

**IN THE TWENTY-FIRST JUDICIAL CIRCUIT  
COUNTY OF ST. LOUIS, STATE OF MISSOURI  
FAMILY COURT**

**FILED**  
FEB 10 2021

JOAN M. GILMER  
CIRCUIT CLERK, ST. LOUIS COUNTY

ANGELA FREINER, )  
                  Petitioner, )  
                                  ) )  
                                  ) )  
v.                              ) )  
                                  ) )  
JAMES JUDY,               ) )  
                  Respondent. )

Cause Number: 14SL-DR02617-02

Division Number: 31

**FINDINGS, ORDER AND JUDGMENT  
OF CONTEMPT PURSUANT TO RULE 36.01(A)**

Whereas on February 10, 2021, the Court conducted a hearing on the Court’s Show Cause Order entered on February 5, 2021. Petitioner appeared in person.

Respondent appeared in person and by counsel. GAL appeared in person. Specifically, the Court finds as follows:

1. The Court’s Modification Judgment entered on August 28, 2020, as amended by the Order and Judgment dated December 23, 2020, grants Respondent James Judy custody of the minor child, Dalilah Judy, at all times during the school year and grants him the status of residential parent for purposes of the minor child’s schooling. Specifically, Petitioner has acknowledged to this Court on two occasions—January 29, 2021 and February 5, 2021, that the minor child remains with her in St. Louis after the winter break from school and that Petitioner has enrolled the minor child in school in Afton, Missouri for this semester.

2. The Court’s Temporary Restraining Order entered on January 15, 2021, requiring, among other things, Petitioner to return the minor child to Respondent in

Montana pursuant to Court's Modification Judgment entered on August 28, 2020, as amended by the Order and Judgment dated December 23, 2020. Again, Petitioner has acknowledged to this Court on two occasions—January 29, 2021 and February 5, 2021, that the minor child remains with her in St. Louis after the winter break from school and that Petitioner has enrolled the minor child in school in Afton, Missouri for this semester.

3. On January 29, 2021, the Court held a hearing on Respondent's Motion for TRO/preliminary injunction by video. Petitioner and Respondent appeared in person and by counsel, along with the GAL (all by video). Petitioner advised the Court that the minor child was still with her in St. Louis in violation of the TRO entered on January 15, 2021. At that time, Petitioner agreed to return the minor child to Respondent in Court on February 3, 2021 at 8:00am. The Court entered a consent ordering recognizing the agreement of the parties to this exchange and ordered Petitioner to appear with the child on February 3, 2021 at the Courthouse. Petitioner failed to appear on February 3, 2021. Respondent came from Montana that day and timely appeared. The Court had continued the preliminary injunction hearing from January 29, 2021 to that date and proceeded with the hearing in the absence of Petitioner. The Court entered a Preliminary Injunction Order dated February 3, 2021, granting temporary sole legal and physical custody to Respondent with no custody periods to Petitioner until further order of the Court. Petitioner's willful and intentional failure to appear that date was in the presence of and was an affront to the Court.

4. At Petitioner's request, the Court conducted a status conference on February 5, 2021 (no motion was then pending). Petitioner appeared in person.

Respondent appeared in person and by counsel, K. Shaul. GAL appeared. All appeared by telephone. Petitioner acknowledged that she did not appear on February 3, 2021 as required by her agreement and by this Court's Order. The Court advised Petitioner that it intended to hold a contempt hearing on her conduct on February 10, 2021 and also advised Petitioner that failure to appear and bring the child would result in the Court compelling her appearance by law enforcement. The Court allowed Petitioner to select the time of the hearing. Petitioner, Respondent and the GAL all confirmed that they were available to conduct the contempt hearing on February 10, 2021 at 1:00pm. The Court verbally ordered that the parties all appear at the Courthouse. When asked if she understood the need to appear for the hearing and bring the child, Petitioner told the Court, "yes."

5. Petitioner appeared in person twenty minutes late for the hearing this date. Petitioner did appear with the child. Respondent appeared in person and with counsel. The GAL appeared in person. The Court attempted to avoid the hearing with a peaceful transition of the minor child, but the conduct of Petitioner required the Court to proceed. Evidence adduced. Petitioner offered no credible explanation for her willful and intentional failure to appear for Court on February 3, 2021. The Court reserves ruling on the other issues of contempt this date.

