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COURT OF APPEALS
DIVISION III
STATE OF WASHINGTON
By _____

NO. 351432
COURT OF APPEALS, DIVISION III
OF THE STATE OF WASHINGTON

In re the Marriage of :
WADE AUSTIN MILLER,

Respondent,

And

JENAE PAPE MILLER N/K/A PAPE

Appellant.

APPEAL FROM THE SUPERIOR COURT
FOR CHELAN COUNTY
THE HONORABLE JUDGE NAKATA

BRIEF OF APPELLANT JENAE PAPE

BY: JENAE PAPE, PRO SE

246 W.MANSON HWY, PMB # 194
CHELAN, WA 98816

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TABLE OF AUTHORITIES

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I. INTRODUCTION

Appellant Jenae Pape started developing businesses in her 20's, she is now 53. Jenae partnered with Wade to begin Cruise Holidays and All Seasons Rentals years before their marriage. Wade took out a loan to help begin Cruise Holidays and called his parents who were at their Hawaii residence to ask for a loan to start All Seasons Rentals after talking with me and my Dad when he would come to Gig Harbor and spend the night after attending the car auctions in Seattle. Wade had taken over Miller's Auto Sales in the mid 80's and also made the decisions regarding Zippy Disposal and Mid-towner Motel the since Wade's parent were retiring, however, Wade's dad always kept his name as President on everything. As Wade told Jenae, his dad was "A control freak." As with many family business the management is passed down to the next generation. Wade's cousin, Glen Austin was our bookkeeper, even though he was a CPA, he never did the taxes because Wade's parents had a cash management system called "a safe" installed in their closet. Before they abused me and Wade and I stopped talking to them for over 14 years now, I know there was cash in the 100's of thousands of dollars. Since I wanted a professional CPA to do my companies books we also used him when we

Got married, so I knew they were done according to the law. He is still my CPA, his name is Amadee Sanchez. He is in Federal Way, Wa.

Before getting married Wade and Jenae would help each other with all the businesses. He didn't help Jenae much except financially with Cruise Holidays and Sea Tac Travel they were in Jenae's name and Wade new Nothing about computers. However, when I went to Chelan I would help him Detail cars and also work as a maid at the MidTowner Motel and sometimes Work the front desk. Jenae even gave Wade's Parents a free cruise to Alaska. All Seasons began in 1990, Jenae never saw any stock certificates, all she Ever knew up until our divorce hearing, was that we borrowed Jenae believes it was \$30,000 and had them paid back within the year, however, Leo kept his name on as President. Wade and Jenae also paid off Leo's debt to North Cascades Bank regarding Miller's Auto Sales by partnering with Doug Irwin at Hertz, Rental. Jenae prevented Wade from ruining the financial Opportunities we ended up having with Mr. Irwin, we he lost patience and wanted to leave the Hertz yard because Mr. Irwin was running late. Jenae Made Wade wait which is why both Miller's Auto Sales and All Season was so successful. All Seasons would purchase their used trucks and equipment and resale it. Wade was upset when his dad wouldn't pay us back for his debt Since we used the money from selling the used trucks from Hertz to pay

Off the debt at North Cascades. Wade was also upset at his dad for not included him on some land deals which was the main reason he wanted

His dad to pay him and Jenae back.

In 1992, when Wade and Jenae got married, Jenae sold Sea Tac Travel but They kept Cruise Holidays until Jenae's employee faxed over to her home Office in Chelan and asked to buy it. Wade had already said "yes" before She got home with their son, Chad. Jenae was the "key" parent throughout Both Chad's and his younger brother Ty who was born in 1996. Jenae Dealt with the drs, schools, sports, boy scouts, friends, basically all aspects Of their upbringing, even having their friends over all the time. Before Jenae Was locked out of her house, kids would always be in and out, staying Downstairs all the time. Jenae spent at least \$500 a week feeding not only Her kids but alot of the kids in Chelan, girls and boys. (See declarations From mothers and friends). Jenae even moved Chad to Walla Walla and paid For Chad and his three roommates goodies they need to move into their House. Jenae even attended all the overnight boy scouts trips and also Made arrangements for both Chad and Ty to go on 2 mission trips each with Her mother to balance out the "entitlement" issue. Jenae even took them to Church and had them sign up to sponsor kids in other countries. Due to Wade's "domestic violence and Parental Alienation", Jenae has been unable

