

DECLARATION OF TAYLOR WEBB

I, TAYLOR WEBB, do hereby declare;

1. I am the mother of Audrey Westfall, born 10/27/19. Audrey's father is Jeremy Westfall. Jeremy and I have been in a relationship for over five years, and I have helped raise his child Gage (age 7 – lives primarily with relatives), Bentley (age 6), and his daughter Kelsey, who at age 10 passed away from MPS3-Sanfillippo Syndrome. Sanfillippo Syndrome is a rare genetic condition, in which enzymes that break down another chemical in the body (Heparan Sulfate- HS) are absent in the body. Buildup of the HS affects the body adversely and progressively damages the brain – it is also referred to as “childhood dementia.” It is genetic in origin, and it is always fatal – most patients never reach adulthood.
2. Kelsey's biological mother (also of Gage & Bentley) has had a decade plus problem with drug abuse and is not in the picture and has not been for years. I am the only “mother” figure Bentley knows. Though Gage lives with relatives, Jeremy freely visits with Gage.
3. Kelsey passed away in her sleep on 2/27/19, and Jeremy found her in her bed that morning when he went to wake her up to go to school. One would think that the horror and the tragedy of that morning could not get worse, and yet it did, when Stanislaus County's Child Protective Services (CPS) came into our lives.

- 1 4. I think it would be fair to say that Kelsey's passing was the day the
2 nightmare that both Jeremy and I are living in now – including the events
3 involving my mother Paula Webb to be described below - began.
- 4 5. CPS had been working with Jeremy to get Kelsey for approximately a
5 month prior to Kelsey's passing, some help with her condition. However,
6 they were wanting Jeremy to send his daughter off to essentially
7 institutional type care facilities far from our home. (San Bernardino).
8 Jeremy wasn't having any of it.
- 9 6. The morning Kelsey passed, someone contacted CPS and they showed up
10 at our home. Jeremy, already not enamored with their rather arrogant and
11 bullying ways, became immediately agitated in addition to the grief he
12 was suffering. He wanted them to leave. Detective Sean Dodge stepped
13 in to calm and separate the social workers from Jeremy. Jeremy's father
14 Frank was there too and he helped calm things down and intercede
15 between the social workers and Jeremy.
- 16 7. The social workers came off immediately – and still to this day – talking
17 and acting as if Kelsey's death was a homicide. I believe it was Detective
18 Dodge, but it may have been another officer on the scene, who actually
19 told the social workers that this was not a homicide, in fact, saying he had
20 been to countless murder scenes over 20 years and this was plainly and
21 obviously a case where Kelsey died of natural causes (her disease).

1 8. For reasons only CPS can tell you, they then began – literally right then
2 while “our” daughters body was still warm in her bed – threatening to
3 remove Bentley from us. That very morning, after Jeremy signed a
4 “safety plan” whereby he agreed to allow Bentley to stay with his father
5 and step-mother Frank and Melinda Westhall, CPS inexplicably went to
6 Bentley’s school and took custody of him and placed him in foster care. I
7 have learned that warrantless removals are also part of how Stanislaus
8 CPS does business. Mind you, there were absolutely no allegations of
9 abuse of Bentley at the time from anyone.
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12 9. We did not know it then, but we know it now, that what they did was
13 unlawful and we recently contacted civil rights attorneys and it is
14 Jeremy’s intent to sue Stanislaus CPS for the removal of his son. We
15 learned from the attorneys – both of whom have three lawsuits between
16 them against Stanislaus County right now – that Stanislaus CPS has a
17 practice of threatening people with signing their “safety plans” or else
18 they will remove their children. As it turns out, the attorneys will now be
19 representing myself in a civil rights lawsuit for the exact same thing, as
20 that is exactly what they have done to me and to Jeremy.
21
22

23 10. I had a difficult birthing process with Audrey, our daughter. However,
24 she was born for the most part happy and healthy. As I will explain
25 shortly however, there were post-birth complications that led to the brief

1 induced coma I was put into, upon which my mother obtained a
2 temporary guardianship.