The Court finds Petitioner's failure to appear before the Court on February 3, 2021 was willfully and intentionally committed, contemptuous, insolent and directly tended to interrupt proceedings of this Court and to impair the respect due its authority;

And which Judge Nicole S. Zellweger of St. Louis County Circuit Court, Clayton, Missouri, certifies that she witnessed the direct contempt of Petitioner's failure to appear for Court on February 3, 2021. Judge Nicole S. Zellweger hereby certifies that said conduct was committed in the actual presence of this Court.

Therefore, this Court having presented Angela Freiner with oral and written notice of the acts so charged, and this Court having presented Angela Freiner with an opportunity to answer to the criminal contempt, the Court finds beyond a reasonable doubt that Angela Freiner is guilty of direct criminal contempt. Angela Freiner was granted full account of the above facts and said facts were read to Angela Freiner and Angela Freiner was told that she would be imprisoned for said conduct.

Therefore, as a result of said act(s) of direct criminal contempt, the Court hereby enters the following Warrant and Commitment Order:

[FOLLOWING PAGE]

WARRANT AND COMMITMENT

**FILED**

FEB 10 2021

To: The St. Louis County Department of Justice Services

Name: Angela Freiner

Address: 8547 Pilot Avenue, Afton, MO

Sex: Female

Race: White

DOB:

Height:

Weight:

(approx.)

SSN:

JOAN M. GILMER  
CIRCUIT CLERK, ST. LOUIS COUNTY

Now, therefore, you are commanded to take into your custody Angela Freiner and commit this person to the Department of Justice Services of St. Louis County, and to confine her for a period of forty-eight (48) hours.

You are further commanded to make return of this Warrant and Commitment forthwith upon arrest.

SO ORDERED:



NICOLE S ZELLWEGER

Division 31

Entered on this 10th day of February, 2021.

This warrant and commitment was served on Angela Freiner on this 10th day of February, 2021 by officers of this Court.

**IN THE TWENTY-FIRST JUDICIAL CIRCUIT  
COUNTY OF ST. LOUIS, STATE OF MISSOURI  
FAMILY COURT**

ANGELA FREINER, )  
                    ) Petitioner, )  
                    ) )  
v. )  
                    ) )  
JAMES JUDY, )  
                    ) Respondent. )

Cause Number: 14SL-DR02617-01 and 02

Division Number: 31

FILED 2/5/2021 JOAN M. GILMER CIRCUIT CLERK ST. LOUIS COUNTY
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**SHOW CAUSE ORDER – MOTION FOR CRIMINAL CONTEMPT**

On its own motion, stated herein, it is hereby ORDERED that you, Angela Freiner, be and appear before Division 31 of the Family Court of the County of St. Louis, State of Missouri, on the **10<sup>th</sup> day of February, 2021 at 1:00pm** and show cause, if there be any, why you should not be adjudged and held in **criminal contempt** of this Court and punished accordingly by reason of your failure to obey this Court’s Judgment and Orders entered in this case as follows:

- The Court’s Modification Judgment entered on August 28, 2020, as amended by the Order and Judgment dated December 23, 2020, granting Respondent James Judy custody of the minor child, Dalilah Judy, at all times during the school year and granting him the status of residential parent for purposes of the minor child’s schooling. Specifically, Petitioner has acknowledged to this Court on two occasions—January 29, 2021 and February 5, 2021, that the minor child remains with her in St. Louis after the winter break from school and that Petitioner has enrolled the minor

child in school in Afton, Missouri for this semester.

- The Court's Temporary Restraining Order entered on January 15, 2021, requiring, among other things, Petitioner to return the minor child to Respondent in Montana pursuant to the Court's Modification Judgment entered on August 28, 2020, as amended by the Order and Judgment dated December 23, 2020. Again, Petitioner has acknowledged to this Court on two occasions—January 29, 2021 and February 5, 2021, that the minor child remains with her in St. Louis after the winter break from school and that Petitioner has enrolled the minor child in school in Afton, Missouri for this semester.
- The Court's Consent Order on TRO entered on January 29, 2021. On January 29, 2021, the Court held a hearing on Respondent's Motion for TRO/preliminary injunction by video. Petitioner and Respondent appeared in person and by counsel, along with the GAL (all by video). Petitioner advised the Court that the minor child was still with her in St. Louis in violation of the TRO entered on January 15, 2021. At that time, Petitioner agreed to return the minor child to Respondent in Court on February 3, 2021 at 8:00am. The Court entered a consent ordering memorializing the agreement of the parties to this exchange and ordered Petitioner to appear with the child on February 3, 2021 at 8:00am the Courthouse. Petitioner failed to appear on February 3, 2021. Respondent came to St. Louis from Montana that day and timely appeared. In its Order of January 29, 2021,

