

their lives in a manner that allows each party to recover and mend and that the children involved **do not suffer**. Unfortunately the children in this case have not been considered at all but only the well being of the Respondent – which clearly indicates a biased on the part of the Judge. Each party - including the children can and should get on with their lives with as little disruption as possible which was not the intention of the court at any time during this case. In fact it would seem that the intention of the court was only to serve the needs of the Respondent and all decisions were based on the Respondent getting on with his life with as little disruption as possible no matter who suffered, and it was the children who ultimately were sacrificed by the court to pacify the Respondents needs. The court put the children in this case in an impossible situation in which they had to choose between their parents - causing considerable emotional harm to the children especially the son of the Petitioner and Respondent. The children were forced by the court into an unbelievably traumatic situation where they had to choose the lifestyle they were accustom to living or to live with their mother in poverty; the mother of the children was their primary care taker for almost 20 years. Why is it and how did it come to pass that the Respondent's will, which was to financially destroy the petitioner, was carried out by the court at the cost of the emotionally destroying the children in the case. What could possibly possess the judge to do what a single person wanted at the cost of the emotional destruction the children? In light of the behavior on the part of the Judge, the Petitioner can only conclude that the Judge is on a mission that has nothing to do with the job the law mandates him to perform. The prejudicial acts on the part of the Court have been unfortunate at best and these acts have created a magnitude of consequences which in this case have been at the cost the children and their emotional stability– these are the very people the law is intended to protect.

The Respondent in the case had access to extensive legal counsel at all times. I, the Petitioner had gone without legal counsel throughout most of the divorce proceedings due to the financial hardship impressed upon me by the court. At no time was counsel made available to me by the court. This caused me to be at great disadvantage during most of the hearings. While the Judge saw fit to openly mock the Petitioner in court for representing herself he did not see fit to make available any legal counsel so both parties were adequately represented. Although the Respondent had adequate monies to allow the Petitioner counsel the judge in the case never saw it appropriate to ensure equal representation for both parties. This unbecoming behavior coupled with the discriminating acts on the part of the Judge disqualifies him from moving forward with this case. At no time was justice ever served in this case. At no time were the constitutional rights of the Petitioner ever honored. The Petitioner in this matter will no longer tolerate judicial misconduct or being discriminated against by the court.

Division of property

The wife (Petitioner) in the marriage devoted 17 years to tending to her husband and children and the husband's child from a previous marriage. She did not have a full time job outside of the home and did not have an education beyond the high school level. She devoted full time to cooking, cleaning, running the family errands and raising the children. This was a joint decision at the time of the marriage and the Petitioner agreed to stay home and raise the children. The Petitioner was a full time homemaker and performed her duties so her spouse could get a Master's degree in Finance during the marriage as well. It has been made very clear the Judge in this matter sees little value to being a stay at home mother and raising the children and tending to domestic duties. It has also been made very clear that there is a biased against being a woman in general in the family court for reason set forth below:

The husband/Respondent in the case was awarded all of the joint owned assets accumulated during the 17 year marriage, which include the couples savings, the 401K, the house, the joint owned business and the family vehicle. The wife was awarded a car she purchased with her own money from an inheritance for her daughter to drive back and forth to high school. The only reason for such an act on the part of the judge is undoubtedly discrimination and a bent of mind that has nothing to do with serving both parties involved. It is a disgrace to the court for a Judge to use the court system to carry out his own prejudice and bent of mind. It is even more unfortunate that it was the children who suffered the most as the stay at home mother and primary caretaker of the children was removed from the lives of the children because of the shortsightedness and bigotry of the court.

The House:

The husband/Respondent was ordered in the Permanent Orders (Exhibit A) to remove the Petitioner from the loan on the family home, which was awarded to Mr. _____ **at his request**. The Permanent Orders say the husband is to “get it done”. The Respondent did not remove the wife from the loan on the house but testified in court he was financially unable to do so. While the Respondent’s spending habits indicated he was more than able to refinance the house and/or pay the mortgage for several months until the house was sold –he refused. In fact while the Respondent was able to afford several vacations including a family trip to Disneyland which included a limo ride to and from the airport, Bronco season tickets, a 52 inch flat screen television; he refused to pay the mortgage. He furthered along these lines by stating his spousal maintenance was a financial burden and requested the maintenance be reduced – which was granted. It should be noted that the Respondent had several ways in which he could have refinanced the home; adequate monies included the remainder of the 401K which was awarded **solely** to the Respondent in the amount of \$26,263 (Exhibit B) a lien on the family business, or he could have financed it though a second mortgage or rented the house until it could be sold.

