

DIVISION: 31 IN THE CIRCUIT COURT OF ST. LOUIS

COUNTY STATE OF MISSOURI

Angela Freiner

8547 pilot Ave.

St. Louis Mo. 63123

v.

James Judy

111 Michael Grove

Bozeman, Mt. 59718)

Case # 14SL-DR02617-02

Div. 31

PETITION FOR TEMPORARY RESTRAINING ORDER

COMES NOW, PETITIONER, Angela M. Freiner, hereinafter Mother" and for her PETITION FOR TEMPORARY RESTRAINING ORDER, states to the Court as follows: This Court's January 29, 2021 Decision to grant and enforce Father's Request for Temporary Restraining which requires Child to be delivered on February 3, 2021 to Father parties' minor child, and that Father was to have Legal and physical custody of Child was made without the benefit of weighing crucial evidence indicating that granting Father's request would likely result in injury to the Minor Child. Also, that the GAL for Child ignored Child's clear statement of fear and ongoing, reluctance of child to live with Father, as well as refusal to request and support Mother's much needed Request for Order of Protection, choosing instead to She chose instead to pursue gratifying her own self-serving interest, based upon what appeared to be a personal dislike for Mother, and based upon her own limited interest and attention to Child's physical and mental wellbeing.

On August 20, 2020, this court entered its Judgment of Modification ("Modification Judgment") granting Father's motion and incorporating the Court's Parenting Plan Part A designating Father as the residential parent of the minor child and outlining periods of visitation between the child and Mother.

Subsequently, the minor child moved to the residence of nor Father in the state of Montana, Minor Child is enrolled in and attended school in the state of Montana from Father's residence In accordance with Section 452.780 RSMo., Mother further states that the following information is true and correct, to her best knowledge and belief, as to the minor child:

The minor child's present address is 8547 Pilot Ave, St. Louis, Mo. 63123 and 111 Michael Grove Avenue, Bozeman, MT 59718-1852;

Child continued to feel unsafe, scared and unhappy at Father's home.

In previous months, new evidence as to Father's tendency to physically lose control, and lapse into fits of rage was ignored, and/or minimized by this Court, as well as by GAL Venus Jackson.

When Child subsequently returned to St. Louis for Christmas Break, it was decided that discussions involving the GAL and this Court, and that an Order of Protection be sought against Father, and that she was in fact unsafe in returning to Father's home.

Mother has no knowledge of any person, not a party to this proceeding, who has physical custody or claims to have rights of legal custody, physical custody, or visitation with respect to the minor child.

Since the entry of the Modification Judgment, there have been changes to the circumstances of the parties and the minor child to cause modification of said judgment to be necessary. Said changed circumstances include, but are not limited to:

Father continues with attempts to alienate the minor child from Mother insofar as Father has steadfastly refused to allow the minor child to visit Mother in Missouri after the Court's Modification Judgement. Father's refusal to allow the minor child to visit Mother is in contumacious disregard and contempt of this Court's Modification Judgment;

Due to Father's refusal to allow the minor child to visit with Mother, the minorschild was absent from her family, peers, her dog and from her home with Mother, all to the detriment of the well-being and best interests of the minor child;

Police involvement has historically been used without need by Father for not only the enforcement of this court's orders and judgment, but also in his ongoing attempt to slander Mother, and attempt to lend credibility to his many baseless attacks on Mother's character

Father continues to thwart a mother/daughter relationship between Mother and the minor child by demeaning Mother to the minor child and others, encouraging the minor child to shun and disrespect Mother, and by allowing the minor child to ignore

Father's attempts to contact the minor child while the minor child is with Mother, and by teaching the minor child that court orders should be ignored stating, inter alia, "screw the court system";

Father's actions seeking to alienate the minor child from Mother have been ongoing since prior to this Court's Modification Judgment and have continued and escalated since said Judgment;

While the minor child is in Mother's custody, Father telephones the minor child many times per day without concern for the child's schedule or the family's routine. Father spends a disproportionate percent of the time disparaging Mother during said calls and uses profanity and inappropriate language causing the minor child emotional distress;

Father has been improperly touching minor child, the minor child reported that her father had been touching her to the School Counselor and they in turn contacted the Montana Child Protective Services resulting with the child being interviewed and subsequent of the Father's action towards the minor child, which remains .

child was absent from her family, peers, her dog and from her home with Mother, all to the detriment of the well-being and best interests of the minor child;

Police involvement has historically been used without need by Father for not only the enforcement of this court's orders and judgment, but also in his ongoing attempt to slander Mother, and attempt to lend credibility to his many baseless attacks on Mother's character

Father continues to thwart a mother/daughter relationship between Mother and the minor child by demeaning Mother to the minor child and others, encouraging the minor child to shun and disrespect Mother, and by allowing the minor child to ignore Father's attempts to contact the minor child while the minor child is with Mother, and by teaching the minor child that court orders should be ignored stating, inter alia, "screw the court system";

Father's actions seeking to alienate the minor child from Mother have been ongoing since prior to this Court's Modification Judgment and have continued and escalated since said Judgment;

While the minor child is in Mother's custody, Father telephones the minor child many times per day without concern for the child's schedule or the family's routine. Father spends a disproportionate percent of the time disparaging Mother during said calls and uses profanity and inappropriate language causing the minor child emotional distress;

Father has been improperly touching minor child, the minor child reported that her father had been touching her to the School Counselor and they in turn contacted the Montana Child Protective Services resulting with the child being interviewed and subsequent of the Father's action towards the minor child, which remains .

Mother traveled to Montana to exercise visitation with the minor child, but Father refused to allow the child to go with the Mother, necessitating police involvement in Montana; to be able to exercise her rights.

Father has repeatedly refused to co-parent with Mother and he historically and presently engages in actions that openly demonstrate his contempt and lack of respect for Mother and for this Court's judgment.

Father refuses to exercise the joint legal and joint physical custody of the minor child pursuant to the Parenting Plan incorporated into the Modification Judgment, or otherwise. Father acts with abandon, does as he pleases regarding the legal and physical custody of the minor child, and continues a course of action designed to dismiss Mother from the life of the minor child;

Further, Father's contumacious actions are designed by him to cause Mother to expend unnecessary sums for travel expenses, airline tickets and attorney's fees;

It is increasingly apparent that Father will continue to refuse to exercise joint legal and physical custody of the minor child with Mother. until court hear and consider evidence which has been systematically kept from doing so which indicate

Necessity That Mother be awarded the Mother is without sufficient income or assets to pay her attorney's fees and costs herein necessitated by the actions of Father.

Respondent is able-bodied and is with sufficient assets and is or is capable of earning, or is capable of earning, a sufficient income enabling him to pay Petitioner's fees and the costs of this action

WHEREFORE, Petitioner prays this Court that it is in the best interests of the parties and the minor child that a Temporary Restraining Order preventing Child from being turned over to the custody of her father, until this Court hears evidence that sole legal and sole physical custody of the minor child with supervised visitation being awarded to Father, especially given the unresolved question and investigation as to the alleged abuse of sexual nature by Father reported by child, and that child will likely suffer physical and emotional injury should Order Granting Father custody of Child. Hears as to the reason for said evidence being ignored and not allowed Court to be made aware of.

**Angela M Freiner
8547 Pilot Ave
St. Louis, Mo 63123
Angelamfreiner@gmail.com
314.405.4979**

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was via emailed to all parties this 19th day of February 2021 to: Kathleen E. Shaul Law Offices ,Venus Jackson, Ricky Bell, V. Harry via email.

