Filed
Washington State
Court of Appeals
Division Two

July 29, 2025

# IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

## DIVISION II

| | |
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| In the Matter of the Marriage of:<br><br>FLAVIO FAUSTINO LEIJA,<br><br>Respondent,<br><br>and<br><br>ANGELA GARCIA-LEIJA,<br><br>Appellant. | No. 58824-2-II<br>(consolidated with No. 59547-8-II)<br><br>UNPUBLISHED OPINION |

GLASGOW, J.—Angela Garcia-Leija and Flavio Leija began marriage dissolution proceedings in 2019. Throughout these proceedings, Garcia-Leija failed to follow several court orders and repeatedly made allegations that Leija physically and sexually abused her and their children. The children denied these allegations and professionals involved in the case saw no basis for them. In July 2023, a court-appointed parenting coordinator restricted Garcia-Leija's unsupervised contact with the minor children as permitted in the trial court's order and subject to the court's review. Before the trial court could evaluate the parenting coordinator's restrictions, Garcia-Leija filed for a temporary domestic violence protection order against Leija on behalf of herself and the children. A different judge, unaware of the existing parenting restrictions on Garcia-Leija, granted the temporary protection order. Upon notification from Leija, the trial court judge for the dissolution proceedings quashed the temporary protection order pending a full hearing on

the issue. Before the hearing, Leija filed a motion for adequate cause to change the parenting plan and a motion to restrict abusive litigation from Garcia-Leija.

The court held a hearing and denied Garcia-Leija's petition for a domestic violence protection order because she did not introduce evidence of current violence or a threat of violence from Leija. Garcia-Leija did not respond to Leija's other motions. The trial court entered a temporary parenting plan incorporating the parenting coordinator's recommendations and restricted Garcia-Leija's future filings by mandating court approval of Garcia-Leija's new filings before requiring a response from Leija or a hearing. The court also entered an amended restraining order against Garcia-Leija.

Garcia-Leija appeals several of the trial court's orders, including the orders quashing the temporary domestic violence protection order, granting adequate cause to change the parenting plan, and restricting abusive litigation. Garcia-Leija also argues that the trial court was biased against her.

We hold that Garcia-Leija's appeal of the trial court's order quashing the temporary domestic violence protection order is not properly before us and is moot. We conclude that Garcia-Leija waived her arguments regarding the order finding adequate cause to change the parenting plan and the order restricting abusive litigation by failing to respond or object to Leija's motions at the trial court. And Garcia-Leija does not provide specific facts sufficient to demonstrate that the trial court was biased against her. Though Garcia-Leija seems to raise several other issues in this appeal, she fails to provide sufficient legal arguments and citations to the record for us to adequately assess her arguments. Accordingly, we affirm.

# FACTS[1]

## I. BACKGROUND

### A. Marriage Dissolution, Trial, and Posttrial Hearings

Garcia-Leija and Leija have been embroiled in contentious marriage dissolution proceedings since 2019. At the time of the events underlying this appeal, the parties had two adult children and two minor children.

In 2021, the trial court held a five-day dissolution trial. The trial court also held more than thirty hearings before and after the trial. The court held Garcia-Leija in contempt multiple times throughout the proceedings for failing to follow court orders and, one on occasion, leaving the courtroom while screaming. Garcia-Leija also made several allegations that Leija physically abused her and sexually and physically abused the children, though the adult children denied these allegations. And after involvement of a Guardian ad Litem, a counselor who worked with the family, and other professionals, these allegations were repeatedly found to be baseless.

In January 2022, the trial court entered a final parenting plan for Leija and Garcia-Leija. The trial court included findings that Garcia-Leija used "conflict in a way that may cause serious damage to the psychological development" of the minor children. Clerk's Papers (CP) at 436 (Leija II). The parenting plan required supervision for all of Garcia-Leija's parenting time and outlined a scheme where Garcia-Leija could gain more parenting time upon recommendation from a court-appointed parenting coordinator. The parenting plan also required Garcia-Leija's phone calls with

[1] This is a consolidated appeal of case number 58824-2-II and case number 59547-8-II. We also granted a motion to transfer the record from case number 57487-0-II to this consolidated case. Because there are several sets of records and briefing associated with this case, we include the following case labels for citations: case number 57487-0-II (Leija I), case number 58824-2-II (Leija II), and case number 59547-8-II (Leija III).

the children to be recorded in part as a deterrent to help prevent her from discussing allegations of abuse against the father with the children.

In June 2022, the parenting coordinator for the parties recommended that Garcia-Leija resume unsupervised parenting time with the children and the trial court entered an amended final parenting plan reflecting this change.

In March 2023, the trial court held a hearing in part because Garcia-Leija filed a professional complaint against the parenting coordinator without first meeting with him, which violated an order from the court. Despite the violation, at the end of this hearing, the trial court granted Garcia-Leija's request for more parenting time. But the trial court expressed concern about the lack of a parenting coordinator given several prior occasions where Garcia-Leija violated court orders. The trial court stated,

> [W]hat you need to do is like be super extra careful . . . I've got this huge bias on this side about your behavior when I make a ruling. So, make sure you realize . . . my lens has been so skewed over the duration of this case. And I've tried really hard, just like I'm doing today to provide you this parenting time. . . . But then, you continue to do little things, like fire your parent coordinator.

Suppl. Verbatim Rep. of Proc. (VRP) at 97-98 (Leija I).

In May 2023, the trial court appointed a new parenting coordinator. The order appointing the parenting coordinator stated that she could make decisions to avoid parental conflict in "temporary variation from the existing parenting plan." CP at 482 (Leija II). Additionally, the order stated that the parenting coordinator's "decisions are effective when made and will continue in effect unless modified or set aside by a court of competent jurisdiction." Id.

On July 31, 2023, the parenting coordinator emailed the parties and their attorneys informing them that she was concerned about the minor children's behavior since they resumed

unsupervised visits with Garcia-Leija. For example, the children's relationship with their therapist "deteriorated completely." CP at 360 (Leija II). One of the children was verbally aggressive with the therapist, stating that she did not trust anyone and demanded to know the names of the judge and the parenting coordinator for her parents' legal proceedings. The same child also became verbally and physically aggressive with other members of her family, particularly after Leija took away an unauthorized phone that Garcia-Leija had given the minor children in violation of the parenting plan. In her email, the parenting coordinator listed "Binding Recommendations" for the parties, which included resuming professional supervision for the minor children's visits with Garcia-Leija and suspending overnight visits until Garcia-Leija participated in sanctioned parental coaching. CP at 556 (Leija II).

On August 14, Garcia-Leija filed a motion with the trial court objecting to the parenting coordinator's recommendations. The trial court set a hearing for Garcia-Leija's motion on September 6.

B. Domestic Violence Protection Order

In the meantime, on August 28, 2023, Garcia-Leija filed a pro se petition for a domestic violence protection order against Leija. Garcia-Leija requested protection for herself, her two minor children, and both of her adult children as "vulnerable adults." Garcia-Leija requested a temporary order immediately protecting her and the children without prior notice to Leija. Garcia-Leija did not fully disclose in her petition the limitations that had been imposed on her residential time and visitation with her minor children. She did not state that her visits had to be supervised at that time.

The same day, a different judge granted Garcia-Leija's temporary domestic violence protection order and scheduled a hearing for September 11. The temporary domestic violence protection order included Garcia-Leija and her two minor children, but not the adult children. It stated that Leija could not harm or contact the protected parties, and it granted Garcia-Leija temporary care and custody of the minor children. The temporary domestic violence protection order also stated that it was "effective until the end of the hearing listed above." CP at 38 (boldface omitted) (Leija II). When the judge granted the order, she was seemingly not aware of the existing limitations on Garcia-Leija's visitation with her minor children or her upcoming hearing with the trial court.

Leija's counsel learned of the domestic violence protection order and emailed the trial court, asking for the order to be quashed because Garcia-Leija could not have custody of the children under the trial court's orders in the dissolution case. The judge who granted the order conferred with the trial court judge in the dissolution matter. On August 31, the trial court judge in the dissolution entered an order quashing the temporary domestic violence protection order.

At a hearing on September 11, a commissioner scheduled the protection order hearing for September 13 with the dissolution trial court judge, who already had a hearing on the parenting coordinator's recommendations that day. Garcia-Leija objected to the matter being heard by the trial court judge in the dissolution.

C. September 13 Hearing

On September 13, the trial court judge for the dissolution acknowledged that it always intended that the parenting coordinator could make the kinds of changes and restrictions that Garcia-Leija challenged. After discussing the ways that Garcia-Leija's petition for the domestic

violence protection order was inconsistent with the orders in the dissolution case, the trial court adopted all of the parenting coordinator's recommendations and set a hearing date for October 11 about changing the parenting plan. The trial court told Garcia-Leija that she could present evidence regarding the protection order during that hearing.

After the September 13 hearing, the trial court signed an order "[t]erminating" Garcia-Leija's protection order. CP at 180 (Leija II). However, the order stated that the matter had been terminated on August 31, the day the trial court quashed the temporary protection order, and would "[b]e [h]eard [a]gain" on October 11. Id.

