

SUPERIOR COURT OF WASHINGTON
COUNTY OF THURSTON

In re the Matter of:

ANNETTE ROTH,

Petitioner,

No. 14-3-00778-8

and

DECLARATION OF
ANNETTE ROTH

STEPHEN HICKS,

Respondent.

(Optional Use)
(DCLR)

This declaration is made by:

Name: Annette Roth

Relationship to the parties in this action: Petitioner

I Declare:

I am the mother/father of one child Lucas M. Hicks.

This declaration is being written to make specific requests concerning child custody, communication between petitioner and respondent, and division of physical and financial assets.

This is in reference to 14-3-00778-8, filed in the Superior Court of Washington for Thurston County, Family and Juvenile Court, on September 19, 2004.

The respondent, Stephen K Hicks, has struggled with a methamphetamine addiction for approximately three years. This addiction has, in my opinion, compromised his judgment, and

1 caused him to exhibit behaviors that are not in the best interest of our child. The respondent has
2 admitted in writing to his addiction (see attached exhibit for more information). His addiction has
3 caused him to be highly unstable and emotionally volatile. He has verbally assaulted me over
4 the phone, via text message, and through e-mail on multiple occasions. He has threatened
5 suicide, threatened physical harm to our child, and has physically assaulted me (see attached
6 exhibit for more information). In addition, he has violated the temporary domestic violence
7 protection order against him, on at least three occasions (see attached exhibit for more
8 information). These factors make him a physical risk, not only to me, but to our child. I request
9 that the court grant me temporary full custody with court-supervised visits made available to the
10 respondent on a weekly basis until such a time as respondent can prove that he has overcome his
11 addiction, made steps to address his tendencies toward physical aggression, and sought
12 treatment for his mental health issues.

13 Further, I request that the court order the respondent to enter a qualified drug treatment
14 program, preferably at an in-patient or out-patient treatment facility. I request that the
15 respondent undergo random, regular urinalysis for at least six consecutive months during his time
16 in drug treatment. I also request that the respondent enter into a qualified domestic violence
17 counseling program. If the respondent can fulfill all of these obligations, I would be willing to
18 seek a shared custody arrangement with the respondent and with me retaining primary and
19 majority custody rights of our child.

20 Regarding communication between the respondent and myself, I request that the court
21 orders communication between us to be confined topics related only to the health and safety of
22 our child, and visitation arrangements.

23 As it relates to the division of physical and financial assets, I request the following:

24 The court order the respondent to be financially responsible for himself. He is voluntarily
25

under-employed as a result of his drug addiction and for the nine months we have been physically
Declaration (DCLR) - Page 2 of 4
WPF DRPSCU 01.0100 (6/2006)

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Olympia, WA 98502
360.570.0907/360.570.0917 fax

1 separated, I have paid most of the respondent's utility and phone bills. I believe the respondent
2 should take care of that responsibility for himself.

3 I request that the court release me from the responsibility for spousal maintenance, due to
4 respondent's voluntary underemployment status.

5 I request that the court order me to take the sole financial responsibility of our joint
6 American Express credit card account, a debt in the amount of \$4,200 and that the court allow me
7 to remove the respondent from that joint account as I am the primary cardholder.

8 I request that the court order that whatever debts both the petitioner and the respondent
9 accrue moving forward, including, but not limited to, utility payments, charge accounts, and health
10 bills, be the sole financial responsibility of the person who assumed responsibility for said debt.

11 I request that court order that I retain all the assets in my personal SIMPLE IRA account,
12 the value of which is currently estimated to be approximately \$7,500.

13 I request that the court allow me to take possession of the following physical assets, the
14 value I estimate to be approximately \$2,000 total:

15 NordicTrak elliptical trainer exercise machine, plus power cord

16 42" Sony Bravia HDTV, including TV stand, wall-mounting kit and power cord

17 One six-drawer black-painted wood dresser that belongs to our son

18 3-piece teak wood modular shelving unit, including all hardware and doors

19 Two pieces of art: one oil pastel drawing of 'Tulip Couple' by Milan Filpec, and one

20 abstract acrylic painting on plexiglass, currently hanging in our son's room

21 Three off-white pillows that are part of the daybed I currently possess

22 One Washburn guitar and one mandolin that belong to me.

23 I request that the court grant the respondent possession of all remaining joint physical
24 assets that are currently not in my possession, including but not limited to the following: the

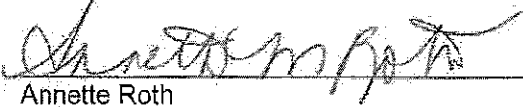
25 remainder of the furniture and household goods in the house, all power tools, building materials,

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all musical instruments, equipment not listed herein, and whatever remaining physical assets remain at our former residence. The value of these items I estimate to be approximately \$60,000.

I request that court order the respondent to file signed loan modification paperwork for our joint property at 16530 Village Drive SE, Rainier, WA 98576 with the mortgage holder Wells Fargo Home Mortgage. I further request that after paperwork has been filed, the court allows me to sign the full amount of my interest in the property to the respondent, making the respondent sole owner of said property. The value of the home is currently estimated to be approximately \$170,000.

Signed at Lacey, [City] WA [State] on MARCH 4, 2015 [Date].



Annette Roth
Signature of Declarant

Do not attach financial records, personal health care records or confidential reports to this declaration. Such records should be served on the other party and filed with the court using one of these cover sheets:

- 1) Sealed Financial Source Documents (WPF DRPSCU 09.0220) for financial records
- 2) Sealed Personal Health Care Records (WPF DRPSCU 09.0260) for health records
- 3) Sealed Confidential Report (WPF DRPSCU 09.270) for confidential reports

If filed separately using a cover sheet, the records will be sealed to protect your privacy (although they will be available to all parties in the case, their attorneys, court personnel and certain state agencies and boards.) See GR 22(C)(2).

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SUPERIOR COURT OF WASHINGTON
COUNTY OF THURSTON

In re:

ANNETTE ROTH,

Petitioner,

NO. 14-3-00778-8

And

STEPHEN HICKS,

Respondent.

DECLARATION OF ELECTRONIC
TRANSMISSION

I, Melissa Schlagel, do hereby declare and state as follows:

I am a paralegal at the Redford Law Firm and am not a party to this action.

I have examined the attached electronic signature page transmitted on March 4, 2015 that consists of five (5) pages including this declaration and that it is a complete and legible electronic transmitted original signed by Annette Roth.

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

Executed this 4th day of March 2015 at Olympia, Washington.


Melissa Schlagel, Paralegal