3 11. CPS social workers came to the hospital almost immediately after
4 Audrey's birth, and began dictating that I had to separate from Jeremy
5 claiming he was violent and abusive. Jeremy and I have never – ever –
6 other than arguments where at worst voices were raised – engaged in any
7 form of domestic violence. He has never struck me, blocked me from
8 movement, anything of the sort. Yet here they came beating the drum of
9 "domestic violence," and they have never relented.
10

11
12 12. They demanded that I attend a TDM with them, and my mother Paula
13 Webb, on November 1st, 2019. [Exhibit A] A TDM is a kind of meeting
14 they have, one which they do not allow attorneys to attend. Before the
15 meeting was ever held they were talking about how I needed to go to Utah
16 and live with my mother in order to avoid the allegedly horrible Jeremy
17 Westfall.
18

19
20 13. When I went to the TDM they threatened me outright that if I did not
21 agree to take the baby and go with my mother to Utah, they would remove
22 Audrey from me and place her in foster care. Melinda Westfall, Jeremy's
23 step-mother was present and a witness to all of this. They also said in this
24 meeting that I was "neglectful" and "responsible for Kelsy's death." They
25 demanded that I also file papers to terminate any rights of Jeremy over

1 our baby in the family court and basically told me – and my mother –
2 what had to be said in order to get some temporary orders. They told us
3 that we needed to say he had a “past history of domestic violence and I
4 was concerned for mine and my daughter’s safety.”
5

6 14. I told them explicitly immediately after this meeting that I had issues
7 with my mother about her being over-bearing. They just looked at me
8 with a blank stare, did not even ask me any questions about specifics or
9 anything of the sort.
10

11 15. It should come as no surprise that when threatened with the removal of
12 my newborn first child, I would do just about anything, just like the other
13 parents they have run this unconstitutional practice on. So I promptly
14 prepared and filed a family law filing seeking an order for sole legal /
15 custodial rights of Audrey. [Exhibit B] However, I knew that the whole
16 thing was false and contrived and I literally could not bring myself to
17 write it, but my mother sure did not have a problem with it, and she wrote
18 it up. The Court can easily see the handwriting is the same on the Family
19 Law filing and on her Guardianship request.
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21

22 16. Attached as Exhibit C is what was really going on, which is an e-mail I
23 sent later that very same day to my attorney Joseph Weinberger.
24

25 17. Due to an onset of an infection and pneumonia, I was readmitted to the
hospital on November 2nd, and was at some point put into a medically

1 induced coma. I am not a medical doctor, but I can say with certainty
2 under oath that the stress of what CPS had brought into my life certainly
3 did not help and I believe my immune system was beaten to a pulp going
4 through the stress of their threats and then running around meeting their
5 filing demands – not to mention having to deal with my mother, who is a
6 manipulative and almost maniacal individual who I want nothing to do
7 with and will seek a restraining order against. As will be explained, she
8 physically assaulted me while in Utah, and has leveled every kind of
9 threat on me during my short period in her presence.
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12 18. I am not in a coma now. I was released from the hospital on November
13 14th.
14

15 19. However, while in the hospital, when I awoke, my mother started the
16 kind of crazy manipulations that are her trademark. When I first came out
17 of the coma one of the very first things I said was that I wanted to see
18 Jeremy (indeed, the TDM agreement does not speak to me not seeing or
19 speaking with Jeremy so long as Audrey was not present).
20

21 20. Jeremy has been the love of my life for over five years, and in the
22 terrible condition I was in, of course I wanted to see him. But my mother
23 began telling me right out of the coma that Jeremy and I had been in a
24 huge fight before I went into the coma and we had broken up. She also
25 was telling me that I was a “minor” and my relationship with Jeremy was

1 unlawful. I remember showing her my hospital bracelet and telling her,
2 “Well it says right here I’m 25!”

3 21. In addition, she took my cell phone and she put a passcode on it, which
4 she has refused to tell me what it is. When I got to Utah, I obtained a new
5 phone, which as I will describe shortly, led to her committing violence on
6 me.
7

8 22. While I was in the hospital, she alternated between telling Jeremy and his
9 parents that Jeremy couldn’t come to the hospital, couldn’t see me, and
10 briefly saying he could. She would talk to the paternal grandparents and
11 Jeremy on the phone, then freeze them out for long periods of time. Of
12 course, I was in a coma, so the points in this paragraph I have learned
13 through Jeremy.
14
15

16 23. There was one day Jeremy was allowed to come to the hospital and visit
17 with me after I came out of the coma, in fact the hospital told my mother
18 she could not be there that day and that this was, “Jeremy Day.” I myself
19 told my mother about this that morning, that the hospital had told me
20 Jeremy could visit and she could not. In response to that, on that same
21 day, Paula brought “Angel” (soon to be brother-in-law due to marrying
22 Taylor’s sister), to the hospital, saying when she arrived that she had
23 brought “Angel” as “backup.” Angel promptly got in Jeremy’s face and
24
25

1 tried to start a fight, but Jeremy would not engage him. Security was
2 called, and Paula and Angel were escorted out of the hospital.