The Respondent’s refusal to pay the mortgage on the house caused the wife to have a foreclosure on her credit even though she was not responsible for paying the mortgage. This was brought to the court’s attention yet no action was taken against the Respondent for his contempt of the Permanent Order. The judge in the case refused to acknowledge that the Respondent was without a doubt able to pay the mortgage and that his spending habits indicated there was in fact monies available. The Judge refused to follow his own written and signed motion by allowing the Respondent to continue with his malevolent behavior against the Petitioner which is a repeating pattern throughout the case. There should have been a financial restitution made to the Petitioner - however there was none. This act on the part of the court and the Respondent shows the heinous acts allowed to take place against the Petitioner in this case by both parties.

It should further be noted that during the Respondent’s testimony he stated “she signed” for the more expensive house – and this CAUSED his financial hardship. However it should be noted that the Petitioner actually signed a contract on a less expensive house which was down the street and she even registered the children for school under that address (see attached D20 address listing – Exhibit C). The Respondent perjures himself by stating the wife was responsible for his high mortgage however it was the Respondent’s wish to purchase the larger home. Moreover, The Respondent choose the upgrades in the house including a \$5,000 custom cabinet and he even had the house modified to accommodate his son from a previous marriage adding an additional bedroom on to the house. As in several cases, The Respondent’s own testimony is untrue and constitutes the courts inability to deliver justice.

Some of the Respondent's spending that came into question indicating his ability to pay the mortgage and his maintenance – evidence the judge refused to acknowledge during the hearing (Exhibit D – Credit Card Statements have been sent to the court several times already a summary is provided)

Starbucks (\$100 increments)	\$1,885.00
Flat Screen Television	\$1,286.65
Furniture	\$765.52
Plane Tickets	\$285.71
Harding Nursery	\$204.08
Toni and Guy (hair cut)	\$59.00
Toni and Guy (hair cut)	\$64.00
Toni and Guy (hair cut)	\$40.00
Cliff house (fine dining)	\$154.91
Match.com (dating service)	\$101.94
William Sonoma	\$155.75
Diva Nails (Manicure)	\$144.86
Outback Steakhouse	\$70.88
PF Changs	\$40.26
Hampton Inn	\$416.97
Aspen Inn	\$326.31
Mt. Resort	\$105.00
Tan Your Hide	\$149.00
Boondocks Fun Center	\$129.53

These are just a **few** of the frivolities the Respondent is able to enjoy while not paying his mortgage.

Maintenance:

The Respondent continued to come before the court stating his maintenance was a financial burden. However the Respondent continued his lavish spending habits and was able to travel to resorts in Arizona, the Bahamas, California, Glenwood springs just to name a few. The Petitioner has enjoyed no such vacations – ever! In fact the Petitioner has not had the luxury of being able to purchase the Christmas gifts for the children for the last three years. The reductions in maintenance by the court put an enormous financial strain on what little resources the Petitioner had for herself and the four children. The children were understandably stressed when there were no monies available to continue their sporting and extracurricular activities and they had difficulty understanding what was happening to them. It was discomfoting and stressful beyond their comprehension and they were frustrated they were not considered by the court.

Each time the maintenance was reduced the Petitioner and children had to move to a smaller more affordable apartment. The Respondent paid his court ordered maintenance of \$2,000 for a total of four months (see Respondent's spreadsheet Exhibit E). The hyper mobility created by the court had a negative impact on the children and they began to suffer emotionally. The

continual relocating and moving put a tremendous strain on the children. They were constantly wondering when they would have to move next. This began a repeating pattern in the court where the Respondent was granted several reductions in the maintenance claiming financial hardship when his spending indicated quite the opposite. At no time were the mother and children considered – only the Respondent's demands for reduction in the maintenance was granted. Clearly the only person ever served by the court was the man in the case – the Respondent which shows the partiality on the part of the judge in the case. The court created a situation that could have been avoided however the Judge saw it necessary to leave the mother and the children destitute however the Respondent was able to continue his lifestyle with little change. There is an obvious bent of mind and biased on the part of the judge so much so that the needs of the children were ignored completely. The son in the marriage has suffered the most and the Petitioner requested counseling for her child at every hearing however the Respondent whom the son now lives with has not taken the son to counseling. Kevin, the son began cutting himself and went so far as to vandalize the Respondent's home with a baseball bat. The Judge having worked in the family court system for as long as he has should have known that by financially punishing the mother of the children he was ultimately punishing the children. Basically, the Judge was so bent on serving the Respondent that the children were never considered – not once!

