

FILED

No. 36784-3-III

NOV 12 2019

COURT OF APPEALS
DIVISION III
STATE OF WASHINGTON
By _____

COURT OF APPEALS, DIVISION III OF THE STATE OF WASHINGTON

MIRANDA ROSE BENA,

Respondent,

V.

CHRISTOPHER NICHOLAS POPOV,

Appellant,

ON APPEAL FROM THE SUPERIOR COURT OF THE STATE OF
WASHINGTON FOR YAKIMA COUNTY

BRIEF OF RESPONDENT

MIRANDA ROSE BENA
Respondent
1790 Selah loop RD #32
98942

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BRIEF OF RESPONDENT

Miranda Rose Bena, Respondent

The Court of Appeals of
The State of Washington
CASE# 367843

Vs

Christopher Nicholas Popov, Appellant

Superior Court Case#
19-2-00952-6

The foregoing statements are true and correct to the best of my knowledge. To the Honorable Judge presiding, My name is MirandaRose Bena I am responding to this case at matte. My children's father Mr.Popov is claiming he was denied due process but that is not true because we were both given the same amount of time to gather what was needed for this restraining order matter. In my opinion this appeal submitted by Mr.Popov is an act of retaliation in order to prolong the custody issue at hand. Due to allegations presented in court against Mr.Popov the court allowed Mr.Popov ample time to respond in his defense to the allegations against him. After the court setting the hearing forward Mr.Popov made the decision not to appear for the following court date and the judge ruled in my favor. Therefore I believe this motion for appeal arises out of his anger due to the final ruling pertaining to the custody of our children. My only concern is the safety of my children and myself. Thankyou for hearing this matter.

Sincerely, Miranda Rose Bena

Miranda Bena

11-08-2019

Your Honor, my name is Miranda Rose Bena. I recently separated from Chris N. Popov after a very controlling and abusive relationship of eight years. During the course of our relationship, I've witnessed abuse and neglect to both animals and people. On more than one occasion I had to forcefully stop Chris from physically and verbally abusing our son. My son Christopher is extremely frightened of his father whenever I would mention him going with Chris overnight. In tears he would beg to stay home with me. When I would ask why he didn't like going he would tell me his dad gets mad at him very easily and he's scared to be around him alone. In recent months since our separation, I allowed him to have the kids overnight a few times and he brought them home smelling like marijuana so bad I had to wash the car seat cover and all the kids belongings. It was also the middle of winter and the baby had on nothing but a diaper. After these incidences, I did not feel safe letting Chris take the kids overnight.

He was always verbally and sometimes physically abusive to just about everyone. On a daily basis he would beat our dogs sometimes for no reason at all until they were bloody or urinating on themselves. I had a female hound puppy who was about seven or eight months old; and Chris came home to find the puppy had gotten on the couch to nap. This made him so angry that he proceeded to grab her by the back of her neck and slam her on the hardwood floor breaking her leg. It was left to heal on its own. Because she was never treated by a vet, she had a permanent limp for the rest of her life. I never mentioned these incidents to anybody for fear that Chris would take it out on me or the kids physically.

I never had any money of my own because he was always in control of everything. On several occasions, I was left to try to figure out the most basic needs such as diapers, formula, dinner, hygiene, ect. Everytime I would work I would always end up sick in the hospital due to my type 1 diabetes; which left me financially dependant on Chris.

I had considered leaving many times but was scared to do so because I didn't know how I would survive financially with my young son. Chris would always threaten to take my kids away from me if I left as well because I couldn't work. He would isolate me from all my family and friends.

The last eight months I've been the happiest mentally and physically than I have been in the last eight years after getting out from under his control and abuse. As the mother of two amazing children, I will always do what's in the best interest of them and I will do whatever is necessary to protect them in every way.