Garcia-Leija filed a motion to reinstate the temporary protection order until the October 11 hearing, which the trial court denied. Leija filed a motion for adequate cause to modify the parenting plan and a motion to restrict Garcia-Leija's abusive litigation.

D. October 11 Hearing

At the hearing on October 11, the trial court began by stating it would hear "whatever evidence that [Garcia-Leija] wanted to present" about the protection order. VRP at 61 (Leija II). Garcia-Leija gave an opening statement about why she required a protection order. The trial court clarified that it had already heard and ruled on Garcia-Leija's domestic violence allegations in prior pleadings and hearings, so to receive a protection order she would need to provide "current and new" information. VRP at 86 (Leija II). The trial court also explained that a domestic violence protection order requires "a showing of fear of violence, because violence . . . has occurred upon you or a threat of violence has occurred upon you." VRP at 88-89 (Leija II).

Garcia-Leija called her therapist to testify at this hearing. The therapist testified that Garcia-Leija "feels she's at extreme risk because she has an extreme case of post traumatic stress

disorder from prior threats or relationship issues when they were married and they have been triggered by what has happened since." VRP at 98 (Leija II). However, when the trial court asked the therapist if Garcia-Leija was currently at extreme risk, the therapist said no. The therapist explained that Garcia-Leija's "extreme risk is based on her memories and triggers of prior risks." VRP at 100 (Leija II). But when the trial court again asked the therapist if she had any "knowledge of any -- any behavior that's occurred against [Garcia-Leija] that has caused extreme risk to her health and safety of body, besides what's mentally occurring with her," the therapist replied, "[c]urrently, no." Id. The trial court also accepted a letter from Garcia-Leija's physical therapist as evidence over Leija's counsel's objection. The trial court explained that it accepted the letter because it was trying "to give as much leeway as I can so that [Garcia-Leija] feels heard." VRP at 103 (Leija II). The trial court ultimately concluded that Garcia-Leija had not met her burden to demonstrate a need for a domestic violence protection order and denied her petition.

The trial court postponed its full hearing on Leija's motion for adequate cause to change the parenting plan until Garcia-Leija could review the paperwork and respond—though Garcia-Leija caused this delay by improperly refusing service. The trial court also ordered that Garcia-Leija could not have any contact with her children until further court order. The trial court told Garcia-Leija to file her response to Leija's motions by October 30.

E. November 8 Hearing

Garcia-Leija did not file any response to Leija's motion for adequate cause to change the parenting plan or motion to restrict abusive litigation before the November 8 hearing. Instead, at the hearing, Garcia-Leija asked to read a letter to the court, and Leija's counsel objected. The trial court offered to let Garcia-Leija file a copy of the letter with the court and set a future hearing date

to address its contents, explaining that Leija's counsel needed time to read and prepare potential responses to the letter.

Garcia-Leija then told the trial court,

> [T]here's no reason for me to have confidence in Your Honor's and this Court's ability to abide by laws and act in the best interest of children.
>
> I am removing myself from this case. I have no faith in the Court and I have no faith that it will ever restore my parenting rights. So, I'm gonna give up. You and your team have won.

VRP at 14 (Leija III). Garcia-Leija went on to make several arguments and allegations that Leija and the trial court had violated the law. The trial court interrupted Garcia-Leija to deny one of her comments, and Garcia-Leija left the hearing.

The trial court then granted Leija's motion to restrict abusive litigation. The trial court's order prohibited Garcia-Leija from filing anything without pre-filing approval from the trial court. Under the order, the trial court judge would review Garcia-Leija's pleadings and sign a show cause order before requiring a response from Leija or a hearing.

The trial court concluded that Leija had demonstrated adequate cause to change the final parenting plan. The trial court signed a temporary plan incorporating the parenting coordinator's recommendations.

Per Leija's request, the trial court also amended an existing restraining order against Garcia-Leija. The restraining order prohibited Garcia-Leija from entering the home, workplace, or school of Leija and the children outside of scheduled parenting time. The restraining order also prohibited Garcia-Leija from contacting the children's school or extracurricular activities and required a third party for supervised visits.

In her notices of appeal, Garcia-Leija designated several of the trial courts orders: (1) the order quashing the temporary domestic violence protection order against Leija, (2) the order terminating the domestic violence protection order until a hearing, (3) the order restricting abusive litigation, (4) the order granting Leija's motion to find adequate cause to change the parenting plan, (5) the temporary parenting plan, and (6) the restraining order against Garcia-Leija.

ANALYSIS

Garcia-Leija broadly asks us to reverse all of the trial court's orders in this case going back to 2020. Generally, we only review trial court decisions or parts of decisions that are designated in the appellant's notices of appeal. RAP 2.4(a). However, RAP 2.4(b) provides that appellate courts "will review a trial court order or ruling not designated in the notice, including an appealable order, if (1) the order or ruling prejudicially affects the decision designated in the notice, and (2) the order is entered, or the ruling is made, before the appellate court accepts review." Garcia-Leija has not explained how the orders not designated in her notices prejudicially affect the designated orders, so we decline to address any undesignated orders in this appeal.

Additionally, appellants must provide "argument in support of the issues presented for review, together with citations to legal authority and references to relevant parts of the record." RAP 10.3(a)(6). This court "need not consider arguments that are unsupported by pertinent authority, references to the record, or meaningful analysis." Cook v. Brateng, 158 Wn. App. 777, 794, 262 P.3d 1228 (2010). Though we acknowledge the challenges associated with self-representation, we hold pro se litigants to the same standards as attorneys. *Winter v. Dep't of Soc. & Health Servs.*, 12 Wn. App. 2d 815, 844, 460 P.3d 667 (2020).

Garcia-Leija makes a number of factual assertions in her briefs, including that Leija and his attorney conspired with Clark County officials, law enforcement, and the trial court judge. Many of Garcia-Leija's assertions do not include citations to specific sections of the record. We decline to consider Garcia-Leija's unsupported factual assertions on appeal. See RAP 10.3(a)(6). Additionally, Garcia-Leija often makes assertions without record citations, instead stating that evidence is available upon request under RAP 9.11, the rule governing consideration of additional evidence on appeal. However, Garcia-Leija fails to address or satisfy the factors in RAP 9.11(a) that would permit this court to consider additional evidence outside of the record. Thus, to the extent Garcia-Leija asks us to consider evidence outside the record, we deny that request.

## I. TEMPORARY DOMESTIC VIOLENCE PROTECTION ORDER

Garcia-Leija appeals the trial court's orders quashing and terminating her temporary domestic violence protection order against Leija until a hearing. Garcia-Leija asks this court to reinstate the temporary domestic violence protection order.

Because these orders were not final judgments, they are not properly before us on appeal. RAP 2.2(a)(1). Moreover, by its plain terms, the temporary domestic violence protection order would have expired upon the hearing on September 13, regardless of whether the trial court entered the order quashing it on August 31. Appellate courts generally consider appeals of expired domestic violence protection orders moot. See, e.g., Blackmon v. Blackmon, 155 Wn. App. 715, 717, 230 P.3d 233 (2010). Garcia-Leija has not explained how this issue would satisfy an exception to the mootness doctrine. Thus, mootness is an independent reason for us to decline to reach this issue.

## II. ORDER RESTRICTING ABUSIVE LITIGATION

Garcia-Leija argues that the trial court's order restricting abusive litigation prevented her from having fair access to the law. Garcia-Leija also argues that the order was unsupported by sufficient evidence. Leija contends that Garcia-Leija waived any challenge to the trial court's order restricting abusive litigation because she did not file a response to Leija's motion.

This court "may refuse to review any claim of error that was not raised in the trial court." RAP 2.5(a). An exception is made if the error is a "manifest error affecting a constitutional right." RAP 2.5(a)(3).

Here, Garcia-Leija did not file a response to Leija's motion to impose pre-filing restrictions on her even though the trial court delayed hearing Leija's motion to give Garcia-Leija more time to respond. And in her comments to the trial court at the November 8 hearing, Garcia-Leija did not specifically address or object to the motion. To the extent that Garcia-Leija raises any constitutional concerns regarding the order restricting abusive litigation, she fails to explain which rights were violated and why the order constituted manifest error. Thus, this issue is waived and we decline to consider it.

## III. ORDER ON ADEQUATE CAUSE AND TEMPORARY PARENTING PLAN

Garcia-Leija designates both the trial court's order finding adequate cause to change the final parenting plan and the November 8 temporary parenting plan in her notices of appeal. In her briefing, she does not specify which parts of these orders she is appealing. Broadly, Garcia-Leija states that the trial court "signed an order removing all Ms. Garcia-Leija's parenting rights under Mr. Leija's unsubstantiated allegations that harm had come to the children due to Ms. Garcia-Leija." Am. Br. of Appellant at 24-25 (Leija II).

