

FILED
SUPREME COURT
STATE OF WASHINGTON
2/15/2018 12:39 PM
BY SUSAN L. CARLSON
CLERK

COA # 52099-1-II

CASE NO.: 94631-1

IN THE
FIRST DISTRICT COURT OF APPEALS
FOR THE CIRCUIT

CHRIS J. RAYMOND

Appellant,

v.

LISA S. SMITH

Respondent

ON APPEAL FROM THE SUPERIOR COURT
FOR PIERCE COUNTY

RESPONSE TO BRIEF OF RESPONDENT

15 February 2018

Chris J. Raymond
2095 Memorial Dr.
South Hadley, MA 01075

Phone: (413) 244-1213

Email: asonious@yahoo.com

ORIGINAL

filed via
PORTAL

I, Chris J. Raymond, Appellant, do hereby state the following truths in response to Lisa S. Smith's (Respondent) brief:

1a.

Lisa S. Smith's Statement: "In regards to the state of Washington erroring in its decision to grant me sole custody of the minor child; this matter was not settled in Washington. The granting of sole legal and physical custody was awarded in the state of Massachusetts in December of 2012. Furthermore, the denial of physical visitation occurred in the state of Kansas in May of 2015."

Mr. Raymond Disagrees

1b.

Chris J. Raymond's response: Ms. Smith's statement is false. The Kansas court temporarily suspended physical visitation until a proper and fair evaluation of Adan Raymond could be done. The GAL Suzanne Dircks at this time stated that she could not properly evaluate Adan and only went off of statements made by Dr. David Callies (which have been proven false) in a letter to the Kansas court. The Kansas court stated that Ms. Smith was to continue with SKYPE visitation per court order. Ms. Smith refused to comply with the court order and has been found in Contempt of Court (18 counts) for withholding both physical and SKYPE visitation between Adan Raymond and his father, Chris Raymond.

Mr. Raymond compromised in the Agreement for Modification dated 24 July 2013, which allowed Ms. Smith to move with Adan Raymond out of the State of Massachusetts. This Agreement stipulated that Ms. Smith was to bring Adan Raymond to Mr. Raymond for visitation on a set schedule at her cost. Other provisions in said document were Mr. Raymond is to have SKYPE visitation at least once a week, Mr. Raymond is to have full rights to Adan Raymond's medical records, Ms. Smith is to disclose any medical issues of Adan Raymond to Mr. Raymond, Ms. Smith is to consult with Mr. Raymond in regards to any issues that affect Adan Raymond (religious, medical, school, sports, etc...) and Mr. Raymond is to have access to all service providers for Adan Raymond as a custodial parent. Ms. Smith has interfered with Mr. Raymond's access to said records, providers and denied all visitation rights against court order.

The Superior Court has denied Mr. Raymond all contact with his son, Adan, without any grounds for Involuntary Termination of Parental Rights. The Washington Court lacks Personal Jurisdiction over Mr. Raymond and denied him of his basic Due Process Rights.

2a.

Lisa S. Smith's Statement: "In regards to the trial court of Washington lacking jurisdiction over Mr. Raymond; Mr. Raymond is referencing a separate matter regarding a restraining order. Because the incidents involved in the report did not occur in the state of Washington; the Judge stated she could not grant the order. The Judge also explained to Mr. Raymond during numerous

UCCJEA gave her the right to accept other state's order and to make further rulings based upon the best interests of the minor child. Mr. Raymond was afforded the opportunity to appear by phone for all hearings but was informed that if he chose not to participate, that to was his right."

Mr. Raymond Disagrees

2b.

The Superior Court cannot pick and choose what issues it has personal jurisdiction over, this issue was addressed in the Order dated 15 June 2016 under case no.:16-2-01579-0 which states: "A preponderance of the evidence has not established that there is domestic violence. Additionally the court lacks jurisdiction and venue under RCW 26150.020(6) and RCW 4.28.185 No DV in WA, no fleeing to escape D/V. The request for a full order is denied, and the petition is dismissed. Any previously entered temporary order expires at 3:00 pm today."

The Superior court has no authority to place any type of sanctions against Mr. Raymond due to its lack of Personal Jurisdiction over him. Mr. Raymond's right to be a parent has been taken away from him without just cause.

Mr. Raymond was not notified of all hearing and not given his right to appear at said hearings.

3a.

Lisa S. Smith's Statement: "In regards to proper service; this case was opened in 2015 upon moving to the state of Washington with military orders. It took nearly 2 years to go to trial because Mr. Raymond filed so many motions. My lawyer sent documents via certified mail multiple times and was given notice by USPS that the documents were refused by Mr. Raymond. However; Mr. Raymond was still present for all hearings; appearing by telephone."

Mr. Raymond Disagrees

3b.

Mr. Raymond has never refused any documentation from Ms. Smith's lawyer at any time and was not at all hearings due to lack of notification by either Ms. Smith's lawyer or the Pierce County Superior Court. I would ask that Ms. Smith produce the notices from USPS that states that Mr. Raymond refused any documents as proof to back up her claims. Mr. Raymond was not notified of all hearings by Ms. Smith's lawyer or the Pierce County Superior Court. One incident was that of a hearing scheduled for 7 April 2017 in which Mr. Raymond was never notified of said hearing and it went forward without Mr. Raymond being allowed to appear by phone. Mr. Raymond received documentation on 26 April 2017, 19 days after the hearing was held via First Class mail, no personal service was ever completed by Atty. Liebman (Ms. Smith's lawyer).

In Conclusion

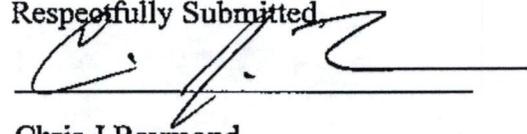
Ms. Smith's statements to the court do not ring true. The Superior Court did deny Mr. Raymond any contact with his son, Adan Raymond, without any legal standing. The Superior Court does lack Personal Jurisdiction over Mr. Raymond therefore has no right to place any type of sanction against his person. Mr. Raymond was denied proper service of process, notice of hearings and his basic Due Process Rights.

The current Washington State order is based off of false statements and false testimony made by Ms. Smith and various individuals in collusion with Ms. Smith. Ms. Smith has failed to produce any type of factual evidence to support any of her claims made by her in regards to Mr. Raymond.

I, Chris J. Raymond, request that the Court require Lisa S. Smith to produce evidence to support her claims and that when she fails to do so that Ms. Smith's Brief be stricken from the record. I would also ask that when Ms. Smith fails to provide proper evidence to support her claims that the case go forward without any further briefs being filed by Ms. Smith.

15 February 2018

Respectfully Submitted



Chris J Raymond

2095 Memorial Dr.

South Hadley, MA 01075

Pro Se

Email: asonious@yahoo.com

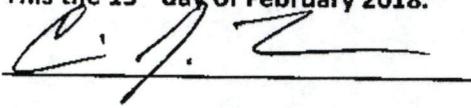
Phone: (413) 244-1213

CERTIFICATE OF SERVICE

I, Chris J. Raymond, Appellant in the above referenced civil action, do hereby certify that I have this day caused to be delivered, via First Class Mail and via Email a true and correct copy of the above and foregoing document to:

Lisa S. Smith, Respondent, 1423 Grant Ave., DuPont, WA 98327

This the 15th day of February 2018.

A handwritten signature in black ink, appearing to read "C. J. Raymond", is written over a solid horizontal line.

Chris J. Raymond