

TX Hyla

Washington Appeal
Court. please

Send to Washington
Supreme Court

FAX 253-593-2806

Motion

Treated as a PETITION FOR REVIEW

Case # 1027184

No Access to Portal or
Computer no
money to mail

Washington Supreme Court

Case # 1027184

Re marriage

Linda Hammelman Beld

VS

Scott Lamayne Beld

Linda Hammelman

169 Broad St S

Madison, OR 97301

Mentally I need a Psychological eval See
 GR 33 Requests. Severe Mental Trauma
 Unnecessarily Caused by Trial Judge.

FORM 6. Brief of Appellant

(Rule 10.3(a))

(See Form 5 for form of cover and title page. For useful discussions of appellate brief writing, see the latest edition of the Washington State Bar Association Appellate Practice Deskbook.)

TABLE OF CONTENTS

I. Introduction [Optional. See rule 10.3(a)(3).]

II. ASSIGNMENTS OF ERROR

Assignments of Error

No. 1

No. 2

No. 3

Issues Pertaining to Assignments of Error

No. 1

No. 2

III. Statement of the Case

IV. Summary of Argument

V. Argument

[If the argument is divided into separate headings, list each separate heading and give the page where each begins.]

VI. Conclusion

VII. Appendix

A-1

[List each separate item in the Appendix and give page where each item begins.]

TABLE OF AUTHORITIES

Table of Cases

[Here list cases, alphabetically arranged, with citations complying with rule 10.4(g), and page numbers where each case appears in the brief. Washington cases may be first listed alphabetically with other cases following and listed alphabetically.]

Constitutional Provisions

[Here list constitutional provisions in the order in which the provisions appear in the constitution with page numbers where each is referred to in the brief.]

Statutes

[Here list statutes in the order in which they appear in RCW, U.S.C., etc., with page numbers where each is referred to in the brief. Common names of statutes may be used in addition to code numbers.]

Regulations and Rules

[Here list regulations and court rules grouped in appropriate categories and listed in numerical order in each category with page numbers where each is referred to in the brief.]

Other Authorities

[Here list other authorities with page numbers where each is referred to in the brief.]

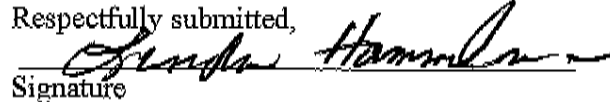
No Computer, 1088 AU 1-10-24 12:38PM (GMT-07:00)

VI. CONCLUSION

[Here state the precise relief sought.]

[Date]

Respectfully submitted,



Signature

[Name of Attorney]

Attorney for *[Appellant, Respondent, or Petitioner]*

Washington State Bar Association membership number

VII. APPENDIX

[Optional. See rule 10.3(a)(8).]

F. CONCLUSION

(State the relief sought if review is granted. For example: "This court should accept review for the reasons indicated in Part E and modify the restraining order to permit defendant to use her assets to pay fees and costs incurred in defending plaintiff's suit for conversion.")

(Date)

Respectfully submitted,

Signature

(Name of petitioner's attorney)

Filed
Washington State
Court of Appeals
Division Two

December 6, 2023

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

DIVISION II

In the Matter of the Marriage of:

LINDA KAY HAMMELMAN-BELD,

Appellant,

And

SCOTT LAMOYNE BELD,

Respondent.

No. 56159-0-II

**ORDER DENYING MOTION TO MODIFY
CLERK'S RULING**

Appellant, Linda Kay Hammelman-Beld, filed a motion to modify the court clerk's September 29, 2023 ruling in this matter. After consideration, this court denies appellant's motion.

Accordingly, it is

SO ORDERED.

PANEL: Jj. Maxa, Cruser, Price

FOR THE COURT:


ACTING CHIEF JUDGE

NO CR 33

Never Arrived. Not Justice

FORM 18. MOTION
[Rule 173(a)]

No. 1627184

SUPREME COURT or COURT OF APPEALS, DIVISION II OF THE STATE OF WASHINGTON

[Title of trial court proceeding
with parties designated as in
rule 3.4]

) Motion appealing Restraining Order under
RCW 26.09.060 and RCW 9A.46.110 in
) Violation CR 59 (a) 1, CR 59 (a) 5,
CR (a) 59 7 and CR (a) 9