1920095239

Miranda Bena

(2)

CP 65

CASE # 190095239

March 25 2019

Your Honor, my name is Gloria Hogue. I am Miranda Bena's grandmother. Miranda and her two children have been living in my home since August of last year. Miranda is a wonderful mother and takes excellent care of her two children. Unfortunately, she has not been able to move into a home of her own because her only source of income is tanif and that is only \$567.00 per month. She is a brittle diabetic and has been applying for a disability that is still in progress. During the time that she has been with me she has received zero help from the children's father. He claimed he would pay for the storage that all of their household furnishings were in, but he stopped paying for that after a few months and it was auctioned off and sold before Miranda found out.

Chris has been living in a camp trailer on his mother's property and would take the children there and when he took them he took them at random times. One of the last times he took the children he kept them over night and brought them home at 6:00 in the morning on one of the coldest days and the baby only had on a diaper with a blanket wrapped around her when he brought her in. No shoes, no clothes or coat! I was a witness to this when Miranda told him she would prefer he see the children here or just during the day he would threaten her that he would take the children away from her. Miranda finally asked the prosecuting attorney if she had to allow these overnight visits when she felt so uncomfortable about it. She was told since no child support was being collected and no visitation orders were in place that she could use her own judgment about visitation.

I have also observed other cruel behavior from Chris regarding animals in his household. He had a female dog that was only 7 or 8 months old that somehow got a broken leg and the poor animal dragged its broken limb around until it healed. I would like you to ask Miranda how the leg was broken. On a day that I stopped by to visit the poor animal came running to greet me when I entered the the house. Chris had an air pistol with pellets and he proceeded to shoot the dog at close range and then as it was yelping in pain he ordered it to go in its "hole" in the kitchen. I followed him into the kitchen where the poor dog got in the area between the wall and stove unable to move and Chris proceeded to push the stove at an angle trapping the poor dog between the wall and stove unable to move and leaving her for extended periods of time. I told him to stop shooting the dog and that his behavior was not discipline it was inhumane and torture. He ignored me. I considered turning him into someone but I was afraid he might take it out on my granddaughter and my great grandson

Miranda's younger brother and sister refused to go to her house because of cruel things they had observed and cruel behavior towards them. They will each send letters to tell in their own words of their incidents.

I will be in the courtroom with Miranda if you need to verify anything I have stated. Thank you.

190095239

Gloria J. Hogue

(3)

CP 68

Case # 1920095239

Dear Honorable Judge and all other parties concerned;

I, Lisa Marie Bena, certify by penalty of perjury that the following statement of facts is true and accurate to the best of my knowledge;

I am submitting this statement to the Court in order share information of which in my opinion is very important for the Court to be aware of prior to establishing a parenting plan being ordered between Christopher Nicholas Popov D.O.B. 06-18-1989 and Miranda Rose Bena D.O.B. 04-19-1991, Biological parents of. Minor children, Christopher Justin Popov D.O.B. 03-10-2011 and Maddylin Rose Popov D.O.B. 10-29-2017. My relationship to the parties involved is Mother to Miranda Bena and Maternal Grandmother to Christopher Justin and Maddylin Rose Popov.

In my opinion, it would be in the childrens best interests in order to secure their safety and well being, to remain in full time custody of their custodial Mother, Miranda Rose Bena for reasons as follows:

Christopher and Miranda ended their 8 year relationship approximately 9 months ago, previous to todays date of March 26th, 2019. Miranda and the two children have resided at her maternal Grandmothers home since their seperation.

Approximately 2 weeks prior to todays date, an Order of protection was granted protecting them from any contact by Christopher Nicholas Popov as a result of an issue arrising at their juvenile son Christophers school, in which the Selah police department were summoned and responded.

Mr. Popov had entered Christophers school ptior to the regular dismissal time with the intention of signing him ouy early without having contacted Miranda to discuss any such event. Mirandas intuition guided her and her suspicion caused her to make a trip to the school to make sure that Christopher was okay.

Upon arriving at the school, her suspicions were confirmed. Mr. Popov was present and waiting outside of Christophers classroom for him to be brought out to him. Miranda felt that it was not in Christophers best interests to go with Mr. Popov thus the Selah police were called to intervene. Mr. Popov was informed by the Selah police that he would not be taking Christopher with him and a protection order for Miranda and both children against Mr. Popov was ordered.

