

DISTRICT COURT, EL PASO COUNTY, COLORADO Court address: P.O. Box 2980 Colorado Springs, CO 80901-2980 Phone Number: (719) 448-7650	
In the Custody of James Glen Griffin, Minor Child:  Petitioner: FRANCES GALE  and  Respondent: LEONARD GRIFFIN	^ Court Use Only ^
Attorney for Petitioner Name: Brent I. Weiner 924 N. Wahsatch Ave. Colorado Springs, CO 80903  Phone Number: (719) 633-1016 FAX Number: (719) 633-1005 E-mail: Atty. Reg. #28884	Case Number:  <b>98 DR 504</b>  Division      Courtroom  6
<b>EX PARTE MOTION FOR EMERGENCY PROTECTIVE ORDER, OR, IN THE ALTERNATIVE, AN EMERGENCY HEARING ON PARENTING TIME</b>	

COMES NOW the Petitioner, Frances Gale, by and through her attorneys, the Law Firm of Robert S. Fisher, P.C., pursuant to C.R.S. §14-10-108, and hereby moves the Court for an emergency interim order restricting Respondent to supervised parenting time at CASA, or, in the alternative, an emergency hearing for entry of protective orders.

AS GROUNDS THEREFORE, the Petitioner states as follows:

1. The parties have one child, James Griffin, date of birth, January 14, 1997.
2. On April 20, 1999, the Court entered final orders. Petitioner was designated as the parent with whom James primarily resides. Respondent was awarded parenting time, to include one weekday dinner visit, and one overnight each weekend.
3. By informal agreement, Respondent has been exercising parenting time every other weekend, from Friday evening to Sunday evening.

4. For the past three years, James has exhibited behavior which has caused Petitioner to be concerned about his well-being while in Respondent's care. By way of example, James reported derogatory remarks made by Respondent about Petitioner. James was also preoccupied with death and would talk frequently about death and suicide. He would also describe the process of blood being drained from a corpse in preparation for a funeral (Respondent and his family operate a funeral home).
5. Petitioner's concerns have increasingly escalated, as James' behavior following visits with Respondent has steadily deteriorated. James returns from Respondent's house very angry and hyperactive. James hits himself, bangs his head on the table, while referring to himself as stupid and bad. He has been starting fights in school. He is irritable, has nightmares, and throws frequent tantrums. Also, James experiences suicidal ideation, discussing ways he will kill himself, stating that he wants to sleep in a coffin, and once lying down in the middle of a road.
6. To address these concerns, Petitioner enrolled James in therapy with Maritta Goodman, MA. Ms. Goodman has seen James on a weekly basis since March 7, 2003. During the play therapy sessions, James has disclosed the following information:
  - a. James is allowed to watch horror movies at his paternal grandparent's house. He described gruesome scenes, including a person being nailed to a door through his neck.
  - b. After one visit, James came to session very upset. He reported that his father had threatened to kill his stepmother.
  - c. James frequently talks about being bad and stupid and says he wants to die. James talks about death, dying, and corpses.
  - d. James described the preparation of corpses at his paternal grandparents' funeral home.
  - e. James recently returned from a visit with his father and described being hit in the mouth (Petitioner has a picture of James with a fat lip).
  - f. James stated that he is not allowed to tell his mother or the therapist anything about his visits with his father. His father refuses to hear about anything to do with James' mother. This is very confusing to James. James feels like he has to keep secrets and/ or censor his conversation, which causes him undue stress.
7. In Ms. Goodman's professional opinion, based on her extensive work with James, all future contact between James and his father should be supervised until a determination can be made as to the best course of treatment for the families.

8. A letter from Ms. Goodman, dated May 27, 2003, attached as Exhibit A, sets forth in detail her concerns and recommendations.
9. Petitioner has attempted to discuss James' problems with Respondent. However, Respondent refuses to take seriously the problems, in one conversation telling Petitioner that he rents (child support) James for four days out of the month and that the rest of the time is her problem.
10. Parenting time with Respondent endangers the children's physical health and/or significantly impairs their emotional well-being. C.R.S. §14-10-124. Therefore, it is appropriate for the court to enter an emergency interim order restricting Respondent to supervised parenting time at CASA, or, in the alternative, schedule an emergency hearing for entry of protective orders.

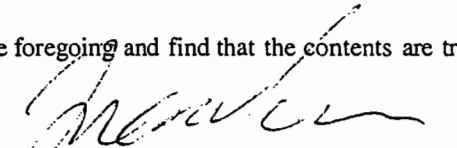
**WHEREFORE**, Petitioner moves the Court for an emergency interim order restricting Respondent to supervised parenting time at CASA, or, in the alternative, an emergency hearing for entry of protective orders.

**RESPECTFULLY SUBMITTED THIS** 4th day of June, 2003.

  
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**BRENT I. WEINER, #28884**

**VERIFICATION**

I, Frances Gale, have read and reviewed the foregoing and find that the contents are true and correct to the best of my knowledge, information and belief.

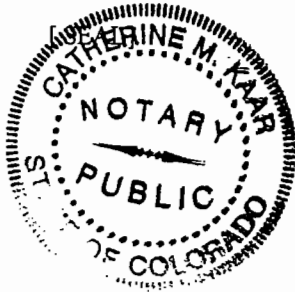
  
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 Frances Gale

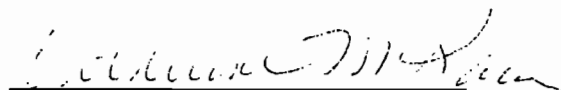
STATE OF COLORADO )  
 ) ss.  
 COUNTY OF EL PASO )

Subscribed under oath before me by Frances Gale on this 4th day of June, 2003.

Witness my hand and official seal.

My commission expires: June 11, 2006



  
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 Notary Public  
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