

6/28/97

— I provided this statement addressing my former wife's assertions that I was failing to provide adequate parenting to my lawyer, the very capable Ezra Sherman; he expressed great satisfaction, in his role as my defense lawyer, that Anne Marie had filed this complaint against me, because he believed it buttressed my case for acquittal on the arson charges from 2/6/97... as Not Guilty by Reason of Insanity.
— Although I resented this abrupt move by Anne Marie to file a complaint in Family Court without following the course of action required by our divorce decree - that complaints should be submitted to arbitration before resorting to the court - Ezra recommended that I agree to waive my rights to custody, since he believed the prospects of success in trial were poor. I took his advice, since as a highly skilled lawyer, he was well-attuned to the realities of persisting in such legal contests, where conflicts between fact and perception predominate.
Sincerely, - Bonze Anne Rose Blayk - 1 May 2014

The statements I have made to Anne Marie Whelan regarding the arson:

During January 1997 I suffered from a significantly disabling illness; I believe that my symptoms (creeping paresthesia during sleep, muscle wastage, loss of 20 pounds, numbness from the back of my head to the left side of my face, confusion) indicate that I suffered from a neurological disorder; it's possible that the symptoms were psychological in origin, but they were none the less real to me.

On 2/3/97, partially recovered from this illness, I read "The Silence of the Lambs" for the first time. I rapidly came to the conclusion that the character of Clarice Starling was somehow based on Susan Hamann, and that the character of Hannibal Lecter was also based on a real person--one who, furthermore, has threatened to release anthrax and thereby kill innumerable people in a bizarre plot intended to effectively "end the world" in the year 2000.

On 2/6/97, I interpreted songs on the radio (WIII-100 FM) as messages from Susan and/or Lecter, and heard voices giving clues in a bizarre sort of "Lecterian" manner ("Lecter loves his little jokes"). This led to the arson, since I was convinced that I was being used a "rat in a maze" by Lecter, and that my "compliance" was essential not only for my own health and safety but for everybody else's also.

While I was in jail it became clear to me that I was suffering from auditory hallucinations, and that the voices I heard on the radio the morning of 2/7/97 may well have been hallucinatory.

A week after my release from jail on bail I resolved the identity of the person used as a loose model for Hannibal Lecter: Dr. John Money, a prominent pediatric endocrinologist and forensic sexologist. Since that time I've had no fear that the threats made by Lecter in the book have a real-world basis, and know that my fears in early February were delusional; I still do not know whether the astonishing similarities between Susan Hamann and Clarice Starling are the result of some involvement in the writing of "The Silence of the Lambs" (on whatever level) or an utterly amazing set of coincidences, since I have been prevented from communicating with her by the Order of Protection, which I have obeyed since 2/6/97.

My analyses of the characters of Clarice Starling, Hannibal Lecter, and other characters in the works of Thomas Harris are of sufficient interest and quality that they are being added to the "195:150:01 Exegesis: Thomas Harris' The Silence of the Lambs" web page developed by created Mary Jo Watts for the Program in Comparative Literature, Rutgers University <<http://complit.rutgers.edu/mwatts/silence.html>>. This site was developed for use with Rutgers University's course 195:150:01, "Introduction to World Mythology". Ms. Watts, an Instructor and graduate student at Rutgers, has found my analysis of the texts involved to be "brilliant" and "amazing".

In regards to my behavior around Rachel...

I've spent very little time discussing the book with Rachel, beyond a fairly simple explanation of my behavior 2/6/97: I read the book and temporarily lost my mind; I intended no harm to anybody (quite the contrary), but was profoundly confused about what I was doing at the time; the character of Clarice Starling may or may not be based at least in part on Susan Hamann; whether or not this is the case, I love Susan and am sorry about what happened. (I believe that Rachel also loves Susan, cares about her, and has benefitted from her association with her).

Rachel and I get along well together, and she is obedient to me on issues that really matter to her health and safety. She behaves well consistently in school, and the parents of her friends say she is pleasant to have as a guest because she's fun and easy to deal with. It seems that the only person who has difficulty with Rachel is her mother, which suggests to me that she should try to be less brittle and argumentative when she seeks to assert authority over Rachel... and then perhaps she will get better results.

"Our imagination is stretched to the utmost, not, as in fiction, to imagine things which are not really there, but just to comprehend those things which are there."

