

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Richard Riess Lincoln St. Carson, CA 90745 TELEPHONE NO.: 310- [REDACTED] FAX NO. (Optional): E-MAIL ADDRESS (Optional): richardriess@gmail.com ATTORNEY FOR (Name): Richard Riess	FOR COURT USE ONLY <div style="font-size: 2em; font-weight: bold; margin: 10px 0;">ORIGINAL FILED</div> <div style="font-size: 1.5em; font-weight: bold; margin: 5px 0;">OCT 04 2011</div> <div style="font-size: 1.2em; font-weight: bold; margin: 5px 0;">LOS ANGELES SUPERIOR COURT</div>												
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles STREET ADDRESS: 200 W. Compton Blvd. MAILING ADDRESS: 200 W. Compton Blvd. CITY AND ZIP CODE: Compton, CA 90220 BRANCH NAME: South Central District													
PETITIONER/PLAINTIFF: Richard Riess RESPONDENT/DEFENDANT: Desiree Capuano													
<table style="width:100%; border: none;"> <tr> <td style="width:33%; border: none;">ORDER TO SHOW CAUSE</td> <td style="width:33%; border: none;"><input type="checkbox"/> MODIFICATION</td> <td style="width:33%; border: none;"><input type="checkbox"/> Injunctive Order</td> </tr> <tr> <td style="border: none;"><input checked="" type="checkbox"/> Child Custody</td> <td style="border: none;"><input checked="" type="checkbox"/> Visitation</td> <td style="border: none;"><input type="checkbox"/> Other (specify):</td> </tr> <tr> <td style="border: none;"><input type="checkbox"/> Child Support</td> <td style="border: none;"><input type="checkbox"/> Spousal Support</td> <td></td> </tr> <tr> <td style="border: none;"><input type="checkbox"/> Attorney Fees and Costs</td> <td></td> <td></td> </tr> </table>	ORDER TO SHOW CAUSE	<input type="checkbox"/> MODIFICATION	<input type="checkbox"/> Injunctive Order	<input checked="" type="checkbox"/> Child Custody	<input checked="" type="checkbox"/> Visitation	<input type="checkbox"/> Other (specify):	<input type="checkbox"/> Child Support	<input type="checkbox"/> Spousal Support		<input type="checkbox"/> Attorney Fees and Costs			CASE NUMBER: TD035397
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1. TO (name): Desiree Capuano
2. YOU ARE ORDERED TO APPEAR IN THIS COURT AS FOLLOWS TO GIVE ANY LEGAL REASON WHY THE RELIEF SOUGHT IN THE ATTACHED APPLICATION SHOULD NOT BE GRANTED. If child custody or visitation is an issue in this proceeding, Family Code section 3170 requires mediation before or concurrently with the hearing listed below.

a. Date:	MAR 22 2012	Time:	8:00am	<input checked="" type="checkbox"/> Dept.:	M	<input checked="" type="checkbox"/> Room:	1211
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b. The address of the court is same as noted above other (specify):

c. The parties are ordered to attend custody mediation services as follows: 11/4/11 10am, 825 Maple Ave, Torrance, CA

3. THE COURT FURTHER ORDERS that a completed *Application for Order and Supporting Declaration* (form FL-310), a **blank Responsive Declaration** (form FL-320), and the following documents be served with this order:
 - a. (1) Completed *Income and Expense Declaration* (form FL-150) and a **blank Income and Expense Declaration**
 - (2) Completed *Financial Statement (Simplified)* (form FL-155) and a **blank Financial Statement (Simplified)**
 - (3) Completed *Property Declaration* (form FL-160) and a **blank Property Declaration**
 - (4) Points and authorities
 - (5) Other (specify):
- b. Time for service hearing is shortened. Service must be on or before (date):
Any responsive declaration must be served on or before (date):
- c. You are ordered to comply with the temporary orders attached.
- d. Other (specify):

Date: OCT 4 2011

JUDICIAL OFFICER

NOTICE: If you have children from this relationship, the court is required to order payment of child support based on the incomes of both parents. The amount of child support can be large. It normally continues until the child is 18. You should supply the court with information about your finances. Otherwise, the child support order will be based on the information supplied by the other parent.

You do not have to pay any fee to file declarations in response to this order to show cause (including a completed *Income and Expense Declaration* (form FL-150) or *Financial Statement (Simplified)* (form FL-155) that will show your finances). In the absence of an order shortening time, the original of the responsive declaration must be filed with the court and a copy served on the other party at least nine court days before the hearing date. Add five calendar days if you serve by mail within California. (See Code of Civil Procedure 1005 for other situations.) To determine court and calendar days, go to www.courtinfo.ca.gov/selfhelp/courtcalendars/.

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.courtinfo.ca.gov/forms for *Request for Accommodations by Persons With Disabilities and Response* (Form MC-410). (Civil Code, § 54.8.)