1. Linda Hammelman-Beld "Appellant"
2. The Court erred in Issuing a Restraining Order without merit or intent
3. Facts Relevant to Motion

The Appellant had no knowledge that communication via email was harassing as the Respondent suddenly walked out of a long-term marriage with all assets on the family computer. Appellant never violated the stay away order. Respondent did 5 times and entered Appellant's home twice. Respondent Also had been issued a TRO from prior abuse in which he apologized for in 2017 and 2018. Judge never Acknowledged the abuse and actually allowed Respondent to state he apologized and it made it ok. Respondent has twice physically and twice sexually assaulted Appellant. Appellant thought both parties Starting trial had agreed to a stay away order. Appellant received no protection. Respondent Attorney requested email communication and a stay away order was placed. Respondent is an IT 30 yr. computer specialist and presented emails not on Appellant's E-mail account. Respondent also introduced an email from our adult child with no signed consent. Respondent would block Appellant from joint accounts. After Respondent walked out Appellant became aware of many unknown things within the marriage. Judge in case was upset over length of divorce and blamed Appellant for not working after being a stay-at-home mom for 19 yrs. Appellant was on stay-at-home orders by doctors.

Stay-at-home orders by doctors,

4. Grounds for Relief and Argument

Dismiss Restraining Order as Appellant never harassed, followed, or used physical or electronic surveillance or cyberstalked the Respondent. Appellant has never caused physical harm to Respondent. Appellant has little computer knowledge skills. All accounts used by Appellant were set up by the

*All accounts used by Appellant
were set up by the*


Respondent. Appellant had no knowledge that Respondent had constant access to Appellant's computer accounts and telephone accounts until a few months before trial. Respondent did in fact violate stay away order by returning to Appellant's residence several times. Respondent continued to deny access to financial records. Appellant lives 3

Hours away from Respondent and never went within 3 hours near Respondent's Residence.

Judge Banfield gave Appellant no chance to address the alleged charges. Appellant was put down for not working after medically retiring from a career in Law Enforcement and almost killed teaching drivers ED in a Car Accident. Appellant was given very low spousal support compared to Respondent's income, given 60 days to move from family home of 4300 SQ feet with no help or financial assistance

With RO Appellant is unable to locate a place to rent or obtain a job in Appellant's only career field.

Respectfully submitted,


Signature

Attorney for [Appellant, Respondent, or Petitioner]
[Name, address, telephone number, and Washington
State Bar Association membership number of
attorney]

pro se

Linda Hammelman

169 Broad St. S.

Marion, OR 97361

7

Linda Hammelman-Beld requests
a stay and none dismissal
on Appeals Court Case 56159-0-11
until a Psychiatrist can evaluate
my mental health. Attached is
the CR 33 with documentation
per Marion County Crisis
Center 3 visits. I am not
to be left alone. The
C-PTSD is progressively getting
worse where it is physically
affecting my organs and
lifestyle.

2

I ASK the court to read
the Final ruling on
7-9-2021 and the final
orders.

My request P.D. be re heard
by new trial judge to
stop abuse of it.

I be ordered protection
And Attorney Bear return
court fees he ordered himself
with no pending.

California law prohibits funds
being taken from a property
sold having Capital Gains

3

Mr Bean knew the Judge
would not order out of the
Carnes, was property by law.
There was no order given.

I apologize I am mentally
and physically unable
to proceed. Please
stay if possible as I
am locating ~~to~~ inpatient
treatment.

My son that Mr Beld
raised from age 3 entire
house burnt down

4

I am unable to assist him in
Wyoming.

My oldest has been diagnosed
with an illness that can kill
him. Mr Best drowned these
boys after raising them from
1997 8+7.

This all occurred in the past
two weeks. Plus I have
another virus in my body
placed on bed rest.