--Richard P. Feynman, the late Nobel Prize laureate in physics,

quoted in <<http://complit.rutgers.edu/~mwatts/myth/welcome.html>>

FAMILY COURT OF THE STATE OF NEW YORK
COUNTY OF

Petitioner Anne Marie Whelan
Docket No. O-712.97

- against -

Respondent Kevin Saunders [Bonze Anne Rose Blayk]

Form 8-2 page 2

3. (Upon information and belief), (O)on or about the day of June 8, 1997, at 721 W. Court St, the Respondent committed an act or acts which constitute [?] toward

- Anne Marie Whelan, Rachel Whelan

who is a former spouse, child of said Respondent in that the Respondent

- see attached.

•4(a). The followlng are the names, ages and relationships to the Petitioner and/or Respondent of each and every child in the family household:

Name of child - Age - Relationship to (Petitioner) (Respondent)

- Rachel Whelan - 9 - daughter - daughter

•6 (Upon information and belief) The following criminal matrimonial or Family Court proceeding(s) involving the respondent (has)(have) been filed [indicate the court, date and status]:

- DWI ~12/21/96
- harrassment ~12/29/96
- possession of unlicensed guns ~12/29/96
- arson ~2/5/97

[attached statement]

1

On June 8th, 1997, Kevin Saunders came to my house to pick up his daughter Rachel for a 2-day stay at his house. While Rachel is present, he started to talk to me in an agitated fashion about his (ex) girlfriend, Susan Hamman [sp - "Susan Hamann"], referring to the harassment charges she filed against him, as well as the rape he says she alleged (although he has not apparently been charged with that.) I asked him not to discuss these things in front of Rachel. He stated that she should be aware of these things.

In his hyperactive talking state, he referred to other things that

he sees as reality - much of which I could not understand or follow. Much of his conversation referred to the book Silence of the Lambs. Again I asked him not to talk about this in the presence of his daughter. He insisted that it was appropriate to discuss the criminal behavior depicted in the book, as well as his obsession with the "truth" of the book in front of his daughter.

This is not an isolated incident. Repeatedly whenever I see Kevin, he is apt to talk about his vision of reality, and the Silence of the Lambs comes up repeatedly. It is unclear

2

to me what the real significance of it for him is, so more recently I cut him off when he brings it up. He also repeatedly talks about Susan Hamann, whom he had been living with for two years, up until summer 1996. She returned for a stay at his house Christmastime 1996. Rachel was staying with him at the time as well. On or about Dec 29 1996, Susan charged him with harassment while she was still at the house. She filed an order of protection and left the house. I was called to the house to pick up Rachel and he was taken to jail. Gun charges were filed then as well since Susan told the police that he had unregistered handguns and he produced them.

Rachel told me afterwards that she was sleeping downstairs on the couch because it was so noisy upstairs.

Previously when Susan was living with Kevin, they were having serious arguments and both felt threatened by the other. Both would complain to me about the other and I got really tired of hearing about it and advised them to separate numerous times.

3

Whenever I see Kevin he is totally wrapped up in his vision of reality and his own diagnosis of himself. He feels he is mentally ill and has a neurological disease.

On early Feb. 1997 he violated the order of protection and went to Susan Hamann's residence. He broke in - he was wearing a dress and high heels - and finding an assortment of strange items on the floor (Susan was not there), including paint thinner, he set fire to the trailer. He was picked up by the police a few minutes later and held in jail on \$50,000 bond. After about a month, his mother bailed him out.

After the Dec 29 incident, I kept Rachel all the time and he agreed to this. (The week before Dec 29, he was charged with DWI.) But after he was released from jail, she started going over to his house again one or two nights a week. Her behavior started to worsen. She resists violently my authority, screaming and sometimes pushing when I make certain lines clear.

At her father's, she seems to be allowed to eat junk food as much as

she wants, watch

4

videos & TV as much as she wants, stay up as late as she wants. His house is something of a mess and she does not seem to be encouraged to take care of things or clean up after herself.

Last week I brought up my concerns about her eating a better diet at his house, and he said it was hard because he was often depressed. This past Sunday on the phone before he came over I told him my concerns about her lack of discipline at his house. He did not want to discuss it, instead bringing up the past about how permissive I was with her when she was young. I agreed that I had been too permissive with her in the past, but now realized that there have to be certain rules for an orderly household. Nevertheless he does not seem to have the concentration to devote much attention, at this point in time, to how he is raising his daughter. His total obsession with himself, his problems and his view of reality is apparent to anyone he talks with.

