Attn: Law Enforcement

Please fax a copy of your return of service of the Domestic Violence Order to the following Law Enforcement agency to be updated in the NCIC system:

- Kootenai County Sheriff's Department/Civil Division Fax: 208-446-2181 Phone: 208-446-1309
- Coeur d'Alene City Police/Records Fax: 208-769-2307 Phone: 208-769-2320
- Post Falls Police Department Fax: 208-773-3200 Phone: 208-773-3517
- Rathdrum Police Department Fax 208-687-6959 Phone: 208-687-0711

Please mail the original return of service to:

Kootenai County District Court
Civil Division
P.O. Box 9000
Coeur d'Alene, ID 83816-9000

STATE OF IDAHO
COUNTY OF KOOTENAI
FILED:
2024 JUN 21 PM 1:43
CLERK DISTRICT COURT
DEPUTY

Protection Order

☑ Temporary Ex Parte Order and Notice of Hearing ☐ Amended
☑ Domestic Violence (I.C. § 39-6304)
☐ Stalking and/or Threats (I.C. §18-7907)

Case No: CV28- 24 - 4151
Court First Judicial District
County Kootenai
State Idaho

PETITIONER

Aaron Swina
First Middle Last

PETITIONER IDENTIFIERS

4-20-77
Date of Birth (DOB) of Petitioner

PROTECTED PERSON(S):
☐ Petitioner
☑ Minor family member(s): **(list name and DOB)**
Andrao A. Swina 6-26-16
David M Swina 8-12-12

☐ Family, household member(s), or other Protected Person(s): **(list name and DOB)**

RESPONDENT

Eric Brubaker
First Middle Last

9120 N. Silver Ct. Cheney WA
Respondent's Address

Relationship to Protected Person(s):
Check all that apply
☐ spouse; ☐ former spouse;
☐ residing together; ☐ previously resided together;
☐ child in common; ☐ intimate partner;
☐ parent; ☐ related by blood, adoption or marriage;
☐ are in, or ☐ have been in, a dating relationship;
☑ other: ex-wife's boyfriend

RESPONDENT IDENTIFIERS

SEX	RACE	DOB	HT	WT
W	M		5'6	160
EYES	**HAIR**	**DISTINGUISHING FEATURES**		
Brown	Brown			
DRIVERS LICENSE #		**STATE**		

CAUTION: ☐ Weapon Alleged to be Involved

This order shall be effective until July 5 2024 **at 11:59 P.M.** /unless terminated earlier by another court order.
If the Respondent does not appear at the hearing date listed on the last page of this order, a longer protection order may be issued against the Respondent. If the Petitioner fails to appear, the petition may be dismissed.

WARNINGS: This order meets all "full faith and credit" requirements of the VAWA, 18 U.S.C. § 2265 (1994) upon notice of the Respondent. This court has jurisdiction over the parties and the subject matter; the Respondent has been or will be afforded notice and a timely opportunity to be heard as provided by the laws of this jurisdiction. This order is valid and entitled to enforcement in each jurisdiction throughout the 50 states of the United States, the District of Columbia, all tribal lands, and all U.S. territories, commonwealths, and possessions and shall be enforced as if it were an order of that jurisdiction.

As a result of this order, it may be unlawful for the Respondent to purchase or possess a firearm, including a rifle, pistol, or revolver, or ammunition pursuant to federal law under 18 U.S.C. § 922(g)(8). If you have any questions whether these laws make it illegal for the Respondent to possess or purchase a firearm, you should consult an attorney.

Violation of any provision of this order by the Respondent, after actual notice of its terms, is a misdemeanor and may result in arrest and sentencing for up to one year in jail and a $5,000 fine, even if the Protected Person(s) consents to the violation. **Only the Court can change this order.**

THE COURT ORDERS:

1. **Personal Conduct Order**.
The Respondent shall not contact or attempt to contact the protected person(s) in any manner, including in person or through another person, or in writing or through any electronic means, including telephone, email, text, through social networking, or facsimile. The Respondent shall not harass; stalk; threaten; use, attempt to use or threaten use of physical force; or engage in any other conduct that would place the protected person(s) in reasonable fear of bodily injury. However, the Respondent may participate in legal proceedings involving the protected person(s) and may communicate through attorneys about legal issues involving the protected person(s).