I should not be denied just
not knowing legal knowledge

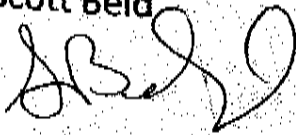
Andre Hammer 6/18/2024

8/26/2012

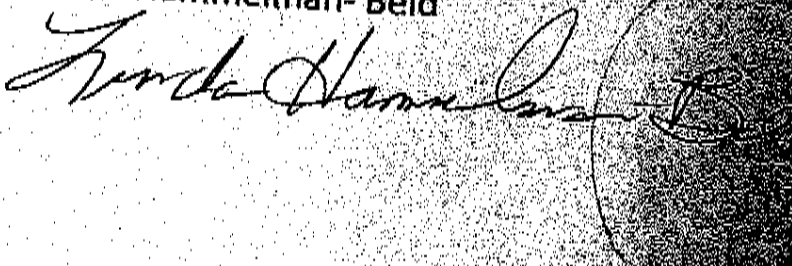
In regards to the property at 1861 Dorchester ave, Tustin, Ca. I am currently the only one on the deed and loan. I Scott Beld was married to Linda Hammelman-Beld at the time. She was unable to be on the loan as her sister was using her credit and we would not have been able to purchase the house. Therefore this house belongs to both of us and if anything was to happened to me Linda Hammelman -Beld has complete control of the house in Tustin , Ca and in Camas, Wa. . We will be putting together a living trust as soon as we can. Both houses are Community property.

Also the three cars we own, the motor home, the boat and the three motorcyrces are all community property. Again everything was in my name until Linda could clear her credit. I sign this of my free will. I am of sound mind. Linda also is signing of free will and sound mind. If anything were to happen to either of us we will treat all 5 kids equal regardless of which other parent is. This is a temporary until a living trust can be drawn up.

Scott Beld



Linda Hammelman- Beld



FILED

2021 NOV 19 PM 2:51

SCOTT G. WEBER, CLERK
CLARK COUNTY**Superior Court of Washington, County of Clark**

In re the marriage of:

Petitioner:

LINDA HAMMELMAN-BELD

And Respondent:

SCOTT BELD

No. 19-3-01866-06

Final Divorce Order (Dissolution Decree) (DCD)

Clerk's Action required: 13

Final Divorce Order**1. Money Judgment Summary**

No money judgment is ordered.

2. Summary of Real Property Judgment (land or home)

The 6909 NE Lessard Rd, Camas, WA 98607 property ("the Camas property") and the 1861 Dorchester Ave, Tustin, CA 92780-6621 property ("the Tustin property") are to be sold with net proceeds divided equally between the parties.

The agreed realtor for the Tustin property shall be Darryl Jones of Yorba Linda, California. The agreed realtor for the Camas property shall be Dawn Workman of Camas, Washington. Respondent shall serve as the point person for both of the realtors.

There will be no reduction in list price of the Tustin property without prior approval by the parties. The list price for both homes shall be per the recommendation of the respective realtors.

Respondent shall have complete authority regarding the finances and sale of the Camas property and shall make what decisions he deems necessary for the sale of the property, including but not limited to making repairs. Petitioner shall make no decisions regarding the sale of the Camas property.

Respondent is authorized to make any additional repairs to the Tustin home in order to facilitate its sale.

Any and all repairs made to the properties shall be paid by Respondent and he shall be reimbursed at closing.

Proceeds from the sale(s) of the Camas and Tustin home shall be placed in the trust account of Joshua J. Bean, PLLC. Each spouse shall thereafter be distributed their respective share after reimbursement of allowed expenses, costs, fees, etc.

The court has made Findings and Conclusions in this case and now Orders:

3. Marriage

This marriage and any domestic partnerships or civil unions are dissolved. The Petitioner and Respondent are divorced.

4. Name Changes

No name changes.

5. Separation Contract

There is no enforceable separation contract.

6. Money Judgment (summarized in section 1 above)

None.

7. Real Property (land or home) (summarized in section 2 above)

The real property is explained below:

The parties own property located at 6909 NE Lessard Rd, Camas, WA 98607 property ("the Camas property") and 1861 Dorchester Ave, Tustin, CA 92780-6621 property ("the Tustin property"). Both properties are to be sold with net proceeds divided equally between the parties.

The agreed realtor for the Tustin property shall be Darryl Jones of Yorba Linda, California. The agreed realtor for the Camas property shall be Dawn Workman of Camas, Washington. Respondent shall serve as the point person for both of the realtors.

There will be no reduction in list price of the Tustin property without prior approval by the parties. The list price for both homes shall be per the recommendation of the respective realtors.

Respondent shall have complete authority regarding the finances and sale of the Camas property and shall make what decisions he deems necessary for the sale of the property, including but not limited to making repairs. Petitioner shall make no decisions regarding the sale of the Camas property. *NOT Agreed on*

Respondent is authorized to make any additional repairs to the Tustin home in order to facilitate its sale. *Grant decided in my name only*

Any and all repairs made to the properties shall be paid by Respondent and he shall be reimbursed at closing.

