

Colorado Court Watch

Monday, August 5, 2013

Social Media Court Watch needed. This motion requires my girls are returned to me in 14 days. Please contact Judge Margie Enquist division at 303-271-6180, or the courts public relations at kheiderr@jeffco.us or 303-271-8515

0District Court Jefferson County, Colorado Court Address: 100 Jefferson County Parkway Golden Colorado	
In re: James J Mohnhaupt versus Stacy Slaton, Son Lowery, Daughter Mohnhaupt, and Daughter Slaton	
James J Mohnhaupt Stacy Slaton (mailing address only)	COURT USE ONLY Case Number: 00DR413 Division Courtroom
VERIFIED AFFIDAVIT IN SUPPORT OF EMERGENCY MOTION TO MODIFY PARENTAL AND DECISION-MAKING RESPONSIBILITY PURSUANT TO CITED SUBSECTIONS IN C.R.S. §14-10-124, §14-10-129 AND §14-10-131 VIA ABSENTEE TESTIMONY	

Comes now, Stacy Slaton, Mother of Daughter Mohnhaupt, Son Lowery, and Daughter Slaton, requesting this Court to modify **VERIFIED AFFIDAVIT IN SUPPORT OF EMERGENCY MOTION FOR ORDER TO MODIFY PARENTAL AND DECISION-MAKING RESPONSIBILITY PURSUANT TO CITED SUBSECTIONS C.R.S. §14-10-124, §14-10-129 AND §14-10-131 VIA ABSENTEE TESTIMONY**, and states the following:

1. The last Order regarding allocation of parental responsibilities was entered by the Court in 2005 when James Mohnhaupt was awarded sole decision making and residential custodianship of Daughter Mohnhaupt and Son Mohnhaupt n.k.a. Lowery.
2. A Motion for substantial modification of allocation of parental responsibilities has not been filed in the last two years per **§C.R.S.14-10-131**. **Per Rule 121**, Stacy Slaton has made numerous attempts to contact James Mohnhaupt and Attorney June Anglin, who has withdrawn from this case. STACY SLATON'S DAUGHTERS Daughter Mohnhaupt and Daughter Slaton, are presently endangered and are suffering emotional trauma created by the forced sequestration of their Mother, due to the acts and threats of Domestic Violence; as defined in **§C.R.S.14-10-124 (4)(b)(c)**, which this court is accessory to. Stacy Slaton, as their emotionally stable and healthy Mother, deems the following as the most appropriate way to resolve violations of natural law, and of civil rights, to adhere to statutory rules, and to estop Constitutional crimes. Any other court appointed broker services are **NOT** needed. Such services have proven to cause further harm^[1] in these types of contested custody cases. The rights of Stacy Slaton, Son Lowery, Daughter Mohnhaupt, and Daughter Slaton have been blatantly and maliciously violated. The opposing parties and adjudicators in this matter hold no regard for **Domestic Abuse by Proxy**,^[2] **The Constitutional**

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Right to Be a Parent, the **sacrosanct relationship** between Mother and Child, or the irreplaceable **sacred bonds among siblings**. The opposing parties and adjudicators have not recognized the patterns of abuse to Stacy Slaton, her children, their extended family, friends, and community. This court has not taken steps to correct patterns of abuse in this case.

3. **C. R.S. §14-10-124(II)(b)(c)** If a party is absent or leaves home because of an act or threatened act of domestic violence committed by the other party, such absence or leaving **shall not be a factor in determining the best interests of the child**. Stacy Slaton, Son, Daughter, and Daughter were subject to acts and threats of domestic violence. They continue to fall victim to habitual domestic abuse, coercion, and threats by the other party.
4. **C.R.S. §14-10-124 (4)(a)** Whether one of the parties has committed an act of domestic violence, has engaged in a pattern of domestic violence, or has a history of domestic violence, which factor must be supported by a preponderance of evidence. Recent domestic violence theory and statutory authority citing patterns of abuse comprise a preponderance of evidence in this case.
5. **C.R.S. §14-10-129 (c)** Documented patterns in the history of this case and current environment of isolation of Daughter and of her sister Daughter in a separate environment, support that the preponderance of evidence necessary to substantiate the validity of this **VERIFIED AFFIDAVIT IN SUPPORT OF EMERGENCY MOTION FOR ORDER TO MODIFY PARENTAL AND DECISION-MAKING RESPONSIBILITY PURSUANT TO CITED SUBSECTIONS C.R.S. §14-10-124, §14-10-129 AND §14-10-131 VIA ABSENTEE TESTIMONY** exists.
6. **C.R.S. §14-10-131** the retention of the allocation of decision-making responsibility would endanger the child's physical health or significantly impairs the child's emotional development and the harm likely to be caused by a change of environment is outweighed by the advantage of a change to the child.

travel, medical, and or school records.

7. **What new arrangements are you requesting?** Stacy Slaton, Mother of Daughter Mohnhaupt, requests the following new arrangements:

- ✓ Stacy Slaton shall be the primary residential custodian of her daughter Daughter Mohnhaupt.
- ✓ Stacy Slaton shall have sole decision-making and shall consult with father regarding major decisions via e-mail on major.
- ✓ Such transition shall occur fourteen days from the date this motion is filed at 6:00 p.m. at the home of Desiree Moreno, 9161 W. 66th Avenue, Arvada, Colorado.
- ✓ James is required to participate in a domestic violence and battering therapy program, as recommended in the clinical textbooks, *The Batterer as Parent*, by Bancroft, Silverman, and Richie^[3], and *Domestic Violence, Abuse and Child Custody*, by Hannah and Goldstein^[4] before parenting time with Daughter can begin.

The following schedule shall serve as Parenting Plan and will avoid transition problems.

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- James Mohnhaupt shall have parenting time every other weekend from the end of school on Friday until Sunday with a return time of 8:00 p.m.
- James Mohnhaupt shall have a dinner visit with Daughter Mohnhaupt on Wednesday of the alternating week from the end of school until curbside drop-off at Mother's residence at 7:30 p.m.
- Beginning in the summer of 2014, weekend parenting time schedule shall remain the same with curbside pick-up and drop off at Mother's residence, beginning at 6:00 p.m. on Friday until 8:30 p.m. Sunday.
- James Mohnhaupt shall have a one-week visit in the summer, beginning in 2014. James will consult with Mother's schedule by giving thirty-day notice, a travel itinerary, and all other required information.

- Stacy Slaton shall have Daughter on Mother's Day (when this holiday falls on Father's time) beginning at 10:00 a.m. There will be no return to Father until the next scheduled parenting time.
- James shall have Daughter on Father's Day (when this holiday falls on Mother's time) beginning at 10:00 a.m. with pick-up at Mother's residence until drop-off time at 8:30 p.m.
- Mother shall have Christmas Eve every year and James shall have Christmas Day every year with the same pick-up and drop-off as Father's Day.
- No deviation from scheduled parenting time will be made for Memorial Day, Labor Day, Thanksgiving or any other holiday.
- **§C.R.S.14-10-124 (VI) Mother has NEVER denied parenting time to Father, as evidenced in the record of the Court.**

Summary of case 00DR413 and this motion

The first purpose of this document is to notify the court of patterns of domestic violence in the current parental responsibilities and decision making environment of Daughter Mohnhaupt, and continual acts of fraud upon the court, collusion, and civil conspiracy, and entrapment. The 2005 custody switch removed Son (Mohnhaupt) Lowery and Daughter Mohnhaupt from their Mother and sister Daughter Slaton with no significant reason to change the environment of the children. Furthermore, Stacy's constitutional rights to due process have been violated, and continue to be abrogated by the use of coercion, intimidation, deprivation of the enjoyment for employment, and extortion of her children as human capital for the profit of state and private entities. The second purpose, once notice of crimes has been given, is to appeal to this court to seek remedy for such crimes immediately in an **EMERGENCY MOTION FOR ORDER TO MODIFY PARENTAL AND DECISION-MAKING RESPONSIBILITY VIA ABSENTEE TESTIMONY** in order to avoid further legal action.

The responsibility of attorneys and court officials is to protect children and to moderate hostility in divorce. The court has sanctioned the fraudulent activities in this case. If court officials fail to remedy the situation immediately, they knowingly and willingly violate their oaths of office and can be held accountable for harm to parents and children.

Stacy Slaton has been entrapped, extorted, and deprived of her children by unlawful child trafficking through an organized effort to eliminate her. False testimony, consolidation of two custody cases under the same attorneys, Nic Jonson and June Anglin, bias in this case, and subsequent patterns of domestic violence create a preponderance of evidence of civil conspiracy.

12. Per C.R.S. 14-10-124 (4)(a) Whether one of the parties has committed an act of domestic violence, has engaged in a pattern of domestic violence, or has a HISTORY OF DOMESTIC VIOLENCE, which factor must be supported by a preponderance of evidence.

- On December 19, 1999, James Mohnhaupt destroyed property and threatened to **KILL** Stacy in front of her children. He was incarcerated and then hired attorney Nic Jonson. James filed for divorce in December 1999 (Case # 99DR3753). However, Stacy Slaton was never informed of this action, and had no knowledge of this DR case. Per Register of Action, on December 30, 1999, there was a Temporary Orders of the Dissolution of Marriage hearing that was vacated.
- James' intention to eliminate Stacy Slaton is being played out by the imposition of chronic, long-term stress over the course of 13 years.^[5] Sequestration of her relationship with her children and deprivation of access to financial means for remedy are tactics used to debilitate protective parents. Evidence of the effect of long-term, chronic stress over the course of 13 years has been validated by research. In April 2012, in contact with Lynn Johnson of the Department of Human Services, she expressed interest in Stacy's health and stated that she would make sure "all the i's were dotted and the t's were crossed" in this case. Lynn Johnson did not concern herself with the well-being of Son and Daughter, at all, but chose to

protect her agency instead. (See Attached Affidavit.)

