

**IN THE CIRCUIT COURT OF PULASKI COUNTY, ARKANSAS
DOMESTIC RELATIONS DIVISION 9**

FILED
2007 Mar 22 PM 12:49:26
Pat O'Brien
Pulaski Circuit Clerk

STACY LYNN BRIGHT

VS.

NO. DR 2006-5042

STEPHEN D. BRIGHT

DEFENDANT

**PLAINTIFF'S MOTION FOR ORDER OF PROTECTION,
OR, ALTERNATIVELY, FOR EMERGENCY RELIEF**

Plaintiff, for her Motion, states:

1. This divorce action was filed on September 29, 2006. After filing, the parties made an unsuccessful attempt at reconciliation. The Complaint was served on January 26, 2007. Defendant filed his Answer and Counterclaim on February 7, 2007.
2. The parties have lived together in the same home in Maumelle since the filing of this divorce action, along with their two minor children, Baker, age 4, and Lexi, age 2.
3. The situation in the marital home has become extremely volatile. Disturbing and violent incidents have occurred – with the two minor children witnessing everything. On March 20, 2007, Plaintiff's counsel spoke with the Police Chief of the Maumelle Police Department, Sam Williams. Chief Williams stated that every one of his officers is familiar with the location of the marital home. There have been many calls to the police department in the last couple of months and the police have been to the home on several occasions. Chief Williams stated that the situation is very volatile and that he is extremely concerned that a violent episode will occur in the event that the parties continue to reside together.

4. On March 19, 2007, an incident occurred where Defendant physically threatened Plaintiff. She fled the house. As she was attempting to drive away, Defendant was yelling at her and beating his fists on the window of the car. Plaintiff is in fear of her physical safety. On past occasions, Defendant has physically abused Plaintiff. She has a scar from being cut with a car key at one point, he has picked her up and thrown her, and on past occasions has choked her and smothered her with a pillow.

5. On September 20, 2007, Plaintiff appeared at the offices of her attorney. The actions Plaintiff described on the part of Defendant constituted domestic abuse as defined in Ark. Code Ann. § 9-15-103(a)(1). However, because there is a pending divorce action between the parties and Defendant is represented by counsel in that action, Plaintiff did not want to be seen as "circumventing the system" by seeking an Ex Parte Order of Protection without notice to opposing counsel. So Plaintiff and her counsel attempted an alternative solution first.

6. On numerous occasions, Defendant has told Plaintiff to leave the marital home, and each time he has told Plaintiff to "take the kids with you." The Maumelle Police Chief, Sam Williams, has witnessed this. So, rather than file for an Ex Parte Order of Protection, Plaintiff's counsel advised Plaintiff to contact Defendant and tell him that she would agree to his request, and that she would get an apartment and move from the marital home with the children. Given Defendant's numerous past suggestions that Plaintiff move out with the children, it was anticipated that Defendant would agree.

7. When Plaintiff contacted Defendant and advised him that she would obtain her own apartment and move from the home with the children, Defendant advised Plaintiff that he had changed the locks on the marital home. He thereafter went to the children's

school and picked the children up. When Plaintiff arrived at her normal time to pick the children up from school, as she does each day, Defendant had already picked them up. Thereafter, Defendant sought out Plaintiff and found her driving her car in Maumelle. Defendant drove by Plaintiff with the children in the car, taunting her, pointing his finger, and laughing.

8. Today, March 21, 2007, Defendant kept the children out of school and has not accounted to Plaintiff for their whereabouts. Plaintiff received a call from the minor child, Baker, age 4, crying and asking Plaintiff to come pick him up. He was at the marital home at that time. Plaintiff came to the marital home to find no one there. Defendant had not changed the locks as he had stated. However, he changed the pass code on the parties' alarm system so that Plaintiff could not deactivate the alarm. Once again, the police had to come to the home to assist Plaintiff.