We acknowledge that Garcia-Leija is frustrated with the conditions of the parenting plan, particularly the trial court's limitation of her time with her minor children. However, beyond her claims of judicial bias that are addressed below, Garcia-Leija does not sufficiently outline how she believes the trial court erred when entering the temporary parenting plan or the order showing adequate cause to change the final parenting plan. To the extent Garcia-Leija claims that the facts the trial court relied on that were detrimental to her were not true, she does not provide adequate citations to the record allowing us to review these claims. See RAP 10.3(a)(6).

Additionally, Garcia-Leija did not file a response to Leija's motion for adequate cause to change the final parenting plan below, and she has not specifically identified how the order constituted a manifest constitutional error. Thus, she has waived this issue by failing to articulate an objection below.

## IV. RESTRAINING ORDER

Finally, Garcia-Leija designates the November 8, 2023, restraining order against her in her notices of appeal. In her briefing, she argues that this restraining order is unsubstantiated. However, Garcia-Leija does not identify what parts of the order are unsubstantiated or provide citations to the record explaining her claim. We thus do not address this issue on appeal. See RAP 10.3(a)(6).

## V. ALLEGATIONS OF JUDICIAL BIAS

Garcia-Leija argues that the trial court judge was biased against her and should have recused herself. Garcia-Leija argues that the trial court violated the appearance of fairness when the trial court judge stated at a hearing that she had a "'skewed lens'" and was "'biased'" against Garcia-Leija. Am. Br. of Appellant at 5-6 (Leija II) (quoting record). Garcia-Leija also contends

that the trial court exhibited bias and prejudice by suppressing evidence of Leija's alleged domestic violence and consistently ruling against Garcia-Leija.

We generally review claims of judicial bias under the appearance of fairness doctrine. See, e.g., State v. Solis-Diaz, 187 Wn.2d 535, 540, 387 P.3d 703 (2017). Under "the appearance of fairness doctrine, a judicial proceeding is valid if a reasonably prudent, disinterested observer would conclude that the parties received a fair, impartial, and neutral hearing." Id. "The test for determining whether the judge's impartiality might reasonably be questioned is an objective test that assumes a reasonable observer knows and understands all the relevant facts." Id. "A party asserting a violation of the doctrine must produce sufficient evidence demonstrating bias, such as personal or pecuniary interest on the part of the decision maker; mere speculation is not enough." In re Pers. Restraint of Haynes, 100 Wn. App. 366, 377 n.23, 996 P.2d 637 (2000). A judicial ruling "almost never constitute[s] a valid showing of bias." In re Pers. Restraint of Davis, 152 Wn.2d 647, 692, 101 P.3d 1 (2004).

Garcia-Leija does not provide specific facts sufficient to support her contention that the trial court was biased.[2] Garcia-Leija cites the trial court judge's comments that she had a "huge bias" and her lens had been "skewed" against Garcia-Leija over the course of the proceedings. Suppl. VRP at 97-98 (Leija I). However, when read in context, these statements do not violate the appearance of fairness doctrine. The trial court made these comments while granting Garcia-Leija's request for more parenting time, even after Garcia-Leija violated the terms of the parenting plan by filing a professional complaint against the parenting coordinator. Repeatedly throughout

[2] Garcia-Leija also argues judicial conduct violations, but this court is not authorized to evaluate such claims. See In re Matter of Keenan, 199 Wn.2d 87, 93-94, 502 P.3d 1271 (2022).

these proceedings, the trial court expressed that it wanted Garcia-Leija's children to be able to see their mother. But the trial court became increasingly frustrated and skeptical because Garcia-Leija continued to violate court orders and put the children's well-being at risk. While the trial court could have expressed its sentiments in different terms, an objective observer would not question the fairness of the proceedings simply because the trial court warned Garcia-Leija that her actions would be taken in the context of her prior behavior. Garcia-Leija has not shown that the trial court judge had a personal or pecuniary interest in her case. And the number of judicial rulings against Garcia-Leija throughout the proceedings is not sufficient evidence of bias. See Davis, 152 Wn.2d at 692. Thus, we conclude that Garcia-Leija has not shown evidence of actual bias or the appearance of partiality.

## VI. OTHER ISSUES

Garcia-Leija argues that the trial court's alleged bias violated several of her constitutional rights. Broadly, she contends that the trial court "colluded with Clark County officials" to violate her rights by "unlawful severing of parenting rights, sabotaging Mother's family wealth management work, disproportionately distributing rights to property, preventing rights to fair access to the law, ignoring rights to be let alone from undue burdens of the government, preventing access to rights to safety, protection, life, liberty, happiness," and the "rights of a parent to raise a child." Br. of Appellant at 9 (Leija III). However, Garcia-Leija fails to specify which of the trial courts actions violated her rights and how those rights were violated. We therefore decline to consider these issues further.

CONCLUSION

We affirm.

A majority of the panel having determined that this opinion will not be printed in the Washington Appellate Reports, but will be filed for public record in accordance with RCW 2.06.040, it is so ordered.

GLASGOW, J.

We concur:

VELJACIC, A.C.J.

CHE, J.

## APPENDIX B

Supreme Court of the State of Washington

Order Denying Petition for Review, No. 1045069

Entered February 4, 2026

Signed by Chief Justice Stephens for Department I

FILED
SUPREME COURT
STATE OF WASHINGTON
2/4/2026
BY SARAH R. PENDLETON
CLERK

# THE SUPREME COURT OF WASHINGTON

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| In the Matter of the Marriage of: | No. 104506-9 |
| FLAVIO FAUSTINO LEIJA, | **ORDER** |
| Respondent, | Court of Appeals No. 58824-2- II |
| and | (consolidated with No. 59547-8-II) |
| ANGELA GARCIA-LEIJA, | |
| Petitioner. | |

Department I of the Court, composed of Chief Justice Stephens and Justices Johnson, González, Montoya-Lewis, and Mungia, considered at its February 3, 2026, Motion Calendar whether review should be granted pursuant to RAP 13.4(b) and unanimously agreed that the following order be entered.

IT IS ORDERED:

The Petitioner's motion for extension of time to file a petition for review is denied and therefore the petition for review and all pending motions are dismissed as untimely.

DATED at Olympia, Washington, this 4th day of February, 2026.

For the Court

Stephens, C. J.

CHIEF JUSTICE

## APPENDIX C

Clark County Superior Court

Order Restricting Abusive Litigation (FL Sub 562)

Cause No. 19-3-01618-06, Index #562

Entered November 8, 2023

4kt

FILED
NOV 08 2023 10:50a
Scott G. Weber, Clerk, Clark Co.

**Superior Court of Washington**
**County of CLARK**

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| **In re the Marriage of:**<br>FLAVIO FAUSTINO LEIJA,<br>**Petitioner,**<br>**and**<br>ANGELA GARCIA-LEIJA,<br>**Respondent.** | No. 19-3-01618-06<br>**Order on Motion to Restrict Abusive Litigation**<br>[X] **Granted (ORGRAL) (section 8)**<br>[ ] **Denied (ORDRAL) (section 8)**<br>**Clerk's Action Required: 1, 9** |

## Order on Motion to Restrict Abusive Litigation

**1. Money Judgment Summary**

Summarize any money judgments from section 10 in the table below.

| **Judgment for** | **Debtor's name** Angela Garcia-Leija | **Creditor's name** Flavio Leija | **Amount** | **Interest** |
|---|---|---|---|---|
| Lawyer's fees | | | $2,500 | |
| **Yearly Interest Rate** - 12% | | | | |
| **Lawyer: Nathan H. Petersen** represents the Petitioner, Flavio Leija | | | | |
| The Respondent, **Angela Garcia-Leija,** is self-represented. | | | | |

**2. Basis**

Flavio Leija filed a Motion to Restrict Abusive Litigation against Angela Garcia-Leija.

The Court has considered the submissions of the parties and any testimony or argument, and finds reason to approve this Order.

➢ **Findings and Conclusions**

3. **Relationship**

The parties are **not** intimate partners, but are ex husband and wife.



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562
MMH

4. **Domestic Violence**

A court has **not** previously found there was domestic violence against the moving party by the other party.

5. **Abusive Litigation**

Angela Garcia's court action/s:

**are** abusive. This person is starting, advancing, or continuing court actions (litigation) primarily for the purpose of harassing, intimidating, or maintaining contact with the moving party.

The litigation is abusive because:

**No evidence** – There is no evidence to support this party's allegations and other factual claims.

**Already decided** – An issue or issues that are the basis of this party's court action have previously been filed in one or more other courts or jurisdictions and the actions have been litigated and disposed of unfavorably to this party.

6. **Proof of Abusive Litigation**

The following evidence shows abusive use of litigation by Angela Garcia-Leija:

**Previous sanction** – This party has been sanctioned before. The sanction was:

- Within the last ten years,
- Under Washington Superior Court Civil Rule 11 or a similar rule or law from another jurisdiction, and
- For filing something involving me that the court found to be frivolous, vexatious, intransigent, or brought in bad faith.

**Repeated action** – The parties have been to court about the same or substantially similar issues in the past five years.

7. **Other Findings and Conclusions** (if any)

Does not apply.

**Court Orders**

8. **The Motion to Restrict Abusive Litigation is:**

**Granted.**

9. **Pre-Filing Restrictions**

Pre-filing restrictions are required because the motion is granted.