PROTECTED PERSON(S) LISTED ON THE FIRST PAGE OF THIS ORDER:

[01] ☐ Petitioner
[01] ☑ Minor family member(s)

[02] ☐ Family or other household member(s)
[02] ☐ Other Protected Person(s)

[05] ☑ **THERE ARE NO EXCEPTIONS TO THIS ORDER.**

☐ **THERE ARE EXCEPTIONS ORDERED AS FOLLOWS:**
☐ contact by telephone/electronic means to arrange visitation of the child/ren
☐ contact by telephone/electronic means between _____ __.m. and ____ __.m. on _____
_____for the following purposes: _____
☐ to participate in court ordered mediation
☐ to respond to an emergency involving your natural or adopted child/ren
☐ other: _____

2. **Stay-Away Order**.
Respondent shall not, **EVEN IF INVITED BY THE PROTECTED PERSON(S)**, knowingly remain within 1,000 feet of the Protected Person(s), or

☑ go within 1000 feet of:
☑ Protected Person's residence at 12000 N. Stinson Dr Hayden ID
_____
[04] ☐ Protected Person's school campus or work place at _____
_____
☐ Protected Person's child/ren's school campus or work place at _____
_____
☐ Other: _____
_____

STATE OF IDAHO
COUNTY OF KOOTENAI } ss
THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE COPY OF THE ORIGINAL NOW ON FILE OR RECORD IN THIS OFFICE.
SEALED ON THIS 21 DAY OF June 2024
JENNIFER LOCKE, CLERK OF THE DISTRICT COURT BY _____ Deputy

3. **Move-out Order and/or Law enforcement assistance**. ☐ Does Not Apply

[03] ☑ Respondent is ordered to move from the residence at 9120 W. Silver ~~St~~ Ct. Cheney WA _____ immediately upon service of this order and take from the residence only items needed for employment and necessary personal effects (at peace officer's discretion).

Law enforcement officers are ordered to:

☑ Remove the Respondent from the residence listed above upon service of this order.

☐ Place the Protected Person in possession of the residence at _____

☑ Supervise the removal of ☐ Protected Person's ☑ Respondent's items needed for employment and necessary personal effects (at peace officer's discretion) from the residence.

Peace officers are instructed to enforce this Court order by all necessary means, including arrest.

4. **Child custody**. ☐ Does Not Apply

[09] ☑ Respondent shall NOT have the child/ren until further order of the Court

OR

Custody of the minor child/ren is awarded:

[06] ☐ as provided in the existing child custody/divorce decree (Case #, County, Judge, Date Entered): _____

☐ as follows:

Name of Child (first, middle initial, last)	Birth Date	Sex	Custody Awarded To
David M. Surina	8-12-12		
Andrew A Surina	6-26-16		

☐ Protected Person ☐ Respondent

☐ shall have the child/ren as follows *(list days, times and conditions)*: _____

☐ supervised by: _____

☐ neutral drop off/pick up location: _____

☐ child/ren to be transported by: _____

☐ Neither party shall remove the child/ren from _____

☐ Other: _____

5. **Conflicting Orders**.
If any term of another civil or criminal order conflicts with any term of this order you must follow the more restrictive term. Dismissal of any other order will not result in a dismissal of this order.

6. **Other**: _____
[07] _____
[08] _____

7. **Order to clerk**.

It is further ordered that the clerk of the court shall forward a copy of this order to the Sheriff's Office in the county in which this order was originally issued, or ☐ _____, for immediate entry into record systems and to facilitate service in the jurisdiction in which the Respondent resides, if not previously served. The clerk shall deliver or mail a copy of this order to the Petitioner.

NOTICE OF HEARING

A hearing to decide whether a longer Protection Order will be issued will be held:

Date: July 5, 2024 **Time:** 1:30 ☐ a.m. ☒ p.m.

Before Judge: Peterson at the Kootenai County Courthouse,

Address: 324 W Garden Ave, Coeur d'Alene, Idaho 83814.

WARNING: If the respondent does not appear at the hearing, a longer protection order may be issued against the respondent. If the petitioner fails to appear, the petition may be dismissed.

Date: 6-21-24 Signed: _____ 408
Judge

NOTICE:
It is a misdemeanor under Idaho Code § 39-6312 for the Respondent, after notice of this order, to violate the provisions of this order. Further, it is a crime under Idaho Code §18-204 for any person to aid and abet a crime, or, not being present, to advise and encourage a crime. In addition, under Idaho Code §18-304, any person who counsels, aids, solicits or incites another to commit a misdemeanor is guilty of a misdemeanor. Therefore, it may be a crime for any person to encourage or invite contact between the Respondent and the Petitioner, except such contact as is expressly permitted by the above order.

I have received a copy of this order ☐ and agree to future service by certified mail.