9. During the time that the parties have resided together with a divorce pending, Defendant has continually yelled and cursed at Plaintiff in front of the children. He had frequently told Plaintiff that he was going to "get me." On March 6, 2007, Defendant stated that he was going "to get me." The minor child, Baker, told Defendant, "I will get you, Daddy." During this altercation, Baker told Plaintiff and Defendant to stop talking because they were "scaring him." Defendant has blocked the bathroom door and refused to allow Plaintiff to leave – stating that she "wasn't going anywhere until I am finished with you." He threatened to kill Plaintiff's mother, and has engaged in the majority of this behavior, on a regular basis, in front of Baker and Lex. Baker – a four year old child – has sought to intercede and protect his mother from Defendant on many of these occasions where Defendant has become verbally abusive and physically threatening.

10. In a recent letter to Plaintiff from Defendant, Defendant acknowledged his past history of verbally and physically abusing Plaintiff. The letter is nine pages, single spaced. The entire letter is not attached. However sections from the letter where Defendant acknowledges verbal and physical abuse, and not dealing with his anger, are attached. In this letter, where Defendant sought to reconcile with Plaintiff, he makes the following statements:

I have not honored you with communication free of verbal abuse.

I have not honored with becoming physical in some of our confrontations in the past. There have been times when our confrontations have become so fueled with anger I have let them go to a level of becoming physical. There has never been any reason or excuse for this type of behavior. I cannot apologize for this enough and please know that I carry the weight of those memories with me every day and the impact will not leave my mind.

I have not honored you by not dealing with my anger and getting help earlier in our relationship. You have asked me so many times in the past to get help with the issues of my anger and I would tell you I would do it just to tell you what you wanted to hear with no intention of ever seeing anyone due to me not thinking there was truly a problem. I know that for me to be successful and for my changes to be permanent, I will need to continue seeing Dr. Haas for a long time. I have also am making the commitment to allow Dr. Haas to direct any of these issues with medication as soon as I get out of training if he thinks it is necessary.

11. Defendant has continued his acknowledged pattern of verbal abuse, physical abuse, anger, and control. Defendant has verbally and physically abused Plaintiff in the past. He has crossed the line in the past two months and, particularly, in the few days leading up to the filing of this Motion. Plaintiff is in fear for her safety and the safety of her

children. She prays that the Court enter an Order of Protection on the basis of the facts alleged hereinabove.

12. In the event that the Court declines to enter an Emergency Order of Protection on the basis of the allegations herein, Plaintiff prays for an emergency hearing and/or conference call with the Court in order to address the circumstances set forth herein at the earliest possible moment.

13. Plaintiff has further reason to believe that Defendant is abusing drugs. Plaintiff requests that the Court order Defendant to undergo hair follicle testing in order to determine whether he has been regularly using pain medications.

14. Plaintiff moves that the Court appoint an Attorney ad Litem to represent the minor children in connection with this action.

WHEREFORE, Plaintiff prays that the Court issue an immediate Order of Protection against Defendant barring Defendant from any contact with Plaintiff or the minor children of the parties pending further Orders of the Court; that, alternatively, the Court schedule a hearing in connection with this action at the earliest possible moment; that the Court order Defendant to undergo hair follicle drug testing; for the appointment of an Attorney ad Litem, for her attorney's fees, costs, and all other appropriate relief.

VERIFICATION

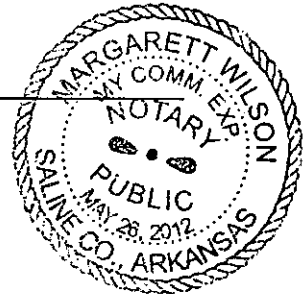
STATE OF ARKANSAS
COUNTY OF PULASKI

I, Stacy Lynn Bright, being first duly sworn, do hereby state that the above and foregoing statements are true and correct to the best of my knowledge and belief.

Stacy Lynn Bright
Stacy Lynn Bright

Subscribed and sworn to before me this 21st day of March, 2007.

