

FREINER V. JUDY

14-SL-DR-02617

Proposed Parenting Plan (EXHIBIT A)

THE CURRENT PARENTING PLAN IS NOT IN DALILAH'S BEST INTEREST.

Because Dalilah is going to be a freshman in high school this year, I do not believe that the current Custody and Visitation schedule is in Dalilah's best interest.

THE CURRENT CHILD SUPPORT PETITIONER IS RECEIVING FROM FATHER DOES NOT MEET THE NEEDS OF THE CHILD. CHILD SUPPORT NEEDS TO BE RECALCULATED BASED ON PETITIONER'S AND FATHER'S CURRENT INCOME. THE CHILD HAS OTHER NEEDS AS AND FOR SCHOOL AND EXTRACURRICULAR ACTIVITIES.

THE CHILD HAS OTHER MEDICAL, DENTAL AND VISION NEEDS. FATHER SHOULD BE PAYING FOR THE MINOR CHILD'S MEDICAL INSURANCE PREMIUMS AS WELL AS DENTAL AND VISION INSURANCE TO MEET THE NEEDS OF THE CHILD.

Because of the physical abuse, mental abuse, and the depression Dalilah suffers from when she is with her father, I do not believe the current parenting plan is in Dalilah's best interest, and I fear for her health, safety and welfare. It would be better for Dalilah to have more frequent but shorter visitation times with her father.

I do not want to keep Dalilah from her father, but I do not believe the long summer visits are in her best interest. Dalilah and her father need to have a relationship, but I believe her father's visitations need to be more spread out throughout the year. Not only will this alleviate stress on Dalilah, but it will allow her to be involved in the activities she wants to be involved in during school and in the summer here in Missouri.

I am proposing the following PARENTING PLAN:

1. JOINT LEGAL CUSTODY;
2. SOLE PHYSICAL CUSTODY TO MOTHER WITH VISITATION TO FATHER.
3. VISITATION TO FATHER:
 - a. Spring break with Father every year;
 - b. Memorial Weekend – Even Years
 - c. Labor Day Weekend – Odd Years
 - d. Summer break on Odd years – from June 15 until July 15.
 - e. Summer break on Even years – From July 16 until August 15.
 - f. Thanksgiving Odd years; Mother Even Years.
 - g. Christmas Vacation – Odd Years from 1st day of winter vacation until Dec. 26.
 - h. Christmas Vacation – Even Years from Dec. 26 until January 2.
 - i. Child's Birthday – Father Even Years; Mother Odd Years.
 - j. Four (4) weekends a year not designated above, **in Missouri**, with 10 days' notice to Mother in writing.

- k. Telephone visitation: Father shall have telephone visitation with the child every night from 9-9:30 P.M.

FATHER TO PAY FOR ALL TRAVEL FOR VISITATION FOR THE MINOR CHILD.

OTHER PARENTING PLAN PROVISIONS:

- NO CONTACT (OR NO OVERNIGHT STAYS) WITH HER GRANDFATHER IN ARKANSAS, WHO IS A LEVEL THREE SEX OFFENDER AND CONVICTED RAPIST (**EXHIBIT B**)
- ALL COMMUNICATIONS BETWEEN FATHER AND MOTHER ARE TO BE VIA EMAIL; TELEPHONE AND TEXTING IS PROHIBITED UNLESS IT IS AN ABSOLUTE EMERGENCY.
- FATHER NEEDS TO CONSULT WITH MORE VIA EMAIL, AT LEAST 30 DAYS IN ADVANCE OF BOOKING PLANE FLIGHTS FOR DALILAH TO ENSURE MOTHER CAN TAKE DALILAH TO THE AIRPORT OR MAKE ARRANGEMENTS FOR SOMEONE ELSE TO TAKE DALILAH TO THE AIRPORT.
- ALL FLIGHTS FOR DALILAH NEED TO BE DIRECT FROM MISSOURI TO MONTANA WITH NO LAYOVERS OR PLANE CHANGES, IF POSSIBLE, DUE TO DALILAH'S AGE. IT IS TOO DANGEROUS AS SHE IS TRAVELING UNACCOMPANIED.
- ALL TRAVEL ARRANGEMENTS (ROUND TRIP) MUST BE APPROVED TO MOTHER AT LEAST 30 DAYS IN ADVANCE OF DALILAH LEAVING THE STATE OF MISSOURI TO ENSURE MOTHER KNOWS WHEN DALILAH IS LEAVING AND RETURNING HOME AND TO ENSURE THERE IS NO LAYOVERS AT OTHER AIRPORTS WHERE SHE WILL BE UNATTENDED.
- MOTHER IS TO CLAIM DALILAH ON HER STATE AND FEDERAL TAXES EVERY YEAR.
- FATHER TO PAY FOR MEDICAL, DENTAL AND VISION INSURANCE FOR THE MINOR PARTY; EACH PARTY IS EQUALLY RESPONSIBLE FOR ANY MEDICAL, DENTAL, AND VISION COSTS NOT COVERED BY INSURANCE. MOTHER MUST PROVIDE FATHER WITH A COPY OF THE BILL SHOWING UNPAID MEDICAL EXPENSES WITHIN 30 DAYS OF WHEN THE EXPENSE IS INCURRED; FATHER SHALL REIMBURSE MOTHER WITH 30 DAYS.
- FATHER AND MOTHER TO PAY EQUALLY (50%-50%) OF CHILD'S COLLEGE COSTS INCLUDING BUT NOT LIMITED TO TUITION AND LIVING EXPENSES, NOT PAID BY GRANTS, LOANS, AND CHILD'S CONTRIBUTIONS FROM WORKING.