In 2011 at the Respondent's own authority the Respondent reduced his maintenance payments by \$1,100 over a three month period. The Petitioner was not able to pay her rent or bills and had to move in with her boyfriend in order to be able to stay in Colorado where her children reside. Her only other choice was to relocate and move in with family on the East Coast and leave her children behind. The Petitioner would prefer to live alone however leaving her children is not an option. How is it possible that the Respondent can do whatever he sees fit with no consequences by the court whatsoever? How is it that the Respondent believes authority has been given to him and his attorney by the Judge to make adjustments in the maintenance/child support? (Exhibit F) This is just one example of the respondent's arrogance and belief that he is irrefragable. Since his wishes were to see to it that his wife of 17 years receives nothing were in fact granted by the court may give credence to the Respondent's claim that the court gave him the authority of the court as well.

The Vehicle/Education:

During the marriage the Petitioner who was the stay at home parent, raised the children and tended to the domestic matters so the Respondent could go back to school and receive his Masters Degree in finance – which now lends to his large salary. The Petitioner is uneducated and she was attending school in Thornton, CO during the divorce for surgical nursing. The court was aware of this yet the court awarded the vehicle she was driving to school to be sold even though it was the only transportation the Petitioner had to get to school and hour and a half away from where she lived. Here again the court acts maliciously against the petitioner: What could the court possibly have gained by ordering the only means of transportation the Petitioner had to get to school sold? Clearly this was a bent of mind on the part of the judge that had nothing to do with allowing the Petitioner to move on with her life and continue her education. It should further be noted that the Petitioner repaired the vehicle at a cost of \$6,896.92 (Exhibit G) which included a new engine in the vehicle. These monies were from an inheritance and were the Petitioner's own money. There was no reimbursement for the monies the Petitioner spent to repair the vehicle. Here the court created a situation where the Petitioner was no longer able to drive to school. She was forced by circumstances created by

the court to change majors and school so she could get an education and support herself and the children. Later the Respondent complained to the court that the Petitioner was unstable in her choice of education since she had switched schools. The judge completely disregarded the fact that the court itself created the situation and in turn punished the Petitioner for changing her school.

As punishment for changing schools the judge reduced the maintenance by \$1,000. Clearly this was an act of malice and had nothing to do with allowing the Petitioner to continue her education in Thornton. What did the court have to gain by punishing the Petitioner for changing schools when the court created a hopeless situation for the Petitioner to begin with? This action on the part of the court shows it bent of mind and discrimination against the mother of the children. Furthermore the court refused to acknowledge that the Petitioner even in this impossible situation the still maintained a 3.82 GPA. This is a repeating pattern throughout the divorce proceedings and shows the prejudice and bent of mind on the part of the court for the woman in this matter. The only person served during any of the court proceedings was the man in the case – the Respondent. Without a doubt a bias and bent of mind was already well underway and continued throughout all court proceedings in this case.

The Business:

The joint owned business was valued at approximately \$600,000. There was also testimony that the purchase price of the business was \$945,000. The couple used part of their joint retirement money as a down payment on the business. This amount was \$295,000. An equalization payment should have been made to the Petitioner. However the court awarded her nothing again showing a bent of mind and discrimination against the Petitioner. The business was awarded in full to the Respondent, Mr. _____. All profits made by the business were awarded to the Respondent – in full. The wife of almost 20 years and mother of the children received nothing. The Respondent testified in court during a hearing on 11/20/2008 (page 68 of the testimony of Mr. _____ – Exhibit H) that he did not know what he could sell the business for, when in fact Mr. _____ knew exactly what he could sell the business for since he had already been making plans to sell the Colorado Springs division of the business. One day, just ONE DAY after the final orders were signed the Respondent sold a portion of the business for \$350,000. The Respondent did in fact in know what he could sell the business for. The Respondent perjured himself in court. The original purchase of the business took approximately four months therefore the deal was in the making at least on December 16, 2008. A Motion to Reconsider was filed with the court based on this newly discovered evidence however it was dismissed by the judge with no trial or court date showing the Jude had a bent of mind and biased against the Petitioner right from the start (Exhibit I) The Petitioner has a due process to a fair trial. That right was negated by the husband who was not candid with the court. The courts ability to deliver justice was frustrated by the Respondent since he was not honest with the court. These facts were entirely disregarded by the Judge as it was brought to his attention in the Motion to Reconsider. The law states in CR.S.A 14-10-107 that an automatic temporary injunction upon either party filing a petition for dissolution of marriage or legal separation restrains both parties from transferring encumbering, concealing or in any way disposing of without the consent of the other party or an order of the court, any marital property. The law further states that if in violation of the automatic temporary injunction a party transfers an asset to a third party, the court can award the value of that missing asset to the other spouse or can offer a full evidentiary hearing – which the court did neither. The Petitioner requested a new hearing to ascertain the appropriate value of the business since the Respondent was less than honest about the business valuation however it was disregarded by the Judge in the case.

