

1 In the Office of the County Recorder
2 of the Regard in the Matter of the
3 Kristopher-Aage: Swenson
4 Affidavit.
5 versus the
6 Diane-Marie: Swenson
7 Kristopher-Aage: Swenson, affiant, hereby deposes and says as
8 follows:

9 Abbreviations in the affidavit are defined here:

10 Kris, I, me, my = Kristopher-Aage: Swenson
11 Diane, she = Diane-Marie: Swenson
12 Rachel = Rachel-Elizabeth: Swenson
13 Andrew = Andrew-Olaf-Michael: Swenson
14 "my children"/"our children" = Rachel-Elizabeth: Swenson and
15 Andrew-Olaf-Michael: Swenson
16 affiant = Kristopher-Aage: Swenson
17 U.S.C. = United States Code
18 cop(s) = policeman
19 Jim and Val = Jim and Val Hutchens, Diane's parents
20 Bill Higdon = friend of the Swenson family

21 Plain Statement of Fact

22 For the Kristopher-Aage: Swenson is of the Knowledge of the Truth
23 and of the Facts in the Affidavit regarding the Matter of
24 Kristopher-Aage: Swenson versus Diane-Marie: Swenson.

25 1. I state my name is Kristopher-Aage: Swenson.
26 2. My place of birth is Fargo, Cass County, North Dakota.
27 3. Diane-Marie: Swenson and I are husband and wife. We were
28 married two times; once in Dubuque County, Iowa, on December
29 7, 1983, and once in Dodge County, Wisconsin, on December 7,
30 1984.
31 4. I am the natural father of the Swenson children, my children.
32 5. Diane and I are natural parents of Rachel-Elizabeth: Swenson,
33 age 16, date of birth December 31, 1984, and Andrew-Olaf-
34 Michael: Swenson, age 14, date of birth December 3, 1986.
35 6. Since on or about October 1, 1996, Diane and I have been
36 living apart. Diane has left me for another man (men?).
37 7. Diane and I are not divorced.
38 8. Diane has taken our children away from me and allows me no
39 contact with them.
40 9. On November 9, 1996, Diane told me over the Telephone that she

41 had left me and would refuse me any contact with our children
42 whatsoever. This phone call was made when I was in Potlatch,
43 Idaho, and Diane was in Vancouver, Washington.

44 10. On November 9, 1996, Diane told me that she was the
45 reincarnation of the White Buffalo Calf Woman of Sioux Indian
46 lore and needed to travel to go and spread her story. She
47 was being supported by 3 different men. She was going to
48 make sure she didn't live anywhere near me. She wanted our
49 children to travel with her because she felt it would be good
50 for them.

51 11. I left Benewah County, Idaho, on November 23, 1996, and
52 arrived in Vancouver, Washington, on November 24, 1996.

53 12. On or about November 29, 1996, Diane filed a temporary ex-
54 parte restraining order against me in Benewah County, Idaho,
55 court.

56 13. On December 11, 1996, Diane went to Benewah County, Idaho,
57 court and got a 90-day restraining order against me.

58 14. On December 11, 1996, Benewah County, Court Judge Patrick
59 McFadden signed an order written by attorney Craig Mosmon
60 authorizing Diane to enter into my storage facilities.

61 15. I was not made aware that the issue of my storage facilities
62 or that Diane's entrance into same was to be discussed,
63 debated, or moved upon in court on December 11, 1996.

64 16. On or about December 20, 1996, Norm Utter called me on the
65 phone, met with me, and told me the following information
66 and/or statements:

67 17. That since on or about October 1, 1996, Diane was financially
68 supported by Norm Utter.

69 18. That Norm Utter's contact with me was because of his concern
70 for the safety of my children.

71 19. That Norm Utter gave Diane a phone credit card to use.

72 20. That Diane doesn't cook enough food for our children and that
73 they are hungry all of the time.

74 21. That Diane ignores our children and spends little, if any
75 time, with them.

