

FILED

DEC 07 2007

THOMAS F. FALLQUIST  
SPOKANE COUNTY CLERK

**SUPERIOR COURT OF WASHINGTON  
FOR SPOKANE COUNTY**

NO. 07302391-S

STARK, SHELLYE LYNN  
Petitioner  
  
vs.  
STARK, DALE ROBERT  
Respondent

**PETITION FOR ORDER  
FOR PROTECTION  
(PTORPRT) (All Cases)**

1. <input checked="" type="checkbox"/> I am <input checked="" type="checkbox"/> A member of my family or household is the victim of domestic violence committed by the respondent as described in the statement below.	3. My age is: <input type="checkbox"/> Under 16 <input type="checkbox"/> 16 or 17 <input checked="" type="checkbox"/> 18 or over
2. <input checked="" type="checkbox"/> I live in this county. <input type="checkbox"/> I left my residence because of abuse and this is the county of my new or former residence.	Respondent's age is: <input type="checkbox"/> Under 16 <input type="checkbox"/> 16 or 17 <input checked="" type="checkbox"/> 18 or over
4. My relationship with the respondent is:	
<input checked="" type="checkbox"/> Spouse <input type="checkbox"/> Former spouse <input type="checkbox"/> Parent or child	<input type="checkbox"/> In-law <input type="checkbox"/> Related by blood <input type="checkbox"/> Have child in common <input type="checkbox"/> Presently reside together
	<input type="checkbox"/> Resided together in past <input type="checkbox"/> Presently dating <input type="checkbox"/> Dated in past

5. Identification of Minors (If applicable)  No Minors involved.

Name (First, Middle Initial, Last)	Age	Race	Sex	How Related to		Resides with
				Petitioner	Respondent	
CHRISTOPHER A. STARK	17	CAUC	M	SON	SON	MOTHER

6. Other court cases or other restraining, protection or no-contact orders involving me, the minors and the respondent:

CASE NAME	DIVORCE STARK V. STARK		
CASE NUMBER	07 302391-5		
COURT/COUNTY	SPOKANE		

**REQUEST FOR TEMPORARY ORDER: AN EMERGENCY EXISTS** as described in the statement below: I need a temporary restraining order issued immediately without notice to the respondent until a hearing to avoid irreparable injury. I request a Temporary Order for Protection that will:

**I REQUEST AN ORDER FOR PROTECTION following a hearing THAT WILL:**

X	X	<sup>1</sup> RESTRAIN respondent from causing any physical harm, bodily injury, assault, including sexual assault, and from molesting, harassing, threatening, or stalking X me X the minors named in paragraph 5 above <input type="checkbox"/> these minors only:
X	X	<sup>2</sup> RESTRAIN respondent 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 of court documents, with X me X the minors named in paragraph 5 above, subject to any court-ordered visitation <input type="checkbox"/> these minors only, subject to any court-ordered visitation:
X	X	<sup>3</sup> EXCLUDE respondent from X our shared residence <input type="checkbox"/> my residence <input type="checkbox"/> my workplace <input type="checkbox"/> my school; X the day care or school of X the minors named in paragraph 5 above <input type="checkbox"/> these minors only:  <input type="checkbox"/> other:  You have a right to keep your residential address confidential.
X	X	<sup>4</sup> DIRECT respondent to vacate our shared residence and restore it to me.
X	X	<sup>5</sup> PROHIBIT respondent from knowingly coming within, or knowingly remaining within 100 YARDS (distance) of: X our shared residence <input type="checkbox"/> my residence <input type="checkbox"/> my workplace <input type="checkbox"/> my school; <input type="checkbox"/> the day care or school of X the minors named in paragraph 5 above. <input type="checkbox"/> these minors only:  X other: HOME OF MY PARENTS IN PRIEST RIVER, IDAHO

**STATEMENT:** The respondent has committed acts of domestic violence as follows. (Describe specific acts of domestic violence and their approximate dates, beginning with the most recent act. You may want to include police responses.)

Describe the most recent incident or threat of violence and date:

ON DECEMBER 5, 2007, DALE STARK SPOKE WITH ME AND MY BOYFRIEND ON THE TELEPHONE. OSTENSIBLY WE WERE TRYING TO NEGOTIATE A SETTLEMENT OF THE MARITAL ESTATE. IN THAT CONVERSATION, DALE SAID, "YOU WON'T GET A PENNY FROM ME, IF I HAVE TO KILL YOU ALL TO DO IT." THIS THREAT WAS CLEAR, CONVINCING AND AN ESCALATION OF HIS PREVIOUS BLACKMAIL, COERCION AND HARASSING BEHAVIOR. DALE STARK REPEATEDLY CONTACTS ME, UP TO AND INCLUDING THIS DATE WITH THREATS OF BLACKMAIL, COERCION AND EXTORTION (EXHIBITS OF EMAILS CORROBORATING THIS ARE COLLECTIVELY ATTACHED AS EXHIBIT "A" AND INCORPORATED HEREIN BY THIS REFERENCE) VIA EMAIL, PHONE AND VOICEMAIL.