The restricted party, Angela Garcia-Leija is prohibited from filing, initiating, advancing, or continuing the litigation against the protected party, Flavio Leija without pre-filing approval from the court for the next 72 months.



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**Important!** Only the judge or commissioner who signed this order can give pre-filing approval, if that judge or commissioner is still serving and available.

**Clerk's action:** Enter the information about this pre-filing restriction into the relevant database or system.

**10. Pay fees and costs**

Fees and costs are ordered because the Motion to Restrict Abusive Litigation is granted. Angela Garcia-Leija must:

Pay the other party's lawyer fees. Amount: ~~$2,500.00~~ 1,500.00

Make payments to (name): Petersen Rothermel Law Firm by: February 1, 2024

**Money Judgment:**

The amount/s listed above shall be entered as a money judgment. The **interest rate** is 12%

**11. Other Orders (if any):**

1. All matters between the parties must be cited in front of and heard by Judge Camara Banfield, as previously ordered by the court.
2. Any pleadings filed by Angela Garcia-Leija must comply entirely with Clark County Local Court Rules 4.1(d)(8)(B), including page limitations, number of pleadings, etc.
3. If Angela Garcia-Leija fails to comply with Clark County Local Court Rules 4.1(d)(8)(B), the filings will be rejected and she must cure the filing prior to Judge Banfield's review.
4. The pleading will be filed and served on both Respondent's counsel, or Respondent if unrepresented, and Judge Banfield at the same time.
5. The pleadings shall initially be reviewed by Judge Banfield who must approve and sign a Show Cause Order to Go to Court, if she believes a response and hearing is warranted.
6. The Show Cause Order to Go to Court must then be served on Respondent's counsel.

**Ordered.**

November 8, 2023
Date

Judge Camara Banfield



**Petersen Rothermel Law Firm**
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Vancouver, WA 98660
Office- (360) 326-4577

**Petitioner and Respondent or their lawyers fill out below.**

This order:
may be signed by the court without notice to me

This order :
may be signed by the court without notice to me

11.8.23

Nathan Petersen, WSBA No. 43382 Date
Attorney for Petitioner, Flavio Leija

Angela Garcia-Leija, Respondent Date

Flavio Leija



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## APPENDIX D

Clark County Superior Court

Order for No Contact with Children / Adequate Cause Order

Cause No. 19-3-01618-06, Index #554

Entered October 11, 2023

FILED
OCT 11 2023 12:22
Scott G. Weber, Clerk, Clark Co.

SUPERIOR COURT OF WASHINGTON FOR CLARK COUNTY

FLAVIO LEIJA
Plaintiff/Petitioner,

v.

ANGELA GARCIA-LEIJA
Defendant/Respondent

No. 19-3-01618-06

ORDER

THIS MATTER, having come before the court on the motion of the Petitioner/Respondent on this 11TH day of OCTOBER, 2023, the Court having heard counsel, having read the pleadings and records filed herein, and being otherwise fully informed, NOW, THEREFORE, it is hereby:

ORDERED, ADJUDGED AND DECREED that:

MOTHER SHALL HAVE NO CONTACT OR VISITATION UNTIL FURTHER COURT ORDER WITH THE CHILDREN, EMMA AND CONTAINA LEIJA

Dated this 11 day of OCTOBER, 2023.

Judge/Commissioner of the Superior Court

Attorney for PETITIONER
WSBA # 47362
ORDERED

~~Attorney for~~ RESPONDENT
~~WSBA #~~
Refused to Sign
Angela Garcia-Leija

554
KIT

## APPENDIX E

Clark County Superior Court

Three Orders Quashing and Terminating Temporary Domestic Violence Protection Order; Vancouver Police Department Civil Protection Order Service Log (Aug. 30–31, 2023); and Return of Service Confirming Non-Service (filed Aug. 31, 2023)

Case No. 23-2-08698-06

Entered August 30, August 31, and September 13, 2023

Superior Court of Washington, County of Clark

Angela Garcia-Loija 11.5.76
Petitioner (Protected Person) Date of Birth

vs.

Flavio F. Loija 10.5.73
Respondent (Restrained Person) Date of Birth

No. 23 2 08698 06
**Proof of Service**
**(RTS)**
Clerk's Action Required:2

## Proof of Service

*Server declares:*

1. My name is SGT. JOHN SCHMITZ. I am 18 or older. I am [X] a peace officer [ ] **not** a party to this case.

2. **Able to Serve:**

[ ] **Personal Service:** I served the court documents checked in section 4 for this case to (*name of party*) _____ on (*date*) _____ at (*time*) _____ by giving the documents directly to them at this address:

_____

[ ] **Electronic Service:**

***Important!*** *Do not use electronic service if your case involves the surrender of firearms, transfer of child custody, removing respondent from the parties' shared residence, an incarcerated respondent, or a petition for a vulnerable adult protection order is filed by someone other than the vulnerable adult. After 2 unsuccessful attempts at personal service, you can ask the court to authorize electronic service. Court authorization is not necessary for vulnerable adult protection orders.*

I served the court documents checked in section 4 for this case to (*name of party*) _____ on (*date*) _____ at (*time*) _____ via

[ ] email [ ] text [ ] social media applications [ ] other technology

At the following email address/s, phone number/s, social media application and user name, or other address: _____

I received a read receipt or communication from the receiving party (*describe or attach*): _____

[ ] **Service by Mail:** I served the court documents checked in section 4 for this case to *(name of party)* _____
on *(date)* _____
at *(time)* _____.
I sent **2** copies of the documents, postage prepaid: one by ordinary, first-class mail and one by other mail with certified or tracking information (*attach receipts*). I sent the mail to this/these address/es:_____.

**Clerk's Action:** The court clerk shall forward a copy of this proof of service to the following law enforcement agency where the respondent resides (county or city) (check only one):_____

[ ] Sheriff's Office or [ ] Police Department

**3. Not Able to Serve:**

[X] I was unable to make personal service on *(name of party)* FLAVIO LEYJA ~~ASSAULT~~.
I notified the serving party that service was not successful. Personal service was attempted on the following date/s 8/30 AT 8:22AM WAS REQUESTED.

[ ] Electronic service was attempted at the following address/es but it bounced back, was undeliverable, or there was no follow-up communication _____
_____

[ ] I did not mail court documents to *(name of party)* _____ because I do not know the party's last known address.

**4. List of Documents:**

***Important!*** *You must check or write in the title of* ***every*** *document that you served. Use the "Other Documents" box to write in the title of any document not already listed.*

I served the following documents *(check all that apply)*:

| ***New Petition:*** | ***After a Full Hearing:*** |
|---|---|
| [X] Petition for Protection Order | [ ] Protection Order |
| [X] Temporary Protection Order and Hearing Notice | [ ] Order to Surrender and Prohibit Weapons |
| [ ] Reissuance of Temporary Protection Order and Notice of Hearing | [ ] Order Realigning Parties |
| [ ] Order to Surrender and Prohibit Weapons (issued without notice) | |
| [ ] Order Transferring Case and Setting Hearing | |
| [ ] Declaration/s of:_____ | |
| [ ] Denial Order | |
| [ ] Notice to Vulnerable Adult | |

| ***Renewals:*** | ***Motions:*** |
|---|---|
| [ ] Motion for Renewal of Protection Order<br>[ ] Order Setting Hearing on Renewal [ ] and Extending Order until Hearing<br>[ ] Order for Renewal of Order for Protection | [ ] Motion to Modify or Terminate Protection Order<br>[ ] Motion for Surrender and Prohibition of Weapons<br>[ ] Notice of Hearing<br>[ ] Motion to Realign Parties<br>[ ] Motion to Set Show Cause Hearing - Contempt<br>[ ] Order on Hearing - Contempt<br>[ ] Order re Adequate Cause |
| [ ] Order Setting Hearing – Sexual Assault<br>[ ] Order on Motion for Renewal of Sexual Assault Protection Order | ***After a Motion Hearing:***<br>[ ] Order Modifying or Terminating Protection Order<br>[ ] Order to Surrender and Prohibit Weapons |
| ***Other Documents:***<br>[ ] _____<br>[ ] _____<br>[ ] _____<br>[ ] _____ | |

**5. Fees Charged for Service:**

[ ] Does not apply.

[ ] Fees: $_____ + Mileage $_____ = Total: $_____

**6. Other:** _____

_____

_____

I declare under penalty of perjury under the laws of the State of Washington that the statements on this form are true.

Signed at *(city and state)*: Vancouver Date: 6/31/2023

1332

*Signature of server*

SGT. J. Schultz

*Print or type name of server*

Vancouver Police Dept.