In my opinion, it is not in the childrens best interests to be allowed any unsupervised time of any kind with Mr. Popov for the following reasons.

Throughout Mirandas entire relationship with Mr. Popov, I have personally witnessed several incidents that i feel are cause for serious concern for the children, as well as Mirandas safety and well being.

Mr. Popov has shown extreme irratic behavior towards Miranda and Christopher that i have witnessed, as well as towards Myself, my fiance', Mirandas siblings, many other people and his own dogs as well as those belonging to other people.

Some examples of his irratic behavior, that i have either witnessed or that i know to have taken place are as follows. He physically assaulted my 18 year old son. At one time, Mr. Popov owned a German Shepard that when i visited their home on several occassions, Mr. Popov had a string tied so tightly around the dogs snout, tying it shut, that it caused a deep flesh wound and was bleeding. At a later date, Mr. Popov. shot another dog that he owned causing it injury. Mr. Popov also shot and killed my sons dog. On the same day Mr. Popov had shot his own dog, he also shot my fiance' in the face as he was walking near the

(4)

CP 72-74

intersection where Mr. Popov resided at the time. I was on my cell phone with my fiancée at the time of this incident. Mr. Popov's neighbor called the police and charges were filed against him, although my fiancée did not pursue prosecution. The result was a pellet lodged 1/2 inch in my fiancée's cheek that had to be removed. My fiancée witnessed Mr. Popov on his porch laughing after he shot her.

Another incident that I was present and witness to was, one afternoon my fiancée and I were riding our bicycles downtown to eat dinner. We had passed by Mr. Popov's residence that was located on the corner of a main street. However, neither him, nor I had any contact or interaction with Mr. Popov. We traveled approximately 4-5 blocks and were off the main street riding through a warehouse lot when we noticed Mr. Popov in his vehicle as he swerved off the main street and into the lot where we were riding. Mr. Popov accelerated and drove erratically towards my fiancée on his bicycle. My fiancée rode quickly to take cover on the side of a building as Mr. Popov ran into her back bicycle tire with his vehicle. He then backed his vehicle up and charged at my fiancée several times trying to hit her with his vehicle.

Neither myself or my fiancée have ever provoked Mr. Popov in any way that would give him reason to have any ill feelings or take these violent and dangerous actions toward either of us.

Mr. Popov is a very controlling and hostile person. He uses intimidation and obviously, random physical violence toward people and animals.

During the entire relationship between Miranda and Mr. Popov, he kept her isolated from her family, friends and the world in general.

Another incident that I personally witnessed at Mr. Popov's home causing serious concern for my grandson Christopher's well being, took place one morning when I was present at their home. Christopher had just woken and Miranda had prepared his breakfast. He was in his high chair ready to eat. Mr. Popov arrived and noticed Christopher made a little fuss. Mr. Popov then unexpectedly yanked Christopher out of his high chair whilst tossing his breakfast on the kitchen counter and exclaiming "oh you want to be a little brat? Well little brats don't get to eat! You can just go back to bed if you want to be a little brat!" Mr. Popov then went into the bedroom and plunged Christopher into his crib and shut the door.

There have been countless times, out of desperation, that Miranda has reluctantly contacted myself or another family member, stating that she didn't know what to do because she didn't have any baby formula, diapers or food to prepare for dinner, as well as many other basic necessities. She always voiced her fear of Mr. Popov finding out that she had called for help, so when one of us would offer to help provide these things, she would have us meet with her somewhere away from their home and she always had to quickly return home to avoid Mr. Popov becoming aware of her reaching out to us.

Miranda has acquired employment several times throughout their relationship, always ending in her having to end her employment to appease Mr. Popov leaving her completely financially dependant on Mr. Popov. Mr. Popov has controlled every aspect of Miranda's life and interaction with family members and with the world in general. In a sense, she has been prisoner to Mr. Popov.

