

DV-100: RECENT ABUSE

DECLARATION OF [REDACTED]

I, [REDACTED], declare as follows:

1. I am the Petitioner in the above-entitled action. I have first-hand personal knowledge of the facts set forth herein, and if called as a witness, I could and would competently testify to the matters stated herein. I submit this Declaration in support of my request for a Domestic Violence Restraining Order against Respondent, John Pierce ("John").

BACKGROUND

2. John is my former husband. John and I have three minor children, [REDACTED], [REDACTED], and [REDACTED]. Our Judgment of Dissolution ("Judgment") was entered on October 27, 2016. A true and correct copy of our Judgment of Dissolution is attached hereto as Exhibit "1".

3. Concurrently with the execution of the Judgment, John and I (together with our attorneys of record) executed a First Further Judgment ("First Further Judgment"), which was not filed with the Court for privacy reasons. The First Further Judgment contains the executory terms of our settlement, including custody provisions. The Judgment states that the First Further Judgment cannot be filed with the Court, except for enforcement purposes, and that certain notice requirements must be met before filing it. This Request for Domestic Violence Restraining Orders is not an enforcement issue, and I am making this application without notice to John; thus, I am not attaching the First Further Judgment to my DV-100 as an exhibit. However, upon the Court's request, I will lodge a copy of the First Further Judgment.

4. John had a history of abusing alcohol and drugs, including cocaine, during our marriage. He also had a history of anger management issues. He is a former army captain; he has owned a gun and a cross-bow in the past and may own them now. I obtained a DV-TRO against him in 2016 during our Dissolution case, and he relinquished a gun in connection with the 2016 DV-TRO. A true and correct copy of

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DECLARATION OF [REDACTED]

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1 my 2016 DV-TRO application, the 2016 DV-TRO, and the 2016 Order on Request to  
2 Continue Hearing are attached hereto collectively as **Exhibit "2"**.

3 5. Pursuant to the First Further Judgment, I have sole legal and physical  
4 custody of our children. At or about the time we entered into the First Further  
5 Judgment, John was receiving in-patient treatment at UCLA Psychiatric Hospital,  
6 after sending me emails stating that he was going to kill himself. While John was  
7 being treated at UCLA, someone from the hospital called me to issue a *Tarasoff*  
8 warning, stating that John was expressing an intense desire to kill me. Further details  
9 relating to this incident are set forth in my August 15, 2016 Declaration, which is  
10 contained in **Exhibit "2"**.

11 6. The First Further Judgment specifically provides that John would have  
12 no visitation with the children as long as he was a patient at UCLA Psychiatric  
13 Hospital. It further provided that upon his discharge from UCLA Psychiatric Hospital,  
14 he would have four (4) hours per week of supervised visitation with the children for a  
15 period of nine (9) months. It further stated that following this nine (9) month period of  
16 supervised visitation, John and I would meet and confer regarding his visitation  
17 schedule. Since John's nine (9) months of monitored visitation ended, he and I have  
18 not formally entered into a different custody arrangement. We have been generally  
19 cooperative with each other in informally determining visitation times for John on an  
20 *ad hoc* basis, although our younger children, [REDACTED] have declined to see  
21 him in recent months.

22 **MOST RECENT INCIDENT OF ABUSE**

23 7. The most recent incident of abuse occurred on July 27, 2019. By way of  
24 background, our son, [REDACTED] is a soccer player and was scheduled to attend  
25 a residential soccer camp at [REDACTED] next week. John and I had previously agreed  
26 that John would drive [REDACTED] to [REDACTED] for drop-off at camp. On July 27, 2019 at  
27 approximately 11:27 a.m., John sent me a text message stating that he had to go on a  
28 business trip, which meant that he could not take [REDACTED] to camp. John copied his

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In Re the Marriage of Pierce

L.A.S.C. Case No. BD 639 740

1 personal assistant, [REDACTED] and another person, [REDACTED], on this text  
2 thread (I do not know why). I am unable to take Danny to Davis myself because of my  
3 work schedule, so I sent John a text at 12:20 p.m. that day, stating that we could cancel  
4 camp, and that it was not a big deal. John responded with a text that stated, "U don't  
5 want to fuck with me right now."