Proceeds from the sale(s) of the Camas and Tustin home shall be placed in the trust account of Joshua J. Bean, PLLC. Each spouse shall thereafter be distributed their respective share after reimbursement of allowed expenses, costs, fees, etc.

8. Petitioner's Personal Property (possessions, assets or business interests of any kind)

The personal property listed below is given to Petitioner as her separate property

2014 Honda Pilot	<i>incomplete</i>
1995 Elzoo Boat	<i>incomplete</i>
2005 Ford Taurus	<i>incomplete</i>
Cargo Trailer	<i>incomplete</i>
1995 Bramco	<i>incomplete</i>
Schools First Federal Credit Union x6031	
Personal property in her possession	
Respondent's RobinHood account	<i>never received</i>
50% of Respondent's BitCoin assets. Petitioner shall establish a crypto wallet and provide its information to Petitioner, through counsel, to allow for transfer of these BitCoin assets.	
Respondent's E*TRADE assets not the account itself	<i>never received</i>
50% of Respondent's IBM 401(k) plus or minus market gains and losses, to be transferred via Qualified Domestic Relations Order (QDRO). The parties shall equally share the cost of the drafting, entering, and administration of the QDRO.	
100% of Petitioner's CalPERS	

9. Respondent's Personal Property (possessions, assets or business interests of any kind)

The personal property listed below is given to Respondent as his separate property

2016 Chevy Volt
Yamaha TW200x
1999 Ford Expedition
2003 Dodge Ram 1500
1997 FTWD 23SEARCH
Unitus Credit Union Checking x7795
Unitus Credit Union Prime Share x7795
Schools First Federal Credit Union x9654
iQ Credit Union x1387
Ally Checking x3299
The remainder of Respondent's BitCoin assets.
Morgan Stanley Account x4206
Respondent's Costco 401(k)
Personal property in his possession
The remainder of Respondent's IBM 401(k) after disbursement of funds to Petitioner

joint account same bank as mine

hidden acct

was to Rec. 1/2

10. Petitioner's Debt

Petitioner must pay all debts she has incurred (taken on) since the date of separation, unless the court makes a different order about a specific debt below.

Petitioner must pay the debts that are now in her name.

Petitioner is responsible for her Marriott Bonvoy credit card ending x2766 and Disney Rewards Visa credit card ending x0370.

Petitioner is responsible for 50% of the HomeStreet Bank HELOC x7825, which shall be paid and resolved from the net proceeds of the sale of the associated Camas Washington property.

11. Respondent's Debt

Respondent must pay all debts he has incurred (taken on) since the date of separation, unless the court makes a different order about a specific debt below.

Respondent must pay the debts that are now in his name.

Respondent is responsible for his Granite State Parent Plus Student Loan ending x6554, Citi Advantage credit card ending x5138, Chase Amazon Visa credit card ending x6175 and Costco Visa credit card ending x3631.

Respondent is responsible for 50% of the HomeStreet Bank HELOC x7825, which shall be paid and resolved from the net proceeds of the sale of the associated Camas Washington property.

12. Debt Collection (hold harmless)

If one spouse fails to pay a debt as ordered above and the creditor tries to collect the debt from the other spouse, the spouse who was ordered to pay the debt must hold the other spouse harmless from any collection action about the debt. This includes reimbursing the other spouse for any of the debt he/she paid and for attorney fees or costs related to defending against the collection action.

13. Spousal Support (maintenance/alimony)

The Respondent must pay spousal support as follows:

Amount:	Start date:	End date :	Payment schedule:
<u>\$ 1,500</u> each month	<u>August 1, 2021</u> <i>Date 1st payment is due</i>	<u>October 1, 2021</u>	<u>5th</u> <i>Day(s) of the month each payment is due (for example, "the 5th," "weekly," or "half on the 1st and half on the 15th")</i>
<u>\$ 500</u> each month	<u>October 1, 2021</u> <i>Date 1st payment is due</i>	<u>December 2023 (If any)</u>	
Whether or not there is an end date, as a matter of law, spousal support will end when either spouse dies, or the spouse receiving support gets married or registers a new domestic partnership, unless expressly stated below. (RCW 26.09.170(2).)			
Make all payments to the other spouse directly by direct deposit/transfer to a bank account identified by the receiving party.			
The receiving party must notify the paying party, through legal counsel, of any			

address or account change.