\* I AM PRESENTLY RECEIVING BETWEEN TEN AND TWENTY CALLS A DAY FROM DALE STARK DEMANDING AND THREATENING ME. THIS BEHAVIOR IS ESCALATING AND I AM AFRAID HE WILL ACT OUT HIS THREATS TO KILL ME AND/ OR MY SON. MY SON HAS BEEN REMOVED FROM THE FAMILY RESIDENCE AS A PRECAUTION AND IS STAYING AT AN UNDISCLOSED LOCATION UNTIL A RESTRAINING ORDER CAN BE OBTAINED.

ON DECEMBER 4, 2007, DALE STARK LEFT A VOICEMAIL ON MY PHONE, STATING, "LET THE GAMES BEGIN." ON THE SAME DATE, HE SENT ME AN EMAIL STATING, "LET THE GAMES BEGIN, BITCH!!!!!" EXHIBIT ATTACHED AS "B".

DALE STARK HAS A LONG HISTORY OF DOMESTIC VIOLENCE THAT OCCURRED DURING OUR MARRIAGE UP AND TO OUR SEPARATION IN APRIL OF 2001, WHEN HE CORNERED ME IN OUR HOME, HITTING ME, REPEATEDLY, ON THE HEAD AND BODY, LEAVING MULTIPLE BRUISES AND CAUSING ME TO FALL ONTO A DESK, BREAKING MY EYEGLASSES. HE THREATENED TO KILL ME WHILE BEATING ME. I WAS SO AFRAID I FLED THE HOME.

PRIOR TO THIS, REPEATEDLY, DURING 1997-1998, DALE STARK WOULD KICK ME, STRIKE ME AND THREATEN TO KILL ME. DURING THE SUMMER OF 1997, DALE ENTERED SILVER LANES CASINO AS I WAITED IN THE CAR. UPON HIS EXIT, AFTER LOSING APPROXIMATELY \$1,000.00, HE ENTERED THE CAR AND BEGAN TO FIGHT WITH ME. DURING THIS FIGHT HE RESTRICTED MY EXIT FROM THE CAR AND PROCEEDED TO HIT ME, PINCH ME AND PULL MY HAIR, BLAMING HIS GAMBLING LOSS ON THE FACT THAT I CALLED HIM ASKING FOR HIM TO LEAVE.

IN THE FALL OF 1995, DALE STARK BEAT ME TO THE BODY, CAUSING BRUISES. OUR SON, CHRISTOPHER STARK DIALED 911 AND THE POLICE CAME TO OUR HOME. I WAS INSTRUCTED TO HIDE UPSTAIRS IN OUR BEDROOM BY DALE STARK UNTIL THE POLICE WENT AWAY. UPON THEIR INSISTANCE, I CAME DOWN TO TALK WITH THEM. DALE HAD ORDERED ME TO TELL THEM THAT EVERYTHING WAS FINE AND THAT THE 911 CALL WAS A MISTAKE BY MY THEN 5 YEAR OLD SON. HE THREATENED TO KILL BOTH OF US WITH ONE OF HIS PISTOLS IF I DIDN'T DO THIS.

ON FEBRUARY 10, 1994, DALE STARK ALSO BEAT ME ABOUT THE HEAD AND BODY, CAUSING BRUISES. HE BEGAN TO THROW ITEMS FROM AROUND THE HOME AND A SMALL METAL BOX WAS THROWN AT CHRISTOPHER, THEN 5 YEARS OLD, RESULTING IN A CUT TO HIS LIPS. DALE TORE THE PHONE FROM THE WALL, DISABLING ME FROM CALLING FOR HELP. I RAN, WITH MY CHILD, TO OUR NEIGHBOR'S HOME TO CALL 911. DALE FLED THE HOME FOR A NUMBER OF DAYS, BUT WAS SUBSEQUENTLY CHARGED WITH DOMESTIC VIOLENCE. HE FORCED ME TO WITHHOLD MY TESTIMONY AS A WITNESS, THREATENING "PERMANENT INJURIES" TO ME IF I DID NOT. THE POLICE REPORT NUMBER ARE 66-298722 AND 66-298723..

