

IN THE COURT OF COMMON PLEAS OF CENTRE COUNTY,
PENNSYLVANIA

Leland Feldman Petitioner

v.

No. 2012-3103

Heidi Brush Respondent

IN CUSTODY

**PETITION FOR MODIFICATION OF A CUSTODY ORDER AND
CONTEMPT**

1. Petitioner is Leland Feldman and resides at

(Street) (City) (State) (Zip Code) (County)

2. Respondent is Heidi Brush and resides at
Unknown
(Street) (City) (State) (Zip Code) (County)

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EDRA C. JIMMEL
PROthonOTARY
CENTRE COUNTY, PA

3. Petitioner Leland Feldman respectfully requests that on May 20, 2014 an Order of Court was entered for shared legal custody sole legal custody and partial physical custody primary physical custody shared physical custody sole physical custody supervised physical custody. A true and correct copy of the Order is attached.

4. This Order should be modified because:

5. It is the Petitioner's belief that it is in the Parties' Daughter's best interest that the Petitioner is granted sole legal custody and primary physical custody.

6. It is the Petitioner's belief that the Respondent, in this matter, has shown herself to not be credible because she has on, at least, nineteen (19) instances, as documented in this petition, knowingly and intentionally provided false material information to the Court.

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6. It is the Petitioner's belief that the Respondent, in this matter, has shown herself to not be credible because she has on, at least, nineteen (19) instances, as documented in this petition, knowingly and intentionally provided false material information to the Court.

7. It is the Petitioner's belief that the compound effect of the false material information the Respondent knowingly and intentionally provided to the Court is that the false material information has been used to mischaracterize the Petitioner to such an extent that an already biased Judge (a matter to be addressed later in this Petition) consistently used these statements to make decisions adverse to the Petitioner, decisions which have prevented him from building and having any meaningful relationship with his daughter. An innocent child has been left, in effect, fatherless.

8. As will be shown in this Petition, there are several entries documenting contradictory answers given on the Abuse Checklist of 2012 and the Abuse Checklist of 2019. When asked to explain these differences, the Respondent's answer was, in part, "Some of these questions are a little ambiguous and I did have trouble filling it out...", Page 31, Lines 22-23 of the Transcript of February 15, 2019 (Exhibit P).

9. The Respondent, in the transcript of February 15, 2019 (Exhibit P), was asked on Page 34, Lines 22-23, "Is it true that you have a PhD?" The Respondent replied, under oath, on Page 34, Line 24, "Yes, it is." It should be noted that, to the best of the Petitioner's knowledge, the Respondent's PhD was earned at the University of Illinois – Champaign. Additionally, to the best of the Petitioner's knowledge, the Respondent earned both a Bachelor's Degree in English and a Master's Degree in Media Studies at Pennsylvania State University in State College.

10. The Respondent, to the best of the Petitioner's knowledge, was born in the United States of America, has lived almost her entire life in the United States, and English is her first language.

11. It is the Petitioner's belief that it is not credible that someone with the Respondent's level of education and with English as her first language can earnestly claim she has difficulty understanding the English phrases in the checklists comprised of somewhere between three to eight words, with most of the words being from one to three syllables. It is the Petitioner's belief that it is not credible that someone with the Respondent's level of education and intelligence can earnestly claim that the contradictory answers she provided in the checklists represents anything but an effort to defame the Petitioner and purposely mislead the Court.

12. To the best of the Petitioner's knowledge, the Petitioner and the Respondent have never had any unsupervised face-to-face meetings, direct encounters, or direct interaction of any kind since, at least, May 2012, with the exception of Court, Depositions, and a single instance at the Children's Resource Center in Maryland in July of 2014. The Respondent's own testimony validates this assertion by the Petitioner in Paragraph 13 through Paragraph 14 in this Petition. It is the Petitioner's belief that neither party has ever made any allegation of physical violence having been perpetrated at the Children's Resource Center in Maryland in July of 2014.

13. The Transcript from the November 14, 2018 Hearing (Exhibit C), where the Petitioner is represented by "Q" and the Respondent is represented by "A" states:

Page 40, lines 8 – 15

Q. Since -- when was the last time outside of any courtroom you have directly interacted with the defendant?

A. 2000 -- summer of 2014.

Q. And before that? Strike that. Where was that instance in 2014?

A. The supervised visit in Maryland.

Q. That's correct, July of 2014. . .

14. The Transcript from the February 15, 2019 Hearing (Exhibit P), where the Petitioner is represented by "Q", the Respondent is represented by "A" and "The Witness", and Judge Katherine Oliver is represented by "The Court" states:

Page 20, line 25; Page 21, Lines 1 - 4

Q. Dr. Brush, not including instances of where you have seen me in court or at the children's resource center in Maryland in July of 2014, how many times have you seen the defendant in person since May of 2012?