- On January 3, 2000, at the hearing for the Domestic Violence arrest, Nic Jonson interfered with victim protection. Nic Jonson pleaded to Golden courts that James was sorry and he wanted to reconcile with Stacy. This allowed the DV findings to be deferred. On January 10, 2000, the restraining order was granted against James.
- On February 14, 2000, James had divorce papers served, opening Case #00DR413. It is clear that James and attorney Nic Jonson dismissed the first DR filing from December 1999 so that he could intentionally and strategically have the charges against him deferred.[6]
- The temporary orders of April 2000 allowed Stacy to have use of the "marital home" and to be responsible for all debts. However, she was not allowed to finish the addition to the home to open her Watsu business, even though the renovation was almost complete. Permanent orders gave Stacy, Son and Daughter 30 days to vacate "James' home."
- Since the business was a home-based operation, this court prevented Stacy from opening her Watsu business; Stacy lost stability and income averaging \$80 an hour, as a result of this order. Over the course of thirteen years at five hours per day, this amounts to \$1,325,000.00 in lost wages. As a result, James Mohnhaupt used and continues to use this court to carry out threats against Stacy, her financial and educational investments in business, her financial stability, her right to procure employment, her health, and her physical safety.
- In Permanent Orders hearing in August 2000, court ordered temporary restraining order to be vacated in August 2001.
- In 2001, the court removed the restraining order against James Mohnhaupt despite concerns over his continued behavior and Stacy's motion to reinstate such restraining order. James began an onslaught of filings as a result. [7]
- Stacy Slaton made it clear to the court that James' litigious behavior constituted harassment. Nic Jonson informed Stacy that James' intention was to work on their marriage, although it had been dissolved in August, the year before.
- James and his attorney, Nic Jonson, repeatedly filed Motions to have Dr. Jean Lacrosse appointed as Special Advocate (S.A.). The court granted the motion on November 1, 2001.
- On December 4, 2001, a stipulation was entered into the court dismissing the appointment of the Special Advocate (S.A.). The stipulation also included that Stacy move back into the marital home. She agreed, since the restraining order had not been reinstated, in the belief that James would stop the use of the court to harass her and that she would be in a better position to protect the children. **It is documented that victims of domestic violence return to the perpetrator under coercion and threat of harm to themselves and the children.**[8] Within months, James abandoned Stacy and all efforts to reconcile by moving Stacy's and the children's belongings into the street. Stacy removed the children immediately in order to protect them from the psychological abuse of having their belongings placed in the street by their father. After the children had been removed, the situation escalated and required police intervention on a civil assist.
- James then reverted to using the court's authority to harass and badger Stacy by continuing to request Jean LaCrosse as well as modification of parenting time. Dr. LaCrosse and James' attorney Nic Jonson had participated in a course on "How to Train your Client for a C.F.I. Investigation." This type of coaching is tampering the C.F.I. investigation in order to create a situation for profit,[9] as well as fraud upon the court.
- On April 24, 2003, a hearing was held to reduce James' child support payments despite the fact that Stacy had already agreed to do so before the hearing was set. This unnecessary hearing constituted frivolous and malicious adjudication for profit, a

practice regularly observed in contested custody cases, even when no opposition is present.[\[10\]](#)

- On April 25, 2003, Magistrate Christopher Voisinnet **denied motions for Special Advocate and change in parenting time, and stated there were no grounds to appoint an S.A. or to grant James more parenting time.** The scheduling of two hearings one day apart constitutes legal abuse and harassment allowed by the court.[\[11\]](#)
- The court allowed the badgering behavior to continue and escalate, allowing James to file yet another request for LaCrosse, resulting in Stacy Slaton needing to hire attorney, Rene Koller, costing approximately \$4,000.00.
- On Koller's advice, Stacy Slaton agreed to do an investigation, as long as the Special Advocate was not Jean LaCrosse.
- S.A. LaCrosse was appointed anyway, costing Stacy \$2,600.00, and James \$2,500.00. LaCrosse's investigation was flawed and incomplete because she never visited Stacy's home, yet she committed fraud upon the court in her testimony about Stacy's home. LaCrosse's reports were biased and unsubstantiated.
- Rene Koller earned \$4,000.00 to push the appointment of S.A. LaCrosse against Stacy's vehement and repeated protestations. Then Koller withdrew from the case.
- Due to **S.A.** LaCrosse's irresponsible report, in which her criminal intent is apparent, this court felt compelled to appoint a professional with greater qualifications, **A Child Family Investigator (C.F.I.)**, Dr. Claire Purcell. Stacy bore the full cost of \$5,000.00 for this **independent "more qualified"** investigation.
- In this instance, Dr. Claire Purcell's[\[12\]](#) investigation was thorough because she did visit both homes, and her findings were responsible, substantiated, and definitive.
- During the period of Dr. Purcell's investigation, one or several of the parties, released personal information to the alleged "Dr." David Kieffer, who presented himself as a Child Family Investigator, without the consent of Stacy or the court. Verbatim language in both his and LaCrosse's reports is evidence of collusion.
- Stacy Slaton had no knowledge of this conspiracy to collude against her and her children until Kieffer's report was submitted to the court, generating a situation for further profit for brokers in this case. At this time, the amount of David Kieffer's profits is still unknown.
- Stacy's court costs included removing David Kieffer's report and testimony, which were never ordered by the court.
- David Kieffer claimed to understand the family situation without ever interviewing or conducting any visitation to the home of Stacy Slaton. In fact, Stacy Slaton and her family never met or had any contact whatsoever with David Kieffer.
- David Kieffer's practice is currently under investigation by D.O.R.A.
- Stacy retained Attorney David Bolocofsky with an approximate \$30,000.00 retainer.
- Despite Magistrate Voisinnet's statements in April 2003, that no grounds for Special Advocate or modification of parenting time existed, Stacy Slaton incurred costs of approximately \$45,000.00 to engage and refute the appointment of Jean LaCrosse and her testimony. However, Jean LaCrosse's unfavorable opinions were the only factors cited in the Permanent Orders. Stacy's efforts and costs were futile, against what has now been recognized as a conspiracy to eliminate her from her children's lives, by continuing a pattern of domestic violence, with the endorsement of the court as his proxy[\[13\]](#).

- As a result of James' continual threat and the removal of her children from the home of Stacy and John Slaton, Stacy's marriage to John Slaton foundered.
- John Slaton then began to collude with James Mohnhaupt and Nic Johnson in an effort to join the winning team and to form a civil conspiracy to include Stacy's family and friends, using the threat of withholding the children from them as well.
- This pattern of using family to assist in withholding Stacy's children is extremely evident in the Affidavit Nic Jonson colluded to prepare for Desiree Moreno in 2007, using the children to intimidate Desiree into signing the affidavit, which she did not prepare. Subsequently in 2008 Desiree wrote a letter to this court to bring clarification.
- Furthermore, using tactics coached by the attorney and documented in Dr. Sharon Araj's documentary, *Domestic Violence Continued: Contested Child Custody*,^[14] James Mohnhaupt and John Slaton colluded to incarcerate Stacy Slaton, thus attempting to sever the maternal bond and defame Stacy Slaton in her children's eyes. **James Mohnhaupt and John Slaton continue to participate in a relationship focused on eliminating Stacy Slaton from the lives of Daughter Mohnhaupt and Daughter Slaton.**
- Since 1999, James has committed fraud with Child Protective Services, as well as with the Court. Whenever James's abusive behavior is reported, he has repeatedly stated that all such claims by mandated reporters, Karlis Center personnel, strangers and children are lies. In James' testimony (August 2005), he called Son a liar and blamed him in an incident involving Daughter at the Evergreen recreational center. James was not even present, perpetuating a pattern of using a scapegoat, which is characteristic of an abuser.^[15]
- Because of collusion in this case, Stacy Slaton became disenfranchised and was placed under constant threats of incarceration. The pattern of aggression has occurred again with the false arrest and detainment of Son Lowery in 2009. This led to Son's removal from the custody of James Mohnhaupt, resulting in **a change in the circumstances of Daughter Mohnhaupt. The initial removal of her mother, and her sister Daughter, and the subsequent removal of her brother have caused Daughter to suffer a series of profound losses. Clearly, a preponderance of evidence indicates that James pattern of abuse exists.**
- **If such patterns of abuse are allowed to continue, anybody who has anything to do with Daughter's mother Stacy will become extinct in Daughter's life, thereby robbing her of half of her identity.**

13. Court-appointed Special Advocate Jean LaCrosse intentionally violated professional conduct with perjury, causing discrimination and bias against Stacy Slaton, and committing fraud upon the court.

- Court-appointed S.A. Lacrosse recommended therapy for Son and Daughter, even though they were currently in therapy with Doug Lehman as a result of James abuse. Based on LaCrosse's disregard for an opposing professional in this case, Stacy complied and placed Son with new therapist Dr. Edith Israel, costing Stacy, after insurance, approximately \$1,200.00; and Daughter with Dr. Marsha Franklin costing \$1,980.00, after insurance. The findings of all those professionals were dismissed. Furthermore, in a distorted twist of her own recommendation, Jean LaCrosse and Judge Enquist stated that the need for therapy at all was an indication that the children were not doing well in Stacy's care.
- The children were thriving in school, which Jean LaCrosse attributed this to the need for the children to get away from their mother. Such distortion of children's achievement is biased, belittling and demeaning. Jean LaCrosse has no regard for the children's need to have two parents in their lives.
- How many other children have lost access to a loving, responsible, protective parent due to Jean LaCrosse's biased reporting's over the decades of this type of practice?