\* THESE THREATS GO TO ACTS OF DOMESTIC VIOLENCE WHICH ARE CONSISTENT WITH HIS HISTORY OF VIOLENCE AGAINST ME; BEATING, DISCIPLINE ARE WHAT HAVE BEEN THREATENED IN ADDITION TO DEATH

X	X	<sup>6</sup> GRANT me possession of essential personal belongings, including the following: ALL PERSONAL BELONGINGS
X	X	<sup>7</sup> Grant me use of the following vehicle: Year, Make & Model 2001 HONDA ACCORD License No. XXX MAB
		<sup>8</sup> OTHER:
	X	<sup>9</sup> DIRECT the respondent to participate in appropriate treatment or counseling services.
	X	<sup>10</sup> REQUIRE the respondent to pay the fees and costs of this action.
	X	<sup>11</sup> REMAIN EFFECTIVE longer than one year because respondent is likely to resume acts of domestic violence against me if the order expires in a year.
Check the following only if you are requesting protection involving a minor.		
X	X	<sup>12</sup> Subject to any court-ordered visitation, GRANT me the care, custody and control of X the minors named in paragraph 5 above <input type="checkbox"/> these minors only:
X	X	<sup>13</sup> RESTRAIN respondent from interfering with my physical or legal custody of X the minors named in paragraph 5 above <input type="checkbox"/> these minors only:
X	X	<sup>14</sup> RESTRAIN the respondent from removing from the state: X the minors named in paragraph 5 above <input type="checkbox"/> these minors only:

**REQUEST FOR SPECIAL ASSISTANCE FROM LAW ENFORCEMENT AGENCIES:**

I request the court order the appropriate law enforcement agency to assist me in obtaining:

- Possession of my residence. X Use of designated vehicle.
- Possession of my essential personal belongings at  the shared residence  respondent's residence  other.
- Custody of  the minors named in paragraph 5 above  these minors only (If applicable):

OTHER: \_\_\_\_\_

Domestic violence includes physical harm, bodily injury, assault, stalking, OR inflicting fear of imminent physical harm, bodily injury or assault between family or household members.

OVER THE COURSE OF OUR MARRIAGE, DALE WOULD ROUTINELY RESTRICT MY EXIT FROM OUR HOME. HE WOULD PROCEED TO ACT OUT HIS ANGER AND DESTROY OBJECTS AND MY BELONGINGS, SAYING, "I'LL GIVE YOU SOMETHING TO DO, BITCH!" DALE HAS NO LESS THAN FOUR FIREARMS IN THE HOME. DALE WAS DIAGNOSED IN THE FALL OF 2007 BY A THERAPIST AS HAVING O.C.D., WITH ME AS HIS OBSESSION.

DALE IS CURRENTLY HARRASSING ME BY BLACKMAIL, COERCION AND EXTORTION FOR MONEY. HE IS CONTACTING FRIENDS AND LOVED ONES, TELLING THEM ABOUT MY LIFE, BOTH FACT AND FICTION, AS A MEANS TO GET MONEY FROM ME. EXHIBITS CORROBORATING THIS ARE COLLECTIVELY ATTACHED AS EXHIBIT 'B' AND INCORPORATED HEREIN BY THIS REFERENCE.

I AM AFRAID THAT WITHOUT A RESTRAINING ORDER DALE STARK WILL, AT A MINIMUM, CAUSE ME AND/OR MY SON, PHYSICAL HARM, AND AT WORST DEATH. I BEG THIS COURT FOR ITS PROTECTION.

Describe the past incidents where you experienced violence, where you were afraid of injury or where the respondent threatened to harm or kill you: SEE ABOVE.

Describe any violence or threats towards children: DALE YELLS AT OUR SON, CHRISTOPHER, TELLING HIM HE IS WORTHLESS, SELFISH AND HE INTIMIDATES HIM WITH HIS PROXIMITY AND SIZE. DALE HAS PREVIOUSLY THROWN HOUSEHOLD ITEMS AT CHRISTOPHER, CAUSING HIM TO BE BRUISED AND BLEED, AS A 5 YEAR OLD CHILD.

Describe medical treatment you received and for what: NONE

Describe any threats of suicide or suicidal behavior by the respondent: NONE

Does the respondent own or possess firearms?  Yes  No

Does the respondent use firearms, weapons or objects to threaten or harm you? Please describe: YES. DALE OFTEN PICKS UP OBJECTS IN THE HOME AND THROWS THEM WITH FULL FORCE AT ME, LAUGHING AT ME, SAYING, "I DIDN'T TOUCH YOU!"

If you are requesting that the protection order lasts longer than one year, describe the reasons why: DALE HAS BEEN DIAGNOSED WITH O.C.D., WITH ME AS HIS FOCUS OF OBSESSION. THIS HAS BEEN THE CASE FOR DECADES. THERE IS NO SIGN OF THIS STOPPING AND THE VIOLENT BEHAVIOR IS ESCALATING.