the Court had continued the TRO and preliminary injunction hearing from January 29, 2021 to February 3, 2021. Therefore, the Court proceeded with the hearing in the absence of Petitioner. The Court entered a Preliminary Injunction Order dated February 3, 2021, granting temporary sole legal and physical custody to Respondent with no custody periods to Petitioner until further order of the Court.

At Petitioner's request, the Court conducted a status conference on February 5, 2021 (no motion was then pending). Petitioner appeared in person. Respondent appeared in person and by counsel, K. Shaul. GAL appeared. All appeared by telephone. Petitioner acknowledged that she did not appear on February 3, 2021 as required by her agreement and by this Court's Order. The Court advised Petitioner that it intended to hold a contempt hearing on her conduct on February 10, 2021 and also advised Petitioner that failure to appear **and bring the child** would result in the Court compelling her appearance by law enforcement. The Court allowed Petitioner to select the time of the hearing. Petitioner, Respondent and the GAL all confirmed that they are available to conduct the contempt hearing on February 10, 2021 at 1:00pm. The Court verbally ordered that the parties all appear at the Courthouse at that day and time. When asked if she understood the need to appear for the hearing and bring the child, Petitioner told the Court, "yes."

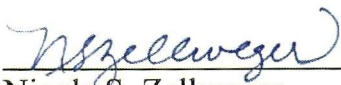
Accordingly, by agreement of the parties and by order of this Court, the Court will conduct the criminal contempt hearing against Petitioner Angela Freiner on February 10, 2021 at 1:00pm. Petitioner Angela Freiner is ordered to bring the minor child, Dalilah



Judy, to the St. Louis County Courthouse on February 10, 2021, at 1:00pm (Division 31) to relinquish custody of the minor child to Respondent James Judy and to answer this Show Cause Order.

**YOU, ANGELA FREINER, ARE HEREBY ORDERED to appear and answer this Show Cause Order and produce the minor child, Dalilah Judy, 14 years of age, before Division 31 of the St. Louis County Courthouse on the 10th day of February, 2021 at 1:00pm, then and there to be dealt with according to the law. Failure to appear and bring the minor child on this date and time will subject you to significant consequences, including without limitation contempt of Court, a body attachment and warrant and commitment directing that the body of Angela Freiner be attached by the Sheriff of the County of St. Louis, State of Missouri, and that you be held in the custody of the Sheriff of the County of St. Louis, Missouri as and for (1) punishment for violation of this Order and contempt of Court and, separately, (2) until such time as you produce the minor child, Dalilah Judy, to this Court.**

**SO ORDERED**

  
\_\_\_\_\_  
Nicole S. Zellweger  
Family Court Judge  
February 5, 2021

Sent by Clerk to Petitioner by email at her request.

**IN THE CIRCUIT COURT OF THE COUNTY OF ST. LOUIS  
STATE OF MISSOURI  
FAMILY COURT**

JAMES JUDY,	)	
	)	
Petitioner,	)	
	)	Cause No. 21SL-DR00544
vs.	)	
	)	Division No. 31
ANGELA FREINER,	)	
	)	
Respondent.	)	

FILED 2/5/2021 JOAN M. GILMER CIRCUIT CLERK ST. LOUIS COUNTY
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**WRIT OF HABEAS CORPUS**


Before the Court is Petitioner James S. Judy’s Application for Writ of Habeas Corpus (filed February 5, 2021). The Court GRANTS the Writ of Habeas Corpus and finds as follows:

Sole physical custody of the minor child, Dalilah Judy, has been granted to Petitioner, James Judy, pursuant to Court Orders and Judgments, including without limitation those dated August 28, 2020, January 15, 2021 and February 3, 2021 in case number 14SL-DR02617-01 and -02. Respondent has maintained physical custody of the minor child in violation of these Orders and Judgments.

