

EL MIRAGE MUNICIPAL COURT
14010 N EL MIRAGE ROAD, SUITE C, EL MIRAGE AZ 85335 PH-623-815-2186

STONE, TIMOTHY PAUL
Plaintiffs

CASE NO: M0759P02023000017

EL MIRAGE MUNICIPAL COURT

14010 N El Mirage Road, Suite C

El Mirage, AZ | 85335 | 623-815-2186

TIMOTHY PAUL STONE,

Plaintiff

CASE NO: M0759P02023000017

V

SAREA LARON MCCREE,

Defendant

Emergency Motion for Violations of This Court is Supported by the Fact That the Defendant is Currently in Gross Violation of This Court's Order and Requests a Favorable Ruling While in Violation. Defendant is Currently Unlawfully Holding the Children and Refuses to Release Them as This Court Has Ordered Her To.

On April 6, 2023, this Court issued the Protective Order in Case NO: M0759P02023000017.

On February 21, 2024, the Protective Order was served upon the Defendant.

Pursuant to ARS 13-3602, ARS 13-2810(A) 2, Contempt and Interfering with judicial proceedings, the defendant, 6-days prior to requesting a hearing, elected to disregard and violate this Court's Order, defendant continues to disregard this Court's Authority to this day.

This Court's Protective Order clearly sets forth the fact that the defendant was NOT to come near the Children. It does not matter whether or not the protective order was served on her. It is case book law that she is committing Custodial Interference. The fact that she took custody of the Children on January 9, 2024, and has since blocked the plaintiff's access to the Children is a major violation of ARS 13-1302.

The defendant herself gives this Court a compelling reason to continue the order as is and to arrest her "willful" conduct. At the time scheduled for this hearing the defendant will be in gross violation of the order for 12 days. However, her evading and resistance to this Court's order began in Las Vegas, NV in April and May of 2023.

The defendant knows that 2 of her Children are autistic. The defendant's acts against her Children are "Cold-Blooded". The plaintiff has evidence where the defendant made sure the Children were watching her attempt suicide on 2-separate occasions, the a few months later abandoning the family when she fled to Las Vegas, NV. The defendant could of come back to Arizona at any time to challenge this Court's order but she elected to stay in Las Vegas.

The mere fact that the defendant waited 6-days after being, officially, served to request a hearing show that she was and is willing to have her Children experience the sight of seeing her get arrested and possibly themselves being detained by law enforcement and or Welfare personnel until the Plaintiff can be contacted. To prevent that all she had to do was obey this Court's order by getting the Children to the plaintiff and then request a hearing, but she didn't.

The plaintiff is asking this Court to read the Certified Criminal Complaint and Addendum to the Certified Criminal Complaint, that are attached to this pleading as Exhibit 1 and Exhibit 2. The exhibits are tied directly to this Court's Protective Order.

The plaintiff will show this Court unimpeachable evidence that proves that earlier this month the defendant, continuing to resist and evade this Court's order, fraudulently procured a Protective Order from another Maricopa County Court to defeat this Court's order and continue blocking plaintiff's access to his Children. That the defendant had Detective Joya, with the Maricopa County Judicial Enforcement Unit, his phone number is 602-3765537, attempted to serve the plaintiff on several occasions.

The evidence will further show that the defendant abandoned her Children in March of 2023 and fled to Las Vegas, NV. The defendant procured an order of protection from the Avondale Court at the end of December 2022, against the plaintiff and elected to have it dismissed prior to her abandoning her family in March of 2023.

The evidence will also show that at the same time this Court issued the protection order against the defendant this Court also issued a protective order against the Defendant's Sister whom the defendant at that time was living with in Las Vegas, NV.

The Public record evinces that the Sheriff in Las Vegas, NV, was able to serve the protection order on the sister, but that the defendant was able to evade the Sheriff on at least 2 occasions.

The defendant did not send her Children anything or have anything to do with their lives from March 2023 to January 9, 2024. The plaintiff was their only security and provider. On January 9, 2024, as set forth in the exhibits attached to this pleading, the plaintiff was rushed by ambulance to Boswell Hospital and taken into the ICU unit.

To the shock of the Children, not knowing their Father's full condition, the defendant's best friend and plaintiff's babysitter, Brittany Houston, forced the Children into the plaintiff's car and delivered them to the defendant. The defendant has completely blocked the plaintiff's access to the Children to this very day.