*Law Enforcement Agency (if any)*

Flavio Tavsino Araya
15613 NE 15th Circle

# VANCOUVER POLICE DEPARTMENT
# CIVIL PROTECTION ORDER SERVICE LOG

| SHADED SECTIONS COMPLETED BY PST. | |
|---|---|
| Cause Number: 23-2-08698-06 | Hearing Date on Order: 9/11/23 |

## NOTICE TO SERVING OFFICER

**This order contains:** ( ) weapons surrender ( ) potential officer safety ( ) respondent may require special assistance ( ) Other:

**This order was received by VPD on** 8/29/23

**SERVE BY DATE:** 9/1/23 (10 days from receipt or no less than 5 judicial days prior to hearing).

**If this order is not served by the date above, or within 10 calendar days of receipt by VPD, you must attempt to notify the petitioner and check one of the below:**

( ) Petitioner contacted and notified of uncompleted service.
( ) Attempted; unable to contact petitioner.

on _____(date) at _____ hrs. Officer/PSN: _____ _____

The attached Return of Service (RTS) **must be completed and signed by the serving officer,** or by **the submitting officer if the packet is returned as not able to serve.** The Court requires an officer signature and annotated outcome in either event.

## Service Attempts

| Date / Time | Name / PSN | Notes – |
|---|---|---|
| 08-30-23 1545 Hrs. | C. SANTOS 1841 | Attempted to serve Flavio at the provided address but no partice answered the door. |
| 8/30/23 During Day | SCHULTZ 1332 | MADE TELEPHONIC CONTACT W/ RESPONDENT. ADVISED OF THE ORDER BUT NOT SPECIFICS. MAKING ARRANGEMENTS TO MEET & SERVE |
| | | |
| 8/31 | SCHULTZ 1332 | NOTIFIED ORDER WAS QUASHED BY JUDGE BANFIELD. |

2

E-FILED
08-30-2023, 16:04
Scott G. Weber, Clerk
Clark County

**Superior Court of Washington**
**County of CLARK**

| | |
|---|---|
| **In re:**<br>ANGELA A. GARCIA-LEIJA,<br>**Petitioner,**<br>**and**<br>FLAVIO F. LEIJA,<br>**Respondent.** | No. 23-2-08698-06<br>**ORDER QUASHING TEMPORARY PROTECTION ORDER** |

This matter came for hearing before the court on August 30, 2023, on Respondent's Motion to Quash. The Court having reviewed the files and pleadings herein, and the Court having been fully advised on the premises, now, therefore, IT IS HEREBY ORDERED that Respondent's Motion to Quash is GRANTED.

IT IS FURTHER ORDERED that, the Temporary Protection Order filed on August 28, 2023 is quashed.

**The clerk of court shall forward a copy of this order that rescinds on or before the next judicial day to: Vancouver Police Department where the case is filed which shall enter it in a computer-based criminal intelligence system available in this state used by law enforcement to list outstanding warrants.**

Dated this 30th day of August 2023.

Honorable Camara L.J. Banfield

Digitally signed by Honorable Camara L.J. Banfield
Date: 2023.08.30 15:58:23 -07'00'

Judge Camara Banfield



Petersen Rothermel Law Firm
1610 Columbia Street
Vancouver, WA 98660
Office- (360) 326-4577

Presented by Respondent of his attorney.

Nathan H. Petersen, WSBA No. 43382
Attorney for Respondent, Flavio Leija

Approved as to form;
Notice of presentation waived.

Angela Garcia-Leija, Petitioner



Petersen Rothermel Law Firm
1610 Columbia Street
Vancouver, WA 98660
Office- (360) 326-4577

E-FILED
08-30-2023, 16:04
Scott G. Weber, Clerk
Clark County

**Superior Court of Washington**
**County of CLARK**

| | |
|---|---|
| **In re:**<br>ANGELA A. GARCIA-LEIJA,<br>**Petitioner,**<br>**and**<br>FLAVIO F. LEIJA,<br>**Respondent.** | **No.** 23-2-08698-06<br>**ORDER QUASHING TEMPORARY PROTECTION ORDER** |

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Dated this 30th day of August 2023.

Honorable Camara L.J. Banfield

Digitally signed by Honorable Camara L.J. Banfield
Date: 2023.08.30 15:58:23 -07'00'

Judge Camara Banfield



Petersen Rothermel Law Firm
1610 Columbia Street
Vancouver, WA 98660
Office- (360) 326-4577

Presented by Respondent of his attorney.

Approved as to form;
Notice of presentation waived.

Nathan H. Petersen, WSBA No. 43382
Attorney for Respondent, Flavio Leija

Angela Garcia-Leija, Petitioner



**Petersen Rothermel Law Firm**
1610 Columbia Street
Vancouver, WA 98660
Office- (360) 326-4577

E-FILED
08-31-2023, 09:11
Scott G. Weber, Clerk
Clark County

**Superior Court of Washington**
**County of CLARK**

| | |
|---|---|
| **In re:**<br>ANGELA A. GARCIA-LEIJA,<br>**Petitioner,**<br>**and**<br>FLAVIO F. LEIJA,<br>**Respondent.** | **No.** 23-2-08698-06<br>**ORDER QUASHING TEMPORARY PROTECTION ORDER** |

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Dated this 30th day of August 2023.

Honorable Camara L.J. Banfield

Digitally signed by Honorable Camara L.J. Banfield
Date: 2023.08.30 15:58:23 -07'00'

Judge Camara Banfield



Petersen Rothermel Law Firm
1610 Columbia Street
Vancouver, WA 98660
Office- (360) 326-4577

Presented by Respondent of his attorney.

Approved as to form;
Notice of presentation waived.

Nathan H. Petersen, WSBA No. 43382
Attorney for Respondent, Flavio Leija

Angela Garcia-Leija, Petitioner



**Petersen Rothermel Law Firm**
1610 Columbia Street
Vancouver, WA 98660
Office- (360) 326-4577

I Scott G. Weber, County Clerk and Clerk of the Superior Court of Clark County, Washington, DO HEREBY CERTIFY that this Document is a true and correct copy of the original now on file and of record in my office and as County Clerk I am the legal custodian thereof. Signed and sealed at Vancouver, Washington this date:

This document contains 1 pages.
04-20-2026, 13:28

Deputy Clerk

FILED
SEP 13 2023 9:12am
Scott G. Weber, Clerk, Clark Co.

SUPERIOR COURT OF WASHINGTON FOR CLARK COUNTY

ANGELA GAROA-LEIJA
Plaintiff/Petitioner,

v.

FLAVIO LEIJA
Defendant/Respondent

19-3-01618-06
No. 23-2-08698-06

ORDER TERMINATING PROTECTION ORDER

CLERK'S ACTION REQUIRED

THIS MATTER, having come before the court on the motion of the Petitioner/Respondent on this 13 day of SEPTEMBER, 2023, the Court having heard counsel, having read the pleadings and records filed herein, and being otherwise fully informed, NOW, THEREFORE, it is hereby:

ORDERED, ADJUDGED AND DECREED that: THE PROTECTION ORDER IN THIS MATTER WAS TERMINATED ON 8/31. WILL BE HEARD AGAIN 10/11. THE ~~[illegible]~~ PARENTING COORDINATOR'S RECOMMENDATIONS DATED JULY 31, 2023 ARE ADOPTED IN FULL AND SHOULD BE FOLLOWED BY THE PARTIES. MOTHER IS NOT TO SEE CHILDREN OUTSIDE SUPERVISION.

Dated this 13 day of SEPTEMBER, 2023.

OR CONTINUED

Judge/Commissioner of the Superior Court

~~Attorney for~~ PETITIONER
~~WSBA #~~ DO NOT
ORDERED

Attorney for RESPONDENT
WSBA # 49328

19
STA

## APPENDIX F

Clark County Superior Court

Temporary Domestic Violence Protection Order

Case No. 23-2-08698-06

Granted August 28, 2023 (Clark, J.)

10
10
VPD/VPD

FILED
AUG 28 2023
Scott G. Weber, Clerk, Clark Co.

STATE OF WASHINGTON } ss.
COUNTY OF CLARK }

I, Scott G. Weber, County Clerk and Clerk of the Superior Court of Clark County, Washington, DO HEREBY CERTIFY that this document, consisting of 10 page(s), is a true and correct copy of the original now on file and of record in my office and, as County Clerk, I am the legal custodian thereof.

Signed and sealed at Vancouver, Washington this date: 8.28.23

Scott G. Weber, County Clerk

By _____ Deputy

3:52

Seal of the Superior Court STATE OF WASHINGTON Of Clark County

**Superior Court of Washington, County of Clark** 23-2-08698-06

Angela Garcia-Leija 11/5/197[illegible]
Petitioner, Date of Birth

vs.

Flavio Leija 10-5-1973
Respondent. Date of Birth

**No.** _____

**Temporary Protection Order and Hearing Notice** (TMO-)

[X] Domestic Violence (RPRT)
[ ] Sexual Assault (RSXP) [ ] Harassment (RAH)
[ ] Stalking (STKH) [ ] Vulnerable Adult (RVA)

Clerk's action required: 5.B, 10, 11, 12

**Next Hearing Date and Time:**
9.11.23 9:00am

*See **How to Attend** at the end of this order*

## Temporary Protection Order and Hearing Notice

1. **This order is effective until the end of the hearing listed above.**

This protection order complies with the Violence Against Women Act and shall be enforced throughout the United States. See last page.