It should be noted that the Respondent testified in court he **had** to be awarded the business since it was his sole means of income. The Respondent has not worked at the business for some time and enjoys the profits from the business along with monies he obtains from outside employment which is substantial (\$75,000). The Respondent is able to seek a large salary from his current outside employment based on the fact that he obtained a masters degree during the marriage AND profits from the business.

Bonus

At the last hearing on September 2011 it was noted that the Respondent did not include a \$12,000 bonus he gave himself from the business – which he testified was not making money – clearly it is - which constitutes the Respondent perjuring himself again on his signed financial affidavit and under oath. In fact the Respondent testified in court that he expected to close the business in the next 18 months due to the business being not-profitable. Furthermore the Respondent by his own admission at the last hearing stated that he has not been working at the business but has been paying a small staff to run the business while he works at his current employment.

The judge concluded in the hearing and even stated during his closing statements that the Respondent's bonus would be used in the calculation for child support however when the final orders were put in writing it was noticed by the Petitioner that the bonus was not included as the judge stated would be. This was brought to the attention of the Judge in a letter dated September 27th 2011 (Exhibit K) however the Judge in the case still refused to include the Respondents \$12,000 bonus in his child support calculations. The law clearly states in Section 14-10-115 of the Uniform Dissolution of Marriage Act that determines for the purposes of income all commissions, payments, bonuses, dividends, severance pay, pensions, retirement benefits, royalties and moneys drawn by self employed individuals for personal use be included as part of the gross earnings in determining child support are to be included as income. Again the Judge has a bent of mind that has nothing do to with upholding the law in any way in this case. This act on the part of the court concludes that the judge has motive that has nothing to do with following the law or upholding a fair and equitable trial. The behavior on the part of the Judge shows without a doubt an obvious bias and bent of mind on the part of the Judge that has little to do with serving both parties in an equitable manner.

Moreover as part of the child support hearing during which the bonus was in question the attorney for Mr. _____ testified in his Respondent's Response to the Petitioner's September 27, 2011 Letter To The Court that the Petitioner is making more than minimum wage at her current job – if Mr. _____'s attorney and the court had actually reviewed the Petitioner's pay statement they would have understood this to be incorrect. The Petitioner was earning \$4.32 an hour approximately 15 hours a week and attending school 40 hours a week (Pay stubs attached) This hardly adds up to minimum wage at 40 hours a week. Not only did the counsel for Mr. _____ misrepresent the Petitioner's income but the judge imputed minimum wage on the Petitioner who now pays the husband \$500 a month in child support. The child support is deducted from the maintenance and the Petitioner now receives \$325 from the original \$2,000 maintenance. Clearly the judge is on a mission that has nothing to do with upholding fairness and equity in this case. The Judge is on an obvious mission to financially destroy the Petitioner and favor the husband. The Petitioner will no longer tolerate lies and deceit on the part of both the Respondent and his attorney. This constitutes malice and misconduct on both parties which is clearly being supported by the court.

Additionally, during the last child support hearing Mr. _____ submitted credit card statement with large sums of money that were marked out with a permanent marker. The Petitioner asked Mr. _____ and his attorney to submit documents that were unaltered however this was not done. Expenses included charges for the following:

\$153.95
\$171.41
\$19.83

Obviously Mr. _____ has something to hide from the court – which the court has allowed.

Mr. _____ testified to financial hardship however his spending indicated otherwise:

Pink creek Wine	\$104.88
Snake River Saloon	\$41.00
Christian Singles	\$83.94
Biaggis (fine dining)	\$69.01
Chili (dining)	\$53.80
Earls Restaurant	\$61.99

Recent payment on the Respondent's credit cards further indicate Mr. _____ is doing quite well and is more than able to pay is maintenance:

Credit Card payments:

Payments:

12/24/11	\$400
01/10/12	\$900
2/12/11	\$1,300
1/25/11	\$1,500
1/25/11	\$1,809
2/24/11	\$800
03/15/12	\$3,000

Total: \$9,709

School

Mr. _____'s attorney continually refers to the Petitioner as not attending school however the Petitioner took a total of **three months** (August through October) off from school and worked full time in order to pay Mr. _____ monies he demanded for medical reimbursement. The Respondent threatened court action if she did not repay these monies and the Petitioner was fearful and took a full time job in order to reimburse the Respondent and meet his demands. Almost immediately Mr. _____ returned to court and demanded his maintenance be reduced since the Petitioner was not in school. The court granted Mr. _____'s request for a reduction in maintenance reducing his payments by \$1,000. It was an evil and calculating trick on the part of the Respondent and his counsel and they have continually brought it up in court stating that the Petitioner was not acting on good faith and that she is unstable. The Petitioner was attempting to appease the Respondent's threats of having her thrown in jail. However the judge refused to acknowledge the wife's side of the story stating that she was untrustworthy. The Respondent and his attorney have been using this three month period against the Petitioner over and over again in court and the Judge ignores the fact that the wife was and has been a full time student for the last four years and on the honor roll every semester with a GPA of 3.82 even with the disadvantage the court continues to heavily hand out against the

Petitioner. The totality of the bent of mind and biased on the part of the judge is overwhelming - like all other issues in this case it shows a clear and evident prejudice on the part of the court and a biased against the woman in the case.