5

His defense for the arson charge (and probably the harassment too) is not guilty by reason of insanity. He does not think he was responsible for those actions - he was compelled. He is expecting to be taken care of by the medical system and the mental health system. He also believes that the string of events has been manipulated by Susan Hamman and that ultimately she will come back to his house and be his nurse and take care of him, just as he tried to take care of her.

He has also mentioned being suicidal at times. He is undergoing various evaluations for court proceedings but is not under any therapeutic care, other than prescriptions for psychotropic medications given out by his general practitioner.

In sum, I don't feel he is a fit parent at this time. He is unstable and I fear for my daughter's safety as well as her long-term mental and physical health if she is exposed too much to his influence. She told me that he told her that no matter how horrible horror movies are, they are not at all as horrible as real life. She loves her dad and is protective of him.

6

She talks very little of what goes on at his house, but she says lately he's tired, he's too busy to come to a school event, etc.

I don't want to deprive them of seeing each other - maybe a 3-hour visit once a week, but I don't think he's responsible enough to take care of her. I don't know if he might snap again, and I think that the things he talks about to her are inappropriate and very scary for a child. My hope is that both he and she can understand that at

this time, she is better off having a consistent home life. Hopefully in the future he can get his life back on track and spend more time with her.

I have gotten along with him OK so long as I let him talk about himself, but if I try to bring up issues about child-rearing, he is resistant and becomes downright antagonistic. That is why I am resorting to the court.

Thank you.

Signed,
Anne Marie Whelan

Form 8-2 page 3

•8. (Upon information and belief) Respondent is licensed or has a license application pending to carry, possess, repair, sell or otherwise dispose of the following firearms [if known, specify type of firearms, type of license(s), date of issuance of license(s) and expiration date(s), whether license has been suspended or revoked and, if so, the date of such action and, if not currently licensed, whether license application is pending):

- no license

Form 8-2 page 4

•9. (Upon information and belief) Respondent is in possession of the following licensed and unlicensed firearms [specify number and type of firearms and whether licensed or unlicensed, if known]:

- his unlicensed guns were confiscated ~12/29/96 and he is charged with criminal possession of unlicensed guns.

Form 8-2 page 4

•b) (Upon information and belief), Respondent has previously been found to have willfully failed to obey an order of protection and such willful failure involved (infliction of serious physical injury) (use or threatened use of a deadly weapon or dangerous instrument) (and) (behavior constituting a violent felony offense), as follows [specify finding or conviction and year, if known; delete inapplicable provision(s)]:

- in early Feb '97, Kevin Saunders violated an order of protection for Susan Hamman, when he went to her trailer and burned it to the ground. Arson charges are pending.

•c) (Upon information and belief) The following facts and circumstances create a substantial risk that Respondent may use or threaten to use a firearm unlawfully against Petitioner or members of Petitioner's family or household:

- He stated that sometimes he wishes to kill people.

WHEREFORE, Petitioner prays

(a) [CIRCLED] that the Respondent be adjudged to have committed the family offense alleged; [? unclear due to illegible entry above]

(b) [CIRCLED] that the Court enter an order of protection, specifying conditions of behavior to be observed by the Respondent in accordance with Section 842 of the Family Court Act:

and for such other and further relief as to the Court seems just and proper.

[signed] Anne Marie Whelan
Petitioner

Form 8-2 page 5

VERIFICATION

STATE OF NEW YORK
COUNTY OF Tompkins

Anne Marie Whelan, above named being duly sworn, deposes and says:
I am the Petitioner in the within action; that I have read and know the contents of the foregoing Petition; that the same is true to my own knowledge, except as to the matters therein stated to be alleged on information and belief, and that as to those matters, I believe it to be true.

[signed] Anne Marie Whelan
Petitioner

Sworn to before me this 23rd day of June, 1997.

[signed] Nancy Orlinski
(Deputy) Clerk of the Family Court
Notary Public

X PERSONAL SERVICE COPY
INFORMATION COPY
RETURN W/AFFIDAVIT

F.C.A. 430, 550, 655, 828 & 1029

ORI No: NY054023J

Order No: 1997-A-00105

NYSID No: _____

At a Term of the FAMILY Court
County of TOMPKINS, State of New York
(address) 320 N. Tioga Street
Ithaca, NY 14850

Form GFS 9-96

PRESENT. Hon. M. John Sherman

**TEMPORARY
ORDER OF PROTECTION**
[Articles 4, 5, 6, 8 and 10]

In the Matter of a Proceeding under
Article 8 of the Family Court Act

Petitioner Anne Marie Whelan

Date of Birth: 3/17/56
v.