To see her kids or dog ever since she moved them into the house in Wenatchee and left to Lake Havasu to find out why the renters where Sending the rent check to Wade and not Jenae, however, Wade cancelled Their credit cards, etc. As eveyone knows you can get a car or room Without a credit card. Jenae called Chad who was going to go to Jenae's Attorney and get a check so he could wire his mom money, however, it Never arrived (see letter from Peter Spadoni at Smith, Alling) so in fact, Jenae became homeless in Las Vegas. Jenae's friend Kris Reimer was Suppose to go with her, but she called Jenae at the airport and said She was sick and wanted Jenae to stay home but because Wade wasn't Giving Jenae any money and Jenae was having medical issues that prevented Her from working at that time she needed to find out why the renters where Sending the check to Wade. However, after many tears and lots of walking, She finally had to call Wade (who also called Jenae in as a "missing person") So he could give a credit card for the Alaska change fee, the Alaska rep Tried to get a food credit, since Jenae hadn't eaten in days, but they don't Provide that service anymore. Then Wade called the taxi service to get Jenae To the airport. Upon landing Wade had arranged for her two best friends on The West Side to pick her up and take her to dinner. However, Jenae had the Biggest surprise of her life when she discovered one of them was on the

Phone with Wade and Wade asked them to take me to a hospital. Jenae ran since she knew Wade was trying to pretend Jenae was “mentally Unstable” because he didn’t want to admit he had hit her and was Not only abusing alcohol but their kids, which is why she bought the Boys house in Wenatchee. Before leaving to Lake Havasu, the boys begged Their mom to get them away from their dad because of his denial of his Alcoholism. Jenae even called Wade’s parents who she hadn’t talked to Since they abused her when they where also drunk, so it was no surprise To Jenae the declined in helping her put together a “intervention”. Jenae Got in touch with her counselor, Julie Broxson, who she had been seeing Since her dad was murdered, Julie advised her to “let them go” meaning Her kids, but Jenae asked her “you have kids how do you let them go?”, She responded with “I don’t know”. Looking back now, she must have Known the Mathena’s where generational cops of Chelan County but Couldn’t tell her because of the rules as a counselor. Wade and his Girlfriend continue to play their “evil” games at the present moment Due to the fact Wade’s attorneys and their Judicial family have done Nothing to stop them. Jenae has been trying to get Wade’s attorney John Weston to call her counselors but as of this date he has not.

Dr. Snyder even called Mr. Weston due to the amount of stress she is under. Dr. Laughlin at Lake Chelan Hospital even wrote Jenae a letter that she “may die”, due to her low white blood cell count and Jenae wrote letters to her kids, to Wade and his girlfriend and her ex-in-laws, but no response from anyone. On Thanksgiving of 2014, almost 30 days after finding Wade with Summer Mathena in their own home. Jenae was at Spirals in Chelan attending a “Grief cleanse”, because Jenae’s dad had been murdered and her nephew drowned at the age of 20 in Lake Cushman. This was Wade’s second affair that she knows of anyways, that is why she left the house the first time she kicked Wade out. Jenae claims she would have stayed and kicked them out if she would have known how evil he would become. Jenae talked with several of Summer’s classmates and they advised her that Summer has been evil since about 8th grade so it was not a surprise to them, her nickname in her hometown of Leavenworth is “homewrecker”. I wouldn’t be in the situation I have found myself in if I had known. The only thing Jenae claims she is mental about is “staying with Wade after his first affair with Chad’s best friend’s mother.

Back to business, Wade and Jenae continued to acquire real properties,

Both with his dad and Wade and Jenae started "All Seasons Events" after Jenae quit her job with the State because she was threatened by a "drug Lord" in Brewster, who called her and told her if she didn't give up her Contract the next day she wouldn't see her boys again." The officer in Bridgeport that Jenae took her client to is now a Chelan County Sheriff.

