

FILED
AUG 28 2023
KITSAP COUNTY CLERK
DAVID T. LEWIS III

Superior Court of Washington, County of Kitsap

In re the parenting & support of:
Adeline Marylynn Feulner, (child)

Petitioner/s (*person/s who started this case*):
Heather Lynn Wood (mother)

And Respondent/s (*other party/parties*):
Lenard Ray Feulner (father)

No. 07-3-01713-1

Counter Affidavit & Objections of Heather
Wood

RE: Lenard & Adeline Feulner's erroneous
Declarations/Testimony(?)

DECLARATION & Objections

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

The following clerk's (Lindy Mense) notes, dated 8-4-2023, appear in the record for this cause:

(1) **Objection 1:** The clerk, Lindy Mense, substituted Lenard Feulner's name for mine as the true Petitioner, and mine (erroneously) as the Respondent. This is not a trivial error as it introduces ambiguity and confusion into the proceedings—already in shambles and a litany of errors and irregularity. E.g. Admitting Adeline, a minor child, into the adversarial proceeding and alienation of affections conflict between the parents. A change of parties regarding their status as Petitioner vs. Respondent requires a court order before a document will be considered by the court as part of the record. No



such permissive court order was ever granted. Thus, any decision based on such erroneous documents in the record fail to establish any basis for granting Lenard Feulner's motion as a fatal procedural flaw at this point.

The clerk notes Judge Houser granted an immediate restraining order in her entry into the record.

(2) **Objection 2:** There was no prima facia showing of an emergency justifying the summary granting of the restraining order. On 8-15-23, Commissioner Clucas denied Lenard Feulner's Show Cause motion for extending Houser's temporary order, concluding no sufficient emergency existed as he disposed of and dismissed the case, but without entering his oral decision from the bench into the record as he dismissed the parties and the motion before moving on to subsequent cause numbers on the docket. I object to the entry of judge Houser's order w/o proper foundation as an abuse of discretion, and void.

The clerk's notes indicate Adeline Feulner as a pro se litigant (advocating for herself as an unemancipated minor) when sworn in as a witness with, as it so happens, a clear conflict of interest, i.e. tearfully arguing she did not want to return to her mother's lawful court ordered custody and alleging abandonment under disputed circumstance after a hospital stay.

Objection 3: Adeline, my daughter, cannot, as a matter of law, in this cause be considered and treated by the court as a pro se (per the clerk's notes, which is the only record of the hearing Heather Wood, the true Petitioner, has in her possession as an indigent currently) litigant. I take exception to the pernicious fact Judge Houser did so, exacerbating the tension between Mother and daughter, ipso facto parental alienation of affections. The overly permissive (at the very least) Disneyland dad's excesses abetted by the Court's errors have exacted incalculable lasting harm to the mother AND daughter catering to a man who kissed his 7-year old daughter, Adeline, on the lips and stuck his tongue down her mouth. The Kitsap County Sheriff's

records division will disgorge their police report detailing the incident upon discovery and a praecipe for a subpoena duces tecum.

(3) With respect to the clerk noting my residence as a bus, Adeline was enthusiastic about living in the bus, never expressing antipathy toward it. The bus is not a dispositive consideration, and being poor is not equivalent to child neglect per recent appellate decisions. My moving the bus occurred after Adeline refused to leave the hospital (which I'd taken her to for drug testing after finding, to my surprise, evidence of her using) in my care. I'd learned her father was picking her up, given the circumstances and her incorrigibility.

On 8-4-23, Leonad Feulner filed, pro se, a Motion for an **IMMEDIATE** Restraining Order (Ex Parte), against Heather Wood, the mother w/legal custody of Adeline. Adeline Feulner, an at risk 16 year old teenager, had been in the exclusive care of Mr. Feulner since 7-20-23, the day Adeline had refused to leave the hospital w/her mother to go home out of pique for having been discovered using drugs (marijuana) and engaging in sexual activities. I remain mystified as to how Mr. Feulner developed an over 2-week hiatus w/his daughter (7-4-23 to 8-4-23) into an '*emergency*' theory justifying the court condoning, by its own order, the illegal seizure of the girl from her lawful custodian (the mother). Moreover, Lenard and Adeline approached a lawyer I'd hired to settle an insurance injury claim for my daughter resulting from an accident in which she was a passenger in the car her father (Lenard) was driving. During the 15 days prior to 8-15-23, Lenard and Adeline (in his care the entire time) approached my injury lawyer and failed to abscond with the settlement money because the insurance company had yet to reach an agreement on a settlement amount. Lenard and Adeline's interest in this case appear to be driven by pecuniary motives.