- Jean LaCrosse has a personal relationship with Judge Margie Enquist. Both personal and professional relationships between these two were disclosed in the two-day hearing in August 2005.
- Such bias has denied Stacy's opportunity to be heard and receive due process. Stacy's rights have been jeopardized, demoralized, discriminated, undermined, and she has been labeled with bogus psychological findings. As a result, Stacy Slaton's children have been endangered by the actions of this court.
- Margie Enquist adopted the findings and conclusions of Jean Lacrosse and dismissed entirely all recommendations made by Dr. Purcell. The insistence on using Jean LaCrosse, hiring David Kieffer to mirror LaCrosse's report, and dismissing an alternative, independent report by Dr. Claire Purcell and other professionals constitutes collusion among these professional brokers, allowing James Mohnhaupt to commit habitual domestic abuse.[16] James' harassment and coercive behavior were perpetuated by the court, thus creating a pattern of **Domestic Violence by Proxy and resulting in continual child abuse[17]**.
- It is Stacy's claim and sworn testimony that Son knew his biological father, Sean A. Lowery, since birth. Son had a relationship with Sean before his adoption by James Mohnhaupt, and he knew from his earliest awareness that Sean was his father.
- Jean LaCrosse was aware that Son knew that he had been adopted at the age of five by James Mohnhaupt. LaCrosse committed fraud by withholding such knowledge and falsifying the facts of the adoption in her report.
- It should be noted that research supports disclosure of adoption as a healthy and appropriate act.[18] Jean LaCrosse's testimony undermined Stacy Slaton. LaCrosse's personal opinions and refusal to recognize established practice in disclosure of adoption weighed heavily in the final Order.
- In 1997, a stranger reported abuse by James Mohnhaupt against Son to police. James blamed Son by claiming that he was just disciplining Son. Jean LaCrosse ignored this and many more reports of documented abuse against Son and Daughter.
- Another example of bias by Jean LaCrosse occurred in 2004. James Mohnhaupt locked Son in a car for five hours as a form of discipline. Jefferson County sheriffs were informed of this abuse, reported by therapist Doug Lehman. James refused to speak to the sheriffs until Nic Jonson could be present, in an attempt to circumvent the urgency of intervention. LaCrosse once again failed to recognize the pattern of abuse, and by doing so, endorsed James' abusive behavior. After her investigation, reports continued to be made by mandated reporters, by school district and Karlis Center personnel, by private therapists, and by strangers.
- The result of fraudulent testimony by Jean LaCrosse has resulted in custodial kidnapping.[19] **Fraud upon the court makes the orders and judgments of that court void.**
- Jean LaCrosse admitted in testimony that she was never in Stacy's home. The court's reliance on her flawed, irresponsible, and fraudulent information constitutes denial of **"the essential elements of due process of law are notice, an opportunity to be heard, and the right to defend in an orderly proceeding. Fiehe v. R.E. Householder Co., 125 So. 2, 7 (Fla. 1929)."**
- Lacrosse's fraudulent testimony and omission of facts regarding the adoption created confusion for Margie Enquist who relied heavily on allegations of parental alienation in her custody switch decision. Enquist's reliance on fraudulent information and bogus diagnosis constitutes fraud **by** the court.
- The concept of Parental Alienation has been discredited by scientific and legal communities. Richard Gardner, who coined the term, used it as a way to give abusers custody and to allow domestic abuse by proxy toward the protective

parent.[20]

- The discredited concept of Parental Alienation was a key factor in the 2005 Order that disrupted Son and Daughter's relationships with their mother and their sister Daughter, with maternal extended family, friends, classmates, and other significant relationships, as well as family heritage that the children were developing in Stacy's care. Stacy's children continue to be isolated from these significant people, causing harmful, unnecessary separation and interference with the opportunity for Stacy's children to become whole, happy, healthy, productive people, requiring implementation of **C.R.S. §14-10-131(C). The retention of the allocation of decision-making responsibility would endanger the child's physical health or significantly impairs the child's emotional development and the harm likely to be caused by a change of environment is outweighed by the advantage of a change to a child.**
- Given the flaws and bias of LaCrosse's testimony, James was empowered as a parent despite identified defects, Stacy was treated with discrimination, and her children were kidnapped. **C.R.S. 18-3-304 (2) (2.5) of this section, any parent or other person who violates an order of any district or juvenile court of this state, granting the custody of a child or parental responsibilities with respect to a child under the age of eighteen years to any person, agency, or institution, with the intent to deprive the lawful custodian or person with parental responsibilities of the custody or care of a child under the age of eighteen years, commits a class 5 felony.[21]**
- **James if further empowered to violate Per §C.R.S. 14-10-124(1.5)(b)(II) Whether the past pattern of involvement of the parties with the child reflects a system of values, time commitment, and mutual support that would indicate an ability as mutual decision makers to provide a positive and nourishing relationship with the child; all evidence of this case support Stacy Slaton is the parent to support such positive relationships**

14. Governor-appointed, Jefferson County Judge Margie Enquist expressed her doubts and confusion as to the best course of action in closing statements of the 2005 Orders when she switched custody from Stacy Slaton to James Mohnhaupt. Such ambivalence undermines the intent of **C.R.S. §14-10-131(C) TO CREATE A SIGNIFICANT REASON TO CHANGE THE ENVIRONMENT OF THE CHILDREN. The retention of the allocation of decision-making responsibility would endanger the child's physical health or significantly impairs the child's emotional development and the harm likely to be caused by a change of environment is outweighed by the advantage of a change to a child.**

- The collusion between Jean LaCrosse and Margie Enquist is evidence that Margie Enquist has abandoned her Oaths of Office. She has done so by unfairly denying due process, failing to disclose personal relationships, and making biased decisions in this case.
- Margie Enquist has clearly stated her indecisiveness, ambiguity, and confusion in making a decision to change the environments of Daughter Mohnhaupt and Son (Mohnhaupt) Lowery. The custody switch of 2005 violated statutory intent because the harm caused by a change of environment from Stacy Slaton was not outweighed by the advantage of such change to the children. There was **no significant**, evident reason to change the environment of any of Stacy's children. **This court needs to remedy this situation immediately.**
- Margie Enquist stated concerns of the validity of the recommendations from both Dr. Purcell and Dr. LaCrosse in this case, (sections 8 to16 of the court transcripts). Margie Enquist stated that she found it "simply astounding to me that— you *think they interviewed four people or maybe two people who have switched sides. Because it's astounding how they would see the same traits in Ms. Slaton in the first evaluation and then similar traits in Mr. Mohnhaupt in the second and vice versa. And I don't know what happened there but it certainly seems that —I don't know. They formed an opinion.*"
- Please refer to page 279 of Court Transcript of August 2005. Margie Enquist stated, concerning the matter of sexual abuse **"Daughter said 'Daddy touched**

me', and apparently nobody investigated whether that was Mr. Slaton or not. Nobody even considered that. The first thing everybody jumps on is it's the biological dad." These statements by Enquist that nobody investigated were false.

- Enquist ignored the report made by mandated reporter, Dr. Marsha Franklin, confirming that it was James who was being sexually inappropriate. Enquist further stated, ***"That concerns me immensely because she calls two people Dad, and then didn't talk about the disclosure later and then who knows what kinds of questions she was asked in therapy."*** Margie Enquist knew that someone-- in this case, Marsha Franklin-- had in fact, investigated, which is in direct contradiction to Enquist's statement. Judge Enquist was not concerned with findings of any court-ordered "professionals," except Jean LaCrosse.
- Transcript further reflects Enquist stating ***"Maybe that is the reason it was unfounded because it's not the right dad."*** This statement supports claims that the Court is colluding with the Department of Human Services by finding no grounds or substantiated findings, or conducting definitive investigation, when the evidence is clear. Caseworkers are not qualified to overturn findings made by a doctor. This is a violation of Jefferson County's duty to protect.
- Dr. Marsha Franklin reported allegations of abuse made by Daughter to Child Protective Services (C.P.S.). A Colorado Safety Plan was put in place dated, April 14, 2005. Franklin was not the only mandated reporter who notified C.P.S. of James' abuse to these children. When Stacy signed the safety plan, **she** was then **coerced** to file a motion to the court for a restriction of parenting time, or she would be charged for James' actions. Therefore, Stacy was pressured into doing the job that C.P.S. is mandated to do.
- Such failure to act on evidence comprises neglect and abuse by Jefferson County and Child Protective Services, substantiating reports by the Denver Post and 9News, entitled, ***"Failed to Death."*** Jefferson County has engaged in **domestic abuse by proxy to Stacy, resulting in abuse to Son, Daughter and Daughter.** Such discrimination denies Stacy's rights as a protective parent; which are guaranteed by the Colorado Constitution and the Constitution of the United States, and places the children in danger by cutting off their access to remedy and protection.
- Treatment for James was the action that Stacy would have preferred. Stacy also was concerned that Jean LaCrosse would use this motion to further substantiate the "false "parental alienation" claim. This is exactly how Jean LaCrosse testified, although she never met with Daughter to gain any first-hand knowledge of the incident. Nor was it ever clear if LaCrosse is qualified to assess such claims.
- Due to C.P.S. neglect, failure to protect Daughter, and intimidation, Stacy did file the Motion to Restrict Parenting Time on April 18, 2005. The Court failed to hear this motion, and it was dismissed on April 28, 2005. Four months later in August 2005, this court gave custody of Daughter and Son to James.
- In December of 2005, Daughter was taken to the doctor. Report states "she has had a history of intermittent itching in the vaginal area and that Dad has seen no discharge." Daughter had no medical history of this condition until the custody switch to James in August. This report has been ignored as evidence by this court. Since Stacy saw this medical report from Kaiser, James stopped all access to medical and educational records by Stacy.
- Presently, Daughter is forced to live without recourse from James' abuse or opportunity to escape and heal from James's imminently dangerous behaviors. All avenues for Daughter Mohnhaupt to report further abuse have been cut off.
- Although Dr. Marsha Franklin was working with all family members, she was dismissed after being sequestered. Marsha Franklin was not allowed the opportunity to testify as a qualified expert, violating **Due process of a recognized liberty interest was at stake and violated, Board of Regents v. Roth, 408 U.S. 564,69 (1972).** Thus, access to remedy by appeal was thwarted because there was no

record of Dr. Franklin's informed findings. Such failure to hear testimony from witnesses is a tactic used in cases involving physical and sexual abuse.[\[22\]](#)

