FILED
COURT OF APPEALS
DIVISION II

2018 MAY 30 AM 11: 11

STATE OF WASHINGTON

BY_____
DEPUTY

No 50889-3-II

COURT OF APPEALS, DIVISION II OF THE STATE OF WASHINGTON

Jennifer Barnett, Appellant,

VS

Yonathan Hutagalung, Respondent.

REPLY BRIEF OF APPELLANT

Jennifer Barnett

Pro Se Appellant

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I. TABLE OF AUTHORITIES

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II. ARGUMENT

On November 29th, 2016 Yonathan Hutagalung violated a Valid Foreign Domestic Violence Protection Order and he was given permission to do so by Commissioner Kiesel.

By ordering a visit between the Jennifer and the children, the protected individuals, and Yonathan Hutagalung, the restrained individual named in that protection order, Commissioner Kiesel violated Jennifer Barnett's Constitutional Right to Full Faith and Credit.

Article IV Section 1 of the US Constitution states that "Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof". Washington Statute RCW 26.52 reinforces article IV Section 1 of the United States Constitution.

Neither of these laws were followed on November 29th, 2016 and the subsequent court proceedings in this case were tainted by the judiciary's failure to adhere to the law of the country and of the state.

The question of what state was the children's home state is not being asked in this appeal, but the question of why Commissioner Kiesel did not follow the law is being asked.

Another question is why, when Jennifer came to court for Contempt of the Oregon Parenting Plan, was she held in contempt, when New Mexico took temporary emergency jurisdiction and put in place a Domestic Violence Protection Order which superseded the Oregon Parenting Plan?

Finally, why did the court not follow RCW 26.09.191 (4) "in cases involving allegations of limiting factors under subsection (2)(a)(ii) and (iii) of this section, both parties shall be screened to determine the appropriateness of a comprehensive assessment regarding the impact of the limiting factor on the child and the parties" and have both parties screened.

No screenings were done before custodial continuity was abruptly interrupted and this oversight has traumatized the children and their mother.

III. CONCLUSION

This abusive action perpetrated by Yonathan Hutagalung, a court commissioner and at least two attorneys who are not commissioners has left Jennifer and her children continually traumatized for the last year and a half. The abject disregard for the law by court officials has had an unforgiveable detrimental effect on Jennifer's right to parent her children, and an extreme detrimental effect on the children's present and long term emotional and psychological wellbeing.

This action was brought under bad faith and based on RCW 26.09.260 (13) "If the court finds that a motion to modify a prior decree or parenting plan has been brought in bad faith, the court shall assess the attorney's fees and court costs of the nonmoving parent against the moving party".

Yonathan Hutagalung did bring this motion to modify the parenting plan in bad faith, and he continues to cast a false light on Jennifer and has done so throughout this entire litigation by alleging that any motions, petitions or appeals filed are frivolous, he is misleading the court into thinking that Jennifer is a liar, which she is not.

The children should immediately be returned to Jennifer Barnett and Yonathan Hutagalung should be screened to determine the appropriateness of visitation whether supervised or unsupervised. He should undergo a domestic violence perpetrator assessment with a counselor approved by the court to determine what mental health concerns may need to be addressed. It was completely inappropriate to disrupt the children's custodial placement absent any immediate concerns of abuse or neglect while in the care of their mother, and absent

any certification that the father was mentally stable enough to parent the children in an emotionally supportive way.

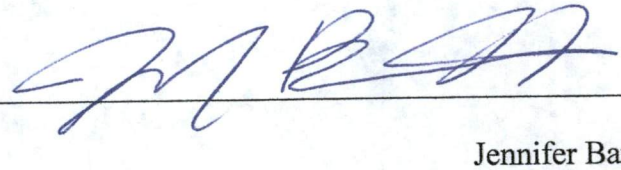
Because of the predatory nature of this bad faith litigation which is on Appeal, Jennifer Barnett respectfully asks the court to order Yonathan to pay all attorney fees and costs from the date he violated the DV Protection Order, November 29, 2016 to present, and for all judgments against Jennifer in this case to be dismissed.

Respectfully submitted to the Washington State Court of Appeals Division II on May 30, 2018.

Jennifer Barnett.

Pro Se Appellant

I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.



Jennifer Barnett

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CERTIFICATE OF MAILING

I certify that I mailed a copy of Appellant's Reply Brief to:

Law Office of Amanda Cook 2727 Hollycroft St Suite 110,

Gig Harbor, WA. 98335

And that I delivered the original and one copy to the Court of Appeals, Division II, for filing;

All postage prepaid, on May 30, 2018

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT.

Signed at Sumner, Washington on May 30, 2018.

Jennifer Barnett

Pro Se Appellant