Not only must the defendant answer for grossly violating this Court's order, on many occasions, she must answer for violating the laws and statutes that are listed throughout the exhibits attached to this pleading. The defendant's criminal conduct satisfies the Custodial Interference, abandonment, child abuse, child neglect, interference with governmental functions, statutory requirements, and Fraud on this Court and the Court she used to circumvent this Court's order.

Wherefore the plaintiff is asking this Court to force the defendant to abide by its Protective Order and return the Children to the plaintiff at once. The plaintiff further asks this Court to order the El Mirage Police and the Mesa, AZ Police, and the Maricopa County Sheriff, to Enforce this Court's Protective Order and the defendant's violations of that order, and to further enforce the AZ Laws And Statutes that the defendant has and or is violating.

Respectively submitted this 29th Day of February 2024.

By: Timothy P. Stone 480-273-1331

Mailed and or Emailed to the following today, February 29, 2024:

El Mirage Judge Michael G. Parascandola
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ADDENDUM TO JANUARY 25, 2024 CERTIFIED CRIMINAL COMPLAINT

FEBRUARY 26, 2024

As of today, the 3-Minors that were kidnapped on January 9, 2024, have yet to be located.

On February 21, 2024, Mesa Police located and served the kidnapper Defendant Mother the Court Order, referred to herein and below, that prohibited her from approaching the 3-Children referred to herein and below.

A Partial List of Admissions made by El Mirage Police Chief and his Officers:

1. Since the day of the kidnapping, 1/9/2024, they knew of the Protective Order, issued by El Mirage Judge Parascandola on 4/6/2024, served by Mesa Police on 2/21/2024.
2. That they knew that the order prohibited the defendant Mother from approaching the 3-Children, 2-of-which are autistic.
3. That the order set-forth that the defendant has and or will commit physical harm.
4. That the babysitter defendant, Brittany Houston, listed herein and below, knew of the Protective Order and the danger to the Children, forced the Children into the Father's car and drove them to an unknown location and placed them into the Mother's custody.
5. That the babysitter had absolutely no authority or permission to take the Children out of the home for the purpose of transporting them to the Mother.
6. That the El Mirage Police arrested and incarcerated the babysitter on December 6, 2024, for assault and aggravated assault against a Surprise Elementary School Teacher and a 14-year-old student.
7. That the babysitter was wanted and facing 8-bench warrants for crimes against minors.
8. That the day of the kidnapping, 1/9/2024, the babysitter was on bond and awaiting trial for the crimes against minors.
9. That the babysitter refused to give the police or the Father the unknown location where she drop the Children off.
10. That on 1/10/2024, the Father procured a Protective Order from Judge Parascandola listing himself and his 3-Children as Plaintiffs and the babysitter as the defendant.
11. That during the 1/10.2024 hearing, the Father set-forth the threats of physical harm the babysitter made and the babysitters part in the kidnapping of his Children.
12. That the Chief ordered the officers to NOT get involved in the kidnapping. That the officers knew and or should of known where the defendant Mother was and that they were not to share her location.
13. That the Officers spoke to the defendant Mother on several occasions after the kidnapping.
14. That the defendant Mother had abandoned the Children for nine-and-a-half months, from March 2023 to January 9, 2024, and that she did not support the Children in any way shape or form during that period.
15. That the Defendant Mother had been committed to psychiatric wards on more than 5-occasions, complaining that she wanted to kill herself.

16. That in November of 2022, defendant Mother made 2-separate attempts to kill herself with the Children present.
17. That the defendant Mother refused to stop ingesting marijuana and breast feeding it to her baby, Marcel Stone, who is now faced with autism.
18. That on February 1, 2024, Mesa Police Officer Ryden, was dispatched to the defendant Mother's location and assured her that her location would be concealed from the Father.
19. That Officer Ryden knew of the Protective Order against defendant Mother and the fact that she was prohibited from coming near the Children.
20. That Officer Ryden used the phone to threaten the Father.
21. That Officer Ryden encouraged defendant Mother to continue evading the Protective Order and to approach a different Court and procure an order to continue blocking the Father's lawful access to the Children.
22. That the defendant Mother did in fact lie to the Court and procured an order against the Father to block his lawful access.
23. That a Maricopa County Sheriff's Detective made several attempts to serve the fraudulent order.
24. That on 1/9/2024, the Father was rushed to the Boswell Hospital ICU unit where his blood sugar was over 800 and his brain was swollen.
25. That the defendant Mother knew of the Protective Order prohibiting her from approaching the Children. That the Las Vegas, NV Sheriff made 2-attempts to serve her and that she "EVADED" service.
26. That the Defendant Mother's kidnapping the Children while the Father was in the ICU unit and her continuing conduct in blocking his access to the Children is being AIDED by El Mirage and Mesa Police, Mayors, and Others.