- David Bolocofsky sent home the only qualified expert witness to these crimes against Stacy's daughter Daughter, Dr. Marsha Franklin. This action by Stacy's attorney David Bolocofsky was a violation of attorney conduct in representing his client and in protecting the welfare of Son and Daughter.
- David Bolocofsky now **resides on the Jefferson County Courts approved and recommended C.F.I.'s.**
- Margie Enquist further gave personal opinions belittling Stacy decisions to give her 11 year old son Son a cell phone to communicate with James as being an inappropriate parenting decision. However, in the Keske case, Enquist's magistrate, Chris Voisinot ordered for Catherine's arrest for choosing not to provide an e-mail to her 10 year old son, for communication purposes[\[23\]](#).
- Margie Enquist also addressed that the "Petitioner has several deficits in his parenting skills" and demanded that "Petitioner acknowledge those deficits and obtain education and assistance with them." Enquist found it necessary to further state "Petitioner will also need to adjust his life and schedule to properly provide for these children's needs on a daily basis." To this day there is no evidence that James has complied.
- Accordingly, court professionals failed in their duty to protect Son, Daughter, and Daughter, and to do what was best for them. They violated Oaths of Office in August of 2005. Stacy's children were taken as a result of bias and unfairness, as supported by numerous errors. Yet another example in the orders of August 2005, Margie Enquist erred significantly by mixing up the names and genders of children Son and Daughter, creating confusion and making this order voidable. **Her befuddlement and ambivalence preclude a determination that there was a significant reason to change the environment of the children.**
- This order exposes a personal involvement between James Mohnhaupt's mother, Jean Githens, and Judge Margie Enquist. The order cited Githens as a party who testified when Court transcripts of this hearing clearly prove that **SHE NEVER TESTIFIED.** Relationships among Jean Githens, Jean LaCrosse, Nic Jonson, and this court were not disclosed prior to the 2005 hearing. Such failure to disclose confirms Stacy's concerns of bias, conspiracy, and collusion.[\[24\]](#)
- This Order was **signed with an "X"**, faxed between this Court and Nic Jonson's office at 10:40 a.m., without knowledge to Stacy's counsel. Per David Bolocofsky, Stacy's attorney, orders were final sometime after 3:00 p.m. that day. James was given custody and sole decision making, while uprooting our children. **NO** government funded programs, reunification, or other practices were used and are now not necessary to correct the situation that has ensued.
- **Stacy's daughter Daughter shall be returned to her mother within 14 days.** "The right to the custody and control of one's child is a fiercely guarded right in our society and in our law. It is a right that should not be infringed upon only under the most compelling circumstances." **Brooks v. Parkerson Georgia Supreme Court (1995).** **No such compelling circumstances existed against Stacy Slaton to justify the severing of the maternal relationship in this case.**
- This Court chose to give James sole decision making and residential custodianship without meeting any standards of law. Only the opinions of a very biased "professional" supported such a harmful change. James obtained the children from Stacy through the wrongful use of actual and threatened force under color of official right. Such extortion[\[25\]](#) violates Stacy's rights to due process and fairness.
- Pursuant to custodial kidnapping, changes to Permanent Orders, without justification, were entered on August 18th, 2005. James was ORDERED to continue therapy for each child with current therapist. He did not comply with this court order,

and the court relieved him of this obligation.

- Further a Motion to Clarify had to be filed, concerning Stacy's parenting time and addressed other matters such as parenting time exchange, summer vacation time, and holidays; this would support a claim that the court's only concerns were to sever the sacrosanct relationship and to engage in parental interference. Such vagueness also blocked any opportunity for meaningful appeal.
- (a) In 1994, the U.S. Supreme Court held that "Disqualification is required if an objective observer would entertain reasonable questions about the judge's impartiality. If a judge's attitude or state of mind leads a detached observer to conclude that a fair and impartial hearing is unlikely, the judge must be disqualified." [Emphasis added]. *Liteky v. U.S.*, 114 S.Ct. 1147, 1162 (1994).
- (b) That Court also stated that Section 455(a) "requires a judge to recuse himself in any proceeding in which her impartiality might reasonably be questioned." *Taylor v. O'Grady*, 888 F.2d 1189 (7th Cir. 1989). In *Pfizer Inc. v. Lord*, 456 F.2d 532 (8th Cir. 1972), the Court stated that "It is important that the litigant not only actually receive justice, but that he believes that he has received justice."
- (c) "Recusal under Section 455 is self-executing; a party need not file affidavits in support of recusal and the judge is obligated to recuse herself sua sponte under the stated circumstances." *Taylor v. O'Grady*, 888 F.2d 1189 (7th Cir. 1989).
- (d) The behavior of the professionals involved indicates that this hearing was not about what was best for Son, Daughter and their sister Daughter, making this order voidable. Whenever any officer of the court commits fraud during a proceeding in the court, he/she is engaged in "fraud upon the court". In *Bullock v. United States*, 763 F.2d 1115, 1121 (10th Cir. 1985), the court stated "Fraud upon the court is fraud which is directed to the judicial machinery itself."

15. James has not complied with this parenting schedule since the custodial kidnapping of 2005. Magistrate Voisinnet allowed James to place two substantially frivolous, substantially groundless and substantially vexatious restrictions upon Stacy and her children, causing continual emotional abuse over two years for the children and her.

- In July 2007, within months of the first unfounded restriction (which lasted nine months), Stacy Slaton and the children had begun their two-week summer parenting time. They had never been allowed this summer scheduled time since the 2005 custody switch, due to the unfounded restriction in 2006.
- The second unfounded restriction occurred as a result of an incident in July 2007 when Officer Miklos of the Arvada Police Department engaged in actions to further the civil conspiracy against Stacy Slaton and the efforts to kidnap her children. Officer Miklos used her badge, her uniform, and her authority to kidnap Stacy's children.
- On or about July 21, 2007, an incident occurred between Stacy Slaton and her sister. Police arrived THE NEXT EVENING at approximately 11:30 p.m., and conducted an investigation to determine if a crime had been committed or if there was a child welfare concern. They did not find any evidence to substantiate that a crime had been committed or that there was a child welfare issue.
- On or about July 24, 2007, Officer Miklos entered Stacy's home without her knowledge, consent, or a search warrant when Stacy was at work. Son, who was thirteen years old, was responsibly caring for his sister Daughter. Officer Miklos, using her uniform to intimidate 13-year-old Son, entered the home and interrogated Son, without cause.

- Officer Miklos contacted Stacy via phone from inside Stacy's home to inform her that Stacy needed to be questioned about the July 21 incident that had already been investigated with no findings. Officer Miklos made it clear to Stacy that she was holding the children until Stacy returned; thereby, denying Stacy's right to have her attorney present during interrogation.
- Officer Miklos refused to release the children to the responsible adult that Stacy designated in her effort to protect the children and reduce trauma to them. Miklos' reason was that the dads would not allow that, suggesting that Miklos had colluded with James and John to interfere with Stacy's parenting time, and to unlawfully remove her children without cause.
- When Stacy arrived at the home, approximately five police vehicles were present at the address to investigate a report that had already been unfounded. Officer Miklos informed Stacy that she was being arrested. No officer present read Stacy her Miranda rights, and Miklos ordered a fellow officer to take Stacy to the Arvada Police Department to be processed for alleged crime.
- Stacy asked Officer Miklos to leave her home and Miklos refused, stating that she needed to contact James Mohnhaupt (in Evergreen) and John Slaton (in Commerce City) to come pick-up their children. Officer Miklos said she would report to the police station once the children were picked up.
- Stacy was then taken to the police department, finger printed, and photographed. Shortly after, and within a time frame that was impossible for James to arrive from Evergreen and John to arrive from Commerce City without prior knowledge, Officer Miklos arrived at the Arvada Police station and released Stacy, without a citation, and with no reason for detaining Stacy. Instead, Officer Miklos informed Stacy the District Attorney would be contacting her. Therefore, Stacy Slaton was held by the Arvada Police Department long enough for her kids to witness her false arrest, be illegally removed from her home, and be horribly traumatized by the civil conspiracy against their mother.
- When Officer Miklos told Stacy to leave the police station, Stacy feared for her very life and that of Son, Daughter and Daughter.
- Officer Miklos engaged in a pattern of civil conspiracy designed to deny Stacy's constitutional right to be a parent, rights to life, liberty, and happiness, and guarantees of due process and fairness. In doing so, she violated her Oaths of Office and her duties to the Constitution.
- The Jefferson County District Attorney's office never contacted Stacy Slaton. Stacy went to their office on numerous occasions to find out how her case was to be resolved, and she was told she was never arrested, because she did not have a summons. She told them that she had been handcuffed, put into a police car, fingerprinted, photographed, and placed in a jail cell, and then released. The district attorney had a hard time locating information about this false arrest. Upon research, the district attorney determined that this case had NO substantial evidence of any crime being committed, and it was declined immediately.
- As a result of these actions, Stacy was placed on her second unfounded restriction by Chris Voisinnet, who refused to hear this restriction for a period of more than a year, as R.O.A. supports. Magistrate Voisinnet violated **§C.R.S. 14-10-129 (4)**.
- Voisinnet maliciously slandered and blamed Stacy on court record for the amount of time that had passed between when the restriction was filed and the day the court heard the matter, despite repeated filings by Stacy's attorney to have the matter heard within seven days, as the statute required. Thus, Voisinnet committed fraud upon the court.
- When James realized he could no longer be given latitude from this court to restrict Stacy's time with the children, James moved to file contempt on Child Support

arrears, violating **C.R.C.P. 107**. Despite James' testimony to the court that he did not want Stacy to serve jail time, Voisinnet ordered nine months' incarceration anyway.

- How many parents has Christopher Voisinnet incarcerated? What is the proportion of incarcerated mothers to fathers? How many families have suffered a severing of relationship with one parent by the actions of Christopher Voisinnet in the past decade?
- Christopher Voisinnet assisted James in severing the sacrosanct relationship between Mother and Children. This further supports civil conspiracy and malicious actions of this court to use the children, Son, Daughter, and Daughter, to inflict domestic violence by proxy and to carry out James' threat of eliminating Stacy.
- James has violated Court Order to authorize Stacy to have access to the children's medical, educational, daycare, therapy, and extracurricular records, blocking all attempts by their mother to get those records and to have any contact with Daughter.
- An ex parte meeting took place during the last hearing for restriction and was confirmed by James Mohnhaupt and Magistrate Christopher Voisinnet. After a recess of Division Q, and Court was back in session, Magistrate Voisinnet stated that John Slaton, and John's and James' attorney June Anglin were not present. James Mohnhaupt responded, "They are meeting with the court." Voisinnet's response was that court was in session, thus acknowledging an ex parte meeting.
- Additionally, failure to provide access occurred when Son Mohnhaupt, n.k.a. Son Lowery, was incarcerated for self-defense against James. Son was released after 30 days' detention when the Court dismissed this case in a Writ of Habeas Corpus in November, 2009.
- Stacy was never notified, and Court granted Son a restraining order against James. James, in turn, demanded a R.O. be placed upon Stacy even though James falsely reported he did not know how to contact Mother. In another ex parte hearing, a restraining order was placed by Judge J.K. Moore between Son and his mother, who had been sequestered from him six months prior to James' assault on Son. There never was imminent danger by Stacy nor was there probable cause to suspect that there might be danger. James Mohnhaupt once again managed to control the court to interfere with Son's relationship with his mother while he was in state detention.^[26] This is yet another violation of due process of Stacy and Son's rights and is a further violation of Oaths of Office by Jefferson County's appointed PUBLIC OFFICERS.
- James continues to be in violation of Stacy and Daughter's parenting time since the permanent orders of this Court in 2000. Failure to provide any information to Stacy about Daughter's removals from the State of Colorado by uninvolved parties is tantamount to interstate kidnapping of the parties who engage in such removal. Stacy requires full parental responsibility and decision making of Daughter Anastasia Mohnhaupt, as James has proven his inability to co-parent and support a relationship with Stacy and Daughter. He has also violated this Court's trust that he will to support such relationship.