(4) Objection 4: Lenard Feulner's substitution of his name as the *Petitioner* in his 8-4-23 Motion to Show Cause filed w/the Court for my name (Heather

Wood) as the true **Petitioner** is improper and in violation of court rules inasmuch as no court order granting permission to do so exists. This Court should vacate/void, nunc pro tunc, any relief granted to Feulner as a result of improperly submitting it for consideration.

In his 8-4-23 Motion to Show Cause filed w/the Court, Feulner included Adeline's name as a party and litigant, contrary to court rule and Washington State law in such proceedings. A minor dependent child cannot act, in law, as a pro se litigant in a custody battle. Moreover, Adeline's testimony, if she was even sworn in, is transparently self-serving and known to her mother to be false. It is unclear who made the attempt to line out the child's name in the caption of the motion filed on 8-4-23. If it was a Court official, it was, of course, improper and tantamount to tampering w/the record.

I find the use of Acronyms such as 'MTSC' in the caption of Lenard's Motion, enigmatic and willfully obscure for pro se litigants...an amalgamation of inequitable shortcomings amounting, in total, to cumulative error. The Court, to do justice, must take judicial notice of these accumulation of errors.

On page 2, item #2, of Lenard's MTSC, he states:

"My daughter no longer feels safe with her mother because she has hit her before and doesn't trust her to tell the truth and kicked her out, then took her back saying she could stay if she started paying rent, then told her to take pot products for pain, then had her drug tested and had her fired from her job"

I contacted Adeline's employer and advised them my daughter had some acute medical issues needing resolution before she could safely resume her duties as a lifeguard at the Great Wolf Lodge swimming pool.

The marijuana products Mr. Feulner alludes to have no THC content, but are over the counter CBD ointments for pain relief. I use them for sprains. So does Adeline.

(~2 days before 7-20-23, while in our bus, and speaking to my daughter, she responded, "Shut the fuck up. I'm sick and tired of your bullshit." I was shocked and hurt. I assumed we were having fun. I don't know what got into her. I have never injured or smacked my child. I have rarely tapped her lightly on the thigh, arm, or behind to get her attention. I am firmly against physically disciplining my child. I am not a perfect parent. I am a loving, fit, dedicated mother. If I made mistakes, it was not for lack of love for my daughter, Adeline, but me doing the best I knew how at the time.)

It is well known among propagandists and salesmen, mixing lies with a smattering of truth is the best way to sell the lies. Mr. Feulner's statement (ibid) is a sterling example. My daughter and I were tight her entire life until recently. Our mutual love for one another was the glue that bound us. This court, in its rush to judgment, has eroded that bond.

I did NOT 'kick' my daughter out of our home. She refused to go home with me from the hospital on 7-20-23. Adeline and I had a previous discussion wherein we brainstormed over how we would arrange our living together and meet expenses. She agreed helping pay the rent as a newly emancipated adult would be appropriate. Believing she was more mature at the time than I do now, I agreed to her wish to petition for emancipation. She was working and drug free, I thought. I was caught in a financial bind that could have resulted in our loss of our home for failure to pay rent. I borrowed a sum of money from Adeline w/o her knowledge or consent w/the intent to pay her back—which I did. Adeline's loss of her job and my temporary use of her savings, w/o her knowledge, angered Adeline. Even as a mid-teen, Adeline

would routinely lack the discipline to brush her teeth before leaving our home and have to be called back.

Lenard, her father, fully exploited Adeline's discontent to further alienate her from me. He has always resisted, and resented paying any child support for her including threatening me over it. This court aided and abetted his efforts by failing to do justice by both parties, respect mandated due process, and allowing Adeline to take sides in the midst of Court proceedings, even mischaracterizing her as a pro se litigant and complaining witness. Adeline is a dependent child, not a pro se litigant/complaining witness. The Court erred and abused its discretion in allowing Adeline to witness the proceedings, let alone serve as a pro se litigant and offer sworn (if) testimony.

Item #2 on page two of Lenard's mandatory pattern form boiler plate fecklessly invites a Petitioner to affirm "***Without this Order, the children or I could be hurt or suffer damage or loss immediately.***" The Court (judge Houser) allowed this departure from proper proceedings in an emergency Ex Parte Family Court hearing on 8-4-23 w/o an iota of notice in advance or opportunity to ever confront and cross-examine her accusers—Lenard and the mother's rebellious teen, Adeline. First impressions are said to be the strongest. Heather Wood was allowed no opportunity whatsoever to make an impression at the 8-4-23 hearing or conduct a search for the truth before a rush to judgment where NO 'emergency' existed. A fortnight of Adeline in her father's/grandmother's care is not an 'emergency'.