Respondent Kevin Saunders

Date of Birth: 5/1/56

NOTICE OF ENTRY

PLEASE BE ADVISED THAT THIS DOCUMENT
WAS ENTERED IN THE TOMPKINS COUNTY
FAMILY COURT CLERK'S OFFICE ON THE

23 DAY OF June 19 97
Marra J. Senka
CLERK

Docket No. 0-712-97

Family Unit No. _____

☐ Ex Parte

☐ Both Parties Present in Court
(check one)

NOTICE: YOUR FAILURE TO OBEY THIS ORDER MAY SUBJECT YOU TO MANDATORY ARREST AND CRIMINAL PROSECUTION, WHICH MAY RESULT IN YOUR INCARCERATION FOR UP TO SEVEN YEARS FOR CRIMINAL CONTEMPT, AND/OR MAY SUBJECT YOU TO FAMILY COURT PROSECUTION AND INCARCERATION FOR UP TO SIX MONTHS FOR CONTEMPT OF COURT. IF YOU FAIL TO APPEAR IN COURT WHEN YOU ARE REQUIRED TO SO, THIS ORDER MAY BE EXTENDED IN YOUR ABSENCE AND CONTINUE IN EFFECT UNTIL YOU APPEAR IN COURT.

A petition under Article 8 of the Family Court Act, sworn to on 6/23/97, having been filed in this court in the above entitled proceeding, and good cause having been shown,

Now, therefore, it is hereby ordered that [specify first name, middle initial and last name] Kevin
Saunders observe the following conditions of behavior:

(Check Applicable Paragraphs)

[01] ☒ Stay away from [A] (name(s) of protected persons) Anne Marie + Rachel Whelan, and/or from the
[B] ☒ home of Anne Marie + Rachel Whelan, [C] ☒ school of Rachel Whelan,
[D] ☒ business of camp of Rachel Whelan, [E] ☒ place of employment of Anne Marie Whelan,
[F] ☐ other [specify location] _____

[02] ☐ Refrain from assault, harassment, menacing, reckless endangerment, disorderly conduct, intimidation, threats or any criminal offense against [specify victim(s) or members of victim's family or household] _____

[11] ☐ Permit [specify individual] _____ to enter the residence during
[specify date/time] _____ to remove personal belongings not in issue in litigation;

[04] ☐ Refrain from (indicate acts) _____ that create an unreasonable risk to the health,
safety or welfare of [specify child(ren)] _____

[05] ☐ Permit [specify individual], _____ entitled by a court order or
separation agreement, to visit with [specify child(ren)] _____
during the following periods of time [specify] _____ under the following
terms and conditions [specify] _____

[07] ☒ Temporary Custody of [specify child(ren)] Rachel Whelan shall be
awarded to [specify individual] Anne Marie Whelan under the following terms and
conditions [specify]: one visitation Sunday afternoon 2 to 5pm if he
agrees not to speak to people in Rachel's household and not to talk

DMIT
MRS
FOR
MIS

[12] ☐ Surrender any and all firearms owned or possessed, including, but not limited to, the following:
Such surrender shall take place on or before
[specify date/time]: _____ at: _____

☐ Pay or provide access to health or medical insurance for necessary medical care and treatment arising from the incident or incidents forming the basis of the order [specify beneficiary of treatment and coverage] _____

Arts. 5,6&8 only ☐ Pay counsel fees and/or any costs associated with the order to [specify person and terms] _____

Arts. 4,5&6 only ☐ Participate in an educational program (and pay the costs thereof)[specify program] _____

Art. 8 only ☐ Participate in a batterer's education program designed to help end violent behavior (and pay the costs thereof)[specify program] _____, and

Art. 8 only ☐ Pay to the petitioner/victim(s) restitution, as follows [specify terms] _____ (amount up to \$10,000), and

[99] ☐ Observe such other condition(s) as are necessary to further the purposes of protection [specify conditions] _____

It is further ordered that the above-named Respondent's license to carry, possess, repair, sell or otherwise dispose of a firearm or firearms, if any, pursuant to Penal Law §400.00, is hereby [13A] ☐ suspended, and/or [13C] ☐ the Respondent shall remain ineligible to receive a firearm license during the period of this order. (Check all applicable boxes)