Signed: _____ Date: 6/21/24
Petitioner

I have received a copy of this order ☐ and agree to future service by certified mail.

Signed: _____ Date: _____
Respondent

ATTENTION: Keep a copy of this order in your possession at all times in order to assist law enforcement. Immediately report any violation of this order to law enforcement.

☐ No address, email and telephone are given because I do not want my information on this petition.

Aaron Surina
Full Name of Party Filing Document

12000 N. STINSON DR
Mailing Address (Street or Post Office Box)

HAYDEN, ID 83835
City, State and Zip Code

707-200-4372
Telephone

Email Address (if any)

STATE OF IDAHO
COUNTY OF KOOTENAI
FILED:

2024 JUN 21 PM 1:04

CLERK DISTRICT COURT

DEPUTY

IN THE DISTRICT COURT FOR THE _____ JUDICIAL DISTRICT
FOR THE STATE OF IDAHO, IN AND FOR THE COUNTY OF KOOTENAI
MAGISTRATE DIVISION

Aaron Surina,
Petitioner
(Person Seeking Protection Order),

vs.

ERIC BRUBAKER,
Respondent
(Person You Want Restrained)

Case No. CV28-24-4157

SWORN PETITION FOR PROTECTION ORDER

Select:
☒ Domestic Violence (I.C. § 39-6304)

☒ Stalking and/or Threats (I.C. § 18-7907)

THE LAW REQUIRES THAT THE RESPONDENT BE GIVEN A COPY OF THIS COMPLETED FORM AND ALL ATTACHMENTS.

1. **Protected Person(s).** I am seeking a protection order for:

☑ Myself.

☑ The following minor child/ren (first and last names): Andrew A. Surina
DAVID M. SURINA

My relationship to child/ren is: ☐ Custodial parent ☒ Non-custodial parent ☐ Guardian

☐ The following family or household member (first and last names): _____

2. **Relationships.** Please check all that apply to the relationship between Respondent (person you want restrained) and you or the person(s) for whom you are seeking protection.

☐ spouse

☑ former spouse, state and county where divorce was filed: Spokane County

☐ residing together

☐ previously resided together, we last resided together on (date)_____

☐ child in common

☐ intimate partner

☐ parent

☐ related by blood, adoption or marriage, Relationship: maybe boyfriend of ex-wife

☐ are dating, or ☐ previously dated and our last date was (date)_____

If a dating relationship please describe: (complete for adult or minor):

Length of time of the dating relationship _____

Time since the relationship ended _____

☑ Other, Explain: this is a household member of bio mom who says he is not a boyfriend but live together

3. **Residence.**

☒ I live or am staying in Kootenai County, Idaho. Respondent lives in Spokane County, State of Washington.

☒ Respondent does not live with me.

☐ I live with Respondent at:

_____

Our home is rented or owned ☐ by both of us ☐ by me ☐ by Respondent.

☐ I have left the residence where I lived with Respondent. I want to return ☐ yes ☐ no.

If yes, ☐ to live ☐ to get personal belongings ☐ other _____

_____

☐ A business is run from the home. Type of business: _____

_____

The business is run ☐ by me ☐ by Respondent ☐ by both of us.

4. **Child/ren affected by the protection order.**

I am the natural/adoptive parent or legal guardian of the following child/ren:

Name (First, Middle Initial, Last)	Birth Date	Sex	How Child is Related to: Petitioner	Respondent	State(s) where child lived last 6 months
Andrew A. Suring	6/26/16	M	Son	none	Both -
David M. Suring	8/12/12	M	Son	none	Both

During the last six (6) months the child/ren have lived with BOTH PARENTS currently 50/50 parenting plan in place.

5. **Other court cases.** List any pending court cases between you and Respondent and any other court cases or court orders relating to the minor child/ren who will be affected by this protection order (divorce, custody, child protection, guardianship, adoption, protection order, criminal, no contact order, etc.)

NONE - INVESTIGATION / Reported to Sheriffs, Costco & CPS.

☐ I have applied for a protection order(s) before in the county of _____ on (date) _____, against (name) _____

☐ Respondent has applied for a protection order(s) before in the county of _____ on (date) _____, against (name) _____

☐ Respondent has been involved in crimes involving violence, child abuse, weapons, drugs or alcohol. (If checked, please describe the charges to the best of your knowledge, when and where they were filed, and any convictions) NOT Sure, This type of aggression likely has history.