76 22. That our children are confused, hurt, worried, and anxious
77 because they are not told the truth about what is going on.

78 23. That Diane has a love affair still going with Ken Kluss of
79 Tigard, Oregon.

80 24. That Diane stayed at the Ken Kluss apartment with Norm Utter
81 and my children for 5 to 7 days somewhere between October 5,
82 1996, and November 9, 1996, at which time my children slept
83 on the couch, Norm Utter slept on the kitchen floor and Diane
84 and Ken Kluss occupied the same bed all night long.

85 25. Often times Diane and Ken would not get out of bed during the
86 day.

87 26. One day Norm Utter and my children came back to the Ken Kluss
88 apartment, and when my children went in, they witnessed Diane
89 and Ken Kluss making love on the floor of the living room.

90 27. Sheri Mathey, who is Ken Kluss' ex-wife, got angry with Ken
91 Kluss as Ken Kluss and Sheri Mathey's common children
92 complained to Sheri Mathey that Ken Kluss was in bed with
93 Diane whom he had known for only one or two days.

94 28. Norm Utter had taken Diane and the Swenson children traveling

95 in Oregon and Idaho during the Period of November 23, 1996,
96 and December 20, 1996, when Norm Utter went back to Vancouver
97 to go to work.

98 29. During this time period of November 23, 1996 to December 20,
99 1996, Norm Utter took Diane and the Swenson children to an
100 Indian pow-wow in Lincoln City, Oregon, where Diane went to
101 present herself to the Indians as the reincarnation of the
102 white buffalo calf woman of Sioux Indian lore.

103 30. Diane and Norm Utter got into a terrible fight at the hotel
104 where Diane, the Swenson children, and he were staying at-
105 which was one of many fights-and he took some of the gifts he
106 had given Diane and dropped them out of the window of the
107 room, which was on the third story of the building.

108 31. He said Rachel was positively terrified because she thought
109 she was next.

110 32. He also said Diane had been in contact with some Indians in
111 South Dakota where she needed to go to get her pipe and then
112 Diane was to go into a sweat lodge where she would be
113 purified in a ceremony and then immediately after the
114 ceremony she would go to a tepee with an Indian man who would
115 impregnate her and she would bear the Christ child.

116 33. He also said when Diane got back to Benewah County and swore
117 out the protection order against me, Diane stated I was
118 involved in a local militia group and have guns and ammo,
119 that I am a white supremacist, armed and dangerous, and that
120 I have no respect for authority.

121 34. I consider libel and slander a punishable offense.

122 35. I talked with Linda Schaefer, the operator of the safe house
123 for battered women in Benewah County in Plummer, Idaho, on
124 December 21 and 22, 1996 and Linda Schaefer told me the
125 following:

126 36. The Swenson children are suffering, they are lonely for me,
127 nervous, unhappy, and appearing to be suffering at the
128 treatment received in this situation.

129 37. Diane leaves them alone for long periods of time and spends
130 little time with them when she is present.

131 38. She stated that she pegged Diane as not being a battered and
132 abused woman right away and Diane left soon thereafter.

133 39. She stated that sometimes Diane would not get out of bed
134 until late in the day.

135 40. She stated that Diane and Norm Utter and other people had
136 helped Diane move all the belongings out of my storage
137 warehouses into her basement and into a storage warehouse
138 owned and/or operated by Mr. & Mrs. Cool of Plummer, Idaho,
139 and rented by Norm Utter and/or Diane.

140 41. Norm Utter also told me that the Schaefer's, Diane, he and the
141 other people took everything of mine they could carry.

142 42. On or about December 20, 1996, I talked to Rodney Thormahlen,
143 head sheriff of Benewah County, Idaho, about Diane and the
144 condition of my children. Sheriff Thormahlen said the last
145 time Diane and my children were seen by him she had a U-haul
146 truck and was heading for parts unknown.