It is further ORDERED that the petitioner and the respondent appear in Tompkins Family Court at 320 N. Tioga Street, Ithaca, New York on July 7, 1997 at 10:15 AM

before the Honorable Judge M. John Sherman

It is further ORDERED that this Order of Protection shall remain in effect until 12-23-97

Dated: 6/23/97

M. John Sherman
Family Court Judge

Check if applicable:

☐ Service executed Date: _____ Time: _____

☐ Party against whom order issued received copy in court

The Family Court Act provides that presentation of a copy of this order of protection to any police officer or peace officer acting pursuant to his or her special duties shall authorize, and in some situations may require, such officer to arrest a person who is alleged to have violated its terms and to bring him or her before the court to face whatever penalties may be imposed therefor.

Federal law provides that this order must be honored and enforced by state and tribal courts, including courts of a state, the District of Columbia, a commonwealth, territory or possession of the United States, if it is established that the person against whom the order is sought has or will be afforded reasonable notice and opportunity to be heard in accordance with state law sufficient to protect that person's rights (18 U.S.C. 2265).

FAMILY COURT OF THE STATE OF NEW YORK
COUNTY OF 91

Petitioner Anne Marie Whelan
Docket No. 0-712-97

-against-

PETITION
Respondent Kevin Saunders

TO THE FAMILY COURT:

The undersigned Petitioner respectfully shows that:

1. *(Petitioner resides at 721 W. Court St, Ithaca, NY
County of Tompkins
State of New York, and is the (spouse)(former spouse)(parent)
(child)(member of the family)(member of the household) of Respondent.)

*(Petitioner is a representative of
a duly authorized agency, association, society or institution which
maintains its offices at .)

* (Petitioner is a peace officer of the (County) (City) (Town)
of _____, to wit,

2. Respondent resides at 1668 Trumansburg Rd. , County
of Tompkins , (State of New York).
(Other [specify]:)

***Delete inapplicable provisions.**

June 8 3. (Upon information and belief), (On or about the day of
 , 1997, at 721 W. Court St , the Respondent
 committed an act or acts which constitute ~~(disorderly
 conduct)(aggravated harassment in the second degree) (harassment in the
 first degree)(harassment in the second degree)(menacing in the second
 degree)(menacing in the third degree) (reckless endangerment) (assault
 in the second degree) (assault in the third degree) (attempted assault)~~
 toward . Anne Marie Whelan, Rachel Whelan

who is a (spouse)(former spouse)(parent)(child)(member of the
 family)(member of the household) of said Respondent in that the
 Respondent

see attached.

*4(a). The following are the names, ages and relationships to
 the Petitioner and/or Respondent of each and every child in the family
 household:

Name of child	Age	Relationship to (Petitioner)(Respondent)
Rachel Whelan	9	daughter daughter

*5. (Upon information and belief) The following aggravating
 circumstances, if any, are present in this case ["Aggravating
 circumstances" shall mean physical injury or serious physical injury to
 the petitioner caused by the respondent, the use of a dangerous
 instrument against petitioner by the respondent, a history of repeated
 violations of orders of protection by the respondent, prior convictions
 for crimes against the petitioner by the respondent or the exposure of
 any family or household member to physical injury by the respondent and
 like incidents, behavior and occurrences which constitute an immediate
 and ongoing danger to the petitioner or any member of the petitioner's
 family or household]:

*6. (Upon information and belief) The following criminal,
 matrimonial or Family Court proceeding(s) involving the respondent (has)
 (have) been filed [indicate the court, date and status]:

DWI ~ 12/21/96

arson ~ 2/5/97

harassment ~ 12/21/96

possession of unlicensed gun ~ 12/21/96

*7. Indicate whether a previous application has been made to
 any court or judge for the relief requested herein and, if so, the
 relief, if any, granted and the date of such relief.

*Delete inapplicable allegations, if any.