☐ I have been involved in crimes involving violence, child abuse, weapons, drugs or alcohol. (If checked, please describe what the charges were, when and where they were filed and convictions) NONE

6. I am filing for a protection order for: (check all that apply)

☒ **Domestic Violence**

Definition: Physical injury, sexual abuse or forced imprisonment or threat thereof of a family or household member, or of a minor child by a person with whom the minor child has had or is having a dating relationship, or of an adult by a person with whom the adult has had or is having a dating relationship.

☐ **Stalking**

Definition: Repeated acts, of nonconsensual contact that alarms, annoys, or harasses you, causing you emotional distress, fear of death, physical injury or fear of death or physical injury of a family or household member. The recent act must have occurred within the last 90 days.

☐ **Telephone Threats**

Definition: The use of a telephone with the intent to terrify, threaten, or intimidate and threatens to inflict injury or physical harm against you or a family member. The conduct must have occurred within the last 90 days.

☐ **Threats Based on Race, Color, Religion, Ancestry or National Origin**

Definition: Based upon your race, color, religion, ancestry, or national origin, Respondent intimidates or harasses you or causes, or threatens to cause, physical injury to you or damage to your personal property. The conduct must have occurred within the last 90 days.

Describe the most recent acts and/or threats committed by Respondent.

When? (date and time)
6/15/24 @ 15:00

Where did this occur or where were you?
This occurred at Costco on Sprague Ave in Spokane.

Who was present? (minor children, friends, family, etc.)
Eric Brubaker, Andrew & David.

Describe in detail the series of or recent acts or threats and describe how you were contacted (e.g. phone, email, social media). If you include attachments, please explain how your attachments are related to the acts or threats: Andrew, David their mother and Eric pulled into Costco

and their mother left to go into the store. At some point Eric got angry and wanted to go into the store & the ~~tried to~~ grabbed Andrew and pulled him out of the truck aggressively head first allowing Andrew to hit his head on the ground injuring his neck & top of head. He told Andrew to "get up and walk it off". He is 46 years old. He has previously hit Andrew & David for playing X box with me. (DAD)

Include a separate page if you need more room.

Describe any injuries:

Top of head laceration, neck Spraign

Was a weapon involved? ☑ No ☐ Yes

If so, what and how?

Is there anything else you want the judge to know about what happened?

This man "hates" the children of Bio Mom (my Boys). and repeatedly takes anger out on them. It needs to stop

Describe past acts or threats including dates:

There have been previous reports to the sheriffs office in the last couple months.

Spanking everyday "discipline" when neither kid did wrong

spanking for talking to Dad on X box-

Hit with Hangers w/o clothes on many times. Andrew was 3 years old being hit with hangars clothed & unclothed.

much more

Do not write on the back of this page.
Include a separate page if you need more room.

7. I ask the Court to order the following:

a. Personal Conduct Order.

Respondent shall not contact or attempt to contact the protected person(s) identified in Section 1 of this petition, in any manner, including in person or through another person, or in writing or through any electronic means, including telephone, email, text, through social networking, or facsimile. Respondent shall not harass; stalk; threaten; use, attempt to use or threaten use of physical force; or engage in any other conduct that would place the protected person(s) in reasonable fear of bodily injury.

b. Stay Away Order.

i. Respondent shall at all times stay away from:

☑ My residence at:

12000 N. STINSON DR

☐ **No address is given because I do not want my address on this petition.**

☑ Protected Minor's residence at:

SAME

☐ My workplace and/or school at:

☐ Protected Minor's workplace and/or school at:

☐ My child/ren's school and/or childcare at:

☐ Other:

ii. Are any of these addresses within 1,500 feet of where Respondent lives, works, or attends school? ☒ No ☐ Yes, Please explain the distance and circumstances:

c. ☐ **Move-out Order.**

Respondent shall move from the residence at:

and take from the dwelling only items needed for employment and necessary personal effects (at peace officer's discretion).

d. ☒ **Child Custody.**

☒ Stay the same as ordered in an existing child custody/divorce decree

(Case #, County): _____

Temporary custody of the minor child/ren named in Section 4 above, be awarded to:

☒ me if mom is defending Eric, custody needs updating

☐ Respondent.

The other parent should have:

☐ Visitation as follows (list specific days and times)

_____

_____

_____

_____

☐ Neutral drop off and pick up location at:

_____

☐ Transportation provided by _____

☐ Supervised visitation, why and supervised by whom _____

_____

☐ No visitation.

e. ☐ **Treatment/counseling.**

Respondent be ordered to participate in treatment or counseling services for (purpose)

_____

_____

f. ☐ **Other relief requested:**

_____

_____

CERTIFICATION UNDER PENALTY OF PERJURY

I certify under penalty of perjury pursuant to the law of the State of Idaho that the foregoing is true and correct.