Page 21, lines 5 – 16

A. I think once.

Q. When was that?

A. I think that that was -- one of the visits I think might have been in May of 2012.

Q. The last visit was in May 2012. After that have there been -- since June of 2012 how many instances have you seen me in person aside from in court or once at children's resource center in Maryland in July of 2014?

A. I don't know because there have been times that I thought I saw you like in a car. I can't prove it. So, I'm not sure how to answer that.

Page 22, lines 19 - 25

THE COURT: He's asking if you're certain -- if you feel certain that you have seen him -- just a moment. You keep coming back to proof. That's not the question. The question simply is this. Are there any times that you feel certain you have seen him since the date referenced?

THE WITNESS: No.

15. It is the Petitioner's belief that on December 17, 2012, the Respondent filled out, signed, and attached an Abuse Checklist – Attachment to PFA Petition to the Respondent's Petition for Protection from Abuse of December 17, 2012. The Respondent's Petition for Protection from Abuse of December 17, 2012 references the Abuse Checklist – Attachment to PFA Petition in Paragraph 12 in which it states, "See attached Abuse Checklist". The Abuse Checklist – Attachment to PFA Petition to the December 17, 2012 and the Respondent's Petition for Protection from Abuse of December 17, 2012 are Exhibit N.

16. It is the Petitioner's belief that the Respondent Verified the truth and correctness of the Petition for Protection from Abuse she filed on December 17, 2012 (Exhibit N), as her dated signature on the document verified, "I verify that I am the petitioner as designated in the present action and that the facts and statements contained in the above petition are true and correct to the best of my knowledge. I understand that any false statements are made subject to the Penalties of 18 Pa. C.S.A. 4904, relating to unsworn falsification to authorities." It is the Petitioner's belief that the Penalties of 18 Pa. C.S.A 4904 also apply to the Abuse Checklist as the Respondent's Petition for Protection from Abuse states, in Paragraph 12, "See attached Abuse Checklist".

17. It is the Petitioner's belief that based on the Respondent's December 17, 2012 Petition for Protection from Abuse (Exhibit N), which included and directly

referenced the Respondent's Abuse Checklist – Attachment to PFA Petition of December 17, 2012 (Exhibit N), Judge Pamela Ruest (henceforth to be referred to as "Judge Ruest") signed the Temporary Protection from Abuse Order of December 17, 2012 (Exhibit O) against the Petitioner.

18. It is the Petitioner's belief that on February 1, 2019, the Respondent filled out, signed, and attached a Types of Domestic Violence Checklist Attachment to PFA Petition to the Respondent's Petition for Protection from Abuse of February 1, 2019 (Exhibit L). The Respondent's Petition for Protection from Abuse of February 1, 2019 (Exhibit L) references the Types of Domestic Violence Checklist Attachment to PFA Petition in Paragraph 11 in which it states, "See attached Abuse Checklist". The Types of Domestic Violence Checklist Attachment to PFA Petition of February 1, 2019 and the Respondent's Petition for Protection from Abuse of February 1, 2019 are Exhibit L.

19. It is the Petitioner's belief that the Respondent Verified the truth and correctness of the Petition for Protection from Abuse she filed on February 1, 2019 (Exhibit L) as her dated signature on the document verified, "I verify that I am the petitioner as designated in the present action and that the facts and statements contained in the above petition are true and correct to the best of my knowledge. I understand that any false statements are made subject to the Penalties of 18 Pa. C.S.A. 4904, relating to unsworn falsification to authorities." It is the Petitioner's belief that the Penalties of 18 Pa. C.S.A 4904 also apply to the Abuse Checklist as the Respondent's Petition for Protection from Abuse states, in Paragraph 11, "See attached Abuse Checklist".

20. It is the Petitioner's belief that based on the Respondent's February 1, 2019 Petition for Protection from Abuse (Exhibit L), which included and directly

referenced the Respondent's Types of Domestic Violence Checklist Attachment to Protection from Abuse Petition of February 1, 2019 (Exhibit L), Judge Katherine Oliver signed the Temporary Protection from Abuse Order of February 1, 2019 (Exhibit M) against the Petitioner.