Margarett Wilson
Notary Public



My commission expires:

May 26, 2012

Respectfully submitted,

Mitchell, Blackstock, Barnes
Wagoner, Ivers and Sneddon, PLLC
1010 West Third
P. O. Box 1510
Little Rock, AR 72203-1510
(501) 378-7870

By:

Jack Wagoner III
Jack Wagoner III, ABA #89096

Certificate of Service

A true and accurate copy of the foregoing has been forwarded to the following by facsimile and by first class mail, postage paid, on this 21st day of March, 2007:

Sam Hilburn
Hilburn, Calhoon, Harper, Pruniski & Calhoun, Ltd.
One Riverfront Place, 8th Floor
North Little Rock, AR 72119

Jack Wagoner III
Jack Wagoner III

I have not honored with becoming physical in some of our confrontations in the past

There have been times when our confrontations have become so fueled with anger I have let them get to a level of becoming physical. There has never been any reason or excuse for this type of behavior. I cannot apologize for this enough and please know that I carry the weight of those memories with me everyday and the impact will not leave my mind.

I have not honored you with communication free of verbal abuse.

This is where I failed you and our family at the greatest level. My heart breaks each time I think back to anytime in the past or when I hear you talk about how I have treated you with the level of disrespect that I gave you for so long. I would give anything to go back and change the past and take away all of the tremendous pain, hurt, and tears of all my actions and show you the love and honor you and our family deserved all along. I can't take those away. All I can do is make the changes to never allow those things to be in our life again and ask for forgiveness. I can only show you a husband and a father who is truly trying to completely take those horrible things out of our lives and live a life that is centered on God and his family. The day that you walked into get help with alcohol is the day I started trying to put my anger away. It has consumed so many opportunities for happiness and I hope you can start to see that I never want to give up happiness with my family again. I have wasted so many years and I know the precious time we have with our kids and together can go by so fast and be gone before we have had the chance to truly enjoy all the joy that they bring to us and we can bring to them and each other. I just refuse to allow any more time be wasted like that.

I have not honored you by not dealing with my anger and getting help earlier in our relationship

You have asked me so many times in the past to get help with the issues of my anger and I would tell you I would do it just to tell you what you wanted to hear with no intention of ever seeing anyone due to me not thinking there truly was a problem. I know that for me to be successful and for my changes to be permanent, I will need to continue seeing Dr. Haas for a long time. I have also am making the commitment to allow Dr. Haas to address any of these issues with medication as soon as I get out of training if he thinks it is necessary. I want the positive changes to be life changes and changes that positively impact me and those who love me.

Dear Stacy -

Thank you so much for a great weekend & for spending some time with me.

Week one of training was a tough one. It was tremendously hard not coming in each night & getting to talk to you about my day. I experienced a ton of emotions while I was gone, but I was able to get through.

~~The~~ I really focused on my lessons for Dr. Haas & giving him the background he needs to get me better. I am really focusing on honesty every minute. I never realized how much honesty affects everything. I am becoming an honest person as part of my journey. I want to apologize from the bottom of my heart for the tremendous amounts of dishonesty, manipulation & ~~the~~ pain that came from these. The one thing I want our relationship to be based on, no matter what form it is, is honesty. I commit this to you. I will fail, but I will own it & ask for forgiveness.

I also wanted to let you know how awesome you are looking! You get more beautiful each time I see you. I am so proud of you!

I know you don't want to hear a repeat of my last letter, but I do want to continue to let you know how deeply I love you. I have missed so many opportunities in this relationship to ensure you knew & believed

References
prior
typewritten
letter

those 3 little words. As I go through my recovery, I am understanding what it means to live with no fear. It seems that I have spent my entire life doing nothing but loving with fear & it is a lonely feeling. I am learning so many new things about me everyday. Some things I truly like & some I hate.

I know I have never give you any reason to believe much in me but I will prove to you that change is happening. Some will come quick, some will take time. I know time is not on my side, but I want you to know what you see each day will be real, honest, consistent & loving. This is the greatest challenge of my life to become the person who is me with no mask. I continue to pray each day that God will guide & protect you in your journey & that you can truly have the peace you truly deserve.