147 43. He also said that Diane's whereabouts were unknown and he and
148 the Benewah County Sheriff's Office couldn't help me.

149 44. On December 22, 1996, I talked to Sergeant Komosinski of the
150 Idaho State Police about the conversation Diane had with
151 Sheriff Pat Scott of the Benewah County Sheriff Department.
152 45. Diane had told Norm Utter that Pat Scott had told her that
153 the only way to deal with an abusive husband was to murder
154 him.
155 46. So I called Sergeant Komosinski to ask for protection, to
156 find out if Sheriff Pat Scott was hired to murder me/out to
157 murder me if he ever saw me should I ever come back to
158 Benewah County.
159 47. On December 24, 1996, I filed to dissolve the marriage bond
160 between Diane and I in Clark County, Washington.
161 48. On December 27, 1996, I called Child Protective Services in
162 St. Maries, Idaho, to have them do a child welfare check on
163 my children.
164 49. I told them of the reported condition of my children reported
165 from two different sources.
166 50. Child Protective Services refused to get involved because it
167 is (was) a custody issue so they wouldn't take the complaint.
168 51. On December 27, 1996, I called the Tualatin, Oregon, Police
169 Department to get copies of the complaints Diane swore
170 against me.
171 52. On December 27, 1996, I called Connie at the Benewah County
172 Clerk of Courts office about charges to file a Writ of Habeas
173 Corpus and had to call back a second time to find out when
174 the court could perform on it.
175 53. Then I talked to the Undersheriff Ed Westbrook and he said
176 Diane is no longer in Benewah County and to call Diane's
177 attorney to find out where she is.
178 54. I called Connie back at the Clerk of Courts office to find
179 out that I couldn't do the Writ of Habeas Corpus because I
180 couldn't find Diane to serve her.
181 55. On December 27, 1996, I called Craig Mosmon who was (is)
182 Diane's attorney, and he said she is no longer represented by
183 him and that he only represented Diane in the domestic
184 violence case. He also said he doesn't know where she is and
185 said if he did know he wouldn't tell me anyway.
186 56. On December 30, 1996, I sent a fax of the letter I sent
187 originally to Sergeant Komosinski of the Idaho State Police
188 to Mr. Longo (I think Mr. Longo is a detective) about the
189 murder conversation told to me by Norm Utter.
190 57. On December 30, 1996, Linda Schaefer told me that Craig
191 Mosmon said between the lines that he is still representing
192 Diane and she is being observed by a Child Protective
193 Services worker now to prove she is a fit mother (at his
194 suggestion).
195 58. On January 2, 1997, I faxed a request to Connie at Benewah
196 County Courthouse for a copy of the court transcript where
197 Diane swore the protection order against me.
198 59. The copy I did get was not true and correct and complete
199 according to Linda Schaefer (who was there in court).
200 60. Linda Schaefer told me about things that were discussed that
201 were not in the transcript.
202 61. In fact, the order allowing Diane into my storage sheds