On page 2, item #3 of Lenard's emergency Ex Parte MTSC, he offers no explanation whatsoever for checking this box which reads: *I should not have to notify the other parties in advance that I am filing this Motion because any child listed in 1 or I could be harmed beyond repair if I gave any advance notice.*

The reason for the lack of explanation (ibid) is that none truly exists. Item #3 as checked is patently false.

NO box is checked on page 3, item #5. Nor is item #7 completely checked, rendering both defective on their face.

Item #8 on page 3 is gratuitous as the mother has never harassed, threatened, or molested her child. However, Mr. Feulner did molest Adeline when she was 7 years old by penetrating her mouth with his tongue. Naturally, the Court elected, ultimately to place Adeline with Feulner on both 8-4-23 and 8-15-23.

On page 4, Item #10, The checked box indicates Charleen Feulner, Adeline's paternal grandmother, as the designated temporary caregiver. Charlene is 93 years old – too old and frail to reliably provide oversight to an incorrigible rebellious 16 year old girl w/a drug and discipline problem.

On page 4, Item #12, the box checked calls for extending the immediate order. There is no proper justification for the emergency Ex Parte MTSC order at all, let alone extending it.

On page 5, Item #14, the checked box calls for approving Mr. Feulner's PPP. Adeline, an at-risk youth, is in danger in Mr. Feulner's care as well as his very elderly mother, Charlene Feulner, 93 years old.

On Page 5, Item # 15, the checked box calls for an order of child support the mother, who is destitute, cannot afford. She is so far below the poverty level, she struggles to meet her expenses or mount a defense against the machinations of Mr. Feulner who has significant resources and income from various sources, often working beneath the table while collecting public assistance benefits.

On Page 6, Item #18, Mr Feulner states: *My daughter's mother left her at the hospital, went home and moved out*

from where they were living, taking all my daughter's possessions and pets. I had picked her up from the hospital and brought her to stay with her grandmother. We contacted the Thurston County Sheriff's office to report the stolen items. They were able to arrange a go-between to give her stuff back, but her mother still has her passport, social security card, and weapons.

Again, Mr. Feulner mixes half truths w/outright lies as a cover obscuring them. Adeline refused to return home w/me after her secret drug life and delinquency were discovered. One of her male friends was a threat to my property and safety. I moved our possessions and myself for protection, knowing Adeline would call my phone when she was ready to return. I kept her most important documents in the confidence of knowing she'd need them when she returned. She had proven to be inattentive to her small pets which I then took over for their survival. Lenard had, over time, gifted Adeline dangerously lethal offensive weapons such as throwing knives and throwing stars inappropriate for a child Adeline's age. She may have them when she turns 18 or is emancipated. The weapons are deadly intended for offensive use.

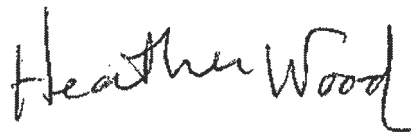
On August 4th, 2023, Lenard Feulner improperly filed a declaration falsely claiming to be the Petitioner in this cause and altering the caption, substituting his name for mine as the 'Petitioner' when I am the true Petitioner, w/o a Court Order granting him permission to do so—rendering the document defective on its face and inadmissible.

On Page 1, Item #2, he swears to the following: When we went to get her things the next day, she had moved away taking all my daughter's possessions including the martial arts weapons. We recovered most of her possessions, but her mother still has her passport, social security card, and most of the weapons.

The above handwritten statement is barely legible and lacks sufficient specificity to be coherent or answerable. If the pronoun Lenard uses refers to Heather Wood, she has substantially responded to the allegations previously in this document. Moreover, all the alleged items came into the mother's possession lawfully and this venue is an improper forum to try a Replevin action, if such a lawful claim exists at all. Accordingly, said Declaration filed by Lenard Feulner should be disregarded and given no probative weight whatsoever or be stricken from the record.

I declare under penalty of perjury of 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 27th day of August, 2023, in the County of Thurston, WA.



(Signature)

Heather Lynn Wood

(Printed Name)

9129 James Rd, SW

(Address)

Rochester, WA 98579

(City & State)

(Zip Code)