PETITIONER/PLAINTIFF: Richard Riess RESPONDENT/DEFENDANT: Desiree Capuano	CASE NUMBER: <div style="text-align: right; font-size: 1.2em;">TD035397</div>
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CHILD CUSTODY AND VISITATION APPLICATION ATTACHMENT

TO **Petition, Response, Application for Order or Responsive Declaration** **Other (specify):**
 To be ordered now and effective until the hearing

1. **Custody.** Custody of the minor children of the parties is requested as follows:

Child's Name	Date of Birth	Legal Custody to <small>(person who makes decisions about health, education, etc.)</small>	Physical Custody to <small>(person with whom the child lives)</small>
G [redacted] Riess	[redacted]/00	Richard Riess	Richard Riess

2. **Visitation.**

a. Reasonable right of visitation to the party without physical custody **(not appropriate in cases involving domestic violence)**

b. See the attached _____-page document dated (specify date):

c. The parties will go to mediation at (specify location):

d. No visitation

e. Visitation for the petitioner respondent will be as follows:

(1) **Weekends starting (date):**

(The first weekend of the month is the first weekend with a Saturday.)

1st 2nd 3rd 4th 5th weekend of the month

from _____ at _____ a.m. p.m.
(day of week) (time)

to _____ at _____ a.m. p.m.
(day of week) (time)

(a) The parents will alternate the fifth weekends, with the petitioner respondent having the initial fifth weekend, which starts (date):

(b) The petitioner will have fifth weekends in odd even months.

(2) **Alternate weekends starting (date):**

The petitioner respondent will have the children with him or her during the period

from _____ at _____ a.m. p.m.
(day of week) (time)

to _____ at _____ a.m. p.m.
(day of week) (time)

(3) **Weekdays starting (date):**

The petitioner respondent will have the children with him or her during the period

from _____ at _____ a.m. p.m.
(day of week) (time)

to _____ at _____ a.m. p.m.
(day of week) (time)

(4) **Other (specify days and times as well as any additional restrictions):**

See Attachment 2e(4).

PETITIONER: Richard Riess	CASE NUMBER:
RESPONDENT: Desiree Capuano	TD035397

3. **Supervised visitation.**

I request that (name): _____ have supervised visitation with the minor children according to the schedule set out on page 1 and that the visits be supervised by (name): _____ who is a professional nonprofessional supervisor. The supervisor's phone number is (specify): _____

I request that the costs of supervision be paid as follows: petitioner: _____ percent; respondent: _____ percent.

If item 3 is checked, you must attach a declaration that shows why unsupervised visitation would be bad for your children. The judge is required to consider supervised visitation if one parent is alleging domestic violence and is protected by a restraining order.

4. **Transportation for visitation and place of exchange.**

- a. Transportation **to** the visits will be provided by (name): _____
- b. Transportation **from** the visits will be provided by (name): _____
- c. Drop-off of the children will be at (address): _____
- d. Pick-up of the children will be at (address): _____
- e. The children will be driven only by a licensed and insured driver. The car or truck must have legal child restraint devices.
- f. During the exchanges, the parent driving the children will wait in the car and the other parent will wait in his or her home while the children go between the car and the home.
- g. Other (specify): _____

5. **Travel with children.** The petitioner respondent other (name): _____ **must** have written permission from the other parent or a court order to take the children out of

- a. the state of California.
- b. the following counties (specify): _____
- c. other places (specify): _____

6. **Child abduction prevention.** There is a risk that one of the parents will take the children out of California without the other parent's permission. I request the orders set out on attached form FL-312.

7. **Children's holiday schedule.** I request the holiday and visitation schedule set out on the attached form FL-341(C) other (specify): _____

8. **Additional custody provisions.** I request the additional orders regarding custody set out on the attached form FL-341(D) other (specify): _____

9. **Joint legal custody provisions.** I request joint legal custody and want the additional orders set out on the attached form FL-341(E) other (specify): _____

10. **Other.** I request the following additional orders (specify): _____

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):
Richard Riess
 Lincoln St
 Carson, CA 90745

TELEPHONE NO.: 310- [REDACTED] FAX NO. (Optional):
 E-MAIL ADDRESS (Optional): richardriess@gmail.com
 ATTORNEY FOR (Name): Richard Riess

FOR COURT USE ONLY

CASE NUMBER: TD035397

SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles

STREET ADDRESS: 200 W. Compton Blvd.
 MAILING ADDRESS: 200 W. Compton Blvd.
 CITY AND ZIP CODE: Compton, CA 90220
 BRANCH NAME: South Central District

PETITIONER: Richard Riess
 RESPONDENT: Desiree Capuano
 OTHER:

NOTICE AND ACKNOWLEDGMENT OF RECEIPT

To (name of individual being served): Desiree Capuano

NOTICE

The documents identified below are being served on you by mail with this acknowledgment form. You must personally sign, or a person authorized by you must sign, this form to acknowledge receipt of the documents.