21. On the Abuse Checklist Attachment to Protection from Abuse Petition of December 17, 2012 (Exhibit N) the Respondent circled "No", in regards to whether "Slapping (with an open hand)" was a type of abuse she had experienced by the Petitioner.

22. On the Abuse Checklist Attachment to Protection from Abuse Petition of February 1, 2019 (Exhibit L) the Respondent failed to circle either "Yes" or "No" in regards to whether "Slapping (with an open hand)" was a type of abuse she had experienced by the Petitioner.

23. When the Respondent was asked, in open Court, on February 15, 2019 on Page 23, Lines 6-7 of the Transcript of February 15, 2019 (Exhibit P), "Has the Defendant (the Petitioner) abused you by slapping with an open hand?" The Respondent stated, under oath, on Page 23, Line 10-11 of the Transcript of February 15, 2019 (Exhibit P), "Yes, I think so. I mean, there have been several times."

24. In further regards to the Petitioner's "slapping" the Respondent, on Page 120, Lines 4-7 in the Transcript of April 11, 2014 (Exhibit Q) the Respondent was asked, "now this November 1 incident of 2008 involved a punch to the chest a single time by Mr. Feldman on you, correct?" To which the Respondent stated on Page 120, Line 8 (Exhibit Q) "Yes." In this same line of questioning during the hearing of April 11, 2014 on Page 123, Lines 12-14 (Exhibit Q), in regards to any alleged physical abuse the Petitioner had perpetrated against the Respondent prior

to November 1, 2008 the Respondent stated, under oath,” I will say very specifically he had not struck me and he had not punched me before”.

25. To the best of the Petitioner’s knowledge, after having reviewed all existing sworn testimony made by the Respondent of which the Petitioner is currently aware, the one and only instance in which the Respondent claims, under oath, that the Petitioner allegedly struck or punched the Respondent was once on November 1, 2008; yet, suddenly, during testimony on February 15, 2019, the Respondent’s story changed radically in regards to alleged instances of slapping / striking perpetrated by the Petitioner when she states “Yes, I think so. I mean, there have been several times.” on Page 23, Line 10-11 (Exhibit P).

26. In summary with respect to the question as to whether the Petitioner abused the Respondent by means of slapping with an open hand, the Respondent signed documents and / or made statements under oath giving three different answers (No, Blank, and Yes).

27. What follows is another example where the Respondent contradicts her own descriptions of events. The Respondent verified as true Paragraph 11 of the February 1, 2019 Petition for Protection from Abuse (Exhibit L) in which it is written, “we were all in the car driving and AAB was 6 weeks old, he ... was side-punching me with his arm in my chest while he was driving.” Had this incident actually occurred, the date would approximately be the end of February 2008 or the beginning of March 2008. The Respondent’s February 1, 2019 claim of the Petitioner “side-punching” is in sharp contrast to the Transcript of April 11, 2014 where the respondent stated, under oath, on Page 123, Lines 12-14 (Exhibit Q), “I will say very specifically he had not struck me and he had not punched me before”, in regards to any alleged physical abuse the Petitioner had perpetrated against the

Respondent prior to November 1, 2008 (as previously referenced in Paragraph 24).

28. As a reminder, the Respondent's excuse for having multiple answers was given in the Transcript of the Hearing of February 15, 2019, in part, when the Respondent was asked on Page 29, Lines 18-19, "Why are – why do you have three different answers for one question, Dr. Brush?" To which the Respondent replied, under oath, on Page 29, Lines 20-22, "I guess because I find these – some of these events to be ambiguous. Like the example of was I restrained or was I half punched or was it both...". In that statement, the Respondent conflates two unrelated ideas, the second of which ("side-punched") will be addressed in this paragraph (and the Respondent's claim of being "restrained", in this particular context, will be addressed in Paragraph 38). It is the Petitioner's belief that the Respondent's sworn testimony of February 15, 2019 of being "half punched" is a reference to the Respondent's fictional claim in Paragraph 11 of the February 1, 2019 Petition for Protection from Abuse (Exhibit L) in which it is written, "we were all in the car driving and AAB was 6 weeks old, he ... was side-punching me with his arm in my chest while he was driving." It is the Petitioner's belief that the Respondent's sworn testimony of being "half punched" is yet another contradiction to the statement she made at the hearing of April 11, 2014, on Page 123, Lines 12-14 (Exhibit Q), in regards to any alleged physical abuse the Petitioner had perpetrated against the Respondent prior to November 1, 2008 in which the Respondent stated, under oath, "I will say very specifically he had not struck me and he had not punched me before".