TALKING POINTS TO REFERENCE IF YOU GET ASKED QUESTIONS

GRANDFATHER IS A LEVEL 3 SEX OFFENDER

Steven Judy, I found out about Steve being a sex offender in Nov 2019. James took her there for Thanksgiving. Nov. 27 to Dec 1 2019 and again in May 2020 when he picked her up for the summer. We did not know he was taking her there. He told the GAL that they were only going to be there one night.

They checked into a hotel for one night then went and stayed the rest of the time at his dad's between May 31 to June 5, 2020. **(REFER THE JUDGE TO EXHIBIT B)**

What's going on with the GAL?

The GAL is not doing a report, but I don't know if she is going to testify. I am assuming she is not. Dalilah will be with the GAL during the ZOOM hearing and Dalilah will be testing.

What is Dalilah's School Life, School Activity and Social life?

Dalilah has a lot of friends and is very involved in school. Dalilah has been involved in floor hockey since kindergarten, she is in the choir and performs with the choir throughout the year. Dalilah is a cheerleader and will be attending cheer camp through the summers when she enters high school this fall. She is a typical teenage girl who likes to go to the mall, the movies, roller skating, among other things with her friends. She will be trying out for Volleyball when she enters high school this fall, and she is interested in joining the yearbook and homecoming committee. **(EXHIBIT C: REPORT CARDS AND ATTENDANCE; EXHIBIT D: AWARDS AND RECOGNITION)**

Afterschool, Dalilah babysits for the neighbor and tutors the little boy when he is needing help with schoolwork.

MOTHER-DAUGHTER RELATIONSHIP

As mother and daughter, we are very close. We like to take road trips to see different sights and attractions including the World's largest ball of yard and exploring Missouri's caves as well as rock hunting. We like to play on the riverfront and take photographs. We both share a love for astrology. She has an astrology Instagram page. Music is always a love for both of us. We love going to concerts together. Dalilah is very comfortable in confiding in me about her problems, as do her friends, who love to talk with me about any problem at school or at home.

Dalilah has a dog, Dick, who is a Jack Russell terrier who she adores.

DALILAH'S HEALTH AND Why SHE IS SEEING A NEUROLOGIST?

For the past year, Dalilah has been getting headaches daily, so I took her to the doctor, and she was referred to a neurologist, who wants to rule out MS. She missed her follow up appointment this last Monday 8/10. They were not sure of the exact cause of her headaches. Dalilah was put on blood pressure medication to see if that would help with the migraines. She was directed to keep a log of her headaches to help pinpoint what was going on. I am unclear of the next plan of action because she missed her last appointment because she was with her dad.

Missouri Child services reports

All the child services reports are a result of Dalilah's father making false reports. On each occasion an investigator came out and met with me and Dalilah for about 30 minutes and then closed the report as being unfounded.

Petitioner's Work and Financial Status (EXHIBIT G)

I own my own business, a commercial/residential cleaning business. Due to COVID, the business has slowed down significantly because of the current epidemic. I fully expect when this crisis has ended that

my business will return to normal. I was denied unemployment, but I am currently collecting Pandemic Assistance at \$133 a week. Missouri is still assessing the Executive Order on additional benefits. I am working for one client twice a month at \$180, and I received \$277.00 from James in child support, when he pays. I also receive food stamps to help feed Dalilah.

When my business is not being affected by COVID, I work both days and some nights. On the nights I work, Dalilah stays at her best friend's house a block down the road, where she is supervised by an adult, her best friend's father.

Abuse from James

Dalilah is afraid of James and he has been physically abusive to her in the recent past. I know James pulled her down a flight of stairs last summer, but a lot of the abuse is mental-manipulation and brainwashing by talking bad about me to her. He is always lying to Dalilah in hopes that she will come live with him permanently. Dalilah does not trust her father because of his abuse, manipulation, and lies. He calls her obese and judges her all the time creating low self-esteem and she often suffers from depression when she is with him. Last summer, Dalilah went an entire month with head lice because she was afraid to tell her dad.

