

Appellant's Designation of Record on Appeal

Heyan Jenny Huang

September 19, 2022

Contents

1	几个主要的关注点：根据表哥的陈述，每条反驳回去	1
1.1	Other court cases	1
1.2	Length of Order 一年，多于一年，一辈子 (法官真是生猛呀，一令就是一辈子。。。。)	3
1.3	Most Recent Incident	3
1.4	Past Incidents	4
2	个人的认知层面的问题	4
3	保护令下达 (被小地方的法官一羊判便判成了一辈子 - - 至 2099 呆[F][F][F][F]呵呵) 后	4
3.1	Appeal: https://www.civillawselfhelpcenter.org/self-help/harassment-protection/modifying-dissolving-or-appealing-a-protection-order	5
4	Statements	5
5	online resources/ concepts differences	5
5.1	harassment vs Stalking	5

1 几个主要的关注点：根据表哥的陈述，每条反驳回去

- to be summarized and finished this evening

1.1 Other court cases

10. **Other court cases.** Have there been any other court cases between any of the people involved in this case or about any children? Include court cases happening now and in the past and requests for protection that were denied or have expired. (Examples: criminal no contact order, civil protection order, family law restraining order, protection order from another state, tribal order, military orders, parenting plans, divorce, landlord-tenant, employment, property, assault, police investigations. File copies in this court case of everything you want the court to review.)

☐ No ☒ Yes. If yes, fill out the following.

Type of Case (see examples)	Court Location (City or County and State)	Court Type (Superior / District / Municipal / Tribal / Military)	Case Number (if known)	Status (active / dismissed / pending / expired, unknown)
Violation of Anti-Harassment	Whitman, WA	District	P14-1307	Expired
Criminal Trespass	Whitman, WA	District	P22-1162	Pending Active

Other details: P22-1146

- There are 2 ACTIVE cases going on: **P22-1146** and **P22-1162**; 1 expired case of **P14-1307**

- P22-1146:

WHITMAN COUNTY DISTRICT COURT
325 SE PARADISE STREET
PULLMAN, WA 99163
509-397-6260

CITY OF PULLMAN
WHITMAN COUNTY
STATE OF WASHINGTON
Plaintiff, vs

HUANG, HEYAN
32476 DEBORAH AVE
UNION CITY, CA 94587

Defendant

Case Information			
Case #:	P00221146	PUL	CN
Violation Date:	06/18/2022		
Violation(s):	CRIMINAL TRESPASS-2ND DEGREE		
9A.52.080			

Notice Date: July 8, 2022

NOTICE OF CASE SETTING

The above case has been scheduled/continued for a **ENTRY OF PLEA**

You must appear on **Thursday, July 21, 2022**, at **1:00 PM** in **Pullman District Court**,
at the following location:

WHITMAN COUNTY DISTRICT COURT
325 SE PARADISE STREET
PULLMAN, WA 99163

Presiding Judge HART, JOHN EDWARD HISCOCK

• P22-1162:

WHITMAN COUNTY DISTRICT COURT
325 SE PARADISE STREET
PULLMAN, WA 99163
509-397-6260

CITY OF PULLMAN
WHITMAN COUNTY
STATE OF WASHINGTON
Plaintiff, vs

HUANG, HEYAN
32476 DEBORAH AVE
UNION CITY, CA 94587

Defendant

Case Information			
Case #:	P00221162	PUL	CN
Violation Date:	07/03/2022		
Violation(s):	ASSAULT 4TH DEGREE		
9A.36.041.2			
9A.52.080	CRIMINAL TRESPASS-2ND DEGREE		

Notice Date: July 8, 2022

NOTICE OF CASE SETTING

The above case has been scheduled/continued for a **ENTRY OF PLEA**

You must appear on **Thursday, July 21, 2022**, at **1:00 PM** in **Pullman District Court**,
at the following location:

WHITMAN COUNTY DISTRICT COURT
325 SE PARADISE STREET
PULLMAN, WA 99163

Presiding Judge HART, JOHN EDWARD HISCOCK

- There are 2 Active cases, but the cases were only taken care of after the second P22-1162 incident, **which date for both cases were set up hearing on July 21, 2022**, and which were after the 2nd incident and I would have NO chance/opportunity to learn nor correct myself without IN TIME hearing after 1st incident.
- The above listed **P14-1307**:
- 是当地的法院没有及时地通知我或是办理案件, 让我没有机会学习和校正自己的行为, 不管是 6/17 号的, 还是接下来的, 我没有机会学习来校正自己

1.2 Length of Order 一年，多于一年，一辈子（法官真是生猛呀，一令就是一辈子。。。。。）

13. Length of Order

(The order will last for **at least one year** unless you ask for something different. Orders restraining a parent from contacting their own children may not exceed one year.)

I need this order to last for: [] 1 year ☒ more than 1 year [] less than 1 year (specify how long): _____

If you checked more or less than one year, briefly explain why.

Respondent's behavior has persisted since 2009.
She interprets the expiration of P14-1307 as permission to resume trying.
I prefer to prevent her future behavior in perpetuity.

- Who came to US as an international student, **I do NOT have nor by any means learn and understand these legal terms**, and I **DO have been** interpreting the expiration of P14-1307 as permission to resume trying. As an previous girl friend who is still deeply falling in love for a previous boyfriend, who will stop trying by any means though?
- 是的，我以为保护令的期限到了便是过期了，我便可以 retry 恢复男女朋友关系了。。。
- 听证会上，我向法官陈述了，我是国际留学生，对美国社会法律并不了解；

1.3 Most Recent Incident

16. **Most Recent Incident.** What happened most recently that made you want a protection order? This could include violent acts, fear or threats of violence, coercive control, nonconsensual sexual conduct or penetration, sexual abuse, harassment, stalking, hate crimes. For a vulnerable adult, include incidents or threats of abandonment, abuse, neglect and/or financial exploitation. Include specific date/s and details of the incident.

1. Around 2022/06/01, Heyan violated a no-trespass order and rang our house's doorbell. We threatened her with arrest, and she left. Later that evening, Pullman P.D. Ofc. Romanov located her (at a local hotel?), but we chose not to arrest her then.
 2. On 2022/06/17, Heyan rang our doorbell again. We called 911 and Pullman PD arrested her (case 22-P/S 351). She was assigned Whitman CDC #P22-1146 for Criminal Trespass in the Second Degree, with court date 2022/07/19. There was no property damage or threat.
 3. On 2022/07/02 Sat, I was performing yard work, balancing precariously on cinder blocks on a steep hillside. Heyan snuck up behind me and bear-hugged me from behind, ignoring my several years' worth of forbidding her to touch me. I turned and broke her grip, then retreated into my house, ~~and called 911~~
 4. On 2022/07/03 Sun, I glanced out through my kitchen window and saw Heyan walking up our driveway. I called 911, and she heard me and walked away. Pullman PD found her nearby and arrested her again, P22-1162.
- She is not deterred by no-trespass orders, arrest, or pending court cases. The only measure that has worked previously is a protection order (P14-1307).

1.4 Past Incidents

17. **Past Incidents.** What happened in the past that makes you want a protection order? This could include violent acts, fear or threats of violence, coercive control, nonconsensual sexual conduct or penetration, sexual abuse, harassment, stalking, hate crimes. For a vulnerable adult, include incidents or threats of abandonment, abuse, neglect and/or financial exploitation. Include specific date/s and details of the incidents.