203 wasn't even in the transcript.
204 62. Even the transcript verification says true and correct--it
205 omits complete.
206 63. On January 3, 1997, I received proof of service back from the
207 Benewah County Sheriff's Office stating that they cannot
208 serve Diane because they can't find her.
209 64. The papers to be served were the divorce papers from
210 Washington.
211 65. On January 3, 1997, I talked to Linda Schaefer.
212 66. She said Norm Utter called Diane and she confessed that
213 67. Craig Mosmon is still Diane's attorney and Diane is being
214 checked out by social services to find out if she is a fit
215 mother.
216 68. On January 7, 1997, I talked to Connie at the Benewah County
217 Courthouse regarding the protection order and Connie said I
218 must petition the court to have the protection order removed.
219 69. On January 8, 1997, I got copies of police reports Diane
220 filed against me in Tualatin, Oregon.
221 70. On January 9, 1997, I sent a letter to the head of the Idaho
222 State Bar, Ms. Minnich, and asked if it was illegal for an
223 attorney in Idaho to say he doesn't represent somebody when
224 in practice he does and asked for a copy of the oath of
225 office Craig Mosmon swore to the Idaho Bar.
226 71. On January 10, 1997, I called the Bargain Barn pawn shop in
227 Plummer, Idaho, and talked to the young lady there and said
228 she may have stolen merchandise for sale and she said she
229 couldn't help me.
230 72. She said I should call the police.
231 73. I called the Benewah County sheriff who said they wouldn't
232 get involved without an order because it was a civil matter.
233 74. On January 10, 1997, Norm Utter called me but wouldn't tell
234 me where Diane and my children are.
235 75. He told Bill Hidgon my children are very scared, nervous, and
236 suffering.
237 76. On January 13, 1997, I called John Deitz at the U.S.
238 Attorney's desk in Portland to ask his opinion about what I
239 should do--he said I need a warrant for Diane's arrest to
240 make people look for her unlawful flight to avoid
241 prosecution.
242 77. On January 13, 1997, I called the Benewah County Sheriff's
243 Office and they said they cannot find Diane--they can only
244 serve a summons if the address is known and that they cannot
245 hunt Diane down--they suggest I hire a private investigator.
246 78. On January 14, 1997, I talked to Mr. Tollufsen at the
247 Tualatin Police Department.
248 79. Mr. Tollufsen said Diane was full of beans when Diane came in
249 to fill out the report.
250 80. On January 16, 1997, I got a reply back from the Idaho State
251 Bar secretary, Sue Nelson, who sent a copy of the oath Mr.
252 Mosmon took (not signed, just a copy of the what supposedly
253 is signed) and would not answer the question I asked
254 regarding representation in lines 221-225; Sue Nelson replied
255 with the statement, "In order to evaluate your complaint, we
256 need the following information."

257 81. On January 17, 1997, I received a copy of the rules of
 258 professional conduct for attorneys from the Idaho State Bar.
 259 82. On January 17, 1997, I faxed a letter to Connie at the
 260 Benewah County Courthouse to get a copy of the oath of office
 261 of everyone working for Benewah County involved in both the
 262 request for protection order and the court action where the
 263 protection order was issued.
 264 83. I also asked for all the bonding company information.
 265 84. To date, I have received a letter back to get copies of the
 266 oaths but no reply on the bonding information.
 267 85. On January 17, 1997, I received a reply from Connie at
 268 Benewah County Courthouse. She cannot do what I ask, I must
 269 contact someone else who is downstairs from Connie--Kay
 270 Sather, Clerk of Court.
 271 86. On January 19, 1997, I talked to Linda Schaefer who will go
 272 talk to the district attorney in Benewah County, Doug Payne,
 273 to see if he will take off the protection order.
 274 87. On January 21, 1997, I sent a letter to Ms. Minnich and/or
 275 Ms. Nelson--a repeat of letter mentioned in lines 221-225.
 276 88. On January 21, 1997, Diane changed the mailing address of the
 277 phone bill to her brother Larry's house--I found out December
 278 27, 1996.
 279 89. On January 21, 1997, I sent a letter to Mr. & Mrs. Cool who
 280 own the storage warehouse in Plummer that Norm Utter rented
 281 to put my belongings in (that Norm Utter helped Diane steal
 282 from me out of my storage warehouses in St. Maries).
 283 90. On January 21, 1997, I faxed information of what happened
 284 (Diane leaving me and hiding my children) to Harry McCarthy
 285 at the U.S. Attorney's criminal desk in Seattle.
 286 91. On January 21, 1997, I sent an affidavit of truth, petition
 287 to remove protection order and termination of protection
 288 order to Benewah County.
 289 92. I was told later I couldn't do anything with it because Diane
 290 would have to be served and her whereabouts were unknown to
 291 Benewah County Court and Law enforcement personnel.
 292 93. On January 22, 1997, I sent the following to Bonnie at the
 293 Benewah County Courthouse recorders office: (1) a cover
 294 letter describing documents to be filed, (2) a notarized copy
 295 of an affidavit of truth for name and citizenship, (3) a
 296 notarized copy of an affidavit of truth for me, (4) a
 297 notarized copy of a birth certificate for me and (5) a check
 298 from me to Benewah County for \$24.
 299 94. On January 23, 1997, I talked to Harry McCarthy at the U.S.
 300 Attorney criminal desk in Seattle again. He said he can't
 301 help me as this is a state matter as Diane and I are
 302 estranged now.
 303 95. On January 23, 1997, I sent a fax to Craig Mosmon for Diane
 304 going to court here in Vancouver for temporary custody.
 305 96. On January 23, 1997, I got a faxed letter back from Craig
 306 Mosmon stating he doesn't represent Diane and doesn't know
 307 where she is and don't send anything else to him regarding
 308 Diane.
 309 97. On January 25, 1997, I sent a letter to Kay Sather, Clerk of
 310 Court Benewah County, requesting the same information from