James also was physically abusive to me while I was with him. Over those 6 yrs. I had been attacked multiple times by James Judy. I had injuries that include a broken back while pregnant with Dalilah. He suffocated me with a cover and punished me in my stomach in my second trimester. He also broke my nose while I held Dalilah in my arms when she was just a baby. Multiple black eyes and bruises around my throat and other areas of my body.

I took Dalilah and left James because of the abuse.

James is a heavy drinker, and when he drinks, he gets violent and verbally abusive. Dalilah reported to me that he has smelled of alcohol often during this last summer visit.

False Allegations of Custodial Interference:

I want to address the Defendant's false allegation about my alleged Custodial Interference in his April 29, 2019 Motion to Modify one-by-one on pp. 2-3(a-k).

- a. The Parenting Plan is no longer in Dalilah's best interest. She is in need of more frequent but shorter visitations with her father throughout the year.
- b. I have never purposely withheld Dalilah from James during his scheduled visitation times. I have never failed to put Dalilah on a plane. In June of 2017 the Airline refused to let Dalilah on her flight. They would not allow Dalilah to fly alone because of her age, and James did not pay for an airline escort. Then, when rescheduling the flight, James and his wife reschedule the flight when I was working and was unable to get Dalilah to the airport on time to make the flight. Prior to them rescheduling the flight they were asked to communicate with me to avoid any schedule issues and they did not communicate with me.
- c. The only reason James has less visitation time with Dalilah is because he fails to exercise his visitation time with the child. In the past 7 yrs. James has only exercised 1 spring break, 1 Christmas break, and 1 Thanksgiving break and none of the other scheduled parenting time.

- d. James fails to exercise his rights to visitation time with Dalilah.
- e. I have never not put Dalilah on a plane for James' schedule summer custodial time. In July of 2017 James and his wife kidnapped Dalilah and took her to Montana the day after his scheduled custodial time. On July 14, 2107, James arrived in St. Louis, MO unannounced and took Dalilah away from her grandmother who was dying from cancer. When she got home from chemo she found James at her home taking Dalilah. Even though she was sick she tried to stop James from kidnapping Dalilah but was not successful. She called me while James was still there by the time I arrived James had already left with Dalilah and would not answer my call when I tried to get in touch with him. When police were called, they found James' at the mall in St. Louis and he produced a forged Parenting Plan that stated it was his parenting time. The police officer allowed the kidnapping to continue based off James' parenting plan because I didn't have a copy of mine with me. Without a second to think I ran out of the house so fast to stop him from kidnapping her I didn't think to grab my copy of the parenting plan and I don't drive around with one in my car so I had no proof with me stating otherwise. The officer would not allow me to go retrieve my parenting plan to cross reference the documents. In 2016 James moved from Phx to Montana without informing me or the court written or verbally. With his address unknown I had to locate where James had relocated to. That Monday I went to my Lawyers office to discuss what had happened and what my plan of action should be. Together my attorney and I looked over the parenting plan and that's when I realized he had forged the documents that he produced to the officer and I could go to Montana and pick Dalilah up and bring her home. To avoid being accused of doing the same thing as James I went to the Courthouse and obtained the certified copy of the plan to eliminate any doubt to who had legal custody of Dalilah at that time. I contacted the Montana police to inform them of the situation and that I was driving out there to pick Dalilah up. When I arrived in Montana, he had taken Dalilah to another unknown location and was refusing to return Dalilah to me. I contacted the police who contacted James. After they contacted James, he then agreed to meet us in the parking lot of a local store where Dalilah was returned to me.
- f. I have never called James at 20-minute intervals and have never called the police on him for not answering the phone. I call Dalilah on a day basis to check on her and to talk with her.
- g. Yes, Dalilah was failing two (2) classes but she has since brought her grades up. **See EXHIBIT C.**
- h. James has never suggested counseling for Dalilah. He initially refused to sign paperwork for Dalilah to go to counseling. Dalilah had missed an appoint and my insurance company would not cover the counseling and father refused to help pay for Dalilah to go back to counseling. **See EXHIBIT F: audio call from Dalilah to father refusing to sign counseling consent).**
- i. I never call James and berate him. We rarely talk because he is unreasonable. It is better not to talk with him.
- j. I have never denied James access to talk with Dalilah on the telephone. She does not want to talk with him and refused to get on the telephone.
- k. I have never threatened James, his wife, or his family. Again, we barely communicate with each other.
- l. I did not try to withhold Dalilah from James for his Summer 2019 custodial time. Dalilah did need to attend summer school because of the two classes she was failing. When James called the school Dalilah was not on the summer school list because I had not registered her yet due to the conflict with James' scheduled custodial time. James objected to the summer school during his

custodial time, so Dalilah went to her schedule summer custodial time with her father and did not attend summer school.