29. As there have been no unsupervised interactions between the Petitioner and the Respondent since May of 2012, except for a single interaction in July 2014 in Maryland (at which no allegation of slapping has ever been leveled against the Petitioner), there can be no doubt that the Respondent's answer in regards to being

slapped by the Petitioner is false on either the December 17, 2012 Checklist (Exhibit N) or the sworn testimony on Page 23, Line 10-11 of the Transcript of February 15, 2019 (Exhibit P), “Yes, I think so. I mean, there have been several times.”

30. It should be noted that the Petitioner’s testimony has been absolutely consistent in regards to his having once, and only once, on November 1, 2008 been left with no option other than to take defensive action against the Respondent as the Respondent became very angry at the Petitioner and, without the Petitioner’s consent, commenced placing pressure with her hand against the Petitioner’s front teeth which, as the Respondent knew at the time, had previously been badly damaged in an unrelated incident. Due to the pressure the Respondent was placing against the Petitioner’s damaged front teeth and believing the Respondent was near to knocking out his front teeth, the Petitioner, to the best of his memory at this time, using the least necessary force to remove the pressure the Respondent was applying to his teeth, struck / pushed the Respondent once in the chest. It should be noted that due to the position of the Parties’ couch and the layout of the Parties’ home, it was impossible for the Petitioner to retreat from the Respondent’s attack.

31. On the Abuse Checklist Attachment to Protection from Abuse Petition of December 17, 2012 (Exhibit N), the Respondent circled “Yes” in regards to whether “Forcing to stay in closet, room, home, or location” was a type of abuse she had experienced by the Petitioner.

32. On the Abuse Checklist Attachment to Protection from Abuse Petition of February 1, 2019 (Exhibit L), the Respondent circled “No” in regards to whether “Forcing to stay in a closet, room, home, other location” was a type of abuse she had experienced by the Petitioner.

33. As there have been no unsupervised interactions between the Petitioner and the Respondent since May of 2012, except for a single interaction in July 2014 in Maryland (at which no allegation of forcing the Respondent to stay in a closet, room, home or other location has ever been leveled against the Petitioner), there can be no doubt that the Respondent's answer in regards to being forced, by the Petitioner, to stay in a closet, room, home or other location is false on either the December 17, 2012 Checklist (Exhibit N) or the February 1, 2019 Checklist (Exhibit L).

34. It should be noted that the Petitioner has always categorically denied that he ever forced the Respondent to "stay in a closet, room, home or other location" at any time.

35. On the Abuse Checklist Attachment to Protection from Abuse Petition of December 17, 2012 (Exhibit N), the Respondent circled "Yes" in regards to whether "Physically restraining / holding down the victim" was a type of abuse the Respondent had experienced by the Petitioner.

36. On the Abuse Checklist Attachment to Protection from Abuse Petition of February 1, 2019 (Exhibit L), the Respondent circled "No" in regards to whether "Physically restraining or holding down the victim" was a type of abuse the Respondent had experienced by the Petitioner.

37. As there have been no unsupervised interactions between the Petitioner and the Respondent since May of 2012, except for a single interaction in July 2014 in Maryland (at which no allegation of the Petitioner physically restraining or holding down the victim (Respondent) has ever been leveled against the Petitioner), there can be no doubt that the Respondent's answer in regards to being Physically restrained or held down by the Petitioner is false on either the December 17, 2012

Checklist (Exhibit N) or the February 1, 2019 Checklist (Exhibit L).

