

JOSIE DELVIN
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Superior Court of Washington, County of Benton

In re: Petitioner: AMBER MARIE RODRIGUEZ And Respondent: ELIAS HUIZAR	No. 24-2-00314-03 Declaration of: Amber Rodriguez (DCLR)
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Declaration of: Amber Rodriguez

- I am 18 years of age or older and I am the Petitioner.
- I declare:

Please see attached(s)

I declare under penalty of perjury under the laws of the state of Washington that the facts I have provided on this form (and any attachments) are true. I have attached 4 pages.

Signed at: West Richland, wa Date: 2/9/2024

DocuSigned by:
Amber Rodriguez
Sign here

Amber Rodriguez
Print name

Warning! Documents filed with the court are available for anyone to see unless they are sealed. Financial, medical, and confidential reports, as described in General Rule 22, must be sealed so they can only be seen by the court, the other party, and the lawyers in your case. Seal those documents by filing them separately, using a Sealed cover sheet (form FL All Family 011, 012, or 013). You may ask for an order to seal other documents

ORIGINAL

1 My name is Amber Rodriguez and I am the Petitioner in the above matter. This is my declaration
2 in support of my petition for a protection order and an order to surrender/weapons.

3 This is my second attempt in obtain a protection order against the respondent. The first one was
4 denied as I did not disclose my dissolution case in Yakima, WA that was finalized in 2023. It was
5 also denied as the only evidence I produced was a newspaper clipping. Due to the respondent's
6 recent charges and other disclosures made by our children, I felt it was appropriate to try again.
7

8 I want to make the court aware that I will be filing a Petition to Modify a Final Parenting Plan/Child
9 Support Order in Benton County, WA. Both parties have lived in Benton County for over 3 years
10 with the children. I am waiting on the certified copy of the final orders from the courts in Yakima,
11 WA.

12 The respondent and I were married 09/04/2014. We split on 12/08/2020. The respondent and I
13 were divorced on 04/07/2023. The respondent and I have two children together. They are 8 and 5
14 years old.
15

16 During our divorce proceedings, the respondent claimed to be single. New information contradicts
17 the respondent's statements. The respondent was keeping his girlfriend a secret due to her age
18 and previous encounters.

19 The respondent's girlfriend is currently 17 years old and lives in the same household. They have a
20 10-month-old son who was born on 04/08/2023. Due to the ages, the girlfriend got pregnant at 15
21 years old.
22

23 According to the police report/affidavit, on 02/03/2024, the respondent and his girlfriend were
24 drinking at their home with one of the girlfriends' friends. The girlfriend's friend felt ill from drinking
and went to their guest bedroom. The girlfriend proceeded to go in with her to take care of her.

1 They both ended up falling asleep. The girlfriend woke up to see the respondent's face down by
2 her friend's private area. The respondent and the 16-year-old female both had their pants down.
3 The 16-year-old was passed out. The respondent then moved towards the 16-year old's chest as
4 if he was getting on top of her to have intercourse. The 16-year-old woke up to find the respondent
5 on top of her. The girlfriend tried to confront the respondent. The respondent ended up walking
6 out of the room like nothing happened. Both minor females got up, grabbed the 10-month-old
7 child, and left in the respondent's truck to find help. The respondent ended up taking his girlfriends
8 car and chasing after them. The minor females flagged down an officer. The respondent drove off
9 after.

10 The police went to the respondents' home to arrest him. However, the respondent would not
11 come out. After 3 hours, the police forcefully entered the home. The respondent was arrested on
12 02/03/2024. He made bail on 02/05/2024.

13
14 After seeing the police report with the minors' names, I realized the respondent's girlfriend is the
15 same girl that had allegations against the respondent when she was 11. The respondent worked
16 as an SRO at Washington Middle School in Yakima, WA. During his time there, a different female
17 student posted on Snapchat about an inappropriate relationship was happening between an
18 11-year-old girl and the respondent. The respondent turned things around and said the
19 11-year-old girl was obsessed with him. An investigation was conducted but no charges were
20 made.