3 24. But then shortly thereafter, possibly the next day, someone came into my
4 hospital room and posted the flyer shown in Exhibit D. The Court will
5 note that it says, “According to Child Protective Services,” and goes on to
6 say he has a “history of violence,” and he cannot even come to the
7 hospital (unless needing care).
8

9 25. So as I said, CPS continues to beat the drum of “domestic violence,” and
10 to needlessly interfere in our lives and the lives of our children.
11

12 26. All the while, I am confident it will be shown in the federal case, my
13 mother was communicating with CPS, who was dictating what needed to
14 be done. It has emboldened my mother’s efforts to take my baby away as
15 will be shown by the statements I have recorded while in Utah – a one-
16 party consent state I might add. The Court will notice she is already
17 talking about taking my baby in the very Guardianship papers she filed,
18 and adopting my child or having my sisters do so.
19
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21 27. In fact, I’ve learned that CPS social workers set up a “meeting” with
22 Jeremy which they said was to address the ongoing CPS case he has with
23 them, but it was all a ruse, and the social workers showed up solely for the
24 purpose of serving Jeremy with the family law filing I had made (Ex. B)
25 and the guardianship papers that my mother had filed! So I guess they are

1 now in the business of service of process for private individuals using
2 taxpayer money!

3 28. Immediately upon discharge, we left for Utah – and actually before I was
4 discharged she had left the hospital saying she was taking my baby and
5 leaving for Utah without me. That did not occur, though I am surprised
6 given her conduct and level of crazy.
7

8 29. When I got to her home, the abuse began almost immediately. She said
9 that she had “custody” of Audrey and she was her “guardian.” She
10 handed me some papers and began literally “lording” over me. I quickly
11 learned that her serving me with papers was invalid; she is the party to the
12 guardianship action.
13

14 30. My mother actually lives in the basement of another persons’ home in
15 Clinton, Utah. Apparently, CPS made no effort to actually check out the
16 home or the others who live in it. They seemed like nice enough people,
17 but there’s no way they could have not have heard the way my mother
18 was speaking to me.
19

20 31. On November 18th, when my mother found out I got the phone as I was
21 sitting and texting on it, she angrily asked “How did you get that phone,”
22 and I said, “I just did.” She replied, “Why aren’t you going to tell me?” I
23 said, “Because I’m 25 years old and I can make my own decisions.” So
24 she snatched the power cord out of the phone, rolled it up, and put it in her
25

1 pocket. She then went upstairs and outside to smoke. When she came
2 back, I asked nicely for my power cord, she said no. I followed her to her
3 room and again asked politely and she now, more loudly said, "No!". She
4 then she got up, put her hands on my back and pushed me out of her
5 room. I had Audrey in my arms the entire time. Because she had pushed
6 me and had taken my cord to cut me off from any outside communication,
7 her escalating violence caused me to call the police. They responded and
8 took a report, case #T19-06920. I do not have a copy of the police report.

9
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11 32. While I was at my mother's home, in addition to recordings I have of her,

12 33. I heard her talking to her aunt on the phone and she said, "I did make a
13 false statement about Jeremy so I could have Audrey removed and get
14 custody of her for her safety, they can be mad at me I don't give a shit."

15
16 34. Also, merely two days prior to my escape from her, she was screaming
17 and yelling at me to, "Get out of my fucking house!" That I do have
18 recorded but could not get transcribed in time for this hearing.

19
20 35. I was able to escape from my mother's home on November 20th, and I am
21 now safe and sound, as is my child, in California.

22 36. I learned some law enforcement entity in Salt Lake City issued an Amber
23 Alert, saying I had unlawfully fled with my daughter. Strangely, I
24 understand from my attorney Robert Powell, that a Lt. Davis, even when
25 acknowledging (at least tacitly) that he had no proof of service of any

1 temporary guardianship on me, he refused to take down the Amber Alert.

2 My attorney assured him I and the baby are well and fine, but to my
3 knowledge the Amber Alert is still up, and now the world is having a
4 feeding frenzy on social media disparaging me, disparaging Jeremy –
5 even saying he killed his baby. I should note, even in the TDM the social
6 workers continued to call Kelsey’s death a “homicide.” I am living an
7 Orwellian nightmare, as is Jeremy.
8

9
10 37. As I said, I was not properly served, and I am therefore still my child’s
11 lawful guardian.

12 38. Since my mother learned I had left, she has left voice messages which
13 say all of the following:

14 “I will take your baby and you will never see her again” - “this is your
15 choice, you made your choice” - “When I get your baby I won’t care” -
16 “This is your one chance, one chance”

17 39. The bottom line here and now is I am fine, I am perfectly capable of
18 caring for my daughter, I have support from Jeremy and his family
19 financially, and I ask the Court to dismiss this Guardianship.
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23 Sworn to under penalty of perjury pursuant to the laws of the State of
24 California.
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Dated: 11 / 21 / 19


TAYLOR WEBB

Stanislaus County Team Decision Making (TDM) Meeting ACTION PLAN

Below is a brief description of the safety concerns that were discussed in the TDM as well as a brief description of the intervention plan that was decided in the meeting.