38. The Respondent has also given conflicting information between the February 1, 2019 Petition for Protection from Abuse and her testimony at the Hearing of February 15, 2019. In the transcript of the Hearing of February 15, 2019 (Exhibit P), the Respondent was asked on Page 29, Lines 18-19, “Why are – why do you have three different answers for one question, Dr. Brush?” To which the Respondent replied, under oath, on Page 29, Lines 20-22 (Exhibit P), “I guess because I find these – some of these events to be ambiguous. Like the example of was I restrained or was I half punched or was it both...”, in a reference the Petitioner believes is related to a fictional incident the Respondent claims occurred when AAB was 6 weeks old during a car ride. In that statement, the Respondent conflates two unrelated ideas, the first of which (“restrained” in this particular context) will be addressed in this paragraph. It is the Petitioner’s belief that the Respondent’s claim of being “restrained or was I half punched or was it both” in her testimony of February 15, 2019 is in direct contradiction to her verification of the Abuse Checklist Attachment to Protection from Abuse Petition of February 1, 2019 (Exhibit L) made **only two weeks prior to her sworn testimony**, in which the Respondent circled “No” in regards to whether “Physically restraining or holding down the victim” was a type of abuse the Respondent had experienced by the Petitioner.

39. It should be noted that the Petitioner has always categorically denied that he ever took action against the Respondent which could be described as “Physically restraining or holding down the victim (Respondent)” at any time.

40. On the Abuse Checklist Attachment to Protection from Abuse Petition of December 17, 2012 (Exhibit N) the Respondent circled “No”, in regards to

whether the Petitioner threatened the Respondent “by displaying or pointing a weapon” was a type of abuse the Respondent had experienced by the Petitioner.

41. On the Abuse Checklist Attachment to Protection from Abuse Petition of February 1, 2019 (Exhibit L), the Respondent circled “Yes” in regards to whether the Petitioner threatened the Respondent “by displaying or pointing a weapon” was a type of abuse the Respondent had experienced by the Petitioner.

42. As there have been no unsupervised interactions between the Petitioner and the Respondent since May of 2012, except for a single interaction in July 2014 in Maryland (at which no allegation of the Petitioner threatening the Respondent by displaying or pointing a weapon has ever been leveled against the Petitioner), there can be no doubt that the Respondent’s answer in regards to the Petitioner threatening the Respondent by displaying or pointing a weapon is false on either the December 17, 2012 Checklist (Exhibit N) or the February 1, 2019 Checklist (Exhibit L).

43. It should be noted that the Petitioner has always categorically denied that he ever took threatening action against the Respondent which could be described as “displaying or pointing a weapon” at any time.

44. On the Abuse Checklist Attachment to Protection from Abuse Petition of December 17, 2012 (Exhibit N) the Respondent circled “No”, in regards to whether “Using a weapon (including but not limited to a firearm)” was a type of abuse she had experienced by the Petitioner.

45. On the Abuse Checklist Attachment to Protection from Abuse Petition of February 1, 2019 (Exhibit L), the Respondent circled “Yes” in regards to whether “Using any weapon (including, but not limited to a gun)” was a type of abuse she

had experienced by the Petitioner.

46. As there have been no unsupervised interactions between the Petitioner and the Respondent since May of 2012, except for a single interaction in July 2014 in Maryland (at which no allegation of the Petitioner using any weapon (including, but not limited to a gun) has ever been leveled against the Petitioner), there can be no doubt that the Respondent's answer in regards to the Petitioner using any weapon (including, but not limited to a gun) is false on either the December 17, 2012 Checklist (Exhibit N) or the February 1, 2019 Checklist (Exhibit L).

47. It should be noted that the Petitioner has always categorically denied that he ever took any threatening action against the Respondent which could be described as "Using any weapon (including, but not limited to a gun)" at any time.

48. On the Abuse Checklist Attachment to Protection from Abuse Petition of February 1, 2019 (Exhibit L), the Respondent circled "Yes" in regards to whether "Using any weapon (including, but not limited to a gun)" was a type of abuse she had experienced by the Petitioner.

49. In the Transcript of the Hearing of February 15, 2019 (Exhibit P) on Page 25, Lines 19-20 the Respondent was asked during sworn testimony, "Have you ever suffered abuse by the Defendant (Petitioner) using a weapon?" On Page 25, Line 21 the Respondent answered under oath, "No.", in direct contradiction to her verification of the Abuse Checklist Attachment to Protection from Abuse Petition of February 1, 2019 (Exhibit L) made **only two weeks prior to her sworn testimony,**

50. As there have been no direct interactions between the Petitioner and the Respondent between February 1, 2019 (the date the Respondent verified, signed

and dated the Types of Domestic Violence Checklist Attachment to Protection From Abuse Petition) and February 15, 2019 (the date of the Respondent's sworn testimony), there can be no doubt that the Respondent's answer in regards to having ever suffered abuse by the Petitioner "using a weapon" was false in either the February 1, 2019 Checklist (Exhibit L) or the Respondent's sworn testimony of February 15, 2019 (Exhibit P).