2. **This order restrains *(name)*:** Flavio Leija
also known as (*list any known aliases*) _____

The restrained person must obey the restraints ordered in section **8**.

| Sex | Race | Height | Weight |
|---|---|---|---|
| M | Hispanic | 5'6 | 175 |
| **Eye Color** | **Hair Color** | **Skin Tone** | **Build** |
| Brown | Black | Dark | Hvy/med |

Noticeable features *(Ex.: tattoos, scars, birthmarks)*: _____

Has access to [ ] firearms [ ] other weapons [X] unknown

Weapons restriction ordered: [X] Yes [ ] No (See Section 8(O))

3. **This order protects *(name)*:** Angela Garcia-Leija
and the following **children** who are under 18 (if any) [ ] no minors



10

| Child's name | Age | Child's name | Age |
|---|---|---|---|
| 1. Catalina Leija | 10 | 2. ~~Lisa Leija~~ | 24 |
| 3. Emma Leija | 8 | 4. ~~Sofia Leija~~ | 20 |
| 5. | | 6. | |

There is a rebuttable presumption to include the protected person's minor children.

[ ] For good cause, the court is **not** including the protected person's minor children in this order because:_____

_____

## Warnings to the Restrained Person



**You can be arrested even if the protected person or persons invite or allow you to violate the order.** You alone are responsible for following the order. **Only the court may change the order.** Requests for changes must be made in writing.

**If you do not obey this order, you can be arrested and charged with a crime.**

- The crime may be a misdemeanor, gross misdemeanor, or felony depending on the circumstances. You may also be found in contempt of court.
- You can go to jail or prison, lose your right to possess a firearm or ammunition, and/or pay a fine.
- It is a felony to take or hide a child in violation of this order.
- If you travel to another state or to tribal lands or make the protected person do so, with the intention of disobeying this order, you can be charged with a federal crime.



**Firearms and Weapons.** If the court approves a full protection order, you may not be able to get or have a gun, firearm, other dangerous weapon, ammunition, or concealed pistol license for as long as the protection order is in place.



**Go to the court hearing scheduled on page 1.** If you do not, the court may:

- Make this temporary order effective for one year or longer
- Order weapons restrictions, even if that was not requested
- Order other relief requested in the petition
- Order electronic monitoring, payment of costs, and treatment
- Issue a final order that you are required to follow and you may not be served with the order if it is substantially the same as this temporary order

**If you are under age 18,** your parent/s or legal guardian/s will also be served with this order and should also go to the hearing. The court will decide if someone should be appointed to represent you.

## Findings

**4. Ex Parte Hearing**

[✓] The court issues this temporary order without a hearing.

[ ] The court held a hearing before issuing this temporary order. These people attended:

| | | | |
|---|---|---|---|
| [ ] Protected Person | [ ] in person | [ ] by phone | [ ] by video |
| [ ] Restrained Person | [ ] in person | [ ] by phone | [ ] by video |
| [ ] Other:_____ | [ ] in person | [ ] by phone | [ ] by video |

**5. Basis**

**A.** The court finds: Based upon the petition, testimony, and case record, it appears that the restrained person engaged in conduct against the protected person/s that would be a basis for a protection order under chapter 7.105 RCW. This *Temporary Protection Order* should be issued without notice to the restrained person to avoid serious immediate harm or irreparable injury.

**B.** Antiharassment Temporary Protection Order

[ ] No fee required (stalking, hate crime, single act/threat of violence including malicious and intentional threat, or presence of firearm/weapon causing substantial emotional distress, family or household member engaged in domestic violence, or nonconsensual sexual conduct or penetration or a sex offense. RCW 7.105.105(9).)

**6. Jurisdiction**

The court has jurisdiction over the parties and the subject matter.

[✓] **Minors:** Washington state [✓] has exclusive continuing jurisdiction; [ ] is the home state; [ ] has temporary emergency jurisdiction over the children.

[ ] **Temporary Emergency Jurisdiction**: The petitioner has until (*date*) _____ to return to (*state/court with jurisdiction over the minors*) _____ to seek any court orders about these minors:

_____

The Washington order will terminate on that date for the minors. RCW 26.27.231.

[ ] **The person who filed is not a parent** of one or more children listed above. (***Important!*** *Complete Protection Order Attachment A: Non-Parent (ICWA),* PO 030A/PO 040A.)

**7. Other Findings (if any)**

_____

_____

_____

_____

_____

_____

**Temporary Restraints** (*Check all that apply*):

**8. The Court Orders: To the restrained person:**

**General Restraints**

**A.** [✓] **No Harm:** Do not cause any physical harm, bodily injury, assault, nonconsensual sexual conduct or nonconsensual sexual penetration, and do not harass, threaten, or stalk:

[✓] the protected person [✓] the minors named in section **3** above
[ ] these minors only:_____

**B.** [✓] **No Contact:** Do not attempt or have any contact, including nonphysical contact, directly, indirectly, or through third parties, regardless of whether those third parties know of the order, except for service of court documents with:

[✓] the protected person [✓] the minors named in section **3** above
[ ] these minors only:_____

[ ] **Exception** (if any): Only this type of contact is allowed:_____

_____

Exceptions about minors, if any, provided in **P** below.

**C.** [✓] **Exclude and Stay Away**: Do not enter, return to, knowingly come within, or knowingly remain within 1,000 feet or other distance (*specify*) _____ of:

[✓] the protected person [✓] protected person's vehicle
[ ] protected person's school [✓] protected person's workplace
[✓] protected person's residence [ ] protected person's adult day program
[ ] the shared residence
[✓] the residence, daycare, or school of
[✓] the minors named in section **3** above
[ ] these minors only:_____
[ ] other:_____

**Address:** The protected person chooses to (*check one*):
[ ] keep their address confidential [ ] list their address here:

_____

**D.** [ ] **Vacate Shared Residence:** The protected person has exclusive right to the residence that the protected person and restrained person share. The restrained person must immediately vacate the residence.

**E.** [✓] **Stalking Behavior:** Do not harass, follow, monitor, keep under physical or electronic surveillance, cyber harass (as defined in RCW 9A.90.120), or use phone, video, audio or other electronic means to record, photograph, or track locations or communication, including digital, wire, or electronic communication, of:

[✓] the protected person [✓] the minors named in section **3** above
[ ] these minors only:_____
[ ] these members of the protected person's household:_____

_____

F. [ ] **Intimate Images:** Do not possess or distribute intimate images of a protected person, as defined in RCW 9A.86.010. The restrained person must take down and delete all intimate images and recordings of a protected person in the restrained person's possession or control and cease any and all disclosure of those intimate images.

G. **Electronic Monitoring:** Does not apply.

H. [✓] **Evaluation:** To be decided at the hearing, if requested.

I. [✓] **Treatment:** To be decided at the hearing, if requested.

J. [✓] **Personal Belongings:** The protected person shall have possession of essential personal belongings, including the following:

_____

_____

K. [✓] **Transfer of Assets:** Do not transfer jointly owned assets.

[ ] **Finances:** The following financial relief is ordered:_____

_____

L. [ ] **Vehicle**: The protected person shall have use of the following vehicle:

Year, Make & Model _____ License No._____

M. -- **Restrict Abusive Litigation:** To be decided at the hearing, if requested.

N. -- **Pay Fees and Costs:** To be decided at the hearing, if requested.

**Firearms and Other Dangerous Weapons**

O. [ ] **Weapons Restraints:**

**The court finds** that (*check all that apply*):

[ ] The restrained person's possession of a firearm or other dangerous weapon presents a serious and imminent threat to public health or safety or the health or safety of any individual.

[ ] Irreparable injury could result if the restrained person is allowed to access, obtain, or possess any firearms or other dangerous weapons, or obtains or possesses a concealed pistol license.

The restrained person must:

- Not access, possess, have in their custody or control, purchase, receive, or attempt to purchase or receive firearms, other dangerous weapons, or concealed pistol licenses; and
- Pursuant to *State v.* Flannery, 24 Wash. App 2d 466, 520 P. 3d 517 (2022), a separate order will not be issued.

**Minors**

P. [✓] **Custody:** The protected person is granted temporary care, custody, and control of:

[✓] the minors named in section **3** above

[ ] these minors only:_____

Exceptions for Visitation and Transportation, if any (including exchanges, meeting location, pickup and dropoff): _____

_____

Visitation listed here is an exception to any No-Contact provision in **B** above.

(*Only for children the protected and restrained person have together.*)

To comply with the Child Relocation Act, anyone with majority or substantially equal residential time (at least 45 percent) who wants to move with the child must notify every other person who has court-ordered time with the child. Specific exemptions from notification may be available if the court finds unreasonable risk to health or safety. Persons entitled to time with the child under a court order may object to the proposed relocation. See RCW 26.09.405 - .560 for more information.