Miranda is diabetic. Her worst enemy is stress. Stress alone causes her blood sugar levels to rise to dangerous and life threatening levels. During the entirety of her relationship with Mr. Popov, she has been hospitalized more times than I can count. There have been many

occassions when she secretly contacted myself or another family member to take her to the hospital because Mr.Popov refused to take her and had screamed at her how he was sick and tired of her getting sick.I am pleased that she has not had even one time that she has had to make a trip to the hospital since their seperation.Her health has improved drastically

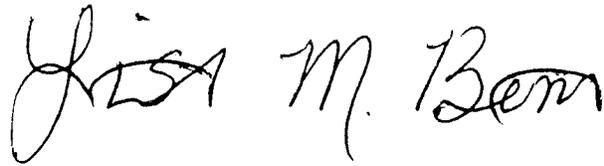
Miranda is a very caring,consciencious and loving mother to her children.The fact that she is diabetic,both of her pregnancies were extremely high risk.She was hospitilized several times during both of them.Miranda views her children as miracles,which they are.She is a very attentive Mother and keeps a very fruitful schedule with her children and cherishes every moment spent with them.

Miranda has been a prisoner of abuse and neglect by Mr.Popov for 8 long years and has been fortunate enough to finally escape from his cruelty and irratic outbursts.

It is my hope that the Court will utilize this information and protect my beautiful daughter and grandchildren from the torture that he is capable of and has inflicted upon them for so long so that they can get on with their lives minus the fear of Mr.Popov hurting them any longer.

Very Sincerely,

Lisa M. Bena

A handwritten signature in black ink that reads "Lisa M. Bena". The signature is written in a cursive style with a large, looped initial "L" and a stylized "Bena".

Your Honor, I'm Jayla Woodcock, Miranda Benas younger sister. She has been living with my grandparents, which is where my younger brother and I also live, and takes very good care of my niece and nephew. She always is sure Christopher and Maddyiln are fed, bathed, have clean clothes and their toys to play with. She takes them to the park and plays with them, teaches Christopher his manners such as please and thank you, and has a written out schedule he follows for school weeks.

When Miranda was living with Chris and I would visit, I witnessed multiple forms of abuse from him. One time when I was babysitting when she was working (for a short period of time) Christopher opened the wrong toy that was supposed to be for his cousin, and Chris dragged him in the kitchen by his arm and started screaming and spanking him, then sent him to his room to go to bed for the night at around four pm. Another time when Christopher was around two or three, he wouldn't give Chris a high-five, because he didn't know how to, so Chris kept threatening and yelling to take his oatmeal away which was also his breakfast. He finally got mad enough at my at the time two-three year old nephew and did so, and slammed it in the cupboard, and sent my nephew to bed.

Chris also seemed to like abusing the dogs, which I almost reported numerous times. There was a time when their dog Sadie's puppies dug some holes in their yard, so he brought them in and started beating them with a leather belt for about 5 minutes as hard as he could and then he sent them to their "hole" which was the dark closet that he would keep the dogs in for a day or two. I once got dropped off, and their dog Frank barked at him and he said "sometimes you gotta show them who's boss" and put a knife in Franks mouth, and put his hand around his neck and started screaming at him. I could go on and on about all the horrible things he has done to the innocent dogs like trapping them behind stoves, the hole, shooting them, beating them with a pipe, etc.

I have feared for my nephew and my niece, my sister, and the innocent dogs that he beat on for years, and because of him I wouldn't even go to her house for the longest time.

1920095239

Jayla Woodcock

(7)

CP 666

Case# 1920095239

To whom it may concern:

I, Rollie A. McKown am writing this statement of fact which can be confirmed with the Yakima City prosecutors office.

In 2017, Christopher Popov shot me in the face with a high powered pellet gun. I was taken to the hospital. He also tried to run me down with his car. I also know he shot his dog. He has seperated from Miranda Bena and they have juvenile children together. It is my fear that if he is allowed unsupervised contact with the children that it would be a mistake as it would put their well being in jeapordy because of his violent and narcissistic behavior. I have also witnessed Mr. Popov yelling and threatening them. The childrens Mother Miranda Bena, has always provided the love and nurturing that the children need. I feel it is in the childrens best interest to remain with their mother and not be subjected to the dangers of Mr. Popovs irratic behavior.