51. On the Abuse Checklist Attachment to Protection from Abuse Petition of December 17, 2012 (Exhibit N) the Respondent circled "No", in regards to whether "Physically abusing children in the household" was a type of abuse committed by the Petitioner.

52. On the Abuse Checklist Attachment to Protection from Abuse Petition of February 1, 2019 (Exhibit L), the Respondent circled "Yes" in regards to whether "Physically abusing children in the household" was a type of abuse committed by the Petitioner.

53. As there have been no unsupervised interactions between the Petitioner and the Parties' Daughter or the Respondent since May of 2012, except for a single interaction in July 2014 in Maryland (at which no allegation of the Petitioner Physically abusing children in the household has ever been leveled against the Petitioner), there can be no doubt that the Respondent's answer in regards to the Petitioner Physically abusing children in the household is false on either the December 17, 2012 Checklist (Exhibit N) or the February 1, 2019 Checklist (Exhibit L).

54. It should be noted that the Petitioner has always categorically denied that he ever took action which could be described as "Physically abusing children in the household" at any time.

55. On the Abuse Checklist Attachment to Protection from Abuse Petition of February 1, 2019 (Exhibit L), the Respondent circled “Yes” in regards to “Has the Defendant avoided being arrested for domestic violence”.

56. In the Transcript of the Hearing of February 15, 2019 (Exhibit P) on Page 26-27, Line 25 and Line 1 the Respondent was asked during sworn testimony, “Has the Defendant (Petitioner) avoided being arrested for domestic violence?” On Page 27, Line 2 the Respondent answered, under oath, “I don’t know.”, providing a different answer than she gave on the Abuse Checklist Attachment to Protection from Abuse Petition of February 1, 2019 (Exhibit L) made **only two weeks prior to her sworn testimony,**

57. To the best of the Petitioner’s knowledge, he has never avoided being arrested for domestic violence. The Petitioner has never been directly informed of any warrant filed for his arrest by any Pennsylvania Law Enforcement Agency nor has the Petitioner ever taken any intentional action to avoid arrest by any Pennsylvania Law Enforcement Agency or, to the best of the Petitioner’s knowledge, any other Law Enforcement Agency. It is the Petitioner’s belief that the Respondent’s inconsistent answers of “Yes” on the Abuse Checklist Attachment to Protection from Abuse Petition of February 1, 2019 (Exhibit L) and “I don’t know” during sworn testimony according to the Transcript of February 15, 2019 (Exhibit P), when there have been no known or reported allegations of any incident(s) of Domestic Violence made against the Petitioner from the period of February 1, 2019 and February 15, 2019, is another example of the Respondent’s lack of credibility and propensity for knowingly leveling false allegations against the Petitioner.

58. The Petitioner categorically states he has never perpetrated any of the acts of

abuse the Respondent claims he has done on the Abuse Checklist of 2012 and the Abuse Checklist of 2019.

59. In Paragraph 13a of the Respondent's Petition for Protection from Abuse that she filed on December 17, 2012 (Exhibit N), the Respondent answered NO in response to the question, "Has Defendant (Petitioner) used or threatened to use any firearms or other weapons against Plaintiff (Respondent) or the minor child/ren?"

60. In Paragraph 12a of the Respondent's Petition for Protection from Abuse that she filed on February 1, 2019 (Exhibit L), the Respondent answered YES in response to the question, "Has Defendant (Petitioner) used or threatened to use any firearms or other weapons against Plaintiff (Respondent) or the minor child/ren?"

61. As there was no interaction that ever took place between the Petitioner and the Respondent between December 2012 and the writing of this document in which the Petitioner was ever accused of having "used or threatened to use any firearms or other weapons against Plaintiff (Respondent) or the minor child/ren" there can be no doubt that one of the Respondent's answers in regards to the Petitioner having "used or threatened to use any firearms or other weapons against Plaintiff or the minor child/ren" is false in either the 2012 Protection from Abuse filing or the 2019 Protection from Abuse filing.

62. It should be noted that, to the best of the Petitioner's knowledge, up until the Respondent's filing of her Petition for Protection from Abuse of February 1, 2019, the Respondent had never claimed under oath or in any court filing that the Petitioner had in any way utilized a firearm of any sort against either the Respondent or the Parties' Daughter.

63. It should be noted that the Petitioner categorically denies that he ever took