Date: 6/21/24

Aaron Surina
Typed/printed name

Signature

Family Law Case Information Sheet

Case Number *(Clerk fills in case #)*: CV28-24-4151

STATE OF IDAHO
COUNTY OF KOOTENAI
FILED:
2024 JUN 21 PM 1:04
CLERK DISTRICT COURT
DEPUTY

Fill out this form to start a Family Law case.
The information you give us is **private**.

1. Describe your case: ☐ Divorce ☑ Custody ☐ Paternity ☐ Protective Order
☐ Other _____

2. Information about Petitioner

Name: Aaron (First) M (Middle) Suring (Last)

Any other names used: _____

Address: 12000 N. Stinson DR (Street) Hayden (City), ID (State) 83835 (Zip)

Phone numbers: 707-200-4372 (Home) _____ (Work) _____ (Cell)

Email address: _____

Employer's name: INSight Global

Social Security Number: _____ Date of Birth: 04/20/77 Sex: ☑ Male ☐ Female

Is English your first language? ☑ Yes ☐ No *If no, what language?* _____

Do you speak, read and write English? ☑ Yes ☐ No

3. Information about Respondent

Name: Eric (First) Brubaker (Last)

Any other names used: _____

Address: 9120 N. Silver CT (Street) Cheney (City) WA (State) (Zip)

Phone numbers: _____ (Home) _____ (Work) _____ (Cell)

Email address: _____

Employer's name: Sirinya Thai

Social Security Number: _____ Date of Birth: 4/64 Sex: ☑ Male ☐ Female

Is English your first language? ☑ Yes ☐ No *If no, what language?* _____

Do you speak, read and write English? ☑ Yes ☐ No

LAW ENFORCEMENT ONLY

CASE NO. CV-28 24-4151

RECEIVED
JUN 21 2024

CONFIDENTIAL

Law Enforcement Service Information Sheet for PROTECTION ORDERS

This information will not be shared with the Respondent.

Law Enforcement need information about the other person in order to serve the Protection Order. Service will depend on the amount and accuracy of information you can provide about the other person. Without service the protection order cannot be enforced. YOU MUST FILL IN EACH SECTION MARKED WITH AN "*". If you do not, law enforcement may not be able to serve the other person and the form will be returned to the court clerk.

DO NOT SERVE

DO NOT SERVE

Information About You (Petitioner):

Last Name*: SURINA		First*: AARON	Middle Initial*: M
Date of Birth*: 04/20/1977	Race*: CAUC	Male* [✓] Female* [ ]	Social Security No.
Present Address*: 12000 N. STINSON DR		City*: HAYDEN	State*: ID	Zip*: 83835
Contact No. 707 200 4372		Another Phone No. Where Messages Can Be Left:	
Where Do You Work: INSIGHT GLOBAL		Work Phone No.	
Explain your relationship with the other person:: UNRelated - Friend of ex-wife.			

Information About the Other Person (Respondent):

Last Name*: BRUBAKER		First*: ERIC	Middle Initial*:
Date of Birth:	Race*: CAUC	Male* [✓] Female* [ ]	Social Security No.
Present Address*: 9120 W Silver St		City*: Cheney	State*: WA	Zip*:
Contact No.		Another Phone No. Where Messages Can Be Left:	
Employer/Company Name: SIRINYA THAI Lounge		Work No.	Work Days/Hours:
Business Address: Sunset HWY		City: AIRWAY Heights	State: WA	Zip:
Name of Relative or Friend:		Their Phone No.	
Make & Model of Car: DODGE RAM		License Plate No & State:	Color & Year: SILVER 2017?

What Does This Person Look Like:

Height: 5'6"	Weight: 160	Hair Color: BRN	Eye Color: BRN ?
Describe Any Scars, Tattoos or distinguishing characteristics:			

Additional Important Information:

Has This Person Been Convicted of a Crime? YES [ ] NO [ ] Unknown [✓]	If YES, for What?
Do You Consider This Person Dangerous? YES [✓] NO [ ]	Does This Person Have Any Weapons? YES [ ] NO [ ] What type? Unknown [ ]
Places/Addresses Where This Person Can Be Found (i.e. friends, relatives, frequent places): Lounge or	

Directions must be drawn if a street number is not available. A route or box number is not enough. Without sufficient address information, service of the order may be delayed or may not be possible. If Respondent cannot be served within 10 days, law enforcement shall notify the petitioner. The Petitioner may provide additional information for service. (I.C. § 39-6310(4))