

Restraining Order Defense.

- I do not require restraint. I am not the abuser, I am the abused. I would like to demonstrate that James Gibson is the abuser.
- This is the petitioners attempt to conceal his address from the court, because he lives with a woman. He doesn't want the court to know that he shares his living expenses
- I am going to show that the petitioner's creditability should be in question.
- This is the petitioners attempt to minimize spousal support by painting me as an angry black woman.
- This is the petitioners attempt to retaliate because I testified to his alcohol abuse, to his drug arrest, and alcohol arrest and his attempt to evade paying child support.
- Rocky is my dog. I would like to demonstrate this is the petitioner attempt to hurt me by taking my dog Rocky. I have suffered in a mentally abusive relationship with the petitioner for over 20 years. The medical records I filed with the court is a confirmation of the mental abuse I endured with my abusive husband. The chronic pain also led to acute depression. Rock acted as emotional support dog.
- The Petitioners attorney persuaded him to file a restrainer order to block me from influencing him. She is taking advantage of the discord between the two of us. Instead of encouraging compromise, she is instigating conflict.
- I am unable to pay my own credit cards. I am delinquent on my debt that I incurred when I waited for my husband to go to therapy with me. I do not have an income.

Brief background, James filed for divorce after a dispute about him going to a conference without me. We were having issues because of his drinking and his continued infidelity. On January 5th, James moved out of the home. I believe he rented a room close to our marital home. I didn't argue or fight with him when he left which came as great surprised to him. He had taken a woman on vacation on n our anniversary, which is New Year's Eve. His infidelity had taken a toll on me. Often, I would look the other way, but he became brazen with his cheating ways. Shortly after he left, he and I went to dinner. He wanted to spend the night, he also tried to tell me about his living arrangements. But I didn't want to know. James told my daughter that he wanted to teach me a lesson. He told her that he was going to come back home. But he wanted me to see how hard it would be without him. He wanted me to suffer. Your honor James expected me to fall down the

rabbit. To be quite honest, had he done it 10 years earlier I would have lost my mind. I was in an abusive relationship for years with James. I taught myself coping skills to deal with the sadness and depression. It is what influenced the business I tried to create. Please let me explain the cycle of abuse. James isn't loud or boisterous. He is verbally and emotionally abusive. He has been physical with me before, but his abuse is verbal and emotional. Like he would come home and not acknowledge me. If I am cooking, he would walk past the stove and give me a disapproving look. When I was younger, I would become emotional and despondent. But as we got older, I learned to ignore him. If he did something mean spirited, if I ignored it and act as if everything was ok, he would have guilt. He would do something nice like buy me something or take me on a trip. He would go to this dark place, if I would just wait it out, he'd come around and do the right thing. Last year, he would go back and forth about us going to counselling. He became very nasty when the kids stop talking to him. He pretty much stop giving me money. I struggled to pay the bills. I was literally living on credit cards. My cards were at their limits. I came to the court house in November to get relief. When I responded to the divorce, I just check the same things he checked. I was pretty much in a haze. I didn't know what I was ng. I realized I checked Alimony not spousal support. During this time, we had a Janu 2nd court day. I asked the self-help how to do I amend my response. They told me I couldn't that the court would hear the spousal support on Jan. 2nd. Which didn't happen. I practically begged them to help because was struggling financially. Then they told me about the spousal support facilitator who helped me initiated the motion for spousal support. My husband refused to help me financially, it's not so much the money. He wants to see me suffer. Even still today he agrees to go to counseling, then will get into an argument. I have a screenshot of my phone log on Feb. 28 where he told me to find a counselor. My point is in this past 16 months he hasn't had an issue with me that required restraint. He has had virtually no interest in Rocky. He even refused to buy him food 6 months ago.