Both Jenae and Wade assisted in the management and maintenance Of the family businesses. Although Wade was paid a salary and took Draws, Jenae was never compensated for her time and effort during the 30 years she was with Wade. Wade continuously told Jenae that all The money was going back into the business for "their future". However, Jenae did see All Seasons check book one time when Glen was writing A check written to Wheatland bank for \$50,000. The Miller family used Jenae's time and effort but never allowed her to know the finances of the businesses because she "trusted" Wade and thought they would be Together forever. Even after the first affair, before her dad's death, Wade shook her dad's hand and told him he was really sorry and that "he would never do it again and take very good care of his daughter and Grandkids for the rest of his life". Wade and Jenae even remarried in Front of the boys in Las Vegas on the way back to Chelan to show them that

their Dad was serious because the boys were very upset with their dad. The trial court granted Wade everything he wanted. Jenae lost everything Including her kids, dog and personal items she brought to Chelan when She moved there in 1998. The trial court concluded that Jenae's Indian trust Assets were marital property, even when Wade had Chad, their eldest Son, sue her for the house she bought them, the trial court granted the order. Jenae's domestic violence counselor's at The Support Center have written 3 Victim's impact statements, her counselor Julie Broxson have written several letters along with her doctors, however, the trial court failed to consider them. The court then compounded these errors by ignoring the Letters from her attorney Drew Dalton who is representing her on her Lawsuit again the County and the Lake Chelan School District. Jenae even Had an ex Chelan County Commissioner, Buell Hawkins call his ex-constituents, but all they would say is "un-elect them". Wade's dad even lied in court, Jenae had the clerk call her CPA, Amadee Sanchez, he told the trial court the truth and his testimony was ignored along with that of April Roberts, whose three boys where raised with Chad and Ty, who testified what a "awesome mother" Jenae is, but the court continued to Ignore any facts Jenae presented at all the hearings. Wade's dad even lied to The court when he claimed Wade wasn't going to get any inheritance,

However, Jenae claims you can ask anyone in Chelan that isn't true. When Jenae was working at Mill Bay Casino, a customer told her she needs to hire Mark Gallagher, an attorney in Chelan, that he is a "great" divorce attorney, So Jenae went to meet with him and he told her he couldn't take the case Because "he's scared of Leo", who is Wade's dad.

The trial court must be reversed. It's decision ignores the "domestic Violence" and " Parental Alienation" element and also ignores the abuse of The Chelan County Sheriff's department and the misconduct of the Chelan County Judicial System. Further, it gave Wade almost all of the community Property due to not considering the fact that Jenae's Indian trust money Is separate property and acquired after their separation, causing the court to Overvalue Jenae's share. Basically the court ignored Jenae's testimony due To prejudice and gave her almost the amount she spent on the house and Furnishings in Wenatchee for her children to be safe of the abuse , along with phones and other household items. Jenae was entitled, at best, to an equitable amount for her 30 years of hard work for the family business since she spent all her bonuses and wages from other jobs to provide furnishings, stocks and 401K's (which Wade also was given by the court), because Wade told Jenae that all the extra money earned was being spent to grow the

Businesses. This court must remand for redistribution of the marital estate with the proper character and value of the assets in mind and the true facts considered.

II. ASSIGNMENTS OF ERROR

A. The trial court erred in entering the property division in its Decree of Dissolution.

B. The trial court erred in ignoring the advise of Jenae's counselors and doctors to the point of putting Jenae's life at stake even ignoring The fact her counselors and the State of Washington where worried Enough about her safety to place her into the "Address Confidentiality Program (ACP) for Domestic Violence Victims. Rules for the ACP Are found in WAC 434-840-310 and are governed by the Office of the Secretary of State.

III. STATEMENT OF ISSUES

1. Did the trial court err in concluding that the property acquired By Jenae after her separation from Wade and the fact it was Indian Trust money that could be clearly traced to be separate property?

2.

Before trial all of the money with Peter Spadoni at Smith, Alling
Was moved even though Mr. Spadoni had been the attorney
Handling Chad, Ty's and Wade's trusts. Did the trial court err in
Including Jenae's Trust assets but not Wade's in then "awarding"
Jenae's trust assets as part of her share of the community property?

3. Did the trial court err in failing to divide the community
Property equally and allowing Wade and his family to not have
To complete Interrogatories questions and produce documents that
Jenae asked the court to compel but was denied and Jenae was also
denied her motions for change of Venue and her anti-harassment's
orders and failed to give Jenae a fair venue and caused her great
Harm and duress? (RCW 84.40.120 (2) states "Any person willfully
Making a false list, schedule or statement under oath is guilty of perjury
Under chapter 9A.72 RCW.