311 Kay Sather that I requested from Connie in the letter
312 described in lines 259-263.

313 98. On January 28, 1997, I got a letter from the Idaho State Bar
314 stating they don't keep a copy of any attorney's signed oath
315 and that the Idaho State Bar said I should contact the Idaho
316 Supreme Court for that information.

317 99. On or about January 28, 1997, I received a letter from Connie
318 at the Benewah County Courthouse regarding the court
319 transcript I ordered.

320 100. I had to send another \$2.

321 101. On January 29, 1997, I sent a fax to Connie at the Benewah
322 County Courthouse asking her for the Idaho Court forms to use
323 to get custody of my children pursuant to Public Law 96-611.

324 102. On or about January 30, 1997, I received all of my documents
325 (and check) mentioned in paragraph 93 back from Kay
326 Sather/Bonnie Larson.

327 103. The letter stated my papers are not recordable to they are
328 being returned to me.

329 104. On or about January 30, 1997, I called the Benewah County
330 Prosecuting Attorney Doug Payne who informed that if I was a
331 white supremacist or a Nazi that the prosecuting attorney's
332 office would do nothing to help me find my wife Diane or my
333 children.

334 105. On January 31, 1997, I sent a letter to Sue Nelson at the
335 Idaho State Bar requesting an answer to the question, "Is it
336 illegal for an attorney to lie and say he doesn't represent a
337 party when in practice he does?"

338 106. On January 31, 1997, I sent a letter to the Clerk at the
339 Idaho Supreme Court asking for a copy of the oath that Craig
340 Mosmon signed to hold/have license at the bar in Idaho.

341 107. On January 31, 1997, I received a copy of the court
342 transcript from the hearing on December 11, 1996, in Benewah
343 County.

344 108. It is sworn to at the end as being true and correct--it isn't
345 complete.

346 109. On January 31, 1997, I sent Doug Payne a letter with a long
347 list of character references and also sent a copy of the
348 affidavit of truth I filed in my dissolution of marriage
349 petition.

350 110. On January 31, 1997, I sent Connie at Benewah County
351 Courthouse a letter asking for a list of the Benewah County
352 employees that were there/involved in the protection order
353 against me.

354 111. To this date, I have not received that list (October 18,
355 2001).

356 112. On February 7, 1997, I called Doug Payne, Benewah County
357 prosecutor, who said he would keep me posted regarding Diane.

358 113. Doug Payne will try to find her to talk to her.

359 114. On February 7, 1997, I received a letter from Connie at the
360 Benewah County Courthouse stating it costs \$1 per page to get
361 a copy of any part of a file so I had to send Connie \$1 to
362 get a copy of the order Diane got to get in my storage
363 facility. I sent her \$1 that day.

