

07-3-01713-1
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Response
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KITSAP COUNTY CLERK
DAVID T. LEWIS III

Washington State Superior Family Court, Kitsap County

In Re:	No. 07-3-01713-1
Heather Wood, Petitioner And Lenard Feulner, Respondent	Amended Response of Heather Wood to Declaration of Lenard Feulner (embedded) & Objection

**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., #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; AND**

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

I Identity of the Parties & Jurisdiction' COMES now, Heather Wood, pro se of necessity, without counsel, indigent, in Forma Pauperis to make the Objections noted here and seek the following relief: Defective JURISDICTION & VENUE While the instant case would be properly within Kitsap County's Family Court subject matter' and in personam jurisdiction due to the minor child's birth and both litigant's residency in Washington State, the Kangaroo unlawfully held impromptu hearing on 8-15-23 before Commissioner Clucas, without a scintilla of due process after the regularly scheduled MTSC hearing was disposed of and - Lenard Feulner's motion dismissed, it had no jurisdiction nor authority when it subsequently lured the parents back into the courtroom with no notice in collusion with two non-participating attorneys who observed a commotion/altercation between Heather Wood, mother, and Adeline, her child OUTSIDE the courtroom in the hallway/lobby where it ensued. Thus, Heather Wood takes exception to jurisdiction, and reserves the same throughout these fruit of the poisoned tree proceedings in protest despite her appearance. This Court is the improper forum for the filed Petition for Emancipation for the following reasons: 1. Heather Wood, the child's mother, was never properly served, thus this Court lacks in personam jurisdiction over her. Nor does Heather Wood consent to jurisdiction, but objects to the lack of it. Heather Wood NEVER received or was properly served a Summons for this cause. Nor was an RTS filed at all. Thus this Court is presently barred from continuing w/this case. The 14h Amendment serves as a basis for Strict Scrutiny and Due Process-currently lacking in this forum. 2. Heather Wood's domicile remains in Thurston County where she works and lives as a school bus driver, a vital necessity for her very survival. She is indigent and cannot afford to commute to

Amended Response to Page 1 of 13 Heather Wood (360)999-8493 hthrwood012@gmail.com
Mr. Feulner's Declaration 9129 James Rd, SW, Rochester, WA 98529

Port Orchard. Inasmuch as the child (Adeline) was unlawfully removed from Heather's physical/legal custody, the girl's domicile remains with her lawful guardians/custodian, i.e. the mother, Heather Wood, who resides and is domiciled in Thurston County. Thus venue in Kitsap County is improper under Washington State law properly interpreted. Ergo, this Court has neither proper Jurisdiction nor proper venue for this cause #. If Strict Scrutiny had been applied ab initio, we would not be HERE today. We are here because when a parent has a child, Family Court has a hostage. (1) OBJECTION 1: Commissioner Clucas was subsequently privately contracted by these two women, local attorneys, Amanda Williams and Laura Yelish, who manipulated the court into unlawfully recalling the case w/o due process, notice, an opportunity to confront the litigants' accusers, and taking statements from the two attorneys on the record w/o swearing them in: i.e. with NO testimony as a basis, and an illegally held hearing at that. Heather Wood takes exception on the record to this outrage and lawless Kangaroo hearing. Heather Wood, the complaining mother in this instance takes exception on a continuing ongoing basis, reserving her protest/objection to the same to this violation of her civil rights and the kidnapping of her child under the pretext of the Court's authority without even the color of State law, thus lack of proper jurisdiction. II RELIEF SOUGHT (both cause #'s, 23-2-01534-18 & 07-3-01713-1, are linked for purposes of Due Process Violations)

OBJECTION TO RESPONDENT'S EXCEEDING SCOPE AND TAMPERING

[Court rules are intended to ensure fairness and breath to Due Process rooted in the Magna Carta and its descendants. Mr. Feulner has reversed that course in his declarations by expanding the scope of them at each step instead of narrowing them, creating a bottleneck trap for the Petitioner's responses requiring timeliness. The Court rules and their intent require each responsive declaration to limit itself to the scope of that declaration to which it responds. Mr. Feulner has reversed that arc, and Petitioner urges the Court to sanction him under Rule for it.]

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. Lenard Feulner's's 'response is captioned a DECLARATION on its face, and will be treated as such in this amended Counter-Declaration for purposes of timeliness—a newly found cause embraced by the respondent in his pleadings.]

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's testimony/statements, 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 languished 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 and mother's most fundamental rights under the sham rubrik of the 'best interests' of the child instead of the application of Strict Scrutiny. Moreover, Kerry Stevens is not Mr. Feulner's attorney, and may not advise him w/o creating a conflict of interest. Nor was the child (Adeline) accused of anything in the response to Feulner's declaration. i.e. The child needs no defense in this instance to the Petitioner's rebuttal to Lenard Feulner's DECLARATION.]

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's 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 dangled his infant/toddler daughter's body/face in strange dog's faces, such as pit bulls to demonstrate they were innocuous. This particular pit bull had bitten others in the past, including my daughter when she was

4. Petitioner's critique is focused on Respondent's failure to protect Adeline and even

hold those responsible accountable in the aftermath. Adeline bears a scar from the incident to this day which bothers her. Donna Ebentheuer is irrelevant and immaterial to the thread of this case. The father's carelessness in habituating our young daughter to dangerous animals IS relevant.]