At that same hearing the maintenance which was set at \$2,000 in the Permanent Orders was reduced as the Respondent claimed he was financially burdened and Petitioner was not attending school and was working full time. The Judge refused to acknowledge that the Petitioner had every intention to return to school full time once the medical expenses were reimbursed to the Respondent. Perhaps it would have been best for the court to allow the Petitioner a six month period to work and pay off the medical expenses and then return to school. However the Judge was short sighted and the maintenance was reduced as punishment to the Petitioner. This caused the mother and children a wave of consequence the court should have foreseen such as the children and mother relocating to yet another apartment while the Respondent was able to go on vacation and continue his lavish life style – which was apparent in his credit card statements and spending. To say that something just didn't add up is an understatement. Again the ONLY person who ever prospered in this case was the man. The only person the court served in any manner was the Respondent. At no time were the children or mother ever considered.

Lifestyle

During the marriage to the Respondent the Petitioner was not allowed to work for any substantial time outside the family business or become educated. In fact while the Respondent earned a Master's degree in finance during the marriage he felt it was a detriment to the family to have the wife be educated or attend school of any kind.

The Respondent is angry the Petitioner attended school after the divorce and attempted through the court to make her life difficult enough that she would not be able to attend school any longer but would seek full time employment – which was his request during the initial divorce hearing. In fact he was so determined to make the wife work full time after the divorce that he had a witness testify to her monetary value as an employee. In the Respondent's efforts to "force" the wife to work and not attend school the husband went so far as to file felony charges against the wife for entering his home with their son so the son could get clothes for a Winter dance at his school. During the hearing on the charges the wife was extremely fearful and emotionally distraught. She changed her major since you cannot work as a nurse with a felony charge. The husband made the wife's change in career an issue in court again even though he forced her by his actions to have to change her major in school. Again this was an ugly and evil trick on the part of the Respondent. The Respondent then presented her change in major as instability of the wife. Again, under impossible circumstances the wife still went to school full time and was an "A" student.

Months later after the Judge stated that "no one should go into the other's house for any reason" the husband entered the wife's home "because it was cold outside" (Exhibit L) This was clearly a form of violence and harassment on the part of the Respondent against the wife and clearly shows his bent of mind towards the wife. The husband is abusive and has stated he would financial ruin the wife for leaving him and he has used the court system and it's biased against women to his advantage to cause harm to the wife. It is unfortunate since unbeknownst to the court the husband was on a dating service during the marriage and while he was employed as a CFO for Focus on the Family. (Melanie Huff at 303-252-9686 –worked at Focus on the Family saw the document on several occasions and may have a hard copy of the Respondent's e harmony profile which the Petitioner brought to her house after discovering

her husband's infidelity). The Respondent's e Harmony profile page specifically stated he was unmarried and had NO children. While the Respondent tried to be sure the Petitioner did not receive any financial restitution for being married; it is quite possible the Respondent was looking to leave the marriage anyway. It is a travesty for the wife that the biased on the part of the court fell into line with the Respondent's hateful behavior.

The wife has been living under the poverty line since the case came to the court while the husband in the case has been able to live with little change to his lifestyle in fact his lifestyle has improved with each hearing. The wife's income is \$800 a month plus \$325 a month in maintenance while the husband's is \$6,500 a month plus profits from what was once the joint owned business, a \$12,000 bonus and an additional \$500 from the Petitioner for child support. While the Petitioner lives in government subsidized housing the Respondent recently purchased a \$315,000 home in an exclusive neighborhood – even though he testifies to financial hardship and his maintenance was reduced over and over again.

It should further be noted that while the husband's claimed financial hardship and had his maintenance reduced he was able to enjoy a four bedroom house, purchased two new cars and traveled with the children on expensive vacations all over the united states – again all while testifying in court that he was unable to pay his maintenance due to financial hardship. To this the court turned a blind eye and refused to allow the Petitioner to submit evidence to the contrary. In fact when the Petitioner tried to present the evidence the Judge mocked and made fun of her in open court. Obviously the counsel for the Respondent and the Respondent himself feel that they are irreproachable – and they must be since they continue to prosper even if it means perjuring themselves in court - without any consequences at all.