YOU, ANGELA FREINER, ARE HEREBY ORDERED to produce the minor child, Dalilah Judy, 14 years of age, under your custody restrained or detained, before the Honorable Nicole S. Zellweger, Division 31 of the St. Louis County Courthouse on the **10<sup>th</sup> day of February, 2021 at 1:00pm**, then and there to be dealt with according to the law. Failure to appear with the minor child on this date and time will subject you to significant consequences, including without limitation contempt of Court, a body attachment and warrant and commitment directing that the body of Angela Freiner be attached by the Sheriff of the County of St. Louis, State of Missouri, and that you be held in the custody of the Sheriff of the County of St. Louis, Missouri until such time as you produce the minor child, Dalilah Judy, to this Court.

YOU ARE FURTHER HEREBY ORDERED TO file any answer to the Petition for Writ of Habeas Corpus on the 10<sup>th</sup> day of February, 2021. A copy of said Petition for Writ of Habeas Corpus is attached hereto.

**SO ORDERED**

  
\_\_\_\_\_  
**Nicole S. Zellweger**  
**Division 31**  
**February 5, 2021**

**IN THE CIRCUIT COURT OF ST. LOUIS COUNTY  
STATE OF MISSOURI**

<b>ANGELA M. FREINER</b>	)	
	)	
<b>Petitioner,</b>	)	
<b>vs.</b>	)	<b>Cause Number: 14SL-DR02617-02</b>
	)	
<b>JAMES S. JUDY</b>	)	<b>Division 31</b>
	)	
<b>Respondent.</b>	)	
	)	

FILED 1/15/2021 JOAN M. GILMER CIRCUIT CLERK ST. LOUIS COUNTY
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**TEMPORARY RESTRAINING ORDER**

Before the Court is Respondent James S. Judy’s Motion for Temporary Restraining Order pursuant to Missouri Revised Statute Section 452.315 and Rule 92.02.

The Court finds as follows:

1. Pursuant to this Court’s Paternity Judgment (“Judgment”), the parties were awarded the joint legal custody and joint physical custody of their minor child, Dalilah Judy, born July 2006.
2. On April 29, 2019, Respondent filed a Motion seeking modification of the Judgment. On August 20, 2020, this Court entered its Judgment of Modification granting Respondent’s Motion and incorporating the Court’s Parenting Plan Part A outlining periods of visitation between the child and Petitioner.
3. Since the entry of the Judgment of Modification, Respondent advises the Court and the Court finds as follows:
  - a. In an effort to foster a better relationship with Mother, Father entered into an agreement with Mother that the minor child would spend the Christmas holiday break with Mother in 2020 notwithstanding the Court’s designation of the holiday to Father in even-numbered years and

notwithstanding the many times Father was denied his holiday and summer custody times over the years.

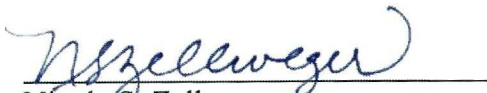
- b. Father and Mother agreed their child would fly to St. Louis on December 18, 2020, and they agreed she would return to Father's custody on January 2, 2021 when Father and his family would celebrate Christmas together.
- c. Upon arrival at the airport on December 18, 2020, the airline personnel informed Father that the child's return flight was scheduled for January 3, 2021.
- d. Father contacted Mother who untruthfully informed him that the airline made a mistake, and she would correct it assuring Father the child would return on January 2, 2020, as the parties agreed.
- e. The minor child was not returned to Father's custody on January 2, 2021, and she remains in St. Louis to-date.
- f. Father has tried to reach the minor child numerous times without success.
- g. Father has tried to reach Mother who refuses to take his calls.
- h. Father messaged Mother via Our Family Wizard requesting that she return their child to him pursuant to the court's Judgment.
- i. Mother finally responded stating via Our Family Wizard "Screw the court system ... I'm not forcing my child on anything. I don't have a problem with her being here only you do."
- j. The parties' child has been absent from school since the semester began last week.

