

## Michael Gantine “The Father Affidavit” and Argument

There is no jurisdiction in Washington for the following reasons:

1. I committed no act in the State of Washington which would constitute or be considered abuse under the law. All I did was pick up our son with the assistance of Bellevue law enforcement. Her prior allegations of abuse have been addressed by the Illinois court. The order of protection was NOT extended. (See attached Order) Any re-hashing of allegations which were addressed in Illinois are barred by the doctrine of res judicata. I have no contacts with the State of Washington which would warrant their intervention. Any contact the mother or the child have are, as a result of her ongoing criminal conduct

It is criminal per the following statute:

(720 ILCS 5/10-5) (from Ch. 38, par. 10-5)

Sec. 10-5. Child abduction.

(a) For purposes of this Section, the following terms have the following meanings: (1) "Child" means a person who, at the time the alleged violation occurred, was under the age of 18 or was a person with a severe or profound intellectual disability.

(2) "Detains" means taking or retaining physical custody of a child, whether or not the child resists or objects.

(3) "Lawful custodian" means a person or persons granted legal custody of a child or entitled to physical possession of a child pursuant to a court order. It is presumed that, when the parties have never been married to each other, the mother has legal custody of the child unless a valid court order states otherwise. If an adjudication of paternity has been completed and the father has been assigned support obligations or visitation rights, such a paternity order should, for the purposes of this Section, be considered a valid court order granting custody to the mother.

(b) A person commits the offense of child abduction when he or she does any one of the following:

(1) Intentionally violates any terms of a valid court order granting sole or joint custody, care, or possession to another by concealing or detaining the child **or removing the child from the jurisdiction of the court.**

(2) Intentionally violates a court order prohibiting the person from concealing or detaining the child or removing the child from the jurisdiction of the court.

(3) Intentionally conceals, detains, or removes the child without the consent of the mother or lawful custodian of the child if the person is a putative father and either: (A) the paternity of the child has not been legally established or (B) the paternity of the child has been legally established but no orders relating to custody have been entered. Notwithstanding the presumption created by paragraph (3) of subsection (a), however, a mother commits child abduction when she intentionally conceals or removes a child, whom she has abandoned or relinquished custody of, from an unadjudicated father who has provided sole ongoing care and custody of the child in her absence.

**(11) With the intent to obstruct or prevent efforts to locate the child victim of a child abduction, knowingly destroys, alters, conceals, or disguises physical evidence or furnishes false information. – CHANGED HER AND HIS THE CHILD MINORS NAME USING FAKE BIRTH CERTIFICATE**

2. Illinois still has exclusive jurisdiction over Jacob under the UCCJEA

“201(c) A court of this State shall continue to exercise exclusive jurisdiction and be considered the home state of a child if a parent moves with a child under subsection (h) of Section 609.2 of the Illinois Marriage and Dissolution of Marriage Act.”

3. She fled the jurisdiction without leave of court but event if she had, Illinois would still have jurisdiction

4. She has criminally hid the child from you and a warrant for her arrest is outstanding. That is why she did not go to Illinois and is trying to have Illinois surrender jurisdiction.