CASE NAME: Taylor Webb Date: 11/1/19 Location: TDM room Time: 10am

Safety Threat(s): DV Risk Assessment (SDM): _____

_____ Imminent Risk of Removal _____ Emergency Removal _____ Placement Move _____ Exit From Placement

| Concerns (Safety & How Well we are doing about) | Strengths (What's working well?) | Brainstorming (Placement, Services, Action, Etc.) |
|--|---|--|
| <p>Audrey 5 days old</p> <p>Taylor - involved in family life due to Jeremy in FR Domestic Violence</p> <p>SN Concerns/Not a protective mother.</p> <p>- Jeremy is not in compliance with Case Plan.</p> <p>- Taylor was offered plan to move out of home with Jeremy.</p> <p>- Jeremy had medical fragile child passed away. "unattended".</p> <p>- Taylor is influenced by Jeremy</p> | <p>- Mother Present</p> <p>- Mother in-law present</p> <p>- Taylor states Kasey was not unattended.</p> <p>- disease killed her not neglect</p> <p>- Taylor was not capable of decision at birth. She is now.</p> <p>- Taylor is willing to move to Utah with her Mom + daughters</p> | <p>Taylor can move with her Mom or Sister (mom does want to move w/G-Ma)</p> <p>Paula Webb</p> <p>- Move to Utah with Audrey's grandmother</p> |

Decision:

Taylor will apply for legal custody and move to Utah upon receipt of custody docs.

Action Steps:

Who?

What?

When?

| | | |
|---------|---|-------|
| Paula | Will allow Taylor and Audrey to move to Utah and live with her. | Today |
| Taylor | Will get consent from Dad Jeremy | Today |
| Taylor | Will obtain full custody of Audrey - file in family court | ASAP |
| P. Tout | Provide documents to ER-SW that Taylor filed for custody | Today |
| | If Taylor does not follow through Audrey stays in custody | Today |

This document provides that the persons that were present in this meeting understand the action plan documented above and agree to follow this plan until further notice is given to the participants by Child Protective Services social workers. Failure to adhere to this plan may result in further assessment of safety and risk of the child(ren) or further intervention by Child Protective Services.

SIGNATURES

| | | | |
|---|----------------------|------------------------------------|-------------|
| Parent/Caregiver: <u>[Signature]</u> | Date: <u>11-1-19</u> | Parent/Caregiver: _____ | Date: _____ |
| Youth/Child(ren): _____ | | | |
| Emergency Response (ER) Social Worker: <u>[Signature]</u> | | ER Supervisor: <u>[Signature]</u> | |
| Case Carrying Social Worker: _____ | | Case Carrying SW Supervisor: _____ | |

OTHER MEETING PARTICIPANTS

NOV 1 - 2019
DROP BOX 3:47

FL-300

PARTY WITHOUT ATTORNEY OR ATTORNEY: NAME: TAYLOR WEBB
FIRM NAME: TAYLOR WEBB
STREET ADDRESS: 308 6th St.
CITY: Modesto
TELEPHONE NO.: 209-214-5082
E-MAIL ADDRESS: TAYLOR.WEBB@GMAIL.COM
ATTORNEY FOR (name):
STATE: CA ZIP CODE: 95354
NOV 1 PM 3:47

FOR COURT USE ONLY
2019 NOV 5 AM 8:26
CLERK OF THE SUPERIOR COURT
COUNTY OF STANISLAUS
DEPUTY
Fees Waived \$60

SUPERIOR COURT OF CALIFORNIA, COUNTY OF Stanislaus
STREET ADDRESS: 1100 I Street
MAILING ADDRESS: P.O. Box 1088
CITY AND ZIP CODE: Modesto, CA 95353
BRANCH NAME:

PETITIONER: TAYLOR WEBB
RESPONDENT: JEREMY WESTFALL
OTHER PARENT/PARTY:

REQUEST FOR ORDER ☐ CHANGE ☒ TEMPORARY EMERGENCY ORDERS
☒ Child Custody ☒ Visitation (Parenting Time) ☐ Spousal or Partner Support
☐ Child Support ☐ Domestic Violence Order ☐ Attorney's Fees and Costs
☐ Property Control ☐ Other (specify):

CASE NUMBER
FL19003504

NOTICE OF HEARING

med-0

1. TO (name(s)): JEREMY WESTFALL

☐ Petitioner ☒ Respondent ☐ Other Parent/Party ☐ Other (specify):

2. A COURT HEARING WILL BE HELD AS FOLLOWS:

MEDIATION HEARING

a. Date: NOV 26 2019 Time: 8:30 AM X Dept: 13 Room:
b. Address of court ☐ same as noted above ☒ other (specify): 800 11th Street, Modesto, CA 95353

3. WARNING to the person served with the Request for Order: The court may make the requested orders without you if you do not file a Responsive Declaration to Request for Order (form FL-320), serve a copy on the other parties at least nine court days before the hearing (unless the court has ordered a shorter period of time), and appear at the hearing. (See form FL-320-INFO for more information.)