Additionally the financial abyss created by the court caused a burden on the children where they ultimately had to choose between spending time with their mother - who was their sole caretaker for almost 20 years - in a two bedroom apartment on shot-gun alley and moving every time the father whispered financial hardship or living with their father where life was status quo. While living with their mother the children were subjected to being asked if they wanted to buy drugs while taking out the trash, their car was broken into on several occasions, there was an attempted break in to their apartment and their neighbor was the local drug dealer – all this so the husband would not be financially burdened! This caused an extreme amount of stress on the children and ultimately they went to live with their father. The VAST amount of stress posed by the financial burden, having to pack up their belongings and move constantly, the dramatic and noticeable disparity between the two homes placed a burden on the children by the court that was unbearable. This is why the law states that the two homes should be of the same financial standards - to avoid emotional stress on the children – not for financial gain of the parents. Why would the court put the children in a situation where they had to choose between parents - what an appalling situation the court created? At no time was the wellbeing of the children considered – not once. Clearly the judge in this case had no intension of serving the children but only to serve the respondent and his attorney's wishes no matter who suffered. The children were put in a situation where ultimately have to choose between their parents which resulted in the son of Mr. and Ms. _____ cutting himself with a knife on his arms and chest, the son took a baseball bat to his father's basement, and refused to live with his father for several months. He even went so far as to sleep at the park in his car instead of going home to his father's house. This is what the court created in order to pacify the needs of the Respondent. How sad is it that the one person the court awarded all the money to doesn't want to spend it taking his son to counseling to the damage of his own child. This is a repeating pattern by the respondent whose son from a previous marriage is currently

-serving a life sentence for brutally murdering his step father with a baseball bat. Mr. _____ didn't want to pay for his counseling either. Does the court care so little for the children in this case they are willing to have history repeat itself – it makes me sick to think the Judge is so bent on financial destruction of the mother of the children that the children themselves would ultimately be sacrificed!

Despairing of the wife to the children:

Over and over in court Mr. _____ states that the wife was despairing of the husband however recent text messages from the son lead the wife to believe that the husband is using the children against the wife and ultimately is emotionally harming the children:

Recent text from K _____ the son of the two parties:

“Really you call raising a child splitting up with dad and running off to fuck every guy who smiles at you well if that is raising a child you must be a tremendous parent”

“I had a psychotic depressed mother who knew nothing about raising children”

This is why the mother of the children asked the court to make it mandatory for the children to go to counseling. While the children have been living with their father they have not received any counseling. The mother currently has the family in counseling, the son however has refused to attend after hearing their father telling their grandfather “that he has no desire to work things out with the family” The mother is paying for the counseling the father has offered no financial support for the counseling. Way to go Colorado Family Court you should be proud.

Medical Expenses:

The Respondent was ordered in the Permanent Orders (Exhibit A – Paragraph 5) to pay for medical insurance for the children. Mr. _____ testified that he was no longer able to afford to pay for medical insurance for the children and that the \$157 deducted from his pay check was causing a financial burden for him. How that is possible since Mr. _____ recently purchased a new home (for ~ \$315,000) is beyond understanding. The wife was ordered at the last hearing to pay \$79 a month for the children's medical insurance. The wife's monthly earnings are significantly less than Mr. _____'s however the \$79 is deducted from her maintenance. The Judge in the case has not followed his own Orders on more than one occasion and is having the wife pay for medical insurance the husband was ordered to pay in the Permanent Orders. Once again this clearly indicates the Judge is on a mission that has nothing to do with serving both parties equally in this matter. These acts of malice on the part of the judge and his outright disgust and biased against the woman in the case are overwhelming.

Furthermore it was also stated by the Judge that the uncovered medical expenses would be reimbursed to Mr. _____ at a percentage equal to each party's income. That would make the wife's reimbursement to Mr. _____ approximately 5.9% of the unpaid medical. However the Judge in the case ordered Ms. _____ to pay 30% of the unpaid medical to Mr. _____ causing the wife financial hardship - again. Once again a bent of mind and malice and destruction of the wife seem to be the only mindset of the court.

The Children:

The husband in the case has continually tried to remove the stay at home mother and care taker of the children for almost 20 years from the children's lives. The respondent refused to inform her of significant events and continues to disregard the first right of refusal set into place since 2008! The mother has not received one report card, school picture, soccer schedule,

dates of Christmas concerts, prom, dance dates or any other schedule of important events that are momentous to the children – not once. Furthermore it should be noted that while there is a first right of refusal in place by the CFI since November of 2008 it has not be adhered to by the Respondent - not once. In fact Ms. _____ made it clear to the judge in the case this was an ongoing issue in the divorce however the Judge refused to address any misconduct by the Respondent. Mr. _____ has left the United States, gone out of town on vacation and business, and out on overnight dates and left the children with friends, various online girlfriends and basically whoever he could find that was available showing Mr. _____’s unwillingness to comply with the first right of refusal and his overall disregard for the wellbeing of his own children. With the courts unresponsiveness to Mr. _____ total disregard for the court and its orders it is no wonder Mr. _____ feels he can do whatever he wants – since over and over again it has been proven he can. Not once was the mother of the children given the opportunity to have the children come stay with her during the father’s absence - not once.