4. Did the trial court err in granting Jenae's dog to Wade?

5. Did the trial court err in granting the house Jenae bought
To protect her children from abuse back to the Miller's,
Even though the plan was to put the house into a Pape Trust
Fund ?

6. Did the court err in granting numerous protections orders Against Jenae even though she was the victim?
7. Did the court err when there was no evidence or finding That the kids should be alienated from the appellant?
8. Did the court err in not admitting their was a conflict Of Interest not only because of the dissolution judges Knew Wade's girlfriends relatives but also Wade's Attorney Rani Sampson, had been a commissioner with The Chelan County Judicial System and the fact that Jenae has a lawsuit against the county ?

IV. STATEMENT OF THE CASE

A The parties were together for over 30 years.

Appellant Jenae Pape, now age 53, and respondent Wade Austin Miller, now age 52, married on October 24, 1992, after being In a committed relationship for almost 5 years. Two children were Born of their marriage. Chad Austin Miller born 12-29-94 and Ty Pape Miller born 7-10-1996. On October 28, 2014 Jenae found Wade with Summer Mathena in the family home. Shortly Thereafter Jenae was locked out of her home and her life. Wade And Jenae agree the marriage "irretrievably broken"

Jenae and Wade sometimes with his parents created and/or Managed various businesses. At the time of trial, Wade and his father

Continued to hold interests in Blue Water Inc and several LL's that
Were primarily acquired during Jenae and Wade 30 year

Relationship. Wade's dad sold the Midtowner Motel to his
Nephew, Glen Austin and without telling Wade or I, sold
The laundry mat to Juan Patino, one of our employees who
Became like his son when Wade decided not to have a social
Relationship with his family after they beat me up. Wade fight
Back against his brother-in-law and dad. However, Chad
Advised me they got back together at Thanksgiving of 2014
And said "mom it's like nothing ever happened." Then advised
Me they where all drinking. Also, Joe Collins advised appellant
That the property she was going to buy with some of her Indian
Trust money for the kids, was actually bought by Wade's dad
Instead of someone "from Seattle" as told to her by Wade shortly
Before this dissolution action began. As previously stated, Jenae
Had agreed with the minister who owned the orchard for almost
20 years, however, Wade and his dad lied to appellant and she
Didn't find out until after the divorce was final.
Appellant was granted a court order to see her youngest son for
Three visits with her counselor Julie Broxson. Wade brought

Ty for the first two visits, however, Appellant didn't call the cops
Due to the fact her kids are going through so much already.

Mrs. Broxson told appellant that Ty requested to be able to
See her on the third visit. Ty and the appellant agreed that
They would have breakfast on Sunday at the Casino where
She worked and he also said she could attend any of his
Sports events and all his graduation committee meetings;
In addition to attending his graduation. However, due to
Wade's Parental Alienation and his and his dad's relationships
With some of the personnel with the Lake Chelan School
District, Ty's and the appellants plan never occurred, even
Worse ,Wade took Ty out of track his Jr. Year of high school so
Appellant couldn't see him, so Jenae asked two of Ty's coaches
His Sr. Year and told them to talk to Wade and tell him I won't
Attend the track meets if he allows Ty to participate. Wade agreed,
However, Mr. Pittsinger, owner of Karma Winery and also one
Of the main track coaches advised me because Wade pulled him
Out his Jr year, he lost his ability to get a scholarship with the
U of W, where Ty's best friend, Jose and Mr. Pittsinger daughter

Attend because they got their Track scholarships.