(Forms FL-300-INFO and DV-400-INFO provide information about completing this form.)

COURT ORDER
(FOR COURT USE ONLY)

It is ordered that:

4. ☐ Time ☐ for service ☐ until the hearing is shortened. Service must be on or before (date):
5. ☐ A Responsive Declaration to Request for Order (form FL-320) must be served on or before (date):
6. ☒ The parties must attend an appointment for child custody mediation or child custody recommending counseling as follows (specify date, time, and location): PARTIES ARE ORDERED TO COMPLETE THE MANDATORY ONLINE ORIENTATION AT WWW.STANCT.ORG. YOU MUST COMPLETE THE ONLINE ORIENTATION PRIOR TO YOUR SCHEDULED HEARING.
7. ☒ The orders in Temporary Emergency (Ex Parte) Orders (form FL-305) apply to this proceeding and must be personally served with all documents filed with this Request for Order.
8. ☒ Other (specify):

Child is not to move out of county, pending hearing

Date: 11-4-19

Valli Israels
VALLI ISRAELS JUDICIAL OFFICER

| | |
|---|-----------------------------------|
| PETITIONER: <u>Taylor Webb</u> RESPONDENT: <u>Jeremy Westfall</u> OTHER PARENT/PARTY: | CASE NUMBER: FL19003504 |
|---|-----------------------------------|

REQUEST FOR ORDER

Note: Place a mark ☒ in front of the box that applies to your case or to your request. If you need more space, mark the box for "Attachment." For example, mark "Attachment 2a" to indicate that the list of children's names and birth dates continues on a paper attached to this form. Then, on a sheet of paper, list each attachment number followed by your request. At the top of the paper, write your name, case number, and "FL-300" as a title. (You may use *Attached Declaration* (form MC-031) for this purpose.)

1. ☐ RESTRAINING ORDER INFORMATION

One or more domestic violence restraining/protective orders are now in effect between (specify):

☐ Petitioner ☐ Respondent ☐ Other Parent/Party (Attach a copy of the orders if you have one.)

The orders are from the following court or courts (specify county and state):

- a. ☐ Criminal: County/state (specify): Case No. (if known):
 b. ☐ Family: County/state (specify): Case No. (if known):
 c. ☐ Juvenile: County/state (specify): Case No. (if known):
 d. ☐ Other: County/state (specify): Case No. (if known):

2. ☒ CHILD CUSTODY☒ VISITATION (PARENTING TIME)

☒ I request temporary emergency orders

a. I request that the court make orders about the following children (specify):

Child's Name: Amory Westfall

Date of Birth: 10-27-19

☒ Legal Custody to (person who decides: health, education, etc):

Taylor Webb

☒ Physical Custody to (person with whom child lives):

Taylor Webb

b. ☒ The orders I request for ☒ child custody ☒ visitation (parenting time) are:

(1) ☐ Specified in the attached forms:

☐ Form FL-305 ☐ Form FL-311 ☐ Form FL-312 ☐ Form FL-341(C)
☐ Form FL-341(D) ☐ Form FL-341(E) ☐ Other (specify):

(2) ☒ As follows (specify):

no visitation

☐ Attachment 2a

☐ Attachment 2b

c. The orders that I request are in the best interest of the children because (specify):

domestic violence and anger issues
See attached

☐ Attachment 2c

d. ☐ This is a change from the current order for ☐ child custody ☐ visitation (parenting time).

(1) ☐ The order for legal or physical custody was filed on (date):

The court ordered (specify):

(2) ☐ The visitation (parenting time) order was filed on (date):

The court ordered (specify):

☐ Attachment 2d

PETITIONER: Jayla Webb
 RESPONDENT: Jeremy Weston
 OTHER PARENT/PARTY:

CASE NUMBER:

FL-19003504

3. ☐ CHILD SUPPORT(Note: An earnings assignment may be issued. See *Income Withholding for Support* (form FL-185).)

a. I request that the court order child support as follows:

Child's name and age

☐

I request support for each child

Monthly amount (\$) requested
based on the child support guideline. (if not by guideline)b. ☐ I want to change a current court order for child support filed on (date):
The court ordered child support as follows (specify):☐ Attachment 3a.c. I have completed and filed with this *Request for Order* a current *Income and Expense Declaration* (form FL-150) or I filed a current *Financial Statement (Simplified)* (form FL-156) because I meet the requirements to file form FL-155.

d. The court should make or change the support orders because (specify):

☐ Attachment 3d.4. ☐ SPOUSAL OR DOMESTIC PARTNER SUPPORT(Note: An *Earnings Assignment Order For Spousal or Partner Support* (form FL-435) may be issued.)a. ☐ Amount requested (monthly): \$b. ☐ I want the court to ☐ change ☐ end the current support order filed on (date):
The court ordered \$ per month for support.c. ☐ This request is to modify (change) spousal or partner support after entry of a judgment.
I have completed and attached *Spousal or Partner Support Declaration Attachment* (form FL-157) or a declaration that addresses the same factors covered in form FL-157.d. I have completed and filed a current *Income and Expense Declaration* (form FL-150) in support of my request.

e. The court should make, change, or end the support orders because (specify):

☐ Attachment 4a.5. ☐ PROPERTY CONTROL☐ I request temporary emergency ordersa. The ☒ petitioner ☐ respondent ☐ other parent/party be given exclusive temporary use, possession, and control of the following property that we ☐ own or are buying ☐ lease or rent (specify):b. The ☐ petitioner ☐ respondent ☐ other parent/party be ordered to make the following payments on debts and liens coming due while the order is in effect:

| | | | |
|---------------|------------|------------------|-----------------|
| Pay to: _____ | For: _____ | Amount: \$ _____ | Due date: _____ |
| Pay to: _____ | For: _____ | Amount: \$ _____ | Due date: _____ |
| Pay to: _____ | For: _____ | Amount: \$ _____ | Due date: _____ |
| Pay to: _____ | For: _____ | Amount: \$ _____ | Due date: _____ |

c. ☐ This is a change from the current order for property control filed on (date):

d. Specify in Attachment 5d the reasons why the court should make or change the property control orders.

PETITIONER: Taylor Webb
 RESPONDENT: Jeremy Westcott
 OTHER PARENT/PARTY:

CASE NUMBER:

FL190035046. ☐ ATTORNEY'S FEES AND COSTS

I request attorney's fees and costs, which total (specify amount): \$

I filed the following to support my request:

- a. A current *Income and Expense Declaration* (form FL-150).
- b. A *Request for Attorney's Fees and Costs Attachment* (form FL-319) or a declaration that addresses the factors covered in that form.
- c. A *Supporting Declaration for Attorney's Fees and Costs Attachment* (form FL-158) or a declaration that addresses the factors covered in that form.

7. ☐ DOMESTIC VIOLENCE ORDER

- Do not use this form to ask for domestic violence restraining orders! Read form DV-505-INFO, *How Do I Ask for a Temporary Restraining Order*, for forms and information you need to ask for domestic violence restraining orders.
- Read form DV-400-INFO, *How to Change or End a Domestic Violence Restraining Order* for more information.

- a. The *Restraining Order After Hearing* (form DV-130) was filed on (date):
- b. I request that the court ☐ change ☐ and the personal conduct, stay-away, move-out orders, or other protective orders made in *Restraining Order After Hearing* (form DV-130). (If you want to change the orders, complete 7c.)
- c. ☐ I request that the court make the following changes to the restraining orders (specify): ☐ Attachment 7c.
- d. I want the court to change or end the orders because (specify): ☐ Attachment 7d.

8. ☐ OTHER ORDERS REQUESTED (specify):☐ Attachment 8.9. ☐ TIME FOR SERVICE / TIME UNTIL HEARING I urgently need:

- a. ☐ To serve the *Request for Order* no less than (number): court days before the hearing.
- b. ☐ The hearing date and service of the the *Request for Order* to be sooner.
- c. I need the order because (specify): ☐ Attachment 9c.

10. ☐ FACTS TO SUPPORT the orders I request are listed below. The facts that I write in support and attach to this request cannot be longer than 10 pages, unless the court gives me permission. ☐ Attachment 10.

I declare under penalty of perjury under the laws of the State of California that the information provided in this form and all attachments is true and correct.

Date: 11-1-19

(TYPE OR PRINT NAME)

(SIGNATURE OF APPLICANT)



Requests for Accommodations

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the proceeding. Contact the clerk's office or go to www.courts.ca.gov/forms for *Request for Accommodations by Persons With Disabilities and Response* (form MC-410). (Civ. Code, § 54.8.)

1 jeremy has a history of violent and
2 domestic abuse. jeremy has an open CPS.
3 Case. He has not completed his court ordered
4 TDM. treatment course plans to reunite
5 with his son Bentley. CPS has ordered this
6 and he has not completed. jeremy had
7 a medically fragile child that passed
8 away in March 19.

