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IN THE CIRCUIT COURT OF THE FIFTHTEENTH JUDICIAL CIRCUIT  
IN AND FOR PALM BEACH COUNTY, FLORIDA

CASE NO.: \_\_\_\_\_

SUPEE SPINDLER  
On behalf of NISARAT JITTASONTHI,  
Petitioner.

vs.

DEPARTMENT OF CHILDREN AND FAMILIES  
Respondent,

CATHOLIC CHARITIES  
Respondent.

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**PETITION FOR WRIT OF HABEAS CORPUS**

1. This court has jurisdiction pursuant to Section 394.459(8) and Section 79.01, Florida Statutes.
2. Petitioner is the legal guardian of Nisarath Jittasonthi who is her daughter and a forty-seven (47) year old disabled adult. The legal guardianship was established in Thailand. Nisarath Jittasonthi does not speak English, only Thai.
3. On February 25, 2021, Petitioner was wrongfully accused of human trafficking of her daughter which was all a mistake. The allegations were discovered later to be false and were made by a disgruntled employee. The Petitioner was cleared of all wrongdoing and no charges of any kind were filed. Nisarath Jittasonthi was going to work with her mother, the Petitioner to have supervision and was doing small tasks like folding laundry at the Petitioner's business, The Thai House of Therapeutic Massage. Further, there were no findings of abuse. At the time of the investigation, the Department of Children and Families Adult Protective Services took custody of Nisarath Jittasonthi from Indian River County and to an unknown location in Palm Beach County which the Petitioner believes is Catholic Charities. The Petitioner has not been able to see her daughter and only has spoken to her

a few times. Despite the complete clearance of any wrongdoing, Nisarat Jittasonthi has not been returned to the custody of the Petitioner who is her guardian as established in Thailand. See attached paperwork.

4. Petitioner believes that Nisarat Jittasonthi is being held unlawfully by the Department of Children and Families and/or Catholic Charities either against her will or she is being misled as to believing she needs to be protected. Petitioner has not been told where the Department of Children and Families and/or Catholic Charities is holding Nisarat Jittasonthi, but believes they transported her from Indian River County to Palm Beach County. This was confirmed in a hearing in Indian River County where the court had no jurisdiction due to the Nisarat Jittasonthi not being in the county. Petitioner has attempted to contact many people including the Thai Embassy, her state representative Erin Grall, DCF Adult Protective Services Investigator Sennett Lewis and DCF Social Worker Ivonne Vadi, and no one has helped her with the return of her daughter or explained how and why she is being held. Claims and allegations have been made that Nisarat Jittasonthi is afraid.
5. Petitioner believes that Nisarat Jittasonthi is being deprived of her freedom for invalid and illegal reasons. Petitioner believes that this confinement is illegal because there is no court order and no findings giving the Department of Children and Family or Catholic Charities any authority over her daughter Nisarat Jittasonthi.
6. Petitioner believes that her daughter is being unjustly denied a right or privilege or that a procedure authorized by law is being abused. This is because again, there is no authority for the Department of Children and Families and/or Catholic Charities to act on her behalf or to hold her against her will. Nisarat Jittasonthi has the mental capacity of about an eight (8) year old. She cannot live on her own and needs constant supervision. In the two times that the Petitioner has been able to speak with her daughter, the conversations were clearly manipulated by others. Nisarat Jittasonthi has medical issues including seizures and needs medications. She is allegedly confined in a room by herself with a tv, is given meals three times a day and is not allowed to go out of the room except to go to the garbage. The

Department of Children and Families and/or Catholic Charities should not be making medical decisions for Nisarath Jittasonthi. The Petitioner has serious concerns for her daughter's safety, mental health and well-being. The Petitioner does not even know if an interpreter is being provided for communication when she sees the social worker.

7. There are also immigration issues that should not be dealt with by the Department of Children and Families and/or Catholic Charities. Nisarath Jittasonthi has family in Thailand and if she desires to return to live with her sister in Thailand, then she can do so. Petitioner was even required to take a DNA test to prove Nisarath Jittasonthi is her daughter. The Petitioner is working with both Attorney James Benincasa in Indian River County and the Thailand Embassy. Nisarath Jittasonthi originally had been living in Thailand with her aunt and attending a special school. The aunt was the Petitioner's sister and passed away. Nisarath Jittasonthi came to the United States to live with her mother, the Petitioner. Pending at this time is the Form I-130 Petition for Alien Relative for Nisarath Jittasonthi to stay here; however, Nisarath Jittasonthi must return to Thailand in order to come back as an approved permanent citizen. She can stay with her sister who resides in Thailand until she can return. Without returning to Thailand, she cannot legally be in the United States. The Department of Children and Families and their placement with Catholic Charities is endangering Nisarath Jittasonthi's legal status.
8. Florida Rural Legal Services made a prior appearance on behalf of Nisarath Jittasonthi and claims they have the ability to handle the immigration issues. It is not known how this agency can make arrangements for travel and the stay in Thailand required.
9. The Petitioner has been forced to hire counsel on behalf of her daughter to have her released from confinement. The Petitioner is requesting that those responsible for the wrongful confinement be responsible for such fees and costs.

WHEREFORE, Petitioner respectfully requests that this Court enter an Order setting a return hearing on this Petition for Writ of Habeas Corpus for respondents to show by what legal authority they are holding Nisarath Jittasonthi, for attorney's fees and such other relief as may be just and necessary.

I understand that I am swearing or affirming under oath to the truthfulness of the claims made in this petition and that the punishment for knowingly making a false statement includes fines and/or imprisonment.

Supee Spindler  
Supee Spindler

STATE OF FLORIDA            )  
COUNTY OF INDIAN RIVER    )

I **HEREBY CERTIFY** that on this 12<sup>th</sup> day of October 2021, before me the undersigned authority, personally appeared Supee Spindler, who produced FLDL as identification or who is personally known to me to be the person described herein and who executed the foregoing and acknowledged before me that he executed the same.

**WITNESS** my hand and official seal in the county and state and on the date aforesaid.

Alice Julia Graves  
Notary Public  
My Commission Expires:



I **HEREBY CERTIFY** that a true and correct copy of the foregoing was furnished by e-service delivery and/or process server to the Department of Children and Families, Catholic Charities and Florida Rural Legal Services on this 1<sup>st</sup> day of ~~October~~ <sup>December</sup> 2021.

LAW OFFICE OF A. JULIA GRAVES, P.A.  
Attorney for Petitioner

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