Appellant was also told by Jerry Isenhardt, the father of Willy Isenhardt. Ty stayed with them when Summer Mathena Moved into appellants house until Willy and Ty where caught Doing Cocaine. Sara Molina also advised appellant of this issue. Appellant called CPS numerous times and also talked with Jill at Juvenile in Wenatchee, however, she told me "it's not Against the law to be a bad dad" and even though she agreed To help me have a "well child check done" she advised me Because Summer's brothers are cops I shouldn't get my hopes Up of finding anything out. I continue to alienated from my kids Even though Wade is a "bad dad" and I am a great mom. My Counselor, Julie Broxson, calls me "resilient" . Even with the Help of my counselors, doctor's, Mr. Buell Hawkins even our Local Rep Cary Condatta tried to get the State to help, the Commissioners of Chelan County won't deal with the Misconduct of the Chelan Judicial System, I even did a complaint To the Bar Association against Wade's Attorney Rani Sampson And Judge Nakata for conspiring to make me miss my court Date relative to my dog Luci. They just told appellant she will

Have to handle it in a civil action. Throughout the dissolution, Members of the Chelan County Sheriff's office harassed Appellant. There first contact was at the health food store in Chelan, wherein, a deputy came into the store and asked Appellant to go outside, however, she advise him that she Wanted witnesses so would no comply, he then proceeded To tell her that if she went to her house she would be Arrested, she asked him on what authority (since no paperwork Had been filed) and he said Wade had called him so appellant Asked him "who made wade God?" He then told appellant To give him my key, thankfully a friend that was helping me Shop for vitamins told the officer she would take me home. Since then I have been beat up, harassed, arrested by members Of the Chelan County Sheriffs Department. My criminal Proceedings continued simultaneously with my divorce Proceedings, my doctors weren't happy because their Information and belief is that my medical issues are due to The stress caused by Wade and his Parental Alienation Syndrome (Rich vs. Rich, Sup Ct. 5th Dist. Case No.

91-3-00074-4 (Douglas County) June 11, 1993) and his Abuse of alcohol and upon information and belief from Chelan Residents and his friends the abuse of cocaine; Along with the harassment of his girlfriend via texting, Emails and phone calls and finally the Chelan County Sheriff's department. However, since The Courts didn't consider there pleas, justice couldn't prevail. RCW 10.14.020 (2) states "Unlawful harassment" means a knowing and willful course Of conduct directed at a specific person which seriously alarms, annoys, harasses, or is detrimental to such person, and Which serves no legitimate or lawful purpose. The course of Conduct shall be such as would cause a reasonable person To suffer substantial emotional distress, and shall actually cause substantial emotional distress to the petitioner, or, when The course of conduct would cause a reasonable parent to fear For the well-being of their child." Appellants mom overheard At Ty's graduation party a young kid tell Wade " I have the gun In my car I can take care of her now"; my mom advised the kid "that's my daughter your talking about", obviously shocked,

He quickly left. My mom didn't tell appellant of the incident
Until Appellant told her she heard noises outside her cabin.
After finally admitting to appellant about the conversation,
Appellant asked her mother to call her attorney, which she did
However, Appellant hasn't been able to talk to her mom since
Because her husband called Appellant and said "she's too
Stressed out and he doesn't want her talking to me".
Appellants domestic violence Counselors continue to try to
find appellant a safe place to live so
Appellant can actually call the cops if needed since Wade
Has tried on two occasions to run her down with his vehicle
While she was driving down the road. RCW 26.50.010 (3)
"Domestic Violence" means: (a) Physical harm, bodily injury,
Assault, or the infliction of fear of imminent physical harm,
Bodily injury or assault, between family or household
Members; (b) sexual assault of one family or household
Member by another; or (c) stalking as defined in RCW
9A.46.110 of one family or household member by another
Family member or household member. Also, RCW 9A.36.050
(1) "A person is guilty of reckless endangerment when he or

She recklessly engages in conduct not amounting to drive-by Shooting but that creates a substantial risk of death or serious Physical injury to another person. (2) Reckless endangerment Is a gross misdemeanor.

Appellant so far has two of her three criminal issues dismissed, one because Summer Mathenas brother, Josh Mathena, took Appellants phone from the evidence room and took it home, It as returned to the evidence room 9 days later with two Pictures deleted and one added. So it was dismissed for Tampering with evidence by the Chelan County Sheriff's Office. Under RCW 9A.72.150 (3) Tampering with physical Evidence is a gross misdemeanor.

Appellant has a hearing on September 6th, to try And get her third crime dismissed and/or new a trial since The Chelan County Prosecutors (Appellant also has a Lawsuit against them) failed to let Appellants Jury Instruction into the jury room. Another issue of Conflict Of Interest.

Division One's published decision creates a new rule for Long term marriages that ignores RCW 26.09,080 and

Raises an issue of substantial public interest that this Court should consider. Division One's decision directs the courts to place the parties to a long-term marriage lasting more than 25 years in "roughly equal financial positions for the rest of their lives," (Appendix A ll 7). The court of Appeals' published decision under RAP 13.4(b)(1), (2), and (4) To decide 1) whether the duration of the marriage is entitled to greater weight than the other factors of RCW 26.09,080, requiring the court place the parties to a long-term marriage in "roughly equal financial positions for the rest of their lives," And 2) whether the trial court can use a prediction of one spouse's postdissolution income to justify both an award of that income as an asset in a disproportionate property distribution and a distributive maintenance award, regardless of the other spouse's need for additional support. The court denied appellant any monies from their community assets. Appellant had never seen the corporate stock certificates until her dissolution hearing. She believes they are fraudulent since she can pull blank ones up on the

Internet that look exactly the same. Per RCW 10.37.110
States “ In an indictment or information for larceny or
Embezzlement of money, bank notes, certificates of stock,
Or valuable securities, or for a conspiracy to cheat or defraud
A person of any such property, it is sufficient to allege the
Larceny or embezzlement, or the conspiracy to cheat or defraud,
To be of money, bank notes, certificates of stock, or valuable
Securities, without specifying the coin, number, denomination
Or kind thereof.”

Appellant has been living out of her car, staying with
Friends on both the West side and East side since the
Support Center doesn't want her to live in Chelan
County, however, with all the fires and the loss of 32 apts
In Douglas County it may not be possible, last week they
Provided appellant with a form so she can move up the
Ladder if a place becomes available. Appellant has had
To come back and forth due to multiple court hearings and
Due to having to represent herself, she has done alot of
Research, etc which has prevented her from taking care of
Her medical issues which upsets her doctors besides the fact

The trial court ordered appellants insurance to be canceled

As the date of the final dissolution hearing even though
Appellant advised Wade's attorneys that she was still
Seeing four doctors due to the abuse by Wade and
The Chelan County Sheriff's department. Dr. Kim who
She's the appellant for her frostbite wanted to do surgery
And also Dr. Witt in Chelan wants a vaginal ultrasound
Due to other medical issues that we thought were taken
Care of so he is very concerned. Also, my colitis is
Acting up due to the stress caused by Wade's actions and
She continues to see the Sleep Diagnostics Center since
She still can't stop worrying about her kids and dog due
To Wade's Parental Alienation Syndrome as diagnosed
By appellants counselors at the support Center along with
Diagnosing Wade's girlfriend as a psychopath.
Appellant just recently found out that Wade didn't pay the
Taxes on the house in Havasu even though he had been
Collecting the rent money. Wade's girlfriend texted appellant
That "they were going to get her dad's house in Havasu
also."

The Mohave county Treasurer has seen this before when
One spouse purposely doesn't pay the taxes so they can
Buy the house back for the back taxes only. Another
Attempt by Wade to financial destroy me.

V. STANDARD OF REVIEW

The standard of review is whether the trial court's
Decision is supported by substantial evidence and whether
the trial court made an error of law. Substantial evidence
Supports a factual determination of the record contains
Sufficient evidence to persuade a fair minded, rational of
the truth of that determination. Bering v.SHARE, 106
Wn2d 212,220, 721 P2d 918 (1986). RCW. 7.69.30.

VI. ARGUMENT

The trial court erred by failing to grant Appellant's
Motions for change of venues due to Conflict of Interest,
Failing to grant Appellant's anti-harassment orders, failing

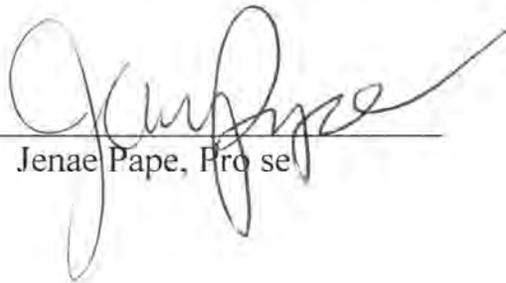
to grant Appellants Motion to Compel so Appellant could
Have a complete copy of Respondent's answer to
Interrogatories, failed to uphold the laws of the State
Of Washington to keep Appellant Safe, in doing so
Appellant was almost killed. More important, the
Court failed to apply or even articulate whether
There was a change in circumstances and/or how
The "change" was substantial, or how the children
were being used by Respondent to Alienate them
From the Appellant along with the abuse/biased matters by
The Chelan County Sheriff's department and the Chelan
County Prosecutors or how the children and Appellant
were being harmed by Respondents and his attorneys
Conduct.

VII. CONCLUSION

This court should reserve and direct the trial court
to grant Appellants Change of Venue so she can have
a fair trial so the trial court can properly characterize the
properties traced to Appellants separate property, and to
divide the community property in a just and equitable

manner in light of the marriage's long term duration
and the Appellants uncompensated contribution to
the family businesses over a 30 year span of time .

Dated this 5th day of September of 2017.

By: 
Jenae Pape, Pro se

Court of Appeal Division III

~~Superior Court~~ of Washington, County of _____

In re:

Petitioner/s (person/s who started this case):

WADE Austin Miller

No. 351432

Proof of Personal Service
(AFSR)

And Respondent/s (other party/parties):

Jenae Pape

Proof of Personal Service

Server declares:

1. My name is: Jenae Pape. I am ~~not~~ a party to this case.
I am 18 or older.

2. Personal Service

I served court documents for this case to (name of party): _____
by (check one):

giving the documents directly to him/her.

giving the documents to (name): John Weston / Rani Sampson via email 9/5/11
a person of suitable age and discretion who lives at the same address as the party.
and sending to court of appeals on 9-6-17

3. Date, time, and address of service

Date: 9-6-17 Time: 3:30 pm a.m. p.m.

Address:

500 North Cedar St. Spokane, WA 99201-1905
Number and street city state zip

4. List all documents you served (check all that apply):

(The most common documents are listed below. Check only those documents that were served. Use the "Other" boxes to write in the title of each document you served that is not already listed.)

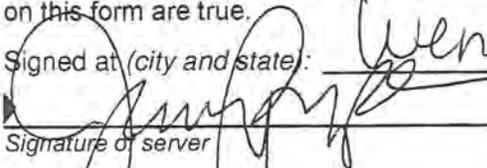
<input type="checkbox"/> Petition to/for _____	
<input type="checkbox"/> Summons (Attach a copy.)	<input type="checkbox"/> Notice of Hearing _____
<input type="checkbox"/> Order Setting Case Schedule	<input type="checkbox"/> Motion for Temporary Family Law Order <input type="checkbox"/> and Restraining Order
<input type="checkbox"/> Notice Re Military Dependent	<input type="checkbox"/> Proposed Temporary Family Law Order
<input type="checkbox"/> Proposed Parenting Plan	<input type="checkbox"/> Motion for Immediate Restraining Order (Ex Parte)
<input type="checkbox"/> Proposed Child Support Order	<input type="checkbox"/> Immediate Restraining Order (Ex Parte) and Hearing Notice
<input type="checkbox"/> Proposed Child Support Worksheets	<input type="checkbox"/> Restraining Order
<input type="checkbox"/> Sealed Financial Documents	<input type="checkbox"/> Motion for Contempt Hearing
<input type="checkbox"/> Financial Declaration	<input type="checkbox"/> Order to Go to Court for Contempt Hearing
<input type="checkbox"/> Declaration of: _____	<input type="checkbox"/> Notice of Intent to Move with Children (Relocation)
<input type="checkbox"/> Declaration of: _____	<input type="checkbox"/> Objection about Moving with Children and Petition about Changing a Parenting/Custody Order (Relocation)
<input type="checkbox"/> Other: _____	<input checked="" type="checkbox"/> Other: <u>Appellant Brief</u>
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____

5. Fees charged for service

- Does not apply.
 Fees: \$ _____ + Mileage \$ _____ = Total: \$ _____

6. Other Information (if any): _____

I declare under penalty of perjury under the laws of the state of Washington that the statements on this form are true.

Signed at (city and state): Wenatchee, WA Date: 9-6-17
 _____
 Signature of server Genae Jape
 Print or type name of server

To the party having these documents served:

- File the original *Proof of Personal Service* with the court clerk.
- If you served a *Restraining Order* signed by the court, you must also give a copy of this *Proof of Personal Service* and a *Law Enforcement Information Sheet* to law enforcement.