I would like to point out James Gibson's lack of credibility. James Gibson has blatantly lied to the court. I urge the court to finally acknowledge his lack of credibility. In his Responsive Declaration for spousal support. Under "The Need of Each Party Based on the Standard of Living Established During the Marriage" The petitioner makes this statement. The marital standard of living is inflated due to the excessive credit card usage. At one point, I withdrew over \$38,000 from my 401K to pay down debt. However, the Respondent did not make the intended payments and instead created additional debt. I rebut his blatant lie by submitting a copy of an email I sent to our mortgage broker informing him that we had paid down the debt, and finally resolved the child support delinquency. \$12,000 of the \$38,000

paid off his child support delinquency. That we were not below a 36% debt to income ratio. He also failed to mention that credit card debit also included trips that we have taken as a family. He implies the spending was solely my spending. The truth is we had taken vacation almost every year. We have been to Jamaica twice, the Virgin Island, Costa Rica, Bermuda, Hawaii, The Mexican Rivera, Cancun, the Bahamas, The Florida Keys to name a few. Not to mention our Vegas getaways, ski trips. There was also \$7000 spend on our daughter's private schools, East Coast trip. Your honor, he is the one who loves the travel. You will eventually see that when I am able to subpoena his bank records. You will see all the traveling he did last year. Europe, Northern California, Virginia etc. He also claims that I frivolously spend my Worker's Comp settlement. I submitted our joint bank statement that shows the petitioner transfer a fourth of my settlement to his personal account. The same statement shows monies being paid to creditor. The petitioner came in my home, while I was away and took photos of my handbags. Most of the handbags being over 10 years old, and also being gifts he purchased for me. The petitioner submitted photos from my social media page with a bogus narrative. He is so sloppy and brazen in his deceit he didn't realize that the photos captioned detail the nature of the photos. Finally, in the same Responsive Declaration under *Documented Evidence of any History of Domestic Violence*. There has been no domestic violence. But the petitioner tells these tall tales of me committing domestic violence.

Your honor I am not the abuser, my husband is an abusive alcoholic that exhibits bouts of dark behavior. I believe him to be a sociopath because he does exhibit remorse, at times he can't control the abusive tendency. I strongly believe it is a combination of the drinking and mimicking his father's behavior. I submitted a screenshot of passages he sent to me from the Twelve Steps and Twelve Traditions. One dated Oct 5th, the other April 2nd. The Oct 5th passage has his three fingers in the shot. The Twelve Steps and Twelve Traditions is a book which explains the 24 basic principles of Alcoholic Anonymous. He also sent an email with a photo of his foot and a beer. He lies and tells me quit drinking. He sent the beer to taunt me, because he knows how I feel about his drinking. I have also submitted multiple greetings card he gave me after his alcohol induce attacks. One card reads, "Sometimes I just have to blow off some steam" on the front. The inside reads, "... but I always love you no matter what. He signed it Sorry. The 2nd card on the cover reads. "The bad news is, your husband has to stay overnight for observation. The good news is, we have this loaner model" available. The inside reads "We Can Dream Can't We". He writes inside the card. You might do better w/the loaner model. Sorry for my lack of good judgement over past few months. You honor please understand, each time I forgave him because I know my husband

has a disease. I kept believing God would heal my husband. He has had this drinking problem since we were in our twenties. I submitted a letter he wrote to me dated 1-6-93. It reads *My resolutions are to stop smoking squares, quit getting drunk, stop eating red meat and lose my beer gut.* I multiple letters with my husband breaking up with me. **Read them...** The letter never gives any specific reason, like I wrong him or anything. He just falls into negative moods, which is probably alcohol related. I realize that I appear to be an enabler, that is not the case. This is my husband, and I married for good and bad. I emailed his attorney explaining to her that he has this issue. I submitted these emails to the court. I then called her, she said that she doesn't see it. I again explained that he is good at masking what is going on inside. I asked her to encourage him to go to therapy with me. But that wouldn't serve her billable hours agenda.

This restraining order is his retaliation for exposing his mental issues. My husband's career is the most important thing in his life. Again, this relates to his relationship with his father. He is still trying to prove that he is good enough. Professional achievement was paramount to his parents. He would be mortified if any of his colleagues read the public record of what I have disclosed about my husband. He's trying to hurt me.

I've tried to resolve our differences in a civil manner, but he always will bring up a negative subject that initiates an argument. I sometimes struggle with his abuse, I consciously make an effort to reframe from communicating with him. The petitioner submitted a copy of a text message between he and our daughter in his response for spousal support. The text message is my daughter telling him, I am waiting for him to come to get my car for the smog. He response reads, "Please note that I will not communicate thru u either moving 4ward. She can text or email if she doesn't want to speak. This will be last message I communicate thru you. Sometimes you honor I have to step back from him. Sometimes I fall into a depression, he will say hurtful mean-spirited things. Just little jabs. Sometimes I can take it. Other times it's too much. I make a conscious effort to avoid him. I submitted my medical records where my doctor suggested that I communicate through our daughter. I also submitted an email correspondence between the two of us. This was after an incident I will detail later in my testimony.