16. WHO ARE THE EXPERTS AND WHAT DO THEY KNOW ABOUT cases parallel to THE Mohnhaupt/Slaton CASE?

- Mo Therese Hannah, PhD
- Barry Goldstein, J.D.
- Karen Anderson
- Sharon K. Araji, M.Ed., PhD
- Nicholas Bala, J.D.
- Lundy Bancroft
- Rebecca L. Bosek, PhD, L.M.F.T., L.P.C.
- Mike Brigner, J.D.
- Claire V. Crooks, PhD., C.Psych
- Margaret K. Dore, J.D.
- Molly Dragiewicz, PhD.
- Nancy L. Erikson, J.D., LL.M., M.A.
- Marjory D. Fields, J.D.

- Paul Jay Fink, M.D.
- Ann Grant, M.A., M.Div.
- Marvin Timothy Gray, J.D., M.A., C.D.S.V.R.P.
- Paige Hudson, B.A.
- Thomas E. Hornsby, J.D.
- Peter G. Jaffe, PhD., C.Psych.
- Jan Kurth, M.U.P.
- Larissa Pollica, R.N., B.S.
- Lois Schwaebler, J.D.
- Jay G. Silverman, PhD
- Rita Smith, B.A.
- Evan Stark, PhD, M.S.W.
- Erika Sussman, J.D., LL.M
- Wendy Titleman
- Garland Waller, M.S.
- Robin Yeamans, J.D.
- Annette Zender Joan Zorza, J.D.

- A. If you don't know who these experts are in the fields of law, psychology, child abuse, domestic violence abuse, and related fields, then you lack the required knowledge to be involved in Mohnhaupt/Slaton cases.
- B. If you don't know what their scientific studies conclude in the fields of domestic violence abuse, child abuse, and contested child custody, then you lack the required knowledge to be involved in Mohnhaupt/Slaton cases.
- C. If you do not honor your oath to the United States Constitution by protecting the rights of Stacy Slaton, Son Lowry, Daughter Mohnhaupt, and Daughter Slaton, you are wilfully and knowingly inviting litigation upon yourself. It is summarily illegal, unlawful, and ultimately inhumane, to strip children away from their mother without cause, without due process of law, and without consent of those innocent people who have been unconscionably injured by those who are required to protect them.

17. Why are you requesting a VERIFIED AFFIDAVIT IN SUPPORT OF **EMERGENCY MOTION FOR ORDER TO MODIFY PARENTAL AND DECISION-MAKING RESPONSIBILITY VIA ABSENTEE TESTIMONY** Statutory Authority for the following meets the requirements of §14-10-124, §14-10-129 and §14-10-131, C.R.S.

- **§14-10-129 (1) (a) (I) Except as otherwise provided in subparagraph (I) of paragraph (b) of this subsection (1), the court may make or modify an order granting or denying parenting time rights whenever such order or modification would serve the best interests of the child.**
- **This is an emergency motion to order via absentee testimony given the imminence of the circumstances.**
- **§14-10-129 (1) (a) (II) Does not apply**
- **§14-10-129 (1) (b) (I)**

Stacy Slaton is not requesting restriction; she is respectfully demanding a **VERIFIED AFFIDAVIT IN SUPPORT OF EMERGENCY MOTION FOR ORDER TO MODIFY PARENTAL AND DECISION-MAKING RESPONSIBILITY VIA ABSENTEE TESTIMONY** unless, given the following information, the court deems otherwise to restrict Father's parenting time under C.R.S. **§14-10-124 (7)**.

- **C.R.C.P.16.2 (3) (A)** Emergency matters may be brought to the attention of the clerk or the Family Court facilitator for presentation to the court. Issues related to children shall be given priority on the court's calendar.
- **§14-10-129 (1) (b) (II) Does not apply**
- **§14-10-129 (1.5) Does not require a hearing**
- **§14-10-129 (2) The court shall not modify a prior order concerning parenting time that substantially changes the parenting time as well as changes the party with whom the child resides a majority of the time unless it finds, upon the basis of facts that have arisen since the prior decree or that were unknown to the court at**

the time of the prior decree, that a change has occurred in the circumstances of the child or the party with whom the child resides the majority of the time and that the modification is necessary to serve the best interests of the child. In applying these standards, the court shall retain the parenting time schedule established in the prior decree unless:

(a) Does not apply (b) Does not apply (c) Does not apply

(d) The child's present environment endangers the child's physical health or significantly impairs the child's emotional development and the harm likely to be caused by a change of environment is outweighed by the advantage of a change to the child.

- James Mohnhaupt has failed to comply with the custody switch orders of 2005, resulting in parental interference, a change in the Child's circumstances, and **new facts for the Court to consider. James has utterly and habitually abandoned Stacy Slaton and all attempts to comply with the custody switch order since 2005.**
- John Slaton, who was a party to the case, has failed to comply with the custody switch orders of 2005, resulting in parental interference, a change in Daughter Mohnhaupt's circumstances, and **new facts for the Court to consider. John has utterly and habitually abandoned Stacy Slaton and all attempts to comply with the custody switch order since 2005 and with subsequent Permanent Orders in 2006.**
- James Jeffery Mohnhaupt colluded and conspired with John Paul Slaton of case 06DR2673 while being empowered by this court to commit legal abuse, to commit custodial kidnapping, to circumvent any boundaries or protection against the use of malicious restrictions and malicious prosecutions. They have conspired to sever the sibling/maternal relationships, and at times have tried to coerce Stacy's family and friends to engage in such crimes, controlling access to the children as punishment or reward. Some of Stacy's family members have chosen to engage in these crimes, as a result.
- Continued collusion between James Mohnhaupt and John Slaton shows a pattern of conspiring to create separation and character defamation between Mother and Children, **which pattern constitutes new facts for the court to consider in this case.**
- Given the fact James Mohnhaupt and John Slaton have been allowed to abuse Stacy and her children by proxy, crimes of civil conspiracy that ultimately led to kidnapping have been allowed to play out in Division Q of Jefferson County Courts. Other people involved in collusion to commit crime currently include Jean Githens, John Moreno, June Moreno, Mary Edwards, David Riethmann, Jean Githens and Linda Slaton. James and John have used the children to develop this conspiracy against Stacy and at time used the children to bribe others to engage in these criminal activities. Therefore the above parties should be included in future Judgments that compensate Stacy and her children for their crimes.
- Order of November 7, 2008, Court appointed Doris Waters as child and family investigator to interview the children and parents to report how unsupervised parenting time was progressing and to monitor Stacy's interactions with the children over a six-month period. Waters met with Stacy one time to discuss the policies of the CFI investigation. During the months after being appointed, Waters failed to monitor Stacy and her children.
- Doris cancelled several appointments with Stacy; however she met with John and James. Stacy has numerous emails from her attorney and therapist, as well as phone records that support Doris Waters' falsified contact with Stacy to this court.
- Waters instead did a legal analysis, based on discriminations in this case as demonstrated in her report in which she cited the Court's Order verbatim. She failed to provide the monitoring and interviews of Stacy, Son and Daughter as ordered.
- Had Doris Waters been looking out for the best interest of the children, surely she would have noticed the escalation of James' hostilities towards Son. Hence, the court chose to accept her so-called "investigation" over another expert who had recommended "shared parenting."

- The Court gave “no weight” to Ben McCracken’s expert testimony, and instead chose to criticize Stacy and allowed statements of hearsay and perjury. Dr. McCracken had also witnessed interactions with parties that testified in this hearing. Instead, the opposing parties who had conspired to sever the maternal relationship, and Christopher Voisinnet, chose to criticize Stacy and to make defamatory psychological statements as if they were the experts. Furthermore, they mocked and belittled Dr. McCracken’s expert testimony.
- This Order also found Stacy indigent, having the State pay for Doris Waters’ investigation, so James could again retain a financial advantage.
- Stacy has researched Jefferson County’s transparency site looking for a copy of this payment to Doris Waters (a board member for the Jefferson County Courts). Waters’ involvement represents a conflict of interest and collusion to sever the maternal relationship between Stacy, Son and Daughter.
- In fact, none of the experts appointed in this case are on Jefferson County’s current Roster of Child Family Investigators. The involvement of “experts” in this case to date has resulted in a flawed, biased, and unconstitutional exchange of children as human capital.

18. A significant change has occurred in the environment of Daughter Mohnhaupt, resulting in the need for a change in parental responsibilities.

- Jefferson County Sheriff’s Department, Child Protective Services, and Honorable Judge J.K. Moore removed Son Lowery from James Mohnhaupt’s custody in October 2009, seven months after unlawful contempt citations were ordered in this case. James Mohnhaupt gave false information to the sheriff that Son had initiated an assault against him. In fact, police verified that James pushed Son first, held him in a headlock, and wrestled Son to the ground, causing Son to fear for his life.
- Exhibiting habitual abuse and neglect, James held Son Lowery, then a frightened 15-year-old, in false detention for thirty days and effectuated Son’s humiliation by public shackling. James brought Daughter Mohnhaupt to the detention facility to further witness Son’s public humiliation in order to punish and intimidate both children. (Agency Case #09-36249) Son’s plea in this matter was self-defense, Son requested Child Protective Services TRAILS reports of documented abuse dating back to 1997 to substantiate the habitual coercion, control, punishment, intimidation, and revenge by James Mohnhaupt against him and his sister, Daughter Mohnhaupt. His requests were denied.^[27] However, the referrals were reviewed by James Mohnhaupt and Jefferson County Department of Human Services (JCDHS), as evidenced in Minute Orders.
- According to Minute Orders dated October 29, 2009, James Mohnhaupt, “was working with Jefferson County Department of Human Services and checking into referrals.” In fact, Child Protective Services collaborated with Father to redact records of abuse referrals against him.
- District Attorney Scott Storey did not press charges against Son, but released him to Stacy Slaton’s sister, Desiree Moreno, under a *Writ of Habeas Corpus*. (Case Number 09JD00962) Police records confirm these facts.^[28]
- Of gravest concern, Daughter Mohnhaupt witnessed the altercation and arrest of her brother and has suffered from the ensuing removal of her brother who had resided with her since birth, from James Mohnhaupt’s custody. This series of incidents resulting in the removal of Son Lowery **has created a significant change in Daughter’s circumstances, creating further isolation and endangering Daughter’s physical health and emotional development.**
- When Child Protective Services failed to investigate the environment and the documented pattern of habitual abuse, and to protect Daughter Mohnhaupt in 2009, they not only “failed her” egregiously, but must be restrained from any contact with Daughter as they are a danger to her physical safety and emotional well-being by their forfeiting their mandated responsibilities.