On June 8th, 1997, Kevin Saunders came to my house to pick up his daughter Rachel for a 2-day stay at his house. While ~~for~~ Rachel is present, he started to talk to me in an agitated fashion about his (ex) girlfriend, Susan Hamman, referring to the harassment charges she filed against him, as well as the rape he says she alleged (although he has not apparently been charged with that.) I asked him not to discuss these things in front of Rachel. He stated that she should be aware of these things. In his hyper-active talking state, he referred to other things that he sees as reality - much of which I could not understand or follow. Much of his conversation referred to the book Silence of The Lambs. Again I asked him not to talk about this in the presence of his daughter. He insisted that it was appropriate to discuss the criminal behavior depicted in the book, as well as his obsession with the "truth" of the book in front of his daughter. This is not an isolated incident. Repeatedly whenever I see Kevin, he is apt to talk about his vision of reality, and the Silence of The Lambs comes up repeatedly. It is unclear

to me what the real significance of it for him is, so more recently I cut him off when he brings it up. He also repeatedly talks about Susan Hammar, whom he had been living with for two years, up until about summer 1996. She returned for a stay at his house Christmastime 1996. Rachel was staying with him at the time as well. On or about Dec 29, 1996, Susan charged him with harassment while she was still at the house. She filed an order of protection and left the house. I was called to the house to pick up Rachel and he was taken to jail. Gun charges were filed then as well since Susan told the police that he had unregistered handguns and he produced them.

Rachel told me afterwards that she was sleeping downstairs on the couch because it was so noisy upstairs.

Previously, when Susan was living with Kevin, they were having serious arguments and both felt physically threatened by the other.

Both would complain to me about the other and I got really tired of hearing about it and advised them to separate numerous times.

Whenever I see Kevin he is totally wrapped up in his vision of reality and his ~~own~~ own diagnosis of himself. He feels he is mentally ill and has a neurological disease. ~~problem~~

On early Feb. 1997 he violated the order of protection and went to Susan Hamman's residence. He broke in - he was wearing a dress and high heels - and finding an assortment of strange items on the floor, (Susan was not there), including paint thinner, he ~~burned~~ set fire to the ~~house~~ ^{trailer}. He was picked up by the police a few minutes later and held in jail on \$50,000 bond. After about a month, his mother bailed him out.

After the Dec 29 incident, I kept Rachel all the time and he agreed to this. (The week before Dec 29, he was charged with DWI.) But after he was released from jail, she started going over to his house again one or ~~to~~ two nights a week. Her behavior started to worsen. She resists violently my authority, screaming and sometimes pushing when I make certain lines clear.

At her father's, she seems to be allowed to eat junk food as much as she wants, watch

videos + TV as much as she wants, stay up as late as she wants. His house is something of a mess and she does not seem to be encouraged to take any responsibilities to take care of things or clean up after herself.

Last week I brought up my concerns about her eating a better diet ~~at~~ at his house, and he said that it was hard because he was often depressed. This past Sunday on the phone before he came over I told him my concerns about her lack of discipline at his house. He did not want to discuss it, instead bringing up the past about how permissive I was with her when she was young. I agreed that I had been too permissive with her in the past, but now realized that there have to be certain rules for an orderly household. Nevertheless he does not seem to have the concentration to devote much attention, at this point in time, to how he is raising his daughter. His total obsession with himself, his problems and his view of reality is apparent to anyone he talks with.

His defense for the arson charge (and probably the harassment too) is ^{not guilty by reason of} insanity. He does not think he is responsible for those actions — he was compelled. He is expecting to be taken care of by the medical system and the mental health system. He also believes that the string of events has been manipulated by Susan Hamman and that ultimately she will come back to his house and be his nurse and take care of him, just as he tried to take care of her.


He has also mentioned being suicidal at times. He is undergoing various evaluations for court proceedings but is not under any therapeutic care other than prescriptions for psychotropic medications given out by his general practitioner.

In sum, I don't feel he is a fit parent at this time. He is unstable and I fear for my daughter's safety as well as her long-term mental and physical health if she is exposed too much to his influence. She told me that he told her that no matter how horrible horror movies are, they are not at all as horrible as real life. She loves her dad and is protective of him.

She talks very little of what goes on at his house, but she says lately he's tired, he's too busy to come to a school event, etc. I don't want to deprive them of seeing each other - maybe a 3-hour visit once a week, but I don't think he's responsible enough to take care of her. I don't know if he might snap again, and I think that the things he talks ~~about~~ to her are inappropriate and very scary for a child. My hope is that both he and she can understand that at this time, she is better off having a consistent home life. Hopefully, in the future he can get his life back on track and spend more time with her.

I have gotten along with him OK so long as I let him talk ^{about himself}, but if I try to bring up issues about child-rearing, ~~he~~ he is resistant and becomes downright antagonistic. That is why I am resorting to the court. Thank you.