I wrote...

Please leave me alone. Yesterday I gave you the rest of the things that were in the home. Please leave me alone. I won't respond to any other emails or calls. You need to direct your correspondence through your attorney.

He responded.

I'm fine with this as described and would love if you followed through on your word for longer than 3 weeks. my attorney is not responsible to communicate with you. Haven't you realized you received no responses?! . That seems to be something you've seen on tv.

Your honor this is the demeaning behavior I have tried to characterize. I know it appears subtle, but it is what he has done to me our entire relationship. If I am hurt by the comments, then I am being sensitive. All the little jabs, they add up.

The restraining order is a unethical attempt to minimize spousal support. I believe this it is a plot he and his attorney have had planned for a few months now. I called his job once in January. I want to preference to by explaining he won't talk to after work from home. That's how I know he lives with someone. I can only call him at work. He never calls me after 6pm, unless he is planning to come over. I call his job because this is where I can reach him. I have been calling him at work the entire time we've been married. He has never complained. He actually tell me to call him in the office instead of his cell phone. On Jan 24th I called his office. Sometimes he doesn't answer because he off grounds. At a city meeting or in training. So, I call the main number and ask if he is on campus. This is something I've done a million times. Because if I call his cell, if he is in a meeting he will text or email me. If I don't get a response, I am not sure if he out for the day or at meeting for a few hours. Generally, they will tell me if they saw him on campus. I identify myself as his wife.

This is the stream of emails.

January 29th email stream. I would like to point out that both of his attorneys were included in that email. In our spousal support hearing. The court began to order that he pay \$1400. His attorney responded by saying are you not going to include her income. Ariel Carter knew I didn't have an income. I responded by saying my explained. The court shook her head, and said you've had enough time. But the entire time we were going back and forth about the petitioner income, which really didn't understand because he had submitted his check stubs. I point this out because this his motivation to not have to pay me support. He rather pay an attorney that provide the support that the law requires.

Read Jan 31, 2019 email.

I realize that our relationship appears volatile. We have had highs and lows. If he can stay sober, and with therapy I don't think he will continue with the mood swing. I know he's a grown man, but he is being negatively influenced by his attorney. She has done nothing to defuse the conflict. She is supposed to be unbiased working in his best interest. Being in and out of court isn't in either of our best interest. His attorney is pushing for this restraining order because I point out to him what how she was billing him hour unnecessary hours. The example is the intergottories. Apparently I didn't file them correctly. She rejected them. I told him, what was the benefit in

rejecting them. A couple weeks ago I received them in the mail. So he must have mentioned to her what I said. The question regarding where he lives was denied stating restraining order. I am not sure if she submitted the integratorries before he filed the restraining order. I am not a detriment or do I harass him. He just doesn't want the court to know that he's sharing expenses. This is a unethical tactic, which his attorney is not beyond.

Regarding Rocky, Rocky is my dog. We had a Dachshund, Roxie that died after eating candy that James brought home from work. When our daughter was 9, James gifted Rocky to me to replace Roxie, the dachshund. During my entire back injury Rocky was all I really had, I have video of walking with Rocky. When my back was at it's worse I could barely walk. Rocky love to go for a walk. He would get excited. Rocky encouraged me to walk. I have video of he and I walking. I would have to stop every so many steps, but Rocky would run and jump and encourage me. James is asking for Rocky to inflict further pain on me. Rocky sleeps with me every night and he helps me with my depression. I have a huge backyard that Rocky plays in, in the mornings. James lives in an apartment and he works more than 50 hours a week. Rocky is my dog. I need him for my sanity, and he loves me. When he's in the house he follows me around the house. My daughter pointed out when she was home for winter break, that when dad comes over Rocky no longer acknowledges him. He left over 13 months ago. He didn't show an interest in Rocky until the judge ruled against him in the lawyer fees hearing. I've include a picture of my dog in my backyard.