364 115. On February 11, 1997, I wrote Fred Lyon, clerk of courts in

Idaho State Supreme Court, to send a copy of Craig Mosmon's oath and to get a copy of the bond requirements for an attorney licensed to practice in Idaho.

116. On February 11, 1997, I received a letter from Fred Lyon stating the Idaho Supreme Court doesn't keep a copy of the oath that attorneys (including Craig Mosmon) swore.

117. On February 12, 1997, Doug Payne told me that I need to do a modify temporary custody decree, move court to reinstate my custody rights with notarized affidavit.

118. But I couldn't do it because I couldn't serve Diane (no one knows where she is).

119. On February 13, 1997, I received a copy of the order the judge gave to Diane to let her into my storage facility.

120. It is so vague it says nothing clearly.

121. On February 17, 1997, I sent a letter to Ms. Minnich and Ms. Nelson asking for the same information as asked for in lines 334-337.

122. On February 19, 1997, I sent a letter to the American Bar Association in Chicago asking two questions: (1) is it illegal for an attorney in Idaho to lie and say he doesn't represent a party when in practice he does; and (2) send a copy of the American Bar Association articles of incorporation. To this date (October 18, 2001), I have received nothing.

123. On February 21, 1997, I received a letter from Mr. Lyon of the Idaho Bar.

124. The letter said the attorney keeps the signed oath he swears and/or affirms, that there is no bond requirement for attorneys in Idaho, but there is a client security fund which is maintained by them from funds supplied by the legal profession.

125. On February 21, 1997, I received a letter from Idaho State Bar "regarding my grievance against Craig Mosmon" which I never filed nor discussed with the Idaho State Bar.

126. They said they can't make a response until they know the allegation I have against Mosmon.

127. They want to put it in front of the bar counsel so they can make a determination about my complaint.

128. On February 24, 1997, I talked with Doug Payne regarding strategy.

129. Diane is a flight risk so I should lay off trying to get anything done until the protection order comes up for renewal on March 10, 1997, because then I can deal with Diane in court.

130. On February 26, 1997, I talked to Doug Payne.

131. Doug Payne talked to Jim and Val, who are Diane's parents, and told them he wants to talk to her.

132. He will call Diane and ask her to come in as he can't talk to her over the phone.

133. If Diane won't come in, he will get a subpoena to get Diane in and talk to Diane.

134. I don't have this in writing.

135. On March 1, 1997, I sent a letter to the Evergreen storage warehouse company in St. Maries, Idaho, asking for a complete

419 list of dates and times when Diane and/or Norm Utter went
420 into my storage sheds.
421 136. On March 3, 1997, I talked to Doug Payne regarding strategy.
422 137. Doug Payne and I came to the understanding it would be best
423 to wait until the hearing on March 11, 1997, to confront
424 Diane and talk when she shows up for the hearing and if she
425 doesn't show up Doug Payne will track her down even if he
426 needs a subpoena.
427 138. I do not have this in writing.
428 139. On March 7, 1997, I sent a letter to Connie at the Benewah
429 County Courthouse regarding what I wanted to do on Monday,
430 March 10, 1997: (1) petition the court with affidavit for an
431 ex-parte child welfare check, (2) ask to have my custody
432 rights restored, (3) motion to have phone records produced
433 from Diane's two paramours, Ken Kluss and Norm Utter, and
434 Diane's brother, Larry Hutchens, by subpoena duces tecum, (4)
435 also ask the court to allow me access to Diane and/or Norm
436 Utter's storage facility in Plummer to inventory same and
437 remove any personal items, (5) release a copy of the items
438 removed from my storage facility, (6) transfer jurisdiction
439 of my children to Washington, (7) cancel the order that
440 permits Diane into my storage facility, and (8) release
441 copies of the pawn tickets that Diane signed in Plummer.
442 140. On March 7, 1997, I talked to Craig Mosmon who said he still
443 doesn't represent Diane in St. Maries or Benewah County on
444 Monday, March 10, 1997, or Tuesday, March 11, 1997.
445 141. On March 9, 1997, I stopped at the Schaefer family household
446 in Plummer on the way to St. Maries and saw most of my and
447 Diane's belongings in their basement.
448 142. On March 9, 1997, I had Sheriff Northrup accompany me to my
449 storage facilities in St. Maries to witness the fact the
450 storage facilities were essentially empty.
451 143. On March 9, 1997, I gave a statement to the Benewah County
452 Sheriff about how I just saw most of my belongings in the
453 Schaefer family basement in Plummer.
454 144. Also, that the court order issued was to allow Diane access
455 to food and clothing, not to strip me of my property and
456 property owned jointly by Diane and me.
457 145. On March 10, 1997, I paid \$67 to the Benewah County
458 Magistrate Court and went to court and got turned down and
459 told me I couldn't proceed because my paperwork was out of
460 order. (Case CV 9700100).
461 146. This is on record.
462 147. I came all the way to Idaho to be told this.
463 148. I could have been told over the phone.
464 149. I sent the court a list of what I was going to do.
465 150. On March 10, 1997, I talked to the St. Maries cop who is the
466 son-in-law to the owners of Evergreen Enterprises-the cop's
467 wife (who is the daughter of the owners of the Evergreen
468 Enterprises) runs the place for her parents during the winter
469 and the cop helps.
470 151. The cop told me that it was none of my business who was there
471 and there would be no reply to the letter and that it was a
472 civil matter.