6 8. For the next hour and a half, John texted me over sixty (60) times. His  
7 texts were threatening, insulting, full of expletives, and largely non-sensical. For  
8 example, he makes numerous references to Armageddon. By way of further example,  
9 I am Jewish and John is not, and though I cannot remember a time that I discussed  
10 Israel or Judaism with John in years, a large number of his above-referenced texts  
11 focus on calling me an anti-Semite and accusing me of not supporting Israel (neither  
12 of which is true). I stopped responding to his texts at 12:31 p.m. that day, but he  
13 continued texting me, over and over. The following is a sampling of the text messages  
14 John sent me on July 27, 2019 during the period from 12:20 p.m. through 1:55 p.m.:

- 15 a. "U dont want to fuck with me right now."
- 16 b. "He is the best freshman that ever lived. Puts u and me to shame.  
17 That is for God damn sure. Dont fuck with me right now. I will bury u  
18 if I have to." (emphasis added)
- 19 c. "Go watch an AOC rally. Fucking libtard."
- 20 d. "BITCH"
- 21 e. "Valley girl bitch"
- 22 f. "Fuck u forever"
- 23 g. "I will fuck u and ur kind up. U have no idea" (Emphasis  
24 added)
- 25 h. "U have no idea what's coming ur way. Time is ticking.  
26 Count it down." (Emphasis added)

27  
28 \_\_\_\_\_  
The nature of John's relationship to [REDACTED] is not known to me.

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DECLARATION OF [REDACTED]

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- i. "#armageddon"
- j. "Slut"
- k. "I fucking warned u"
- l. "Good luck sleeping"
- m. "I will fuck with u the rest of ur fucking cursed life"  
(Emphasis added)
- n. "Bitch"
- o. "Watch Jack Bauer on 24 if ur curious what I'm capable of."
- p. "Valley cunt"
- q. "And guess what if I spent my life juggling a soccer ball I would be better than u. But no, I spend my life protecting the innocent and vulnerable. U are a fucking disgusting whore and I despise u. NEVER. FORGET. THAT. SLUT."
- r. "Valley cunt. U dont even support Israel. Disgusting. I will be at Armageddon with my children fighting against u. U are biblically defined evil. ISRAEL AND AMERICA FOREVER. bitch" (Emphasis added)
- s. "I will find u at Armageddon and fuck u up. Personally"  
(Emphasis added)
- t. "And u have decades to wonder how that will play out. I am relentless and I will fuck u up" (Emphasis added)
- u. "I. WILL. FUCK. U. UP. VALLEY. GIRL. WANNABE. HLS. POSER. BITCH."
- v. "And if you wanna test me just lemme know. Anywhere. Anytime. Cunt."
- w. "I cant hear u!!!!????? Cunt"
- x. "What's up. Answer. I CAN. NOT. HEAR. YOU."
- y. "SLUT. SKANK. WHORE. BITCH. CUNT."

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z. "Do u even know what Armageddon is??? Fucking uneducated moron clueless anti-semite bitch."

aa. "It is good vs evil. I am good. U are evil. God is on my side. I will hunt u down and fuck u up." (Emphasis added)

9. The following morning, John sent a text message on the same thread, stating, "Sorry about all that. Had a bad day yesterday. All good now. Didnt mean any of that." A true and correct copy of the complete, unedited transcript of the above-referenced text thread, including the messages from July 27, 2019 through July 28, 2019, is attached hereto as **Exhibit "3"** and incorporated herein by this reference. This transcript came from data that was extracted directly from my cell phone with the assistance of my attorney's IT department (see accompanying Declaration of Jason Lockwood). In **Exhibit "3"**, John's messages are printed in gray and are identified with the name "John Pierce Final" (which is the way his contact information is saved in my cell phone), and my texts to him are printed in green and are identified as "Mommy". The relevant text messages begin in the middle of page 3, but I have attached the entire transcript for completeness.

10. Upon receiving these texts from John, I was extremely scared for my safety and the safety of my children. I believe John's text stating, "I will fuck u and ur kind up" (emphasis added) was a threat to harm both me and our children. His text stating, "I will be at Armageddon with my children fighting against u" (emphasis added) also causes me to fear for my safety and the safety of our children. There were multiple other texts messages that directly threatened me. Thus, on July 27, 2019, I filed a police report at the Van Nuys Police Department, and I received an Emergency Protective Order ("EPO") that day. A true and correct copy of the EPO is attached hereto as **Exhibit "4"** and incorporated herein by this reference. The EPO expires on August 2, 2019 at 4:00 p.m. I caused John to be served with the EPO on

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1 July 28, 2019. A true and correct copy of the Proof of Service is attached hereto as  
2 Exhibit "5".

3 11. I continue to be scared for my safety and our children's safety. I have not  
4 slept well in days, and I've been constantly worried. I do not know what caused John  
5 to react to a benign text with such rage. I do not know if he is using drugs again. I do  
6 not know if he is having psychiatric issues again. He has military training and has  
7 owned guns in the past; he may own a gun now. John knows that our children are the  
8 most important thing in the world to me, and I fear that he may harm them in a rageful  
9 state as a means of hurting me.

10 12. I request that the Court issue an order that Respondent have no visitation  
11 with the minor children, or that any visitation be monitored by a professional monitor.

12 I declare under penalty of perjury under the laws of the State of California that the  
13 foregoing is true and correct.

14 Executed July 30, 2019, at Woodland Hills, California.



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