9 jeremy is known to have aggressive and
10 violent temper.

11 He has not had custody of his other
12 children and does not complete the classes
13 and courses order by the court to
14 be reunited with his children

15 I am seeking full physical and
16 legal custody for the protection of
17 myself and daughter Avery Westfall.
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FL-305

| | | |
|---|--|---|
| ATTORNEY OR PARTY WITHOUT ATTORNEY: NAME: <u>Taylor Webb</u> FIRM NAME: STREET ADDRESS: <u>209 6th St</u> CITY: <u>Modesto</u> STATE: ZIP CODE: TELEPHONE NO.: <u>209 214 5092</u> FAX NO.: E-MAIL ADDRESS: <u>Taylor Webb 1990 mailcom</u> ATTORNEY FOR (name): | | FOR COURT USE ONLY 2019 NOV -5 AM 8:27 CLERK OF THE SUPERIOR COURT COUNTY OF STANISLAUS BY _____ DEPUTY |
| SUPERIOR COURT OF CALIFORNIA, COUNTY OF Stanislaus STREET ADDRESS: 1100 I Street MAILING ADDRESS: P. O. Box 1098 CITY AND ZIP CODE: Modesto, CA 95353 BRANCH NAME: | | |
| PETITIONER: <u>Taylor Webb</u> RESPONDENT: <u>Jeremy Westfall</u> OTHER PARENT/PARTY: | | |
| TEMPORARY EMERGENCY (EX PARTE) ORDERS <input checked="" type="checkbox"/> Child Custody <input checked="" type="checkbox"/> Visitation (Parenting Time) <input type="checkbox"/> Property Control <input type="checkbox"/> Other (specify): | | CASE NUMBER: <u>FL19003504</u> |

1. TO (name(s)): Jeremy Westfall
☐ Petitioner ☒ Respondent ☐ Other Parent/Party ☐ Other (specify):

A court hearing will be held on the Request for Order (form FL-300) served with this order, as follows:

a. Date: NOV 26 2019 Time: 8:30 A.M. ☒ Dept: 13 ☐ Room:
 b. Address of court ☐ same as noted above ☒ other (specify): 800 - 11th Street, Modesto, CA

2. Findings: Temporary emergency (ex parte) orders are needed to: (a) help prevent an immediate loss or irreparable harm to a party or to children in the case, (b) help prevent immediate loss or damage to property subject to disposition in the case, or (c) set or change procedures for a hearing or trial.

COURT ORDERS: The following temporary emergency orders expire on the date and time of the hearing scheduled in (1), unless extended by court order:

3. ☒ CHILD CUSTODY:
 a. Child's name: Audrey Westfall Date of Birth: 10-27-10
 Temporary physical custody, care, and control to:
 Petitioner: ☒ Respondent: ☐ Other Party/Parent: ☐

☐ Continued on Attachment 3(a)
 b. ☒ Visitation (Parenting Time) The temporary orders for physical custody, care, and control of the minor children in (3) are subject to the other party's or parties' rights of visitation (parenting time) as follows (specify):

none

THIS IS A COURT ORDER.

☐ See Attachment 3(b)

Page 1 of 2

| | |
|---|-----------------------------------|
| PETITIONER: <u>Valli Webb</u> RESPONDENT: OTHER PARENT/PARTY: <u>Jeremy Westall</u> | CASE NUMBER: FL19003504 |
|---|-----------------------------------|

FL-305

3. ☒ **CHILD CUSTODY (continued)**

c. **Travel restrictions**

(1) The party or parties with temporary physical custody, care, and control of minor children must not remove the minor children from the state of California unless the court allows it after a noticed hearing.

(2) ☐ Petitioner ☐ Respondent ☐ Other Parent/Party must not remove their minor children (specify):

(a) ☐ from the state of California.

(b) ☐ from the following counties (specify):

(c) ☐ other (specify):

d. ☐ Child abduction prevention orders are attached (see form FL-341(B)).

e. (1) **Jurisdiction:** This court has jurisdiction to make child custody orders in this case under the Uniform Child Custody Jurisdiction and Enforcement Act (part 3 of the California Family Code, commencing with section 3400).

(2) **Notice and opportunity to be heard:** The responding party was given notice and an opportunity to be heard as provided by the laws of the State of California.

(3) ☒ **Country of habitual residence:** The country of habitual residence of the child or children is (specify):

☒ The United States of America ☐ Other (specify):

(4) If you violate this order, you may be subject to civil or criminal penalties, or both.