Not only has the mother of the children been stripped of her right to attend noteworthy events in the lives of the children by the Respondent’s actions but the court found it necessary to remove her financial ability to celebrate Christmas and holidays as well. The children enjoy a generous Christmas with their father while the wife has been unable to purchase Christmas presents for the children in three years!

Furthermore, since all the frequent flyer miles accrued during the marriage were also awarded to the husband and the husband has the financial means to travel he has the luxury to travel every year with the children to California to visit his family. The children will not be able to visit their mother’s side of the family and the children’s grandparents will most likely die without ever seeing their grandchildren. Ultimately it is the children who will suffer.

Moreover the children have been able to enjoy several lavish vacations with their father – the children have not been able to make those memories with their Mother since the court felt it necessary to leave her financially destitute. Obviously being a stay at home mother and raising the children is of little value in the state of Colorado. This is how the court treated and continues to treat the woman who gave up 17 years of her life to raise the children and who was the sole caretaker of the children during their primary years. Clearly the Judge in the case has acted out of his biased and bent of mind towards the wife and perhaps woman in general. The court has ignored the needs of the children on all occasions which constitute a bent of mind that has nothing to do with serving all parties involved – especially the children in the case. Clearly the court had no intention of ever serving the children which is revolting at best and should be addressed by a Judicial Commission. Nothing in this case has been equitable as the law states, but discrimination and mockery of the women who gave up a career, education, and 17 years of her life to stay at home and raise the couple’s children. The wife currently has the children in family counseling at her own expense in an effort to mend what the court created.

Counseling for the Children and Parenting time:

It should also be noted that on several occasions the mother of the children asked the court to PLEASE address the children who were of age and sound mind to state how they felt about the parenting issue. Initially the children requested more time with the Petitioner. While two of the children lived full time with the Petitioner for a seven month period (without a change in child support) the children wanted the parenting time to remain as it was. However the Judge refused to take the children’s wishes into consideration going against the Colorado Law which states “the court is required to consider the wishes of the children if he/she is sufficiently

mature to express reason and independent preference as to the parenting time schedule". The Petitioner asked the Judge in open court to please take into consideration the feelings of the children regarding the parenting time schedule and talk to them in his chambers, but the Judge refused, even though the Law mandates that he should do so. Finally after being punished repeatedly by the court stating that the mother of the children was unstable for desiring to address the needs and wants of the children. Eventually after the repeated punishment by the court - she agreed to allow the children to live full time with the husband so they would have a nice home, cars, a \$750 dog and vacations every year.

The Judge refused to address the needs of the children over and over again even though the children express frustration that they were not being heard. This caused a great deal of stress on my son who acted out by cutting himself with a steak knife and he eventually left the husband's home to live with another family for several months (while the mother paid his child support to the Respondent). The court continued over and over again to ignore the mother's plea to hear from the children. The Petitioner eventually asked for a CFI to speak with the children so the children would have peace about being heard in court. It was ordered by the Judge for the wife to pay for the CFI in full and she used her student loan money to cover the cost. The Respondent was able to pay for half however the Judge did not feel it was necessary for the Respondent to cover any costs associated with the expense since it came at the suggestion of the mother. Again this shows without a doubt that the judge in this case never had any intension of serving the children and his wish was to create a financial hardship for the wife showing without a doubt the bent of mind and biased on the part of the judge. This again indicates clearly that the court had no intention in serving the children at all but only the Respondent.

It is clearly documented in 14-10-123.7 that the general assembly recognizes research that documents the negative impact of a divorce especially when a parent drops out of a child's life. The Family Law Handbook states that the children will suffer psychologically and may exhibit a decreased ability to function socially, academically and that the stress causes a severe negative impact on the children. This is exactly the situation created by the court where the mother of the children could not financially support the children, pay rent for a home or for food for the children and she was and still is considering leaving the state to live with family so she can get financially on her feat. At no time did the court support the needs of the children or help during the time of family reconfiguration. At no time did the court provide any means for the parents of the children to continue to parent the children in a cooperative manner. Only the wishes of the Respondent were met during the entire case. Should I thank the court for emotionally destroying my children for the gain of one person in the case – the Respondent?