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 to testify about these events under penalty of perjury. She will also subpoena thee detective Feuler made his admissions to. These events and Respondent's 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 received 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. Mr. Feulner continues to attempt to distract this court from the fact he raped Adeline Feulner when she was 6yo by asking it to focus on the dog and his absence instead of the rape and his presence as well as all the evidence of his unfitness as a parent.

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 off its occurrence. Nor does Respondent deny exposing Adeline to age inappropriate material on the internet which the Petitioner complains of. Furthermore, the Court will decide what is false or ridiculous. The Petitioner's allegations are neither false nor 'ridiculous', but Mr. Feulner's claim to the contrary indicates his failure to appreciate and respect his daughter's innocence.]

All of this is not relevant, espec[;3]lly 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 the child's defiance ("There's nothing they can do about it," he indicated) 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. Under current Washington law, 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 WITHIN A CERTAIN DISTANCE OF THE PETITIONER.

[OXYMORON: Feulner contradicts himself under penalty of perjury on both prongs of this oxymoron. He complains of the precise length of Petitioner's email attachment, then claims he is too ignorant/dull to comprehend/use email when objecting to judge Adams ruling Ms. Wood is to keep her documents provided in e-mail to under 100 pages. Judge Adams found Feeulner's objection suspicious and directed 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 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. Adeline 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 de facto advocate, offering erroneous legal advice in the bargain 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 Mr. 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 the kangaroo 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 the mother was the primary residential parent prior to my initial request for restraints.

[The mother was awarded exclusive residency and custody of her child, Adeline Feulner,

in the parentage case disposed of on 12-24-07. Mr. Feulner claimed he was bringing the Emergency Ex Parte Motion “on behalf of his daughter—as though he were her attorney. Judge Houser repeated the assertion and Mr. Feulner confirmed it. No colloquy was conducted before the child was sworn in to denounce her mother in open court pursuant to facially defective documents submitted by Mr. Feulner, rendering the child’s statement moot/invalid testimony as a basis for granting Mr. Feulner’s motion and the Court’s order.]

She exercised that right and exclusively parented her child, until 8-4-23 (judge Houser presiding) 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.

[On the contrary, the defective documents submitted by Mr. Feulner are not harmless and generated many errors, e.g. The clerk’s notes label the child, Adeline Feulner, as “Pro Se” and a “juvenile victim”. Neither was true nor was there any finding of fact to that effect. The substitution of Mr. Feulner’s name for the Petitioner’s is strictly prohibited, introduced ambiguity and confusion into the proceedings/record as exemplified even currently w/Ms. Kerry Stevens introduction of a defective on its face document (following Mr; Feulner’s lead) as did Mr. Feulner’s own declarant who filed a document captioned “In Re the Parentage of Heather Wood”. No such case exists, now or ever. There is no dispute, now or ever, as to who Ms. Wood’s parents are. The State of Washington had to sue Leonard Feulner to make that determination for Adeline Feulner. Mr. Feulner was on full notice of the proper captioning and continues his obfuscation, scienter, and shenanigans tantamount to tampering with the record for which he should be sanctioned under Rule 11 and all such documents defective on their face stricken from the record. The Petitioner has good cause to suspect Mr. Feulner does this deliberately to distract the Court from the central salient point in this case: Commissioner Clucas and Judge Houser placed the child, Adeline Feulner, with her rapist dating to when she was 6yo w/o investigation, background check, examination of courthouse video surveillance tapes before they were destroyed, Proper Jurisdiction, or even the slightest Due Process—yielding a panoply of fruit from the poisoned tree Commissioner Clucas orchestrated in his kangaroo hearing conducted on an impromptu basis on 8-15-23 and cumulative error.. Subsequent Kitsap judges appear to be covering up this fact to protect Commissioner Clucas for violations of the Judicial Conduct Code in the bargain.]

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.

[Neither the Petitioner nor the Court need consider Mr. Feulner's assumptions or conjecture calling for speculation given they violate the rules of evidence. Mr. Feulner, and Commissioner Clucas are attempting to relitigate the parentage case adjudicated and disposed of on 12-24-07. Adeline Feulner tested positive for drug use (marijuana) on 7-20-23 in the Providence Hospital of Lewis County. A video of her encouraging her 14yo girlfriend to snort a white powdery substance on camera the 16yo child subsequently posted online is in hand along with a declaration she called the 14yo's Mother (Mrs. Robb) while disguising her voice telling the mom she had stolen her daughter's virginity. Mrs. Robb also reported her 14yo complained of Adeline's efforts to procure her for the online sexual gratification of an older man. Mr. Feulner does not parent the at risk child (Adeline) nor live w/her. The Petitioner has evidence indicating Adeline Feulner is using the internet to traffic drugs to minors.]

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 had 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.

[Hearsay, but indicative Adeline casually spreads disinformation likely at the hands of her father who continues to discuss details of my Parenting Petition case w/my minor daughter—a form of parental alienation and child abuse—unsurprising from one who raped the child at 6 years of age. Reports my child may be pregnant have surfaced and I seek discovery/DNA testing to determine the father and if it is Lenard

Feulner.]

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.

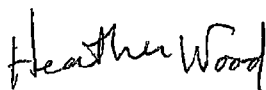
[One complaint/incident of a father raping his 6yo daughter is sufficient to establish his unfitness as a parent! His effort to obscure and distract from the fact or admit it highlights his unfitness.]

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 responses are true and correct to the best of my belief and knowledge.] Dated this 20th day of January, 2024 in the County of Kitsap:



Heather Wood, pro se mother, petitioner