under penalty of perjury under the laws of the state of Washington that the statements on this form are true.

Signed at (city and state): Tenino, Washington

Date: 1/15/2024_____


Signature of server *Heather Wood*