Signed,



Anne Marie Whelan

*8. (Upon information and belief) Respondent is licensed or has a license application pending to carry, possess, repair, sell or otherwise dispose of the following firearms [if known, specify type of firearms, type of license(s), date of issuance of license(s) and expiration date(s), whether license has been suspended or revoked and, if so, the date of such action and, if not currently licensed, whether license application is pending]:

no license

*9. (Upon information and belief) Respondent is in possession of the following licensed and unlicensed firearms [specify number and type of firearms and whether licensed or unlicensed, if known]:

his unlicensed guns were confiscated ~ 12/29/96 and he is charged with criminal possession of unlicensed guns.

*10. (Upon information and belief) There is a substantial risk that the Respondent may use or threaten to use a firearm unlawfully against Petitioner (and members of the Petitioner's family or household) for the following reasons:

*a) (Upon information and belief), Respondent has been convicted of the following violent felony offenses [specify conviction charge and year of conviction, if known]:¹

¹"Violent felony offenses" include: murder; kidnaping in the first and second degrees; arson in the first and second degrees; manslaughter in the first degree; rape in the first degree; course of sexual conduct against a child in the first and second degrees; sodomy in the first degree; aggravated sexual abuse in the first and second degrees; sexual abuse in the first degree; burglary in the first and second degrees; robbery in the first and second degrees; criminal possession of a dangerous weapon in the first, second and third degrees; criminal use of a firearm in the first and second degrees; criminal sale of a firearm in the first and second degrees; criminal sale of a firearm with the aid of a minor; aggravated assault upon a police officer, intimidating a victim or witness in the first and second degrees; assault in the first and second degrees; and attempts of any of the above offenses, except assault in the second degree, sexual abuse in the first degree, criminal sale of a firearm in the second degree, criminal sale of a firearm with the aid of a minor, intimidating a witness in the second degree and criminal possession of a weapon in the third degree (unless pled guilty as a lesser included offense of the substantive crime). See Penal Law §70.02(1).

* Delete inapplicable allegations, if any.

*b) (Upon information and belief), Respondent has previously been found to have willfully failed to obey an order of protection and such willful failure involved (infliction of serious physical injury)² (use or threatened use of a deadly weapon or dangerous instrument)³ (and) (behavior constituting a violent felony offense),⁴ as follows [specify finding or conviction and year, if known; delete inapplicable provision(s)]: in early Feb '97, Kevin Saunders violated an order of protection for Susan Hamman, when he went to her trailer and burned it to the ground. Arson charges are pending.

*c) (Upon information and belief) The following facts and circumstances create a substantial risk that Respondent may use or threaten to use a firearm unlawfully against Petitioner or members of Petitioner's family or household:

He stated that sometimes he wishes to kill people.

WHEREFORE, Petitioner prays

(a) that the Respondent be adjudged to have committed the family offense alleged;

(b) that the Court enter an order of protection, specifying conditions of behavior to be observed by the Respondent in accordance with Section 842 of the Family Court Act:

and for such other and further relief as to the Court seems just and proper.


Petitioner

² "Serious physical injury" means injury which creates a substantial risk of death, or which causes death or serious and protracted disfigurement, protracted impairment of health or protracted loss or impairment of the function of any bodily organ. See Penal Law §10.00(10).

³ "Deadly weapon" means any loaded weapon which may be shot, readily capable of producing death or other serious physical injury, or a switchblade knife, gravity knife, pilum ballistic knife, metal knuckle knife, dagger, billy, blackjack, or metal knuckles. "Dangerous instrument" means any instrument, article or substance, including a vehicle, which, under the circumstances in which it is used, attempted to be used or threatened to be used, is readily capable of causing death or other serious physical injury. See Penal Law §§10.00(12), (13)

⁴ See footnote 1, above

* Delete inapplicable allegations, if any.

VERIFICATION

STATE OF NEW YORK)
COUNTY OF Tompkins) ss.:

Anne Marie Whelan

, above named
being duly sworn, deposes and says: I am the Petitioner in the within
action; that I have read and know the contents of the foregoing
Petition; that the same is true to my own knowledge, except as to the
matters therein stated to be alleged on information and belief, and that
as to those matters, I believe it to be true.

 A M W
Petitioner

Sworn to before me this
23rd day of June, 1997.

 Mary Oleinski
(Deputy) Clerk of the Family Court
Notary Public