473 152. All the cop would tell me is that some people from Coeur
474 d'Alene came and helped Diane move.
475 153. On March 26, 1997, I received a letter from the Idaho State
476 Bar stating they were closing my complaint file.
477 154. On April 14, 1997, I sent another letter to the American Bar
478 Association in Chicago to request same information in letter
479 as mentioned in paragraph 122.
480 155. To this date (October 18, 2001), I have received no reply.
481 156. On April 20, 1997, I sent a letter to Judge McFadden of the
482 Benewah County Courthouse requesting the following
483 information: (1) a list of the Idaho State, Benewah County,
484 and the St. Maries employees present during my soon-to-be ex-
485 wife's ex-parte protection order hearing and the 90-day
486 extension of same, (2) detailed instructions in the reply
487 back to me about how I can receive the following
488 information/answers: (a) name, address, phone number and fax
489 number of the bonding company(ies) who bond the
490 aforementioned employees for their employers for criminal and
491 civil penalties/violations/infractions/actions/mistakes,
492 etc., (b) where can I get a true, correct, complete and
493 certain copy of the court transcript from the December 11,
494 1996, hearing where Judge McFadden presided and Diane had the
495 temporary restraining order made into a 90-day restraining
496 order, (c) true, correct, complete and certain copies of the
497 aforementioned employees' signed oaths of office and licenses
498 to practice law (if attorneys), and (3) requested for a
499 second time a copy of the inventory of items removed from my
500 storage facilities in St. Maries and instructions on how to
501 repair the court record from March 10, 1997, where I was
502 referred to as being and/or appearing "pro se".
503 157. As I am not a lawyer representing myself, I cannot/could not
504 be "pro se" as that would be a fraud.
505 158. Hence, I want to make sure the record is corrected/stands
506 corrected so I asked how to go about doing this.
507 159. To this date (October 18, 2001), I have had no reply.
508 160. On May 1, 1997, I sent a letter via fax and mail to Judge
509 McFadden of the Benewah County Courthouse requesting the same
510 information as requested on April 20, 1997, the same letter
511 sent a second time.
512 161. On May 5, 1997, I sent via fax and mail request to Connie
513 Port, Clerk of Court for Benewah County for a blank subpoena.
514 162. On May 7, 1997, I received a copy of subpoena requested from
515 Connie Port.
516 163. On May 12, 1997, I sent a subpoena duces tecum for Kay
517 Sather, Clerk of Court, Benewah County, to sign for me.
518 164. On May