1. Heyon previously stalked me ~~physic~~ from 2010-2013 at WSU, physically, via phone, e-mail, and online. I repeatedly told her, verbally and in writing, to cease, with no effect.
2. On 2011/08/06, Heyon drove unannounced from CA, and snuck into my lab office at WSU while I was in the restroom. I lured her out of my office, closed the door behind her (it locks), and left for home. Heyon drove to our home (460 Sunset Dr), doorbell-ambushed and forced entry past my elderly mother, and barricaded herself in my father's bedroom/study. Pullman PD responded (11-906258), and removed her from our house. We chose not to arrest her then.
+ This establishes her doorbell-ambush trick to force entry into a house.
3. On 2013/03/21, Whitman CDC issued an Order for Protection-Harassment against Heyon, forbidding contacts (AH-0117 YB).
4. Around 2014/12/27, Heyon violated the Order for Protection, and was cited for violation of Anti-Harassment Order (PI4-1307).
5. At trial on 2015/03/21, it was agreed to dismiss the case in 2 years if no violations occurred.
6. On 2017/03/22, Whitman CDC dismissed PI4-1307. ~~sto~~

2 个人的认知层面的问题

- 法律是有期限的：所有的限制令都有过期的期限

3 保护令下达（被小地方的法官一羊判便判成了一辈子 - - 至 2099 呆[F][F][F][F]呵呵）后

- If you do not go to court, the judge can make the restraining order without hearing your side of the story. And the order can last up to 5 years. 别人也就最多五年，他一弄就弄成了一辈子 <https://www.courts.ca.gov/1279.htm?rdeLocaleAttr=en>
- 原令保护令者，可是撤销保护令：The adverse party can file a Motion to Dissolve the protection order, and the court might schedule a hearing on the motion. The applicant can appear at the hearing to oppose the adverse party's motion. If the Motion to Dissolve is granted after a hearing, the protection order will become immediately void and unenforceable.
- 我可以 appeal 反保护令：The adverse party can file a Motion to Modify the protection order, and the court might schedule a hearing on the motion.
- If an extended protection order is issued, the adverse party can file an appeal to the district court, and the district court might affirm, modify, or vacate the order. The extended protection order remains in effect during any appeal, unless the court orders otherwise.

3.1 Appeal: <https://www.civillawselfhelpcenter.org/self-help/harassment-modifying-dissolving-or-appealing-a-protection-order>

- What is an “appeal,” and how would I file one?
 - If the court issues an extended order for protection, the adverse party can file an appeal to the district court. (There is no appeal allowed if the court denies an application to extend a protection order, only if the court grants the extension.) The district court will typically not hear new evidence on an appeal. The court will review the documentation and other information that was presented to the justice court in order to decide whether the justice of the peace made any error of law in granting the extended protection order.
- The district court can affirm, modify, or vacate the justice court’s order. (In other words, the district court can keep the order in place, change it in some way, or do away with it completely.)
- TIP! If the hearing on the extended protection order you’re appealing was recorded, you must order a copy of the hearing transcript from the court reporter and deposit \$100 with the court (unless some greater amount was ordered). (JCRCP 74(b).) If the hearing wasn’t recorded, you must fill out and file the Statement of Evidence or Proceedings form below.

4 Statements

- 现在的问题是我需要把文件也传给表哥吗？可是我只有一两天的时间 [不用再担心这个问题，该发出去的邮件，该寄出去的材料全都寄出去了，最慢也三天之内可以到达了，不用担心]
- 另外，法庭上还有哪些文件是需要我复制或转达的吗 {暂时也不用担心这个问题，先把明天傍晚 5 点前需要上交的材料准备好，交上去，并同步发送给亲爱的表哥就可以了} - 我是否需要立即写封邮件问一下相关的工作人员 {已经打电话问好了，就不要再担心了}

5 online resources/ concepts differences

5.1 harassment vs Stalking

- “Harassment” occurs when:

- The adverse party threatens to harm another person in the future, damages another person’s property, confines or restrains another person, or does any act intended to substantially harm another person’s physical or mental health or safety; AND
- The adverse party’s words or conduct causes the applicant to reasonably fear that the threats will be carried out. (NRS 200.571.)
- “Stalking” occurs when:
 - The adverse party engages in a course of conduct that would cause a reasonable person to feel terrorized, frightened, intimidated, or harassed or fearful for the immediate safety of a family or household member; AND

The applicant actually feels terrorized, frightened, or intimidated or fearful for the immediate safety of a family or household member. (NRS 200.575(1).)