Other: \_\_\_\_\_

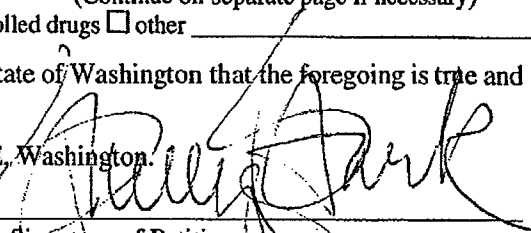
(Continue on separate page if necessary)

Check box if substance abuse is involved:  alcohol  controlled drugs  other \_\_\_\_\_

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

DATED DECEMBER 7, 2007

at SPOKANE, Washington.



Signature of Petitioner

You have a right to keep your residential address confidential. If you have one, please provide an address, other than your residence, where you may receive legal documents: \_\_\_\_\_

**CHILD CUSTODY INFORMATION SHEET** NO: 07 302 391-5

If you are seeking protection for your child(ren) from domestic violence or are requesting custody of your child(ren), please answer the questions and provide the information requested in paragraphs A -E below and check the boxes about the court's jurisdiction that apply to your case:

Information for the courts:

<p>A. Do the child(ren) listed in Paragraph 5 of the petition currently live with you? If not, with whom do the child(ren) currently live?</p>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<p>B. Do you know of <u>any</u> other court cases involving the child(ren)? If known, list:                  the court                                      the case number                                      the kind of case</p> <p>_____</p> <p>_____</p>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
<p>C. Have you been involved in <u>any</u> other litigation concerning custody or visitation with the child(ren) in this or any other state? If known, list the court, the case number and the date the parenting plan, residential schedule, visitation schedule or custody decree was entered:                  the court                                      the case number                                      the date</p> <p><u>SUPERIOR COURT SPOKANE 07 302391-5                                      OCTOBER 1, 2007</u></p> <p>_____</p> <p>_____</p>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<p>D. Do you know of any persons, other than you and the respondent, who claims rights of custody or visitation with, the child(ren)? If known, list their names in the space provided below and their present addresses in the Confidential Information Form:</p> <p>Name _____</p> <p>Name _____</p> <p>Name _____</p>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
<p>E. List the places where the children have lived during the past five years, the dates they lived there and the persons with whom they lived. (The present addresses of those persons must be listed in the required Confidential Information Form.)</p> <p><u>1620 SOUTH MAPLE BLVD. SPOKANE WA 99203 PARENTS, DALE AND SHELLYE STARK</u></p> <p>_____</p> <p>_____</p>		

Jurisdiction:

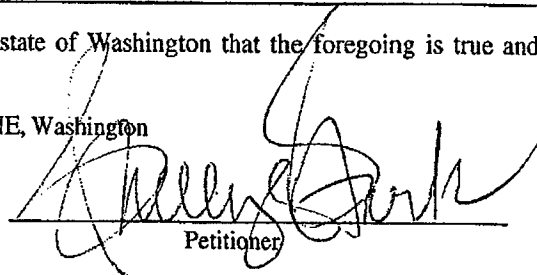
<p>This court has jurisdiction over this proceeding for the reasons below: [Check all the boxes that apply to your case.]</p>	
<input checked="" type="checkbox"/>	<p>This court has exclusive continuing jurisdiction. The court has made a child custody, parenting plan, residential schedule or visitation determination in this matter before and retains jurisdiction under RCW 26.27.211.</p>

X	<p>This state is the home state of the children because:</p> <p>X the children lived in Washington with a parent or a person acting as a parent for at least six consecutive months immediately before the beginning of this proceeding.</p> <p><input type="checkbox"/> the children are less than six months old and have lived in Washington with a parent or a person acting as parent since birth.</p> <p><input type="checkbox"/> any absences from Washington have been only temporary.</p> <p><input type="checkbox"/> Washington was the home state of the children within six months before the beginning of this proceeding and the children are absent from the state; but a parent or person acting as a parent continues to live in this state.</p>
X	<p>The children and the parents, or the children and at least one parent or a person acting as a parent, have significant connections with this state other than mere physical presence; and substantial evidence is available in this state concerning the children's care, protection, training and personal relationships and</p> <p>X the children have no home state elsewhere.</p> <p><input type="checkbox"/> the children's home state has declined to exercise jurisdiction on the ground that this state is the more appropriate forum under RCW 26.27.261 or 271.</p>
<input type="checkbox"/>	<p>All courts in the children's home state have declined to exercise jurisdiction on the ground that a court of this state is the more appropriate forum to determine the custody of the children under RCW 26.27.261 or .271.</p>
X	<p>No other state has jurisdiction.</p>
<input type="checkbox"/>	<p>This court has temporary emergency jurisdiction over this proceeding because the children are present in this state and the children have been abandoned, or it is necessary in an emergency to protect the children because the children, or a sibling or parent of the children is subjected to or threatened with abuse. RCW 26.27.231.</p>

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

Dated            DECEMBER 7, 2007

at SPOKANE, Washington

  
 \_\_\_\_\_  
 Petitioner