The mother of the children repeatedly asked the court to have the Respondent provide counseling for the children to no avail. The mother of the children currently has the entire family in counseling at the Family Life Services at her own expense. At no time has the father of the children offered to cover any of the expenses associated with the family counseling. The Judge did order that the son, Kevin receive counseling but would hold the son in contempt of court if he did not attend - he was 17 at the time the Judge ordered the contempt if he did not attend counseling. While the son was living with the father full time the father was not held responsible for the son's counseling appointments. The father states that he was unable to get Kevin to attend counseling. This is a repeating pattern by the father who has another son from a previous marriage who was in desperate need of counseling. The father did not want to cover the expense and refused to have the son attend much needed counseling. The son is now in jail with a life sentence for murdering his step father with a baseball bat. It is the hope

of the mother of the children that she may mend what the court so callously created so history does not repeat itself.

Conclusion:

The Petitioner spent 17 years in an abusive relationship and then went on to be abused and ridiculed by the family court system in Colorado. The emotional stress, heartbreak and anguish the Petitioner went through was and still is excruciating. During the case and even to this very day the Petitioner suffers so much emotionally each day is a challenge. Every single day of the Petitioner's life she will feel the emotional and psychological effects of the devastation the court so callously and cruelly handed out without so much as a thought as to how it would affect the Petitioner and the children. To say the case was emotionally devastating and destroying to the mother and children is an understatement and what is most unfortunate and difficult to understand is that it didn't have to be that way, but was created by the Judge who for whatever reason was prejudice against the wife, the woman in the case. It was the Respondent's goal to remove the Petitioner from the lives of the children and leave her with nothing as punishment for leaving him and the relationship which was abusive and controlling. It is ironic that the Respondent was able to manipulate the court and the Judge to perform and complete his wishes even though they were cruel, hateful, and evil and caused relentless emotional suffering to his own children. In fact the Respondent's actions were so extremely calculating they are that of a person who masterminded the outcome long before it became reality. The Petitioner will **never** recover from having the children whom she devoted her life to, live with the Respondent who didn't have much to do with the children for the first 17 years of their life but became interested in the children as a way to get revenge against their mother for leaving the relationship. Given that the Respondent owns every asset the couple scrimped and saved for the children will at least live well. However the pain the Mother suffers each day she is without the children is unbearable at best.

The Petitioner is left with nothing to show for 17 years of marriage where she devoted her life to her husband and children. During that time the Respondent was able to obtain a Master's degree in finance which accounts for his large salary. The retirement account the couple had saved throughout the years was used to purchase a business which was awarded solely to the husband - like all of the joint owned assets. The Mother of the children will be forced to leave the state since the court made sure she was financially destitute while the Respondent in the case has been able to vacation, purchase a new cars and recently purchased a new four bedroom home in an exclusive neighborhood – even though he testified in court several times he was financially destitute and unable to pay his maintenance – which has been reduced over and over again. Recently the Respondent stated to the Petitioner “what did you think you were getting anything for being married for 17 years – think again”. The Respondent repeatedly told the Petitioner's family he would see to it that the Petitioner was financially ruined. It's even harder to imagine that the Respondent attempted to have her put in jail for 12 years on trumped up felony charges so he wouldn't have to pay his maintenance! Who does that to the mother of his children? Furthermore it is hard to even imagine that the Respondent's revenge was at the cost of the wellbeing of his own children. It is appalling the sheer wickedness of the Respondent was played out the bigotry of one man in the family court system – the Judge. Evidently being a stay at home mother caring for the children and supporting a husband has no value in the eyes of the Family Court system in Colorado.

The Judge in the case has a prejudice and bent of mind against the Petitioner not based on any facts but on a preconceived dislike for the Petitioner. Motions were brought before the court that was denied without consideration, evidence was not allowed to be presented, and

children were not heard by the court even though the law mandates it to be so. The Petitioner believes the Judge is biased and prejudiced against her personally and his bent of mind has prevented the Petitioner from receiving full, fair, and impartial hearing.

WHEREFORE, in light of the fact that the Judge is either unwilling or unable to perform his duty as mandated by the Constitution and the Law, the Judge must do what is right and Recuse himself from the case. The law mandates that "where he (the Judge) has a personal bias or prejudice concerning a party" he must recuse himself from the case and all proceedings therefore.

Date: _____

 Petitioner or Co-Petitioner/Respondent

Address

City, State, Zip Code

(Area Code) Telephone Number (home and work)

CERTIFICATE OF SERVICE

I certify that on _____ (date) the original was filed with the Court and a true and accurate copy of this **MOTION** was served on the other party by:

Hand Delivery, E-filed, Faxed to this number: _____, or by placing it in the United States mail, postage pre-paid, and addressed to the following:

To: _____

Your signature