**Q.** [✓] **Interference:** Do not interfere with the protected person's physical or legal custody of:

[✓] the minors named in section **3** above

[ ] these minors only: _____

**R.** [✓] **Removal from State**: Do not remove from the state:

[✓] the minors named in section **3** above

[ ] these minors only: _____

**S.** [ ] **School:** Do not attend the elementary, middle, or high school that a protected person attends (*name of school*) _____.
(*Only if both the restrained person and a protected person are students at the same school. Can apply to students 18 or older. Includes public and private schools. Complete form Appendix A School Attendance.*)

**Pets**

**T.** [ ] **Custody:** The protected person shall have exclusive custody and control of the following pet/s owned, possessed, leased, kept, or held by the protected person, restrained person, or a minor child who lives with either the protected or restrained person. (*Specify name of pet and type of animal.*)

_____

**U.** [ ] **Interference:** Do not interfere with the protected person's efforts to get the pet/s named above.

**V.** [ ] **Stay Away:** Do not knowingly come within, or knowingly remain within (*distance*) _____ of the following locations where the pet/s are regularly found:

[ ] Protected person's residence (*home address may be kept confidential*)

[ ] Other (*specify*) _____

**Vulnerable Adult**

**W.** [ ] **Safety:** Do not commit or threaten to commit acts of abandonment, neglect, financial exploitation, or abuse, including sexual abuse, mental abuse, physical abuse, personal exploitation, and improper use of restraints, against the vulnerable adult.

X. [ ] **Accounting:** You must provide an accounting of the disposition of the vulnerable adult's income or other resources by (*date*) _____

Y. [ ] **Property Transfer:** Do not transfer the property of:

[ ] the vulnerable adult [ ] the restrained person
This restraint is valid for up to 90 days.

**Other**

Z. _____

_____

_____

_____

_____

**Other Orders** (*Check all that apply*):

**9. [ ] Law enforcement must help the protected person with** (RCW 7.105.320(1))

[ ] Possession of the protected person's residence.

[ ] Possession of the vehicle listed in section L above.

[ ] Possession of the protected person's essential personal belongings located at

[ ] the shared residence [ ] the restrained person's residence

[ ] other location _____

[ ] Custody of [ ] the minors named in section **3** above

[ ] these minors only _____

[ ] Other: _____

**[ ] Law enforcement must be present while the restrained person collects** personal clothing, personal items needed during the duration of this order, and these other items (*specify*) _____
from the shared residence that restrained person has been ordered to vacate in **D** above (RCW 7.105.320(3)).

**10. Washington Crime Information Center (WACIC) and Other Data Entry**

**Clerk's Action.** The court clerk shall forward a copy of this order immediately to the following law enforcement agency (*county or city*) Vancouver
(*check only one*): [ ] Sheriff's Office or [✓] Police Department

This agency shall enter this order into WACIC and National Crime Info. Center (NCIC).

**11. Service on the Restrained Person**

[✓] **Required**. The restrained person must be served with a service packet, including a copy of this order, the petition, and any supporting materials filed with the petition.

[✓] The **law enforcement agency** where the restrained person lives or can be served shall serve the restrained person with the service packet and shall promptly complete and return proof of service to this court.

Law enforcement agency: (*county or city*) Vancouver
(*check only one*): [ ] Sheriff's Office or [ ] Police Department

[ ] The **protected person** (or person filing on their behalf) shall make private arrangements for service and have proof of service returned to this court. (*This is not an option if this order requires: weapon surrender, vacating a shared residence, transfer of child custody, or if the restrained person is incarcerated. In these circumstances, law enforcement must serve, unless the court allows alternative service.)*

**Clerk's Action**. The court clerk shall forward a service packet on or before the next judicial day to the agency and/or party checked above. The court clerk shall also provide a copy of the service packet to the protected person.

[ ] **Alternative Service Allowed**. The court authorizes alternative service by separate order (*specify*):_____

[ ] **Not required.** The restrained person appeared at the hearing, in person or remotely, and received notice of the order. No further service is required. See section **4** above for appearances. (*May apply even if the restrained person left before a final ruling is issued or signed.*)

**12. [ ] Service on Others (Vulnerable Adult or Restrained Person under age 18)**

Service on the [ ] vulnerable adult [ ] adult's guardian/conservator [ ] restrained person's parent/s or legal guardian/s (*name/s*) _____ is:

[ ] **Required.**

[ ] The **law enforcement agency** where the person to be served lives or can be served shall serve a copy of this order and shall promptly complete and return proof of service to this court.

Law enforcement agency: (*county or city*)_____
(*check only one*): [ ] Sheriff's Office or [ ] Police Department

[ ] The **protected person** or person filing on their behalf shall make private arrangements for service and have proof of service returned to this court.

**Clerk's Action**. The court clerk shall forward a copy of this order on or before the next judicial day to the agency and/or party checked above.

[ ] **Not required.** They appeared at the hearing where this order was issued and received a copy.

**13. Other Orders (if any):**

_____

_____

_____

_____

| **How to attend the next court hearing** (date and time on page 1) | | | |
|---|---|---|---|
| | **In person**<br>Judge/Commissioner: Hayes Courtroom: To Be Determined<br>Address: 1200 Franklin Street, Vancouver WA 98660<br>To locate your hearing on the day of, view the **Daily Schedule** at:<br>https://www2.clark.wa.gov/files/dept/superiorcourt/dockets/supcrtsch.html | | |
| | **Online** (*audio and video*) [x] Log-in: https://clark-wa-gov.zoom.us/j/98159503922?pwd=TW5UdnhwTmV6NmNWWWZiS1BGK1NCUT09<br>**Meeting ID:** 981 5950 3922 **Password:** 85724086 | | |
| | **By Phone** (*audio only*) [x] **Call-in number** +2063379723 or 888 788 0099 US Toll Free Meeting ID: 981 5950 3922 Password: 85724086 | | |
| | **If you have trouble connecting online or by phone** (instructions, who to contact)<br>Contact the Clerk's Office: 564-397-2292<br>Then: Judicial Assistant for the assigned Commissioner<br>Commissioner Jill Sasser: Rebecca Wittenborn, 564-397-4037<br>Commissioner Christine Hayes: Andrea Esmay 564-397-4280 | | |
| | **Ask for an interpreter, if needed.** Contact: 360-759-6924<br>District CourtIntCoor@clark.wa.gov | | **Ask for disability accommodation, if needed.** Contact: an ADA Coordinator via email at superior.courtada@clark.wa.gov, visit our website at https://clark.wa.gov/courts.ada-policy-and-procedures or call Court Administration at 564-397-2150 |
| **Ask for an interpreter or accommodation as soon as you can. Do not wait until the hearing!** | | | |

**Ordered.**

Dated: 8/28/23 at 3:14 a.m. (p.m.)

**Judge/Court Commissioner**

S Clark

Print Judge/Court ~~Commissioner~~ Name

I received a copy of this Order:

Signature of Respondent/Lawyer WSBA No. Print Name Date

Signature of Petitioner/Lawyer WSBA No. Print Name Date

//

***Important!* Protected Person**, if you ask for it, you have the right to be notified if the restrained person gets their surrendered firearms back. You must contact the law enforcement agency that has the firearms to ask for this notice. The Proof of Surrender in the court file should say which agency has the firearms. RCW 9.41.340.

**Certificate of Compliance With VAWA.** This protection order meets all "full faith and credit" requirements of the Violence Against Women Act, 18 USC § 2265 (1994) (VAWA) upon notice to the restrained person. This court has jurisdiction over the parties and the subject matter; the restrained person has been or will be given notice and a timely opportunity to be heard as provided by the laws of this jurisdiction. This order is enforceable in all 50 states, Indian tribal lands, the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, American Samoa, the Northern Mariana Islands, and Guam, as if it were an order of that jurisdiction.

## APPENDIX G

Constitutional and Statutory Provisions

**U.S. Const. amend. XIV, § 1 (Due Process / Equal Protection Clause)**

"All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

**U.S. Const. amend. I (First Amendment - Petition Clause)**

"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."

**28 U.S.C. § 1257(a)**

"Final judgments or decrees rendered by the highest court of a State in which a decision could be had, may be reviewed by the Supreme Court by writ of certiorari where the validity of a treaty or statute of the United States is drawn in question or where the validity of a statute of any State is drawn in question on the ground of its being repugnant to the Constitution, treaties, or laws of the United States, or where any title, right, privilege, or immunity is specially set up or claimed under the Constitution or the treaties or statutes of, or any commission held or authority exercised under, the United States."

**RCW 26.51.010 (Washington Abusive Litigation Act - Statement of Purpose)**

"The legislature finds that domestic violence abusers have used the court system as a way to continue to harass, intimidate, control, and maintain contact with their victims. ... The legislature intends to create a process by which the courts can identify abusive litigation and restrict a person's ability to use the courts in a harassing manner."

**RCW 7.105.010 (Washington Domestic Violence Protection Order Act - Purpose)**

"The purpose of this chapter is to protect victims of domestic violence, sexual assault, stalking, and harassment by providing access to civil protective orders and ensuring that law enforcement has the ability to enforce civil protective orders."

**IN THE SUPREME COURT OF THE UNITED STATES**

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ANGELA A. GARCIA-LEIJA,

Petitioner,

v.

FLAVIO FAUSTINO LEIJA,

Respondent.