21 Since the respondent's arrest on 02/03/2024, our son has made some disclosures to me. Our
22 8-year-old son has stated that the respondent is violent. The incidents include loud yelling,
23 punching a TV, & slapping the 17-year-olds hand. The respondent has also hit/smacked our
24 children which goes against our Final Parenting Plan. It was also disclosed by the girlfriend to my

1 son, which was confirmed to police, that the respondent has hit her in the face.

2 Other disclosures by our son were that the respondent and his 17-year-old girlfriend have
3 intercourse when our sons are present. These incidents have taken place in the pool with our
4 children in as well, on the couch in the living room, in a hotel room on a trip with the children in the
5 same room, and in the bedrooms with the door open. Our sons were left to take care of the
6 10-month-old infant while some of these incidents took place. The following are some examples
7 of the incidents and when they occurred.

8
9 In June of 2023, our son stated he kept hearing the respondent and "Jelly" making loud moaning
10 noises. He also said that he went to the respondent's room early one morning to ask him a
11 question and saw the respondent's face in "Jelly's" butt and she was pressed up against the wall
12 naked. Jelly is the nickname for the respondents 17-year-old girlfriend.

13 The following month, our son stated that the respondent and "Jelly" were humping and making
14 moaning noises in the pool while he and his brother were swimming. That same week, our son
15 stated he was playing outside with the respondent. The respondent told him he would be right
16 back and went inside. After several minutes, our son walked in and saw the respondent's face in
17 "Jelly's" private parts on the couch. The same month, our son disclosed that late one night, our
18 children were in their room playing when they heard the baby let out a loud cry. Our son said he
19 ran out of his room to check and saw the respondent's privates in "Jelly's" mouth.

20
21 On 07/24/2023, our youngest stated "Daddy spank my tushy." I asked our eldest son if that was
22 true and he said yes. Two days later, our sons witnessed the respondent and "Jelly" get into a
23 massive fight. Our son stated "Jelly" was yelling at the respondent while holding their baby and
24 cursing telling him to hit her.

1 On 08/07/2023, our eldest son was crying when I picked them up. He stated the respondent hit
2 him for hitting his little brother. He also stated that the respondent and "Jelly" got into a big fight
3 where they were yelling and saying the F-word a lot. He also stated he woke up to see the
4 respondent and "Jelly" humping in the bed next to him. They continued to do so after they noticed
5 our son was awake.

6 On 08/21/2023, our son stated "Jelly" told him that the respondent hit her in the face hard and
7 made her cry. She told our son not to tell the respondent.

8
9 On 08/23/2023, I spoke to the respondent and he stated he would "handle it". I told the respondent
10 that it was extremely inappropriate and that "Jelly" had no business telling our son what she did.

11 On 01/02/2024, our son disclosed that the respondent and "Jelly" got into a big fight while they
12 were over at his house. Our son stated the respondent and "Jelly" were yelling at one another.
13 Our son heard loud banging noises coming from the respondent's room. When the respondent
14 came out, our son saw the TV was smashed and the respondent's hand was bleeding.

15
16 The respondent was arrested for the 2nd time on 02/09/2024 for Rape of a Child in the 3rd degree.
17 He made bail. It is my understanding that more criminal charges are pending.

18 I believe the respondent is a flight risk as he has previously taken our children in 2021. I did not
19 see our children for an entire 3 weeks. The respondent made false claims against me with no
20 evidence. The claim was thrown out and the respondent was ordered to return the children. I do
21 believe the respondent will flee and take our children with him if he has access to them.

22
23 I am asking the court for a Protection Order against the respondent due to the active criminal
24 charges against him, the nature of those charges, the conduct that has been disclosed since his
arrest, and the fear I have of the respondent taking our children.

Optional Form (05/2016)
FL All Family 135

Declaration

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