Sincerely,

Rollie A. McKown

Rollie Mc Kown

(8)

CP 69

CASE# 1920095239

1920095239

Your Honor, I'm Josh Bena, Miranda's younger brother. I lived with Chris and Miranda since I was around 15 and witnessed a lot his rage and abuse. For instance, I was personally assaulted by him multiple times. One time he took a huge stick, came upstairs and shoved me against a wall with it while yelling in my face. He has slapped and hit me multiple times, and was verbally and physically abusive to my friends as well. One time he told me to look out the window, and just hit me as hard as he could then went up to my friend and tried to hit him as well.

Chris was also very abusive to our dogs. There was an incident when our German Shepard mix got into the garbage so he took a metal baseball bat and hit him on the back of the head with it so hard that the dog wouldn't stop whining. His nose started bleeding a few minutes after Chris had hit him just for getting into the trash. Another time, our hound dogs, mother and son dog a hole in the yard so filled it with water and started shoving their faces in it. Many of the times when the dogs would bark, he would start shooting them with an airsoft gun. These are only a few of the many horrible incidents that I have witnessed while living with Chris and my sister.

I recall one time when my nephew purchased something while playing his Xbox, and Chris started cussing at my nephew and my sister had to physically stop Chris from beating my nephew, over doing something he didn't have a clue what he was doing, he was 3 or 4 at the time.

I'm really happy that my sister, niece and nephew got away from his abuse, and I've noticed a big change in all of their behavior. They all seem much happier and at peace. I only want what's best for my sister and her children.

Josh Bena

(9)

CP 70

My name is Cody Woodcock. I am Miranda's younger brother. I am happy that Miranda is no longer living with Chris because I never got to spend time with her because I was always frightened to go there because of Chris's behavior towards me and others.

One time when I did visit I was around nine years old, I wanted some ice cream but I was afraid to ask him so I just sat on the stairs waiting for Miranda to come down. He came to where I was sitting and asked what I wanted and I just said nothing. When Miranda came down she asked Chris if she could get me some ice cream, and he got mad at me because I had not asked him and forced me to do wall sits holding a bowl of ice cream. If I fell down before the 10 minutes was up he threatened to start the 10 minutes over. He often called me bad names like "lil punk" and "little bitch" for no reason.

Chris also was always hitting the animals either with this long plastic pipe or with a belt and putting them in the hole.

1920095239

Cody Woodcock

FILED
TRACEY M. SLAGLE, CLERK

19 MAR 13 P2:08

**SUPERIOR Court of Washington
For YAKIMA COUNTY**

No. **1920095239**

Companion Case(s); _____

**TEMPORARY ORDER FOR PROTECTION
AND NOTICE OF HEARING**

(Clerk's Action Required) (TMORPRT)

Next Hearing Date: **3/28/19** at:

Time: **9:00** AM PM

Report to: CLERKS OFFICE - Room 323
Yakima Co. Courthouse - 3rd Floor
128 N. 2nd Street / Yakima WA

X Miranda Rose Bena
(First, Middle, Last Names) Petitioner(s)

4-19-91
DOB

Vs.

X Christopher N. Popov
(First, Middle, Last Names) Respondent(s)

6-18-89
DOB

Names of Minors: No Minors Involved

First	Middle	Last	Age
Christopher	Justin	Popov	8
Maddelyn	Rose	Popov	1

Respondent Identifiers

Sex	Race	Hair
M	White	Brown
Height	Weight	Eyes
5'7	170	Blue

Respondent's Distinguishing Features:

CAUTION: Access To Weapons? Yes No Unknown

The Court Finds: The court has jurisdiction over the parties, the minors, and the subject matter. The respondent will be served notice of his or her opportunity to be heard at the scheduled hearing. RCW 26.50.070. For good cause shown, the court finds that an emergency exists and that a Temporary Protection Order should be issued without notice to the respondent to avoid irreparable harm.