If the documents described below include a summons and you fail to complete and return this acknowledgment form to the sender within 20 days of the date of mailing, you will be liable for the reasonable expenses incurred after that date in serving you or attempting to serve you with these documents by any other methods permitted by law. If you return this form to the sender, service of a summons is deemed complete on the date you sign the acknowledgment of receipt below. This is **not** an answer to the action. If you do not agree with what is being requested, you must submit a completed *Response* form to the court within 30 calendar days.

Date of mailing: 10/05/2011

Liz M [REDACTED]
 (TYPE OR PRINT NAME)


 (SIGNATURE OF SENDER—MUST NOT BE A PARTY IN THIS CASE AND MUST BE 18 OR OLDER)

ACKNOWLEDGMENT OF RECEIPT
 (To be completed by sender before mailing)

I agree I received the following:

- a. Family Law: *Petition* (form FL-100), *Summons* (form FL-110), and blank *Response* (form FL-120)
- b. Family Law—Domestic Partnership: *Petition—Domestic Partnership* (form FL-103), *Summons* (form FL-110), and blank *Response—Domestic Partnership* (form FL-123)
- c. Uniform Parentage: *Petition to Establish Parental Relationship* (form FL-200), *Summons* (form FL-210), and blank *Response to Petition to Establish Parental Relationship* (form FL-220)
- d. Custody and Support: *Petition for Custody and Support of Minor Children* (form FL-260), *Summons* (form FL-210), and blank *Response to Petition for Custody and Support of Minor Children* (form FL-270)
- e. (1) Completed and blank *Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)* (form FL-105) (5) Completed and blank *Financial Statement (Simplified)* (form FL-155)
- (2) Completed and blank *Declaration of Disclosure* (form FL-140) (6) *Order to Show Cause* (form FL-300), *Application for Order and Supporting Declaration* (form FL-310), and blank *Responsive Declaration to Order to Show Cause or Notice of Motion* (form FL-320)
- (3) Completed and blank *Schedule of Assets and Debts* (form FL-142) (7) Other (specify):
- (4) Completed and blank *Income and Expense Declaration* (form FL-150) FL-311, FL-312, FL-341(b), MC-031

(To be completed by recipient)
 Date this acknowledgment is signed: _____

 (TYPE OR PRINT NAME)


 (SIGNATURE OF PERSON ACKNOWLEDGING RECEIPT)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Richard Riess Lincoln St Carson, CA 90745 TELEPHONE NO.: 310- [REDACTED] FAX NO. (Optional): E-MAIL ADDRESS (Optional): richardriess@gmail.com ATTORNEY FOR (Name): Richard Riess	FOR COURT USE ONLY
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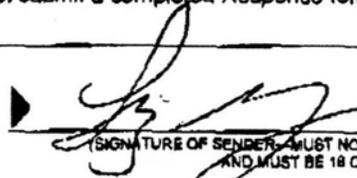
To (name of individual being served): Desiree Capuano

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Date of mailing: 10/05/2011
Liz M
(TYPE OR PRINT NAME)


(SIGNATURE OF SENDER. MUST NOT BE A PARTY IN THIS CASE AND MUST BE 18 OR OLDER)

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- (7) Other (specify):
 FL-311, FL-312, FL-341(b), MC-031

(To be completed by recipient)
 Date this acknowledgment is signed: 10-14-11
Desiree Capuano
(TYPE OR PRINT NAME)


(SIGNATURE OF PERSON ACKNOWLEDGING RECEIPT)

Richard Riess
Lincoln St.
Carson, CA 90745

October 5, 2011

Attn: David Goldfarb
Gillespie, Shields & Durrant
7319 N. 16th St.
Phoenix, AZ 85020

Re: Richard Riess v. Desiree Tomlin Riess, FC2011-093719;
documents to be served on Desiree in the California case

Dear David:

Please find, enclosed, the documents that I must serve on Desiree in the custody case filed here in California. I request that you please "facilitate service" of those documents on Desiree as you stated in open court you would do for all documents I file in the California case which I send you. If you will be unable to do so please let me know at your earliest opportunity so that I may make alternate arrangements.

There are two sets of documents enclosed: 1) the summons, and 2) the request for OSC. For each set there is an attached Proof of Service which the person who executes service is required to complete and sign then return to me. I am required to file those Proofs of Service with the Court once service is complete. Please let me know if you will be unable to sign the enclosed forms (FL-115 and FL-330) and I will make other arrangements. If I do not receive the Proof of Service forms back by October 19, 2011 then I shall assume you were unable to provide Desiree the documents and/or complete the forms and I will proceed with alternate arrangements.

I have filled in what I could on the Proof of Service forms for you. I request that you please complete sections 4 and 6 of form FL-330 (Proof of Personal Service) then sign and date it. And for the form FL-115 (Proof of Service of Summons) I request you complete sections 2, 3(a) and 5 (name, address and telephone number), then date and sign it.

I thank you for your time and assistance in this matter. Please let me know if you have any questions or concerns.

Sincerely,



Richard Riess