UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

AARON SURINA, The Surina Family et al;,
Plaintiff,

Case No. 2:26-cv-00048-RLP

V.

SIRINYA SURINA (also known as **SIRINYA POLARJ**);
STANLEY ALLAN KEMPNER JR., in his individual capacity;
JUDGE K.P. PALUBICKI, in his individual capacity for non-judicial acts and official capacity for prospective relief only;
KIM KILHAM, Superior Court Administrator, in her individual and official capacities;
KIMBERLY BRADEN, Judicial Assistant, in her individual and official capacities;
LEAH M. HILL, Assistant to Presiding Judge, in her individual and official capacities;
SPOKANE COUNTY SUPERIOR COURT CLERK, in official capacity;
COMMISSIONER TAMI CHAVEZ, in her official capacity;
SPOKANE COUNTY, WASHINGTON;
JOHN DOES 1-10;

Defendants.

[PROPOSED] TEMPORARY RESTRAINING ORDER

[PROPOSED]
TEMPORARY RESTRAINING ORDER

THIS MATTER having come before the Court on Plaintiff Aaron Michael Surina's Emergency Motion for Temporary Restraining Order and Preliminary Injunction, and the Court having reviewed:

- The Complaint;
- The Emergency Motion for Temporary Restraining Order;
- The Declaration of Aaron Michael Surina;
- The exhibits submitted in support;

And the Court finding that:

1. Plaintiff has demonstrated a **likelihood of success on the merits** on three independent constitutional grounds:
    - State-created danger (42 U.S.C. § 1983);
    - Procedural due process violations (14th Amendment);
    - Conspiracy to deprive rights (42 U.S.C. § 1985);
2. Plaintiff faces **irreparable harm** absent immediate relief:
    - **14% of children taken to Thailand are never recovered** (NCMEC Affidavit);
    - Plaintiff has zero income and cannot afford Thai legal counsel;
    - Once children are removed to Thailand, loss will be permanent;
3. The **balance of equities** strongly favors Plaintiff:
    - Plaintiff's fundamental parental rights and children's safety;
    - Defendants suffer only temporary delay of travel (can travel later with safeguards);
4. The **public interest** favors relief:
    - Protection of children from documented abuse;
    - Prevention of enforcement of void state court orders;
    - Enforcement of mandatory child protection statutes;
    - Preservation of constitutional rights;
5. **Notice to Defendants is impractical** because:
    - Notice would allow passport applications to proceed;
    - Mother already attempted secret passport procurement (October 27,

2025);
- Genuine risk of immediate flight exists;

IT IS HEREBY ORDERED:

I. ENJOIN ENFORCEMENT OF VOID STATE COURT ORDER

1. **Enforcement of the January 28, 2026 Spokane County Superior Court order is ENJOINED** pending further order of this Court.
2. The January 28, 2026 order compelling Plaintiff to sign passport applications and authorizing international travel to Thailand is **DECLARED VOID AB INITIO** for:
    - Lack of subject matter jurisdiction (appellate stay in effect);
    - Violation of mandatory recusal statute (RCW 4.12.060);
    - Denial of procedural due process;
3. Plaintiff is **NOT REQUIRED** to sign passport applications for the minor children.
4. Plaintiff is **NOT SUBJECT TO CONTEMPT** for refusing to sign passport applications.

II. PREVENT INTERNATIONAL REMOVAL OF CHILDREN

5. Defendant **SIRINYA SURINA** is **ENJOINED** from:
    1. Removing or attempting to remove the minor children (D.M.S. and A.A.S.) from the United States;
    2. Applying for, obtaining, or attempting to obtain United States passports for the minor children;
    3. Applying for, obtaining, or attempting to obtain Thai passports for the minor children;
    4. Taking any action to facilitate international travel by the minor children;
    5. Booking international flights or making international travel arrangements for the minor children;
6. Defendant **STANLEY ALLAN KEMPNER JR.** is **ENJOINED** from:
    1. Seeking, filing, or pursuing any court orders to compel Plaintiff's signature on passport applications;
    2. Taking any action to facilitate Defendant Sirinya Surina's efforts to obtain passports or travel internationally with the children;
7. Defendant Sirinya Surina shall, **within 48 hours** of service of this Order:
    1. **Surrender to the Clerk of this Court** any United States or Thai

passports currently in her possession, custody, or control for the minor children D.M.S. and A.A.S.;

2. **File with this Court a sworn declaration** stating:
    - Whether she has obtained or applied for any passports (U.S. or Thai) for the minor children since January 1, 2025;
    - Whether she is in possession, custody, or control of any passports for the minor children;
    - Whether she has made any international travel arrangements or bookings for the minor children;