- The continued separation between Mother and Child is creating imminent danger to Daughter Mohnhaupt. This Court has summarily allowed domestic violence by proxy, substituting the children of Stacy Slaton for Stacy Slaton in the abuse dynamic. Daughter Mohnhaupt, Son Lowery, Daughter Slaton, as well as extended family members and lifelong friends and their children, have been exposed to latent anger against Stacy Slaton by James Mohnhaupt and John Slaton and have been subject to the same forms of retaliation including coercion, control, punishment, intimidations, and revenge, used against Stacy Slaton, which have been empowered by this court.
- Neither James Mohnhaupt nor John Slaton has the ability to place the needs of Daughter, Son and Daughter ahead of his own needs. **C.R.S. 14-10-124 (XI)**. The presence of continued coercion, control, punishment, intimidation, and revenge against both Daughter Mohnhaupt and Stacy Slaton, the ensuing isolation created by Son's removal, and the severing of the maternal bond **have created a change in Daughter's circumstances and require a change in custody from James Mohnhaupt**.
- James Jeffrey Mohnhaupt has colluded and conspired with John Paul Slaton of case 06DR2673 and has been empowered by this court to allow legal abuse, to commit custodial kidnapping and to circumvent any boundaries or protection against the use of malicious restrictions and malicious prosecution in the effort to sever sibling/maternal relationships, **violating §C.R.S. 14-10-124 (1.5) (III) (VI), (VII) and (XI)**. This includes incidents where James has severed the interaction and interrelationship of Daughter and Stacy, Daughter's siblings, and any other person who may significantly affect the child's best interests. Karlis Center reports (previously entered as evidence of this court, acknowledges the father's violation of these statutes).

19. Orders in 2009 resulted in this Court imposing excessive bail, and the denial of lawful forms of bail, in violation of **Colorado Constitution Act II, §19 and 20: Excessive bail, fines and punishment. Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted** the fact there was no court order for arrears, is a violation of C.R.C.P. 107.

- This Court did not comply with **C.R.S. §14-10-129 1(b)(I)** when restricting, nor did it comply with **C.R.S. §14-10-129.5(4)** when the restriction was unfounded, because it did not refund or credit substantial expenses incurred as well as make-up parenting time for unfounded restrictions. Furthermore, this court ordered a second restriction within months, AGAIN violating **C.R.S. §14-10-129 1(b)(I)**, in yet another unfounded restriction, violating **C.R.S. §14-10-129.5(4)**, for a second time.
- Stacy had been court ordered to pay an estimated \$5,000.00 in attorney fees for James as well. Stacy was forced to make a financial choice to lease her time with her kids from the Karlis Center so she could see them, or not see her kids to meet the child support payment that was set above her financial means. **C.R.S. § 18-3-502(1)(A), Trafficking in children**

(1) A person commits trafficking in children if he or she:

- (a)Sells, exchanges, barter, or leases a child and receives any money or other consideration or thing of value for the child as a result of such transaction; or
- (b)Receives a child as a result of a transaction described in paragraph (a) of this subsection (1).

(2) As used in this section, "child" means a person under eighteen years of age.

(3) Trafficking in children is a class 2 felony.

- The failure of this Court to follow statute caused child support to stay in arrears, further allowing violations of **C.R.S. § 14-10-129 (3)(B)(XI) C.R.S.** Mother's **due process**, which is guaranteed by the **United States Constitution** and the court officials' oaths of office.
- Colorado Law prohibits the incarceration of an indigent parent for child support. Magistrate Chris Voisin declared Stacy Slaton indigent for the purpose of appointing Doris Waters to be state paid.

- Voisinnet contradicted himself by stating that Stacy Slaton could not pay \$3,000.00 for court-appointed CFI Doris Weeks. However, within weeks, this court stated that Stacy would go to jail unless she came up with \$14,000.00 in child-support arrears. Based on Stacy's history of child support payments, the court deviating from statute and child support worksheets, and the court failing to reimburse the costs of two years' worth of unfounded malicious restrictions, these arrears may not have even existed.
- **C.R.C.P. 107** a court order must be on record prior to issuing a contempt of court order. At the time this contempt was filed there was no order for child support arrears in this matter. In fact, both parties' attorneys were working to modify support to include the arrears; however, James Mohnhaupt refused to cooperate and a hearing was set for a malicious prosecution of contempt. This court denied the lawful support payments and James' statements that he did not want Stacy in jail.
- James Mohnhaupt and John Slaton used this contempt to create blackmail, bribery, ransom, extortion, child trafficking and exploitation, while causing intentional emotional distress to Son, Daughter, and Daughter and committing parental interference.
- Sentencing and Request for Stay of Execution were bifurcated allowing the court to order an excessive punishment. Margie Enquist granted a stay of execution on grounds that the Court was inconsistent. However, Jane Tidball denied this stay, thus causing Enquist to go back on her order.
- The consolidation and bifurcation allowed the court to play against itself in a violation of due process protection against loss of significant liberty interest.
- These cases were consolidated for the contempt hearing until the punishment of incarceration was ordered.
- The cases were then "unconsolidated" in order to sentence a 9-month debtors' prison confinement. This allowed the request for the stay of execution to have two separate rulings and sever the maternal relationship.
- When the court failed to compensate Stacy, according to the statutes, for the cost to lease her parenting time for two years, it set Stacy up for entrapment. Complying with the crime of entrapment **C.S.R. §18-1-709** in this matter would make Stacy an accessory to such crimes, as well as indicate that she consented to the violation of her rights. Therefore, the court allowed an illegal contempt to silence Stacy, and sanctioned bribery, extortion, ransom, false incarceration, and further severing of the sacrosanct maternal relationship.
- In 2008, attorneys had spent several months figuring out the correct legal amount of child support, which would have included arrears. Given James' failure to recognize this child support, a child support hearing was set, and the modification was denied by this court. Court further ordered Stacy to pay \$918.00 in attorney fees to June Anglin.
- In a letter that included a stipulation, dated April 10, 2009, and submitted as an exhibit to the court January 12, 2012, James attempted to bribe Stacy with the threat of incarceration, stating James would agree to reconsider accuracy of child support figures. However the 2009 stipulation used lawful figures of the 2008 hearing, as long as Stacy agreed to relinquish her parental rights "**temporarily.**" This amount of \$347.18 per month, is close to the figure previously denied by the courts in 2008.
- The state has been accruing \$525.00 per month for the past five years, which includes Son who has not been in James' care for the past four years.
- In regards to child support for Son Lowery, Court should note, **(13) Emancipation. (a)** For child support orders entered on or after July 1, 1997, unless a court finds that a child is otherwise emancipated, emancipation occurs and child support terminates without either party filing a motion when the last or only child attains nineteen years of

age.

- Child Support Enforcement is still calculating a debt for Son, despite a motion to terminate child support for him dated January 13, 2012. Stacy also submitted a motion offering her inheritance from her grandfather's estate to pay this ransom. Jefferson County denied the motion stating they did not need to be burdened with this matter.
- John Slaton had child support payments altered in this matter by having Child Support Enforcement remove evidence of payments, therefore altering the arrearage of child support in this case to John's benefit. March 31, 2008 document shows arrearage of \$232.15 page 2 shows arrearage on March 2, 2008 of \$1,940.26 and on April 2, 2008 amount owed of \$2,252.41. These documents have already been submitted to this court as evidence, validating conspiracy and collusion. These documents and the on-going violations constitute **new facts for the Court to consider**.
- Such actions are tantamount to extortion, ransom, bribery, blackmail, **C.R.S. §18-3-502**. These actions deny Stacy's right to due process, particularly when incarceration is possible. **More importantly, Stacy Slaton will never terminate her parental rights.** Intentional emotional distress was inflicted and continues to be inflicted on Stacy Slaton and her children, and further indicates fraud and civil conspiracy. This court has allowed Stacy to be sequestered from her children and substantiates Stacy's claim that she would never be absent unless there was a threat of abuse, which is violent, by the other parties. The court has practiced domestic violence by proxy by forcing Stacy to choose between unlawful incarceration and abrogation of her Constitutional right to be a parent. The court has allowed James Mohnhaupt and John Slaton to control, coerce, punish, intimidate and seek revenge against Stacy Slaton. Even more urgently, Stacy's daughters are being forced to live without their Mother, who comforts them, teaches them, and defends them from crime.

20. Stacy is asking this Court to implement **C.R.S. 14-10-129.5 (2)(c) An order requiring the violator to post bond or security to insure future compliance;** and to further hold James and his colluders liable for any expenses past and present to Stacy, Son, Daughter and Daughter, to assist in returning their lives, sibling, maternal relationships and family to a healthy status.

- Stacy was awarded every other weekend from 5:30 p.m. on Fridays until 5:30 p.m. on Sundays. Stacy was also awarded a dinner visit during the alternate week from 5:00 p.m. until 7:30 p.m.
- Child support was switched to James as the recipient in the 2005 Permanent Orders custody switch. The court determined that Stacy was underemployed despite the fact that she had operated the same cleaning business since 1994, and financial disclosures showed her current situation. The statutes and worksheet were manipulated to make the child support figure higher than Stacy could afford at her present income.
- The costs incurred for the leasing of the children by the court and the Karlis Center, caused by unfounded restrictions, put Stacy further behind in the child support obligations, which were already inflated. This amount is included in Karlis Center records and should be included in the judgment to rectify the forced leasing of the children.
- Per **C.R.S. §14-10-129.5 (2) (e.5)** Stacy is entitled to one hundred dollars per incident of denied parenting time. James owes Stacy \$64,400.00 per child or a total of \$128,800.00, based on denied time since 2006 of 66 overnights and 26 dinner visits over the last seven years. The court needs to enter a judgment immediately on this matter to enforce statute and prevent further violations by any party.