Please keep in mind that the statements herein are backed up by Court Records and other unimpeachable Records. That as a matter of law, the crimes, wrongs, civil and human rights deprivations, are "continuing".

On January 9, 2024, El Mirage Police responded to the Father's 911 call stating that he returned home, after being admitted to the ICU unit of Boswell Hospital earlier that day, and found his children missing. That he was told by the babysitter, that she transported the Children to an unknown location and gave them over to the Defendant Mother. The El Mirage Police had access to the Court record that evidenced the protective order prohibiting the Defendant from coming near the Children. The duty of the police at that time was to obtain from the babysitter the unknown drop-off location, find and rescue the Children and serve the Defendant Mother with the protective order and charge her with Custodial Interference/Kidnapping, Child Abandonment, Child Abuse, and other crimes.

It should be noted that on December 6, 2023, the babysitter, Brittany Houston, was arrested and incarcerated by the El Mirage Police for allegations of assault and aggravated assault of a Surprise Elementary Teacher and a minor. After the babysitter's incarceration the police found 8 bench warrants against her for crimes against Children.

EXHIBIT 1

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On 1/9/2024, when El Mirage Police questioned the babysitter about Timothy's Children she was on bond regarding the bench warrants for crimes against Children.

On January 10, 2024, a hearing was held to procure a Protective Order against the babysitter for threats against Timothy and her part in taking his Children. During the hearing Timothy told Judge Parascandola that the babysitter, without his authority, transported his 3-Children to a unknown location and gave the Children to the Defendant-Mother. Judge Parascandola was the same judge that issued the April 6, 2023 Protective Order against the defendant-Mother to specifically protect the Children and Timothy from her.

On January 15, 2024, El Mirage Police finally responded to Timothy's 911 calls regarding his missing children. Timothy and his Father pleaded with the officers to find the Children. Timothy told the officers that it was possible that the defendant-Mother could be working in Mesa at Cubesmart. The officers actually pulled the protective order up on their patrol SUV computer and stated that it was their job to serve the protective order on the defendant and rescue the children. The officers told Timothy and the Children's Grandfather NOT to contact Mesa Police because they would take care of it. El Mirage Police never confirmed or denied that the defendant-Mother worked at Cubesmart.

On at least 2-different occasions, after 1/15/2024, the Defendant contacted the El Mirage Police, she was complaining that Timothy kept calling and pleading with her to return the Children. The Police actually called Timothy and told him to stop trying to find-out where the defendant and his Children were located.

The Defendant was encouraged by the Mesa and El Mirage Police to file a complaint with a Court, other than the El Mirage Court, and procure a Protective Order against the Husband to further EVADE the Protective Order issued against her on April 6, 2023, and to continue obstructing his access to the Children.

On February 1, 2024, the defendant-Mother contacted the Mesa Police Department and Officer Ryden, badge #23685, was dispatched to her location, the defendant-Mother procured Ryden's aid to talk to Timothy on the phone and threaten him with harassment if he did not stop trying to find her and his Children's location. During the conversation Timothy reminded Ryden that there is an active protective order against the defendant-Mother and she was prohibited from being near them. He told Officer Ryden that she continues to evade service and that she abandoned the Children for 9-months before kidnapping them on 1/9/2024. But Ryden refused to serve the protective order on her and rescue the Children.

MAJOR FRAUD, AND ABUSE OF PROCESS ON 2-COURTS

After encouragement from Mesa Police Officer Ryden, the defendant did in fact procure a protective order against Timothy. The Maricopa County Sheriff's Office actually made attempts to Serve the Defendant's Protective Order on Timothy. Keep in mind that the Maricopa County

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Sheriff's Office had previously sent emails to Timothy stating that they had Timothy's Protective Order against the defendant and that she was evading service.