The paying spouse may make a lump sum payment for the remaining amount of spousal maintenance at any time.

14. **Fees and Costs** (*Summarize any money judgment in section 1 above*)

The Petitioner must pay the other party's attorney's fees and costs in the amount of 15,000. Payment shall be made to Joshua J. Bean, PLLC and shall be made through Petitioner's share of the proceeds of the sale of the Tustin home prior to disbursement of said share to Petitioner.

Never ordered.

15. **Protection Order**

No one requested an *Order for Protection*.

16. **Restraining Order**

Respondent requested a *Restraining Order*.

A final *Restraining Order* was filed on July 22, 2021.

17. **Children of the marriage**

The spouses have no children together who are still dependent.

18. **Parenting Plan**

Does not apply. The spouses have no children together who are under 18 years old, or the court does not have jurisdiction over the children.

19. **Child Support**

Does not apply. The spouses have no dependent children together, or the court does not have jurisdiction over child support.

20. **Other orders (if any):**

Both parties shall sign any documents necessary to effectuate the terms of this Decree promptly upon being requested but in no event later than 14 days after being requested.

The parties shall retain Clark Williams to draft the QDRO outlined herein and shall split his fees equally.

Respondent shall be reimbursed \$2,800 for one-half of the parties' COVID-19 relief

1 payment. This reimbursement shall be made through Petitioner's share of the
2 proceeds of the sale of the Tustin home prior to disbursement of said share to
3 Petitioner.

4 Respondent shall be reimbursed \$3,046.81 for repairs made to the Tustin home after
5 separation. This reimbursement shall be made through Petitioner's share of the
6 proceeds of the sale of the Tustin home prior to disbursement of said share to
7 Petitioner.

NOT ADDRESSED IN TRIAL happened 2020

8 The parties shall equally share the taxes on the sale of the California home. Because
9 the house is only titled in Petitioner's name, all taxes on the sale will be reported to
10 the IRS under her name. Her true tax consequences for 2021 will not be known until
11 2022. Therefore, \$75,000 from the sale of the California home shall be held in
12 Petitioner's attorney's trust account for Petitioner's 2021 taxes related to the
13 California home. Any deficiency or surplus after payment of actual taxes shall be
14 split equally. Respondent shall be entitled to have a third-party tax preparer of his
15 choosing review Petitioner's 2021 tax filings.

16 Ordered.

17 Date

11/19/21

CR2
Judge or Commissioner

18 Petitioner and Respondent or their lawyers fill out below.

19 This document
20 Is presented by me

This document:
May be signed by the court without notice to
me

21 *Approved via Zoom*
22 Deanna L. Rusch, WSBA No. 38378
23 Attorney for Petitioner
24 *Anne Marggraf*
Approved via Zoom
Linda Hammelman-Beld, Petitioner Date

Approved via Zoom
Joshua Bean, WSBA No. 42426
Attorney for Respondent
Approved via Zoom
Scott Beld, Respondent Date

JOSHUA BEAN

ATTORNEY AT LAW

4001 MAIN STREET SUITE 300

VANCOUVER, WA 98663

T: 360.695.3695

F: 360.347.1446

LICENSED IN WASHINGTON

January 3, 2022

DEANNA RUSCH

McKean Smith

615 W Columbia Way

Vancouver, WA 98660

Re: In Re: Linda Hammelman & Scott L. Beld
Clark County Superior Ct. Case No. 19-3-01866-06

Dear Deanna:

I hope this letter finds you well. I am in receipt of your December 30, 2021 letter, in which you dispute Mr. Beld's expenses reimbursed from the proceeds of the parties' property sales. I do not agree with your interpretation or request, and Mr. Beld will not be remitting any additional amounts to your client. If your client does bring a motion regarding this issue, we will be requesting substantial attorney's fees.

Also, thank you for providing current account information for your client. As you recall, I emailed you about this nearly a month ago, requesting this information (enclosed); Mr. Beld has always been timely in his maintenance payments until this information was not made available to him.

Thank you for your help in this.

Sincerely,

JOSHUA J. BEAN PLLC



JOSHUA J. BEAN
Attorney at Law

JJB/scz

Enclosure

cc: Mr. Beld

Not True
He has always had the
Account he started at