- If void judgment of the custody switch is sought, James would owe for 273 denied visits, totaling \$382,200.00 per child or \$764,400.00 total.
- James continues to manipulate this court, and commits domestic abuse by Proxy by using control tactics on all parties involved, endangering Son, Daughter and Daughter. James continues to maliciously restrict Stacy's parenting time, by bringing false restrictions and using unlawful contempt of court charges with no regard to the fact that the parent-child relationship is sacrosanct, causing a lease, exchange of her children; refer to **C.R.S. § 14-10-129 (3)(B)(XI) and C.R.S. § 18-3-502(1)(A)**. This on-going restriction of Stacy's parenting time constitutes a change in the Child's circumstances and new facts for the Court to consider.
- Stacy further **requests relief under 14-10-129.5 (c) in the amount of Two Million dollars a month for every month that the sacrosanct parent-child relationship continues to be severed**, effective 14 days from the day this motion is filed, as remedy for James causing Stacy, Son, Daughter and Daughter substantial emotional and economic hardship; for depriving Mother, Son, Daughter and Daughter of their **Civil Rights, 42 U.S.C. section 1983**; for depriving Stacy, Son, Daughter and Daughter the right to family integrity; for depriving Stacy, Son, Daughter and Daughter of their Constitutional Rights; for depriving Stacy, Son, Daughter and Daughter the right to life, liberty, property, and the rights guaranteed by statute; and for disregarding the probability of Son, Daughter and Daughter suffering physical, emotional and mental distress.

21. 14-10-131 (c) The retention of the allocation of decision-making responsibility would endanger the child's physical health or significantly impairs the child's emotional development and the harm likely to be caused by a change of environment is outweighed by the advantage of a change to the child.

- Retention of the current allocation of custody and decision making endangers Daughter Mohnhaupt's physical health and impairs her emotional development because an environment of coercion, control, punishment, and intimidation exists. Daughter Mohnhaupt currently lives in an environment where abuse has been habituated. In Stacy Slaton's care, Daughter Mohnhaupt will learn a system of values that includes healthy, respectful interactions and language, and proper placement of Daughter's needs ahead of the parent's needs.
- Son Lowery has been residing with Stacy Slaton since November of 2011. He has entrusted his growth and healing from emotional and physical abuse inflicted by the colluding of James Mohnhaupt and John Slaton to his Mother. At this time, the sibling relationship is continuing to be severed and the parent-child-sibling bonds are continuing to be withheld from Stacy Slaton, Son Lowery, Daughter Mohnhaupt, and Daughter Slaton, further violating **C.R.S. 14-10-124 (1.5)(III)**.
- Since Son has been in Stacy's care, he has successfully graduated from high school, gained responsible employment requiring security clearance in a field that aligns with his plans to attend college.
- It is of great significance that Son has had no encounters with law enforcement or school authorities since the attack and accusations made by James Mohnhaupt in 2009. However, during the four years when James utterly alienated Stacy Slaton from Son's life he had several run-ins.

22. Psychological abuse, formerly called parental alienation, in Daughter Mohnhaupt's present environment is causing physical and emotional distress, violating C.R.S. 14-10-124 (1.5) (III) (VI), (VII) and (XI).

- On October 12, 2004, Jean LaCrosse, Ph.D., gave "informed recommendations" to this Court expressing concerns of parental alienation by Stacy Slaton. In her testimony of August 2005, Jean LaCrosse further stated to all parties, in her "professional opinion that 'parental alienation' is a form of psychological endangerment." However, Parental Alienation Syndrome has been discredited.^[29]
- Stacy Slaton has recognized her own flaws and acknowledged any defects in her

parenting, which could have an impact on her children. She acknowledges her role in the dynamics of this case. Stacy has continued to learn and understand parenting in high-conflict divorce, what psychological abuse is, and how damaging separation of children from either parent can be.

- Karlis Center reports from 2006 to 2008, which include the monitored period of Stacy's **unfounded restrictions**, previously entered as evidence of this court, repeatedly acknowledge the fathers' violations of **C.R.S. 14-10-124 (1). Court orders PROHIBIT, both parties from disparaging the other in front of the children.** Disparagement of Stacy Slaton's character has in fact occurred in this case, which is psychological abuse.
- Karlis Center reports also prove that Stacy is the only parent capable of complying with **C.R.S. 14-10-124 (1.5)(XI). "The right to the custody and control of one's child is a fiercely guarded right in our society and in our law. It is a right that should not be infringed upon only under the most compelling circumstances."** **Brooks v. Parkerson Georgia Supreme Court (1995.) No such compelling circumstances existed.**
- As a Court-appointed agency the Karlis Center should be ordered to report to the courts when they see signs that the wrong parent is being restricted, so the court can remedy the environment of the children.
- Circumstances in this case since August 2005 indicate that psychological abuse has, in fact, occurred, and has escalated since 2009. The behavior of **James Mohnhaupt provides extensive evidence that he is the parent who has separated Daughter from her mother.** Such pattern of behavior **constitutes new facts in this case.**
- Psychological abuse, formerly called Parental Alienation is grounds for an immediate change in custody.
- At this time, James Mohnhaupt has refused to allow Daughter Mohnhaupt any unsupervised contact with her brother Son Lowery, who is 19 years old. James has blocked Daughter's phone from calling Stacy Slaton or Son Lowery. This happened as a result of Daughter making a comment that if Mom paid only five dollars she could see Stacy and Daughter, but it would be at the Karlis center but she could see us.
- James is leading Daughter to believe that her mother does not want to see her. The truth is Stacy has been sequestered from her daughter as a result of domestic violence and civil conspiracy.
- Given the use of legal abuse and domestic violence by proxy^[30] in these cases, not only has Daughter been, and continues to be, isolated from Stacy unlawfully, but the same deprivation has occurred from extended family, friends, community, and family culture and traditions, that only Daughter Mohnhaupt's mother, Stacy Slaton, can provide.
- Judge Margie Enquist's, findings, as stated in the August 2005 hearing that parental alienation "may" occur in Stacy Slaton's care have, in fact, occurred in James Mohnhaupt's care. The "alienation" this Court and experts attempted to avoid in the custody switch of 2005, has in fact, taken place at the hands of James Mohnhaupt, further **depriving Daughter** of security and maternal affection, and placing the children in imminent danger. James has failed to comply with the parenting time of Stacy and Daughter for more than seven years. **The right to family relationships applies reciprocally between parent and child. Smith v. Fontana, 818 F.2d 1411, 1414, 1418 (9th Cir.1987); Duchesne v. Sugarman, 566 F.2d 817, 825 (2d Cir.1977).**
- Margie Enquist's statement that parental alienation **MAY occur** is conditional at best. In truth, Margie Enquist incorrectly and unfairly caused a change in the environment of the Daughter, Son, and Daughter without the substantive requirement that the advantage of such change outweigh the harm. She further exhibited profound ambivalence, indecision, and speculation about the decision when the statute demands a significant reason. **Therefore, this court must remedy these situations immediately to prevent further harm to Daughter, Son, and Daughter.**
- The financial costs of malicious pay-to-play proceedings and leasing of her children and coercion by James in this matter have allowed him to use this Court to sever the

relationships among Stacy Slaton, Son Lowery, Daughter Mohnhaupt, and Daughter Slaton.

- Dependence on James Mohnhaupt to fulfill Daughter's needs may have caused her to develop Stockholm syndrome^[31] and places her **physical health and emotional development in imminent danger. The harm likely to be caused by a change of environment is outweighed by the advantage of a change to the child.** At this time, a change of environment for Daughter into Stacy's custodianship far outweighs the harm of such a change.
- James Mohnhaupt and John Slaton have forcibly removed Stacy Slaton from her children's lives; Stacy has never abandoned her children as her repeated efforts to plead with the court indicate. Stacy Slaton has pursued local and national avenues to understand how Jefferson County Court personnel have removed her children with no regard to the harm inflicted upon Daughter, Son and Daughter.

23. A change in Stacy Slaton's circumstances has an effect on the circumstances of her daughter, Daughter Mohnhaupt. As a result of unlawful actions by James Mohnhaupt to falsely restrict parenting time and to place contempt of court charges against Stacy Slaton, she has been unable to enjoy employment, a right that is protected by the United States Constitution and any violations under Color of Law are illegal. Stacy's rights to enjoy the parent-child relationship and to enjoy employment or any prerequisite thereof, outlined as duties of this court and any agency of the United States to protect, have been jeopardized by the very people entrusted to protect these rights.

- As a result of financial hardship, the Court's lack of compliance with statutes, and the collusion between James Mohnhaupt and John Slaton to abrogate due process and equal protection guarantees of Stacy Slaton by altering of child support payments; by ordering a jail sentence when the child support history did not justify doing so; by failing to modify support to the lawful amount, and by using coercion to demand a nine-month jail sentence or demand payment in full, and by attempting to coerce her into terminating her parental rights, Daughter Mohnhaupt has been denied the right to have her mother in her life, and the environment of Daughter, Son, and Daughter has been impaired. **This definitely constitutes a change in the circumstances of Daughter Mohnhaupt.**
- Stacy Slaton has made efforts to improve her circumstances. She is in possession of numerous phone recordings with Katie Smith, Ray Washington and Beth Barr, of Child Support Enforcement, since the time James filed for the Contempt Hearing in 2009. C.S.E. personnel were shocked by the Court's ruling to incarcerate Stacy due to her continued history of child support payments well into 2010.
- Constitutional Law does not warrant such cruel and unusual punishment, including further severing of the maternal relationship without considering the best interest of the child. Further, James knew child support was set above Stacy's ability to pay and this court's discrimination towards the mother in these cases, caused further harm, by ordering her to pay attorney fees for requesting a lawful modification of child support. Ray Washington even made an attempt to work on a payment plan in 2012 with James, given that the inaccuracies in child support figures have interfered with the parental relationship, **which constitutes imminent harm.**
- Court should note the child support case in 06DR2673 has been closed.
- Stacy has evidence of communication with Dan Welch, (State of Colorado Human Services Grant supervisor), as to his concerns about the mental health of James and that the funding to the fatherhood programs within Jefferson County would not help James. Dan Welch has stated "he (James) is a monster and beyond help." If programs that are already in place are futile in this situation, Daughter Mohnhaupt is in imminent danger, and the remedies offered in **C.R.S. 14-10-124 (8) do not pertain.**
- Stacy Slaton's rights under **18 USC §242 and 18 USC §245** have been violated! James, John and other persons have been allowed to engage in activities tantamount to kidnapping, forcing Stacy into further financial hardship and costs similar to ransom.