BACKGROUND

Court Case Arizona No. M0759P02023000017 evinces the issuance of the April 6, 2023, Protective Order, executed by AZ Judge Michael G. Parascandola in favor of 3-Minor Children and their Father, finding that the Defendant Mother, Sarea McCree, committed and or could commit "Physical Harm" to the Children and or Father.

The Judge "ORDERED" the El Mirage Police to immediately serve the Defendant. However, the Defendant elected to "ABANDON" Her family and she fled to Las Vegas, NV. The Defendant has been committed to the psychiatric ward of several hospitals/clinics, for observation regarding her repeated threats to get rid of her kids and kill herself. The Defendant's latest visit to a psychiatric ward, prior to fleeing AZ, was the entire week of November 19, 2022.

In December of 2022, the Defendant's Husband called 911 to report one of her violent psychotic episodes, which included, on two previous occasions, her gathering the family together while she swallowed enough pills to kill herself.

However, with previous knowledge of the Defendant's suicidal attempts, including a June 2022, episode they responded to, the Avondale Police elected to "FALSLEY" arrest the Husband and coerce him to plead guilty for "breaking" his own headphones. The Avondale Police left the vulnerable Children in the custody of the "UNSTABLE and Psychotic" Defendant.

After her Husbands arrest the Defendant, with the full aid of the Avondale Police, used the false police report to procure a protective order that prohibited her Husband and the Father of the 3-minors, from coming near them.

Keep in mind that after procuring a protective order against Timothy from the Avondale Court late December 2022, that the Defendant-Mother petitioned the Court to drop the Protective Order 3-months later, in March of 2023, and then she abandoned her Children and Timothy.

The WRONGS Complained of are still be committed by AZ State Officials with a DEPRAVED INDIFFERENCE to the lives and safety of the 3-MISSING BOYS and their Father. The acts were committed while the Father was in ICU for a few hours suffering from his type 1 diabetes attack and a slightly swollen brain. On 1/9/2024, at 2 A.M. he was taken by ambulance to Boswell Hospital and cleared to go home around 10 A.M. He returned home around 4 P.M. And found his 3-boys missing.

Please UNDERSTAND that the 3-MISSING BOYS are in harms-way. That the El Mirage Police knew and know that they have in their possession a Court Order that they were and still

EXHIBIT 1

are obligated to serve on the psychotic Mother that prohibits her from seeing the boys for fear of the boys safety. That the El Mirage Chief is not only obstructing access to the boys but is by his own acts and non-acts made himself, his department, the Mayor, Governor Hobbs and Others, accomplices to Child Endangerment, Child Abuse, Civil and Human Rights Violations, Kidnapping pursuant to Custodial Interference, and other crimes.

A copy of that Protective Order was and is filed with the Court and the El Mirage, AZ Police Department. As set-forth in the Certified Criminal Complaint of January 25, 2024, the defendant fled to Las Vegas, NV on or about March 22, 2023, with no-plans to return. A copy of the Protective Order was sent to the Las Vegas, NV Police. They made 2-attempts to serve the defendant and concluded that she was intentionally evading service.

On October, 10, 2023, a hearing was held in the Avondale City Court before Judge Sheri Rollison, Case No.:P02022000283. Timothy and his parents were present and the defendant was in Las Vegas and telephonically present. Judge Rollison asked the defendant how long she had been absent from her Children and she said over 6-months. Judge Rollison made it clear to the defendant that the Arizona law of "Abandonment" considers any parent that is absent for 6-months or more is subject to that law. Judge Rollison went on to say that the 3-Children and the decisions regarding them would be made and granted to Timothy.

It should be noted that from March 22, to January 9, 2024, during the Defendant's "Abandonment" of her children, that she did not send any support of any kind and made NO attempt to speak to her 2-autistic Children.

A Partial List of Laws and Statutes that were and are continuing to be VIOLATED!!!

AZ Abandonment, Kidnapping, Child Abuse, Neglect, and Endangerment, Statutes ARS 8-531, 8-201, 13-3623, 13-1302, 13-1304, 13-1201

Obstruction of Justice 13-2409

Threatening and Intimidating ARS 13-1202

Assault ARS 13-1203

Civil Rights Statutes 18 USC 241 & 242

AZ Accomplice Liability ARS 13-303

Harassment ARS 13-2921

Malfeasance and Nonfeasance

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Exhibit 1

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