

DISTRICT COURT COUNTY OF JEFFERSON Hall of Justice 100 Jefferson County Parkway Golden, Colorado 80419	
In re the Marriage of Petitioner: Christy Ryan, f/k/a Christy Harrington Respondent: Scan Lee Harrington	
Law Office of Madeline Wilson Attorney for Petitioner 501 S. Cherry St. Suite 610 Denver, CO 80246 Phone: 303-321-6872 Fax: 303-321-3196 Atty. Reg. #24060	<p style="text-align: center;">Δ COURT USE ONLY Δ</p> Case Number: 99 DR 3717 Division: P/3 Courtroom:
EMERGENCY MOTION REGARDING JURISDICTION OF CASE	

COMES NOW, the Petitioner, Christy Ryan (“mother”), by and through her undersigned counsel and shows unto the Court as follows:

1. This Court has had jurisdiction over the parties and this matter since 1999.
2. A matter unrelated to jurisdiction or parenting time is currently before the Court of appeals under Case No. 07CA0379. The father filed a pleading with the Court of Appeals as recently as June 4, 2007.
3. The father filed a pleading with the Trial Court as recently as May 4, 2007.
4. Prior to his most recent filing, the father filed a Petition with the 271st District Court in Wise County, Texas, Case No. 07-04-274, requesting that the Texas Court modify the Colorado Order regarding parental responsibility of the parties minor child, Shelby Harrington, (“Shelby”) born June 12, 1995, despite the fact the father was/is well aware that Colorado has continuing jurisdiction in this matter.

5. The mother believes that Colorado continues to have exclusive jurisdiction over this matter as there are matters pending before both the Court of Appeals and the Trial Court. In addition, the Trial Court issued the Decree in this matter and continues to have exclusive jurisdiction under the federal Parental Kidnapping Prevention Act ("PKPA") 28 U.S.C. Section 1738A (1998) as father asserts he is a resident and domiciliary of Colorado.
6. The Court is well aware of this case involving the self-proclaimed, mentally ill father, who is stubbornly litigious. The father has tormented the mother for years, obviously trying to bankrupt her or worse; never understanding that tormenting his child's mother torments his child.
7. Shelby tells her mother that she lives in fear that her father will kidnap her as he has promised her in the past. The father lost all parenting time in July of 2003 and Shelby remembers her father calling the bomb squad and telling them that he was a danger to his child. Shelby also remembers being taken by social services until her mother could fly to Minnesota to get her after the Court entered its Order.
8. For nearly four years, the father did nothing the Colorado Court suggested in order to have time with Shelby, he simply fought "the system," but did not prevail. The Colorado Court has clearly outlined the perquisites that the father is required to meet in order to reintegrate into Shelby's life. The father need only do what the Colorado Court has suggested rather than "judge shopping" for a Judge that does not understand the depth of the father's issues and how these issues affect Shelby.
9. The father is attempting to circumvent Shelby's best interests to have a different state look at this matter in hopes, it appears, of fooling a Judge into believing he has never been a danger to Shelby.
10. Texas does not have the reams of pleadings filed by the father.
11. The mother does not believe the Texas Judge has conferred with Honorable Judge Tidball regarding this matter as required by the UCCJA.
12. The Texas Judge is apparently is attempting to assume jurisdiction over custody matters that Judge Tidball has exclusive jurisdiction over. A hearing/conference has been set in this matter by the Texas Judge in Texas for late July, 2007.
13. The mother respectfully requests that the Honorable Judge Tidball communicate with the Texas Court as per C.R.S. 14-13-110.
14. The point of the UCCJA is to promote the best interests of the child whose custody is at issue. The UCCJA is very specific in that the state with the most evidence regarding the child's custody should decide that child's custody. Colorado clearly is the state with the most evidence regarding Shelby and her parents. This matter must

remain in Colorado pursuant to the Uniform Child Custody Jurisdiction Act (UCCJA), CRS Section 14-13-101, et seq.

15. Texas recognizes the UCCJA and agrees that: "a court that renders a final order in a suit affecting the parent-child relationship generally retains continuing, exclusive jurisdiction to modify the order. Tex. Fam. Code §§ 155.001(a), 155.003(a)."
16. The PKPA authorizes continuing exclusive jurisdiction in the original decree State, so long as one parent or the child remains there and the State has continuing jurisdiction under its own law. The father, in his latest pleadings, gives a Colorado address. Clearly, one parent, the father remains in the State of Colorado.
17. The mother believes that under the UCCJA, Colorado retains continuing, exclusive jurisdiction to modify its Order.
18. On or about May 1, 2007, the mother filed a contempt action regarding the father's non-compliance with the Court order, wherein the mother's counsel has a no-contact order against the father that he has violated countless times. The Contempt Order has been signed.
19. This matter may be heard despite the fact that a portion of the District Court case (unrelated to the instant matter) is currently being appealed by the father in the Court of Appeals. The trial Court is not deprived of jurisdiction over the issues that are not the subject of the appeal. No issues in the instant Motion are being determined by the appellate Court as per *Christel v. EB Engineering, Inc.*, 116 Colo. App., 2004.

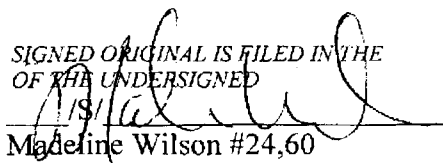
WHEREFORE, the mother prays that this Honorable Court retain jurisdiction as per the UCCJA and for such other relief as the Court deems appropriate.

Dated July 3, 2007.

Respectfully submitted,

LAW OFFICE OF MADELINE WILSON

SIGNED ORIGINAL IS FILED IN THE
OF THE UNDERSIGNED


Madeline Wilson #24,60

STATE OF TEXAS)

COUNTY OF WISG)

Petitioner, Christy Ryan, being first duly sworn under her oath, deposes and says:

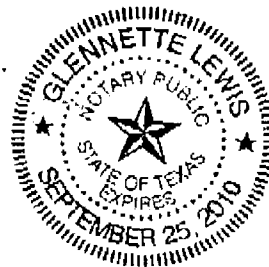
I have read the above and foregoing EMERGENCY MOTION REGARDING JURISDICTION OF CASE, know the contents thereof, and that the same is true and correct to the best of my knowledge, information and belief.

Christy Ryan
Christy Ryan, Petitioner

Subscribed and sworn to before me this 27 day of June, 2007

My commission expires 9-25-2010

Glennette Lewis
Notary Public



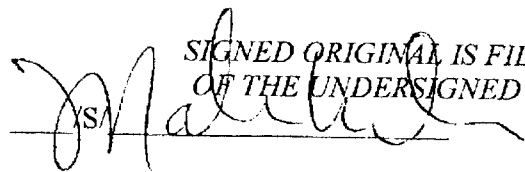
CERTIFICATE OF SERVICE

I hereby certify that on July 3, 2007, I served a true and accurate copy of the foregoing EMERGENCY MOTION REGARDING JURISDICTION OF CASE in the U.S. Mail, postage prepaid and affixed hereto to the following:

Via JusticeLink
Jefferson County District Court
Hall of Justice
100 Jefferson County Parkway
Golden, Colorado 80419

Sean Lee Harrington
P.O. Box #351855
Westminster, CO 80035

Christy Ryan

*SIGNED ORIGINAL IS FILED IN THE
OF THE UNDERSIGNED*


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Authorizer: Madeline Wilson
Authorizer's Organization: Wilson, Madeline
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