- Stacy Slaton has co-founded Parent Child Justice, she has done research for National Forum on Judicial Accountability (NFOJA), and works with California Protective Parents' Alliance (CCPPA). She serves as advisor to attorneys and researchers about contested custody issues.
 - In Stacy Slaton's care, Daughter Slaton will learn a system of values that includes healthy, respectful interactions and language, and proper placement of Daughter's needs ahead of the parent's needs. In Stacy's care Daughter will be allowed to love and have a supportive relationship with both Father and Mother. This has been neglected in Daughter's life for far too long, which impairs psychological development, creating the emergency in this matter.
24. Due to the dangers of the James' behavior, Stacy demands this Court **grants this VERIFIED AFFIDAVIT IN SUPPORT OF EMERGENCY MOTION FOR ORDER TO MODIFY PARENTAL AND DECISION-MAKING RESPONSIBILITY PURSUANT TO CITED SUBSECTIONS C.R.S. §14-10-124, §14-10-129 AND §14-10-131 VIA ABSENTEE TESTIMONY by August 16, 2013 and remedy this matter as follows:**
- Stacy demands the unlawful warrants are lifted, and her driver license is reinstated at the State's expense, as a remedy to the above violation.
 - Child support arrears are dismissed, and the new child support worksheets (filed with this motion) take effect no later than August 16, 2013.
 - Parenting plan cited in this motion is adopted no later than August 16, 2013. No further restriction is warranted. Daughter needs both parents, but most importantly, Daughter needs to be placed in Mother's residential custody in order to heal from the effects of maternal deprivation.
 - A judgment in the amount of \$179,718.00 is entered with this court per statute, to include James Mohnhaupt, Jean Githens, John Slaton, Linda Slaton, Mary Edwards, John Moreno, June Moreno, and David Riethmann, as compensation for their civil conspiracy, fraud upon this court, and domestic violence, with this court ordering full payment within 90 days. The first payment of \$59,906.00 is to be paid at the exchange of parental responsibilities on August 16, 2013. The second payment of \$59,906.00 shall be due no later than September 16, 2013. The final payment of \$59,906.00 shall be due no later than October 16, 2013.
 - Stacy should not be asked to appear in "good faith" on these matters as this Court and all other parties are not acting in "good faith." This is for her protection and safety.
25. Have you talked to the other party about this modification of allocation of parental responsibilities? Yes, numerous attempts have been made to seek remedy, yet this court has given power to James to sever the sacrosanct parental relationship between mother and child. James refuses all communication, including the necessary requirements of C.R.S. for school, medical and travel.
26. Is either party currently receiving Temporary Aid to Needy Families (TANF) or public assistance? Not for Stacy
27. Does the other party live in another state? **No**

VERIFICATION AND ACKNOWLEDGMENT

I swear/affirm under oath that I have read the foregoing Motion and that the statements set forth therein are true and correct to the best of my knowledge.

Mother-

Respondent Signature

Date

Subscribed and affirmed, or sworn to before me Subscribed and affirmed, or sworn to before me
in the County of _____,

State of _____, this _____ day of _____, 2013

My Commission Expires: _____

Notary Public/Clerk

CERTIFICATE OF SERVICE

I certify that on _____ (date) a true and accurate copy of the *Verified Motion to Modify/Stipulation Decision-Making Responsibilities* was served on the other party by:

 by placing it in the United States mail, postage pre-paid, and addressed to the following:

To: James Mohnhaupt

P.O. Box 2321

Evergreen, Co 80437

Your Signature

CC:

Chief Justice Michael Bender

Colorado Supreme Court

101 West Colfax Ave Suite 800

Denver, Colorado 80202 USA

303-837-3742

Chief Judge Steven M. Munsinger

100 Jefferson County Parkway

Division 11

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1. Denver Post "Failed to Death" January 29. 2012

[2] **Domestic Violence by Proxy** (DV by Proxy), a term first used by Alina Patterson, author of *Health and Healing*. DV by Proxy refers to a pattern of behavior which is a parent with a history of using domestic violence or intimidation, uses a child as a substitute when he no longer has access to his former partner.

[3] Bancroft, L., Silverman, J.G., and Ritchie, D. *DAUGHTER Series on Violence Against Women: The Batterer as Parent: Addressing the impact of domestic violence on family dynamics*. (2nd ed.). 2012.

[4] Hannah, Therese and Goldstein, Barry. *DOMESTIC VIOLENCE, ABUSE AND CHILD CUSTODY-Legal Strategies and Policy Issues*. Kingston, New Jersey: Civil Research Institute. 2010.

[5] Kiecolt-Glaser, Janice, and Glaser, Ronald. *Proceedings of the National Academy of Sciences: "Researchers Pinpoint Stress-Illness Link."* July 1, 2003. Reported by CBS News and Associated Press, February 11, 2009 as *Why Stress Kills*.

[6] Colorado Coalition Against Domestic Violence and Sexual Assault Annual Conference Training. Vail, Colorado. 2011 attended by Stacy Slaton.

[7] Huffer, Karen. *Legal Abuse Syndrome*. Fulkort Press. 2001.

[8] *DOMESTIC VIOLENCE, ABUSE AND CHILD CUSTODY-Legal Strategies and Policy Issues* (Civic Research Institute/ 2010

[9] *Traditionally, obtaining or extorting money illegally or carrying on illegal business activities, usually by Organized Crime . A pattern of illegal activity carried out as part of an enterprise that is owned or controlled by those who are engaged in the illegal activity. The latter definition derives from the federal Racketeer Influenced and Corruption Organizations Act (RICO), a set of laws (18 U.S.C.A. § 1961 et seq. [1970]) specifically designed to punish racketeering by business enterprises.*

[10] *DOMESTIC VIOLENCE, ABUSE AND CHILD CUSTODY-Legal Strategies and Policy Issues* (Civic Research Institute/ 2010

[11] Huffer, Karen. *Legal Abuse Syndrome*. Fulcort Press. 2011.

[12] McLean, Maralee. *Prosecuted but not Silenced: Courtroom Reform for Sexually Abused Children*. Oklahoma: Tate Publishing. 2012.

[13] Domestic Violence by Proxy (DV by Proxy), a term first used by Alina Patterson, author of *Health and Healing*. DV by Proxy refers to a pattern of behavior which is a parent with a history of using domestic violence or intimidation, uses a child as a substitute when he no longer has access to his former partner. Calling this behavior "parental alienation" is not strong enough to convey the criminal pattern of terroristic behaviors employed by batterers.

When his victim leaves him, batterers often recognize that the most expedient way to continue to hurt his partner is to assert his legal rights to control her access to their children. By gaining control of the children, an abusive male now has a powerful tool which allows him to continue to stalk, harass and batter an ex-partner even when he has no direct access to her. Moreover, by emotionally torturing the child and severing the bond between children and their mother, he is able to hurt his intended victim -- the mother -- in a way she cannot resist.

DV by Proxy includes tactics such as: threats of harm to children if they display a positive bond to the mother, destroying favored possessions given by the mother, and emotional torture (for example, telling the child the mother hates them, wanted an abortion, and is not coming to get them because they are unloved).

DV by Proxy may also include coaching the child to make false allegations regarding their mother's behavior and harming or punishing the child for not complying. DV by Proxy perpetrators may also create fraudulent documents to defraud the court in order to prevent the mother from gaining custody. Whether or not the child is biologically related to them is irrelevant to perpetrators of DV by Proxy. The perpetrator's main motivation is to hurt his ex; whether or not his own child is harmed in the process is irrelevant to him.

[14] Araji, Sharon, Ph.D. *Domestic Violence Continued: Contested Child Custody. Strategies by Attorney Herb Viergutz*. 2009.

[15] "Of course, abusers will try to scapegoat the victim and portray themselves as the injured party,

sometimes successfully." *Steps to Healing from Domestic Abuse*. " Skylar, 2012.

[16] Yvan Stark: *Coercive Control: How Men Entrap Women in Personal Life (Interpersonal Violence)*. New York: Oxford University Publishing, Inc. 2007.

[17] C.R.S. §14-10-129(2) "Domestic Violence" means an act of violence or a threatened act of violence upon a person with whom the actor is or has been involved in an intimate relationship, and may include any act or threatened act against a person or against property, including an animal, when used as a method of coercion, control, punishment, intimidation, or revenge directed against a person with whom the actor is or has been involved in an intimate relationship.

[18] www.alllaw.com/articles/family/child_custody/article30.asp

[19] C.R.S. 18-3-304

[20] DOMESTIC VIOLENCE, ABUSE AND CHILD CUSTODY-Legal Strategies and Policy Issues (Civic Research Institute/ 2010

[21] Key 27 Colo. 1990

[22] McLean, Maralee. *Prosecuted but not Silenced: Courtroom Reform for Sexually Abused Children*. Oklahoma: Tate Publishing. 2012.

[23] Prendergast, Alan. "Catherine Keske, CSU Prof, ordered back to jail in parenting dispute over email." *Westword*. August 24th, 2011.

[24] 18 USC § 241- Conspiracy against rights.

[25] Extortion: "the gaining of property or money by almost any kind of force, or threat of violence, property damage, harm to reputation, or unfavorable government action.

[26] Rubinkam, Michael. "Mark Ciavarella Jr., Judge, Gets 28 Years in Kids for Cash Case." *Huffington Post*. August 11, 2011.

[27] "Failed to Death." *The Denver Post*. January 29, 2012.

[28] Urbina, Ian and Hamill, Sean D. "Judge Pleads Guilty in Scheme to Jail Youths for Profit." *NY Times*: February 12, 2009.

[29] HB 13-1259 Summary

[30] HB 13-1259

[31] If the child's formerly favorable view of the victimized parent changes when exposed to tactics like this over time then it is more likely a form of "Stockholm Syndrome" or traumatic attachment to the abuser." The Leadership Council."

Posted by [Unknown](#) at [1:58 PM](#)

1 comment:



[Unknown](#) November 7, 2017 at 3:53 PM

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