III. EVIDENCE PRESERVATION

8. The **Spokane County Superior Court Clerk** is **ORDERED** to:
    1. **Immediately assume custody** of the Costco surveillance video dated June 15, 2024 (depicting assault on minor child A.A.S.);
    2. **Preserve the chain of custody** for said video evidence;
    3. **Prevent any further tampering, alteration, or destruction** of said evidence;
    4. **Maintain the evidence in its current state** pending further order of this Court;
9. All Defendants, their agents, attorneys, and any person acting in concert with them are **ENJOINED** from:
    1. Tampering with, altering, destroying, or concealing any evidence related to this case;
    2. Converting, degrading, or modifying video or documentary evidence;

IV. PRESERVE STATUS QUO

10. The minor children **D.M.S. and A.A.S. shall remain in the United States** pending further order of this Court.
11. **No international travel** by the minor children is authorized pending further order of this Court.
12. The current custody and visitation arrangement shall continue in effect, except as modified by this Order.

V. BOND

13. Pursuant to Federal Rule of Civil Procedure 65(c), Plaintiff is **EXEMPT from posting security bond** based on:
    - Plaintiff's indigent status (zero income);
    - Minimal risk of harm to Defendants from temporary delay of travel;
    - Strong likelihood of success on constitutional claims;

OR, in the alternative:

13. Plaintiff shall post a **nominal bond in the amount of $1.00** for the issuance of this Temporary Restraining Order.

VI. DURATION AND PRELIMINARY INJUNCTION HEARING

14. This Temporary Restraining Order shall remain in effect for **14 days** from the date of issuance, unless extended by Court order.
15. A hearing on Plaintiff's Motion for Preliminary Injunction is **SCHEDULED** for:

Date: _____, 2026
Time: _____
Location: United States District Court, Eastern District of Washington

16. The following briefing schedule is **ORDERED**:

- **Defendants' Response** to Preliminary Injunction Motion: Due **7 days** after service of this Order;
- **Plaintiff's Reply**: Due **3 days** after service of Defendants' Response;

VII. SERVICE AND NOTICE

17. Plaintiff shall **serve this Order** on all Defendants within **24 hours** of issuance.
18. Upon issuance of this Order, this matter is **NO LONGER EX PARTE**. All further proceedings shall provide notice to all parties.

VIII. SCOPE OF ORDER

19. This Order applies to:

- Defendant **SIRINYA SURINA** (individually);
- Defendant **STANLEY ALLAN KEMPNER JR.** (individually);
- **All persons acting in concert or participation** with the above-named Defendants who receive actual notice of this Order;

20. Violation of this Order may result in:
    - **Contempt of Court** sanctions;
    - **Criminal penalties** under 18 U.S.C. § 401;
    - **Other remedies** available under federal law;

IX. NO MODIFICATION OF STATE COURT CUSTODY

21. **This Order does NOT modify custody or visitation** as established by valid state court orders.
22. This Order **ONLY prevents**:
    - International travel by the children;

- Passport applications;
- Enforcement of the January 28, 2026 void order;

23. All other valid state court orders remain in effect.

X. FEDERAL JURISDICTION

24. This Court has jurisdiction over this matter pursuant to:
    - 28 U.S.C. § 1331 (federal question);
    - 28 U.S.C. § 1343 (civil rights);
    - 28 U.S.C. §§ 2201-2202 (declaratory and injunctive relief);
25. This action presents substantial federal constitutional questions requiring federal court intervention.

IT IS SO ORDERED.

DATED: _____, 2026

_____
HONORABLE [JUDGE NAME]
UNITED STATES DISTRICT JUDGE
EASTERN DISTRICT OF WASHINGTON

CERTIFICATE OF SERVICE

I certify that on _____, 2026, I served a true and correct copy of the foregoing Temporary Restraining Order upon all parties of record by the methods permitted under Federal Rule of Civil Procedure 5.

DATED: _____, 2026

/s/ Aaron Michael Surina
Aaron Michael Surina, *Pro Se*

12000 North Stinson Drive
Hayden, Idaho 83835
ams@surina.org
707-200-4372

NOTES FOR COURT:

EXPEDITED CONSIDERATION REQUESTED:

This is a genuine emergency involving:

- Minor children ages 13 and 9;
- 14% never-recovered rate for Thailand abductions;
- Evidence of near-lethal child abuse (Costco video);
- Violation of mandatory child protection statute (RCW 26.09.191);
- Evidence tampering by judicial officer;
- Multiple due process violations in void January 28, 2026 hearing;

PREVENTION IS THE ONLY EFFECTIVE REMEDY.

Once children are removed to Thailand, recovery is statistically unlikely and Plaintiff lacks resources for international legal proceedings.

Respectfully submitted for the Court's consideration.