- k. Upon information and belief, a St. Louis County Police detective went to the home of Petitioner to question her about the child's welfare and encouraged her to abide by the Court's Judgment.
  - l. Mother refuses to return the minor child to Father following the Christmas holiday.
  - m. Mother's behavior has been erratic.
  - n. Mother has a history of drug use.
4. Father fears for the safety and well-being of the parties' minor child in light of Mother's conduct. The Court finds his concerns to be well-founded in light of the above conduct.
  5. Mother's behavior has caused and will continue to cause immediate and irreparable injury to the minor child in the absence of immediate relief being granted as requested by Father.
  6. It is in the best interest of the minor child that Father be awarded sole physical custody of the minor child and that Mother's visitation be supervised at this time.
  7. It is in the best interest of the minor child that the Court enter a Temporary Restraining Order granting to Respondent the sole physical and sole legal custody of the minor child until further order of the Court.
  8. Mother is ordered to return the minor child to Father's custody immediately so that she may return to school.
  9. Any visitation between Mother and the minor child shall be supervised as unsupervised visitation with the minor child will endanger the child's physical, mental health and her emotional well-being.

IT IS HEREBY ORDERED THAT a temporary restraining order is issued as follows:

- (a) Respondent shall have temporary sole physical and sole legal custody of the minor child until January 29, 2021.
- (b) Petitioner is ordered to immediately return the minor child to Respondent's custody so that she may return to school.
- (c) Petitioner shall have no custody periods with the minor child through January 29, 2021, when the case is set for a preliminary injunction.
- (d) A preliminary injunction shall be heard on January 29, 2021 at 10:00am. The parties shall contact the Court to obtain instructions for a hearing by video.
- (e) A bond of \$100.00 is hereby set.

IT IS SO ORDERED



Nicole S. Zellweger  
Family Court Judge, Div. 31  
January 15, 2021 at 2:45pm

**IN THE TWENTY-FIRST JUDICIAL CIRCUIT  
COUNTY OF ST. LOUIS, STATE OF MISSOURI  
FAMILY COURT**

ANGELA FREINER,	)	
Petitioner,	)	
	)	Cause Number: 14SL-DR02617-02
	)	
v.	)	Division Number: 31
	)	
JAMES JUDY,	)	
Respondent.	)	

FILED 1/29/2021 JOAN M. GILMER CIRCUIT CLERK ST. LOUIS COUNTY
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**CONSENT ORDER ON TEMPORARY RESTRAINING ORDER**

The Court conducted a hearing this date on Respondent’s Motion for Temporary Restraining Order (filed January 11, 2021). Petitioner appeared in person and by counsel, D. Zdrodowski, by Zoom. Respondent appeared in person and by counsel, K. Shaul, by Zoom. GAL appeared by Zoom.

The Court previously entered a Temporary Restraining Order on January 15, 2021, which required the minor child, Dalilah Judy, to be returned to Respondent pursuant to the Court’s Modification Judgment of August 28, 2020, as amended December 23, 2020. Petitioner acknowledged at the hearing that the minor child remains in her custody.

By agreement of the parties and by order of this Court, the TRO entered on January 15, 2021 is extended for good cause shown and Petitioner, Angela Freiner, is ordered to bring the minor child, Dalilah Judy, to the St. Louis County Courthouse on February 3, 2021, at 8:00am (Division 31) to relinquish custody of the minor child to Respondent James Judy, who shall also appear in Court that day. Also by agreement of the parties, the Court re-appoints V. Jackson as guardian ad litem for the minor child.

Counsel for Petitioner called up his Motion to Withdraw (filed January 22, 2021). Ms. Freiner did not object to her counseling withdrawing. The Motion to Withdraw is GRANTED.

Case is set for a conference on February 26, 2021 at 10:00am by telephone: 1-978-990-5000, access 247211.

Parties are reminded that the use of the Court's email (to the Judge or Clerk) is strictly for scheduling only (i.e., asking to schedule a hearing, asking for the zoom/telephone information for a hearing, etc.). No substantive emails of any kind should be sent by any party/counsel to the Court. Additionally, all emails **must** include all parties/counsel—no exceptions. Any party/counsel violating this Order shall receive a monetary fine for every violation going forward.

**SO ORDERED**

  
Judge Division 31

January 29, 2021

Sent by Clerk to Petitioner by email at her request.