Stacy, I love you with every ounce of what I am & what I will become. I pray each day to restore God in our marriage & that I will someday hear the words "I am in love with you." I know there is a chance that day could be a long time away or never come at all, however any wait would be worth us coming through our healing and experiencing what we always wanted, a family that is

Driven by Dad's unconditional love. I also commit to this journey no matter how rough the ride.

I will be thinking of you guys constantly and working daily on my journey to recovery. Please pray for me that I get little victories each day, they truly have an impact.

Thank you again for a great weekend. It truly was a blessing to me to get to spend a little time with you and the kids. I cherished each moment.

Have a great week and I hope that the kids don't wear you out. Please know each day I love you & want to spend the rest of my life showing you & the kids that I can be a husband & father you can be proud of & truly love.

Thank you again for being a wonderful person, wife & mother. Kiss the kids for me each night & know you are truly loved.

I love you,

Me

P.S. - The Oreo represents a simple & great time in our relationship. I pray for more Oreos!

Dear Cecil & Vicki - Stacy's Parents

I hope you are doing well & have not been working too hard lately.

As you know, I am finishing up my training courses. It has been a long hard process, but I am almost through. I am looking so forward to being home for awhile.

I wanted to write and let you know where I am in my journey of my dealing with my issues of anger & control.

I have been working really hard with Dr. Haas & our pastor Bro. Dick to have a Christ centered recovery. They have really focused on why I ever started having these issues and how to deal with these issues so they will never happen again. There have been a lot of issues we have had to identify & I have had to look at so many negatives about myself and be willing to get help for them. I have truly committed to this.

After seeing all of the negative issues in my life & how I have hurt so many people, especially Stacy, for so long, I had to ask God for forgiveness. I also had to understand that no matter how sinful I had been, that God would forgive me & wipe the slate clean. Once I asked for forgiveness & knew I had been forgiven. I was at peace & could start this

process of correcting my problems & healing. This has been a painful process for me as I have started to own all of the negative things about me and how much pain I truly have caused. I do want you to know I have taken responsibility for all of my actions, making sure these actions never happen again & starting to ask for forgiveness for all these actions from all of the people I have hurt. That is what I am asking from you. I know I have hurt you through my behavior towards Stacy & directly to you. This type of behavior is hurtful to everyone who has seen it & I understand the impact it has had on my family. That is the sole reason I needed to not ever have this behavior be a part of my life again. I don't even want Baker or Lee to think acting like that is acceptable. I also need to change for me. I can't have this be a part of my life any longer. It has consumed so much of my life and I have missed so many precious moments of my life because of it. However, I know it is not too late to make the changes I need to and have a life that is focused on Dad & my family. A lot of these issues have been dealt with because of the problems in our marriage & that is a large part of the reason I am at this point. However, I am not making these changes just to change the way Stacy feels about me. I know this is being directed by Dad.

When I finally turned this over to Dad, I was at the ~~lowest~~ lowest point of my life simply due to my actions. This has been a hard reality to face.

I know you probably don't have a lot of faith in me right now & I truly understand. However, I know you believe in Dad's power to change people & that is taking place in me. The only thing that was & will change my life, is a strong walk with Christ. I had gotten so far away from Dad, that I almost didn't know how to get back. I also want to apologize for not being a better Christian husband & father. The example I set for my family has been very poor & is the reason we are in the shape we are in. I will never be a bad example to them again.

I am coming to you so humbled as I can be asking you to have a forgiving spirit & know change can happen. I know I have let a whole lot of people down, especially my family. I wish everyday I could somehow go back & change the past & take away all the bad I have done, I can't. All I can do is ask for forgiveness & change the future.

I want to thank you from the bottom of my heart for taking your time

to read this. I am sorry it was so long.
Thank you for loving Stacy, Baker & Lexi the
way you do & for being such a great
family to them.

Again, I am so sorry for the disappointment
I have been. I am working each day for
Dad to be able to work miracles in my life
& my marriage that you may be proud of me
once again.

Love,

Stephan

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Maumelle, AR
72113

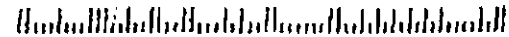
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