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No. _____

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**PROOF OF SERVICE**

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I, Angela A. Garcia-Leija, declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that on April 21, 2026, as required by Rule 29 of the Rules of the Supreme Court of the United States, I served the following documents on counsel of record for Respondent by depositing true copies thereof in the United States mail, first-class postage prepaid, addressed as follows:

**Documents Served:**

(1) Motion for Leave to Proceed In Forma Pauperis;

(2) Affidavit in Support of Motion to Proceed In Forma Pauperis;

(3) Petition for a Writ of Certiorari, with Appendices A through F.

**Served Upon:**

Nathan H. Petersen, WSBA #43382
Counsel of Record for Respondent Flavio Faustino Leija
Petersen Rothermel Law Firm
1610 Columbia Street
Vancouver, Washington 98660

Service was made by first-class United States mail, postage prepaid. Pursuant to Rule 29.3, service of one copy on separately represented opposing counsel is sufficient for documents prepared under Rule 33.2. Pursuant to Rule 29.3, electronic service is not required because Petitioner is proceeding pro se and in forma pauperis.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on: April 21, 2026

**Angela A. Garcia-Leija**
Petitioner Pro Se

PO Box 1108 ACP 0238-25

Salem, Oregon 97308

(206) 849-9383

gelita.leija@gmail.com

## APPENDIX A

Washington Court of Appeals, Division II

Unpublished Opinion, No. 58824-2-II (Consolidated with No. 59547-8-II)

Filed July 29, 2025 (Glasgow, J.)

**Angela A. Garcia-Leija**

PO Box 1108 ACP 0238-25

Salem, Oregon 97308

*(Oregon Address Confidentiality Program*

*- DOJ authorized substitute address)*

(206) 849-9383 | gelita.leija@gmail.com

April 21, 2026

**Office of the Clerk**

**Supreme Court of the United States**

1 First Street, N.E.

Washington, D.C. 20543

Re: ***Garcia-Leija v. Leija*** Pro Se Petition for Writ of Certiorari and Motion to Proceed In Forma Pauperis

Dear Clerk of the Court:

I am **Angela A. Garcia-Leija**, Petitioner, appearing pro se. Enclosed please find the following documents for filing in connection with the above-referenced matter:

(1) Motion for Leave to Proceed In Forma Pauperis;

(2) Affidavit in Support of Motion to Proceed In Forma Pauperis;

RECEIVED
APR 28 2026
OFFICE OF THE CLERK
SUPREME COURT, U.S.

(3) Petition for a Writ of Certiorari from the Order of the Washington Supreme Court, No. 104506-9, entered February 4, 2026, dismissing Petitioner's petition for review and all pending motions as untimely;

(4) Appendices A through G; and

(5) Proof of Service on Respondent's counsel of record.

I am requesting leave to proceed in forma pauperis pursuant to Rule 39 and 28 U.S.C. § 1915. I am a current recipient of public food assistance (SNAP/EBT benefits) administered through the State of Oregon, receiving approximately $300.00 per month. Receipt of means-tested public assistance establishes that I am without the financial resources necessary to pay the $300.00 docketing fee, printing costs, or other fees required by the Rules of this Court. The accompanying Affidavit sets forth my financial condition in full detail.

I write separately to bring two matters to the Court's attention. First, my mailing address is a confidential substitute address issued by the Oregon Department of Justice Address Confidentiality Program (ACP), Case No. ACP 0238-25, authorized through October 6, 2029. I am enrolled in the ACP as a crime victim under Oregon Revised Statutes Chapter 192.820 et seq. All correspondence from this Court should be directed to the ACP address above: PO Box 1108 ACP 0238-25, Salem, Oregon 97308. I request that my physical location not be disclosed in any public docket entry.

Second, I relocated from Clark County, Washington to Oregon to preserve my physical safety. The record documents: law enforcement threats of arrest when I attempted to exercise parenting

rights under a valid court order; a judge calling for my incarceration from the bench, three times in succession, while opposing counsel simultaneously sought my imprisonment; multiple restraining orders obtained through defective process used to threaten arrest; and the systematic weaponization of court proceedings to isolate me from my children and from any legal remedy.

I became homeless in early 2025 as a direct result of five years of court-ordered costs, mandatory evaluations, supervised visitation fees, and an abusive litigation restriction that prevented me from efficiently pursuing legal remedies. Prior to these proceedings, I managed approximately 26 financial accounts with combined household assets approaching $500,000 annually through AGL Investments, a registered sole proprietorship through which I served as the family's primary wealth manager — growing the combined estate by nearly $500,000 in a single year, as confirmed under oath by forensic accountant Tiffany R. Couch, CPA/CFF/CFE. I earned no personal salary from this role, as AGL Investments managed family assets rather than charging outside clients; my economic contribution was the growth of our collective wealth, not the extraction of personal income from it. I now receive approximately $300.00 per month in SNAP/EBT assistance, have earned no income in 2026, and carry total debt obligations of approximately $347,847 *(as of the November 2024 Financial Declaration filed in Clark County Superior Court; all obligations continue to accrue interest and grow)*, including $143,771.59 in IRS debt, a $32,000.00 attorney fees award currently on appeal, and approximately $15,794.00 in disputed child support arrearage. I face eviction risk every month. My retirement savings were fully depleted to fund court-ordered fees. My credit score fell from the high 700s to approximately 520 solely as a result of these proceedings. Respondent Flavio Faustino Leija failed to disclose annual bonus income of approximately $40,000 to $60,000 per year consistently throughout the marriage and dissolution proceedings, causing every support

calculation to rest on a falsified financial baseline. I have no ability to pay the costs associated with this filing.

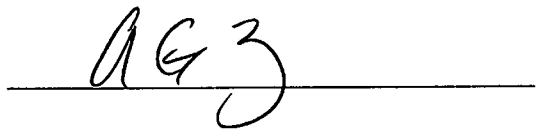
The accompanying Petition presents five substantial federal constitutional questions: (1) whether the Fourteenth Amendment's guarantee of parental liberty, as recognized in *Troxel v. Granville,* 530 U.S. 57 (2000), requires meaningful notice before a court may impose a complete no-contact order severing all parent-child contact — where the petitioner appeared at the hearing and stated she had not received or read the moving papers, and the trial court acknowledged she needed a further opportunity to respond; (2) whether a "waiver" finding complies with the Due Process Clause when it rests on failure to respond to a motion the party was never lawfully served with — here, a three-year pattern of email service on an unrepresented party that the trial court itself confirmed was legally insufficient for proceedings carrying incarceration risk; (3) whether a state may apply a domestic violence abusive litigation statute against a domestic violence victim who obtained a DVPO as a victim, permanently barring her from seeking judicial remedies, under a statute whose stated purpose is to protect DV victims from their abusers; (4) whether the Due Process Clause permits adjudication of parental rights by a judge who disclosed "huge bias" on the record, stated she "never wanted to give custody back to mom, any custody," predicted in 2021 that the petitioner would never see her children again and confirmed that prediction with "Well, good" in 2023, and coordinated ex parte with opposing counsel to pre-schedule and pre-determine a procedurally defective modification proceeding; and (5) whether the mootness doctrine may categorically immunize ex parte DVPO quashings from appellate review on the ground that temporary DVPOs always expire by their own terms — where the custody consequences persisted for years and were never moot, and the state actor whose conduct is challenged caused the order's expiration.

Regarding the procedural posture: the Washington Supreme Court's February 4, 2026 order dismissed Petitioner's petition for review as untimely. That untimeliness was itself caused by the November 8, 2023 Order Restricting Abusive Litigation (FL Sub 562) — one of the constitutional violations this Petition challenges — which required prior judicial approval before Petitioner could file any court document. A state procedural default caused by the constitutional violation at issue does not bar this Court's jurisdiction. *See Henry v. Mississippi,* 379 U.S. 443, 447–48 (1965).

This Petition is not frivolous. It raises questions of recurring national importance to domestic violence victims and parents whose constitutional rights are adjudicated in state family courts. It presents a documented certified record, including verbatim VRP citations, that provides this Court a clean factual vehicle for resolving the unsettled constitutional questions described above.

I respectfully request that the Court: (1) grant leave to proceed in forma pauperis; (2) docket the enclosed Petition; and (3) direct all correspondence to the ACP address listed above. I am available by telephone at (206) 849-9383 and by email at gelita.leija@gmail.com to address any questions or deficiencies the Clerk may identify.

Respectfully submitted,



**Angela A. Garcia-Leija**

Pro Se Petitioner

PO Box 1108 ACP 0238-25

Salem, Oregon 97308

(206) 849-9383

gelita.leija@gmail.com

*Enclosures (as listed above)*

**ADDRESS CONFIDENTIALITY NOTICE:** Petitioner is enrolled in the Oregon Department of Justice Address Confidentiality Program (ORS 192.820 et seq.), ACP Case No. 0238-25. The address PO Box 1108 ACP 0238-25, Salem, OR 97308 is an authorized substitute address managed by Oregon DOJ. Petitioner's physical residential address is confidential as a matter of state law for the protection of a crime victim. This Court is respectfully requested to use only the ACP address in all public docket entries and correspondence.