

IN THE CIRCUIT COURT FOR THE STATE OF OREGON
FOR THE COUNTY OF LINN

In the Matter of:

KYLA MAZHARY-CLARK,

Petitioner,

and

JAMIE CLARK,

Respondent,

and

KENNETH CLARK,

Respondent.

No. 19DR03123

PETITION FOR
PSYCHOLOGICAL PARENT
CUSTODY

Petitioner alleges:

1.

Respondent, Jamie Clark, is the biological mother of the minor children, Sage Clark and Sadie Clark, *birthdates submitted pursuant to UTCR 2.130*, and Respondent, Kenneth Clark, is the biological father of the minor children Sage Clark and Sadie Clark. The Petitioner is the caregiver of the minor children, Sage Clark and Sadie Clark.

2.

The children's addresses for the past five years are as follows:

Uniform Child Custody Jurisdiction and Enforcement Act Information

Child	Resided With	Relevant Dates	Address
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1	Sage and Sadie	Petitioner	November 4 th , 2018 - present	3442 Liberty Rd. S Apt. 48 Salem, OR 97321
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3	Sage and Sadie	Respondent Jamie Clark	June 20 th 2018 - November 4 th , 2018	1600 W Bradley Ave. Apt. P297, Champaign, IL 61821
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6	Sage and Sadie	Foster Care	April 2018 - June 20 th 2018	Illinois
7				
8	Sage and Sadie	Respondent Jamie Clark	January 8 th , 2018 - April 2018	Illinois
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10	Sage Clark	Petitioner and Respondent Jamie Clark	February 2017 - January 8 th , 2018	991 Hayes Ave. Apt 210 Corvallis, OR 97330
11				
12	Sadie Clark	Petitioner and Respondent Jamie Clark	Birth - January 8 th , 2018	991 Hayes Ave. Apt 210 Corvallis, OR 97330
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3.

There is an existing custody order between the Respondents in Linn Co. Circuit Court Case No. 17DR17271, which provides that Jamie Clark has sole custody of the children and Kenneth Clark has no parenting time. There are no other proceedings concerning custody, visitation, or placement of the minor children pending.

4.

Oregon has jurisdiction to make child custody determinations under the Uniform Child Custody Jurisdiction and Enforcement Act because Oregon is the home state of the Petitioner and the minor children and the Petitioner has resided there continuously for at least 6 months preceding the filing of this action.

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1 5.

2 Petitioner has established a parent/child relationship with the minor children by providing
3 them with food, shelter, medical care; providing them nurture, love, education and support; and
4 in all respects treating them and providing for them as Petitioners' own children. Petitioner has
5 been a loving, reliable, stable and involved aunt to the minor children since February 2017. Since
6 acquiring guardianship of the minor children in November 2018, Petitioner has been their sole
7 care provider. Petitioner has established steady daycare, set and took the children to
8 appointments, bought clothes, diapers, toys, food and medicine. Through her relationship with
9 the minor children, Petitioner has continued, on a day to day basis, through interaction,
10 companionship and interplay to fulfill the minor children's psychological needs as well as their
11 psychical needs. Due to Mother's unreliable lifestyle, it is not in the minor children's best
12 interests to reside with Mother. To the best of Petitioner's knowledge, Father has not had contact
13 with the minor children since February 2017 and it is not in the minor children's best interests
14 to reside with Mother. It is in the best interest of the minor children that the Petitioner be
15 awarded the sole care, custody and control of the minor children as an individual *in loco parentis*.

16 6.

17 Mother has been loving towards the minor children but is unpredictable, unreliable and
18 unstable as a parent. Mother has exercised only sporadic parenting time since she moving back
19 to Oregon. Mother should be awarded parenting time with the minor children as is reasonable
20 under the circumstances. To the best of Petitioner's knowledge, Father currently exercises
21 parenting time in the form of a phone call with the minor children every couple months. Father
22 should continue to have no parenting time.

23 7.

24 Petitioner is financially secure and has a sufficient income to meet all of the needs of Sage
25 Clark and Sadie Clark.

26 WHEREFORE, the Petitioner prays for a judgment of this Court:

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- 1. Declaring her to be the psychological parent of Sage Clark and Sadie Clark;
- 2. Awarding Petitioner all of the rights of a parent or individual *in loco parentis* and awarding the Petitioner custody of Sage Clark and Sadie Clark; and
- 3. Awarding Respondent Jamie Clark parenting time as is reasonable under the circumstances.
- 4. Any other equitable relief the court sees fit.

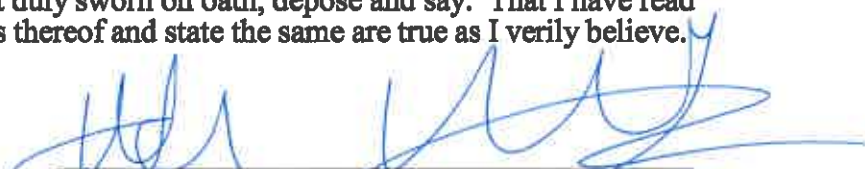
Dated this 12th day of February, 2019.



 Kyla Mazhary-Clark
 Petitioner

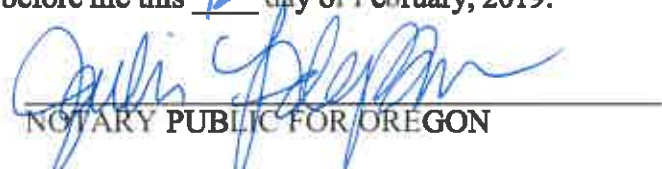
STATE OF OREGON, County of Linn) ss.

I, Kyla Mazhary-Clark being first duly sworn on oath, depose and say: That I have read the foregoing Petition, know the contents thereof and state the same are true as I verily believe.



 Kyla Mazhary-Clark

SUBSCRIBED AND SWORN TO before me this 12 day of February, 2019.



 NOTARY PUBLIC FOR OREGON