4. ☐ **PROPERTY CONTROL**

a. ☐ Petitioner ☐ Respondent ☐ Other Parent/Party is given exclusive temporary use, possession, and control of the following property that the parties ☐ own or are buying ☐ lease or rent:

b. ☐ Petitioner ☐ Respondent ☐ Other Parent/Party is ordered to make the following payments on the liens and encumbrances coming due while the order is in effect:

| | | | |
|---------|------|------------|-----------|
| Pay to: | For: | Amount: \$ | Due date: |
| Pay to: | For: | Amount: \$ | Due date: |
| Pay to: | For: | Amount: \$ | Due date: |
| Pay to: | For: | Amount: \$ | Due date: |

5. ☐ All other existing orders, not in conflict with these temporary emergency orders, remain in full force and effect.

6. ☐ **OTHER ORDERS (specify):**

☐ Additional orders are listed in Attachment 6.

Date:

11-4-19



Valli Israels
JUDGE OF THE SUPERIOR COURT

THIS IS A COURT ORDER.

VALLI ISRAELS

From: Taylor webb <taylor.webb1994@gmail.com>

Sent: Friday, November 1, 2019 9:40:42 PM

To: Joe Weinberger <Joe@weinbergerlaw.net>

Subject: Re: Audrey Westfall

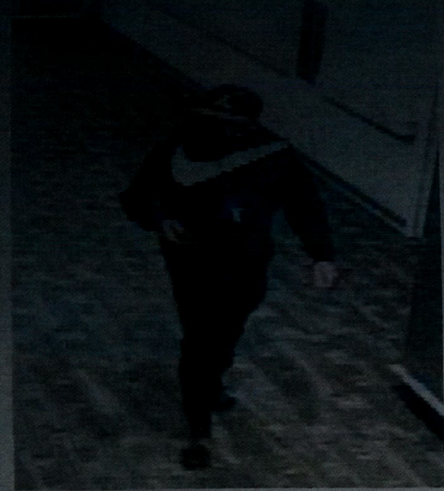
I have custody back and Audrey is home with me and we are leaving to Utah on Monday. I was forced to file fully custody papers in order to get Audrey back in my custody. When at the meeting today I was told I had to submit the paper I sent you earlier in order to be granted fully custody immediately. I also had to write out a statement stating why I felt Jeremy's rights should be taken away and was forced to say things I truly do not believe. I was made to say things I do not believe in any way shape or form to make him out to be the bad person in order to have Audrey in my custody again. I submitted false information in order to do what I had to be the best mother I can be to Audrey. They also continue to bring up false information about my step daughter Kelsey and her passing saying that she was neglected for over 12 hrs without any supervision the night she passed away. They stated that a call was made to the police again mine and Jeremy's house stating that they had believed domestic violence was going on in the home. They also stated that me and Jeremy were fighting that night and I took Bentley and left the house and did not return that night which did not happen. On Tuesday day a copy of the order I placed today is being released and I'm having it picked up and mailed to me I will get you a copy of it and send it to you by mail or fax please let me know the best way to get you the copy of the order. If you have any questions please reach out to me any time by phone or email. My cell phone number is (209)214-5082. Thank you for everything you are doing for my family.

On Fri, Nov 1, 2019 at 2:10 PM Joe Weinberger <Joe@weinbergerlaw.net> wrote:

Thanks Taylor. Let me know when you get custody back

Get [Outlook for iOS](#)

Sutter Health Security Alert



NAME: Jeremy Westfall

GENDER: Male

DOB: Unknown

AGE: Approx. 34

RACE: Caucasian

HEIGHT: Approx. 5'9

WEIGHT: 180

HAIR: Short, Brown

EYES: Brown

CLOTHING: Last seen wearing Black Nike sweater,
Black jogger pants, black hat, and sandals.

Situation/Background/Assessment/Recommendations

According to Child Protective Services (CPS) Jeremy has a history of violence. The patient in room 5430 in a no info patient due to the history presented by the above individual. His business on MMC property has concluded and is not allowed on property unless seeking medical attention. If this individual is seen on property, please contact the Department of Protective Services at ext. 7233 (SAFE) or at (209)572-7233.

DPS Officers if a report is received or this individual is seen ask the gentleman to leave property and if he refuses contact Modesto Police Department. DPS Officers will also be conducting frequent patrols through and around Surgical Blue to deter any incident from occurring.

Pt. Now in Room ~~3331~~
3705

Do NOT post or share outside of organization without prior consent from the Office of General Counsel

Share With

Department of Protective Services
Memorial Medical Center - Modesto



FOR INTERNAL USE ONLY- DO NOT POST IN PUBLIC LOCATIONS

Date: Issued by: Protective Services Shift Supervisor - Patrick Tebaldi