The Court Orders:

<input checked="" type="checkbox"/>	1. Respondent is RESTRAINED from causing petitioner physical harm, bodily injury, assault, including sexual assault, and from molesting, harassing, threatening, or stalking <input checked="" type="checkbox"/> petitioner <input checked="" type="checkbox"/> the minors named in the table above <input type="checkbox"/> these minors only:
<input checked="" type="checkbox"/>	2. Respondent is RESTRAINED from harassing, following, keeping under physical or electronic surveillance, cyberstalking as defined in RCW 9.61.260, and using telephonic, audiovisual, or other electronic means to monitor the actions, locations, or wire or electronic communication(s) of <input checked="" type="checkbox"/> petitioner <input checked="" type="checkbox"/> the minors named in the table above <input type="checkbox"/> only the minors listed below: <input type="checkbox"/> members of the victim's household listed below: <input type="checkbox"/> the victim's adult children listed below:

Additional no contact provisions are on the next page.

The terms of this order shall be effective until **the end of the hearing noted above.**

(11)

CP 9-12

<input checked="" type="checkbox"/>	3. Respondent is RESTRAINED from coming near and from having any contact whatsoever, in person or through others, by phone, mail, or any means, directly or indirectly, except for mailing or service of process of court documents by a 3 rd party or contact by respondent's lawyer(s) with <input checked="" type="checkbox"/> petitioner <input checked="" type="checkbox"/> the minors named on page 1 <input type="checkbox"/> these minors only:
<input checked="" type="checkbox"/>	4. Respondent is RESTRAINED from going onto the grounds of or entering petitioner's <input checked="" type="checkbox"/> residence <input type="checkbox"/> workplace <input type="checkbox"/> school; <input checked="" type="checkbox"/> the day care or school of: <input checked="" type="checkbox"/> the minors named on page 1 <input type="checkbox"/> these minors only: _____ <input type="checkbox"/> other: _____ <input type="checkbox"/> Petitioner's address is confidential. <input checked="" type="checkbox"/> Petitioner waives confidentiality of the address which is: <u>1750 SELMA Loop RD, #32, SELMA, WA</u>
<input type="checkbox"/>	5. Petitioner shall have exclusive right to the residence petitioner and respondent share. The respondent shall immediately VACATE the residence. The respondent may take respondent's personal clothing and respondent's tools of trade from the residence while a law enforcement officer is present. <input type="checkbox"/> This address is confidential. <input type="checkbox"/> Petitioner waives confidentiality of this address which is:
<input checked="" type="checkbox"/>	6. Respondent is PROHIBITED from knowingly coming within, or knowingly remaining within <u>500</u> FEET (distance) of: petitioner's <input checked="" type="checkbox"/> residence <input type="checkbox"/> workplace <input type="checkbox"/> school; <input checked="" type="checkbox"/> the day care or school of <input checked="" type="checkbox"/> the minors named on page 1 <input type="checkbox"/> these minors only: _____ <input type="checkbox"/> other:
<input type="checkbox"/>	7. Petitioner shall have possession of essential personal belongings, including the following:
<input type="checkbox"/>	8. Petitioner is granted use of the following vehicle: Year, Make & Model _____ License No. _____
<input type="checkbox"/>	9. Other:
Protection for minors: (child / children)	
<input checked="" type="checkbox"/>	10. Petitioner is GRANTED the temporary care, custody, and control of <input checked="" type="checkbox"/> the minors named on page 1 <input type="checkbox"/> these minors only:
<input checked="" type="checkbox"/>	11. Respondent is RESTRAINED from interfering with petitioner's physical or legal custody of <input checked="" type="checkbox"/> the minors named on page 1 <input type="checkbox"/> these minors only:
<input checked="" type="checkbox"/>	12. Respondent is RESTRAINED from removing from the state <input checked="" type="checkbox"/> the minors named on page 1 <input type="checkbox"/> these minors only:

Surrender of Weapons Order filed separately

The respondent must comply with the **Order to Surrender Weapons Issued Without Notice** filed separately, which requires the respondent to surrender any firearms and other dangerous weapons.

The court finds that irreparable injury could result if the order to surrender weapons is not issued now.

The respondent is directed to appear and show cause why this temporary order should not be made effective for one year or more and why the court should not order the relief requested by the petitioner or other relief which may include electronic monitoring, payment of costs, and treatment. **FAILURE TO APPEAR AT THE HEARING MAY RESULT IN THE COURT GRANTING SUCH RELIEF. THE NEXT HEARING DATE AND TIME IS SHOWN ON PAGE ONE.**

WARNINGS TO THE RESPONDENT: A violation of provisions 1 through 5 of this order with actual notice of its terms is a criminal offense under chapter 26.50 RCW and will subject you to arrest. If the violation of the protection order involves travel across a state line or the boundary of a tribal jurisdiction, or involves conduct within the special maritime and territorial jurisdiction of the United States, which includes tribal lands, you may be subject to criminal prosecution in federal court under 18 U.S.C. § 2261, 2261A, or 2262.

A violation of provisions 1 through 6 of this order is a gross misdemeanor unless one of the following conditions apply: Any assault that is a violation of this order and that does not amount to assault in the first degree or second degree under RCW 9A.36.011 or 9A.36.021 is a class C felony. Any conduct in violation of this order that is reckless and creates a substantial risk of death or serious physical injury to another person is a class C felony. Also, a violation of this order is a class C felony if you have at least 2 previous convictions for violating a protection order issued under Titles 7, 10, 26 or 74 RCW.

A violation of provision 10, 11, or 12 may constitute a gross misdemeanor for a first offense and a class C felony for a second or subsequent offense.

If the court issues a final protection order, and your relationship to the petitioner is that of spouse or former spouse, parent of a common child, or former or current cohabitant as intimate partner, including a current or former registered domestic partner, you may not possess a firearm or ammunition for as long as that final protection order is in effect. 18 U.S.C. § 922(g)(8). A violation of this federal firearms law carries a maximum possible penalty of 10 years in prison and a \$250,000 fine. An exception exists for law enforcement officers and military personnel when carrying department / government-issued firearms. 18 U.S.C. § 925(a)(1). If you are convicted of an offense of domestic violence, you will be forbidden for life from possessing a firearm or ammunition. 18 U.S.C. § 922(g)(9); RCW 9.41.040. If you are convicted of an offense of domestic violence, you will be forbidden for life from possessing a firearm or ammunition. 18 U.S.C. § 922(g)(9); RCW 9.41.040.

YOU CAN BE ARRESTED EVEN IF THE PERSON OR PERSONS WHO OBTAINED THE ORDER INVITE OR ALLOW YOU TO VIOLATE THE ORDER'S PROHIBITIONS. You have the sole responsibility to avoid or refrain from violating the order's provisions. Only the court can change the order upon written application.

Pursuant to 18 U.S.C. § 2265, a court in any of the 50 states, the District of Columbia, Puerto Rico, any United States territory, and any tribal land within the United States shall accord full faith and credit to the order.

DATA ENTRY OF ORDER:

It is further ordered that the clerk of the court shall forward a copy of this order on or before the next judicial day to the YAKIMA County Sheriff's Office Police Department **WHERE PETITIONER LIVES** which shall enter it in a computer-based criminal intelligence system available in this state used by law enforcement to list outstanding warrants.

SERVICE OF ORDER and ASSISTANCE:

The clerk of the court shall also forward a copy of this order on or before the next judicial day to the YAKIMA County Sheriff's Office Police Department

WHERE RESPONDENT LIVES which shall personally serve the respondent with a copy of this order. This Law Enforcement Agency is granted the authority to forward this order to another Law Enforcement Agency- whose jurisdiction covers the Respondents location- for service. The serving agency shall personally serve the respondent with a copy of this order and shall promptly complete and return to this court the proof of service. (FAX to 509-574-1473)

Petitioner has made private arrangements for service of this order (further service is not required).

LAW ENFORCEMENT ASSISTANCE

- Law enforcement shall assist Petitioner in obtaining: Possession of Petitioner's: Residence
 - Personal belongings located at: _____
 - The shared residence. The Respondent's residence.
- Law Enforcement is to physically remove the Respondent if necessary. Respondent may take Respondent's personal clothing and Respondent's tools of trade from the residence while a law enforcement officer is present.
- Custody of the above-named minors, including taking physical custody & delivery to petitioner as directed in the Warrant In Aid Of Writ (if applicable).
- Other:

DATED 3-13-19 at 2:05 A.M./P.M.

[Signature]

JUDGE / COURT COMMISSIONER

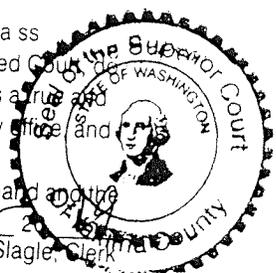
BLAINE GIBSON

Presented by:

[Signature]
Petitioner

A Law Enforcement Information Sheet (LEIS) must be completed.

STATE OF WASHINGTON, County of Yakima ss
 I, Tracey M. Slagle, Clerk of the above entitled Court, do hereby certify that the forgoing instrument is a true and correct copy of the original now on file in my office and still in full force & effect.
 IN WITNESS WHEREOF, I hereunto set my hand and the seal of said court this 13 day of Mar 2019
 Tracey M. Slagle, Clerk
 By *[Signature]* Deputy



(14)

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR YAKIMA COUNTY

Miranda Bena , Petitioner, VS Christopher Popov, Respondent.	ORDER FOR MOTION FOR RECONSIDERATION NO. 19-2-00952-39
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To the Judge:

The Court Administrator, having received copies of the Motion for Reconsideration and all documents filed pursuant to this motion, sets May 8, 2019, which is 30 days from date of filing of the Motion as the designated deadline/ chamber day for the undersigned Judge to consider the merits of the Motion and make the following decision.

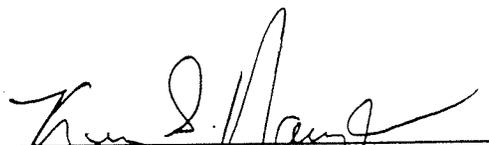
To the Attorneys of Record:

THIS MATTER having come before the court on or before the above chamber day, and the undersigned Judge, having reviewed the **Motion for Reconsideration** and supporting documents, it is **ORDERED:**

The motion for reconsideration is denied.

- Opposing counsel shall file a reply on or before _____. The moving party may file a response no later than _____. Copies of the reply and response to the reply shall be given to the court administrator for the judge on the date of filing. If a reply or response is untimely, it/they will not be considered by the court.
- The Court requests oral argument. The moving party shall confer with opposing counsel and the court administrator to secure a mutually agreeable date for argument to be conducted within 30 days of this order.

DATED this 6 day of May, 2019.



Judge Kevin Naught

Miranda Rose Bena v. Christopher Nicholas Popov
Superior Court case # 19-2-00952-6

Case # 36784-3

Title of Case _____

CERTIFICATE OF SERVICE

I certify that I mailed a copy of the foregoing Brief of respondent, Statements, emergency
to Laura Shayer, Attorney for Christopher N. Popov, restraining
at 3120 Broadway Everett, WA, 98201-4421, postage prepaid, on order & denial
[date] 11-7-19 Seah WA. letter

Miranda Bena
(Signature)

I certify (or declare) under penalty of perjury under the laws of the State of Washington
that the foregoing is true and correct:

11-7-19 Seah WA.
(Date and Place)

Miranda Bena
(Signature)

Miranda Rose Bena v. Christopher Nicholas Popov
Yakima County Superior Court Case # 367843
Title of Case NO. 192009526

CERTIFICATE OF SERVICE

I certify that I mailed a copy of the foregoing respondent's brief page one signed & dated
to Laura Suzanne Shaver, Attorney for Christopher Nicholas Popov
at 3120 Broadway, Everett WA 98201-4421, postage prepaid, on
[date] December 31st 2019

Miranda Bena
(Signature)

I certify (or declare) under penalty of perjury under the laws of the State of Washington
that the foregoing is true and correct:

12-31-2019
(Date and Place)

Miranda Bena
(Signature)

FILED

JAN 06 2020

COURT OF APPEALS
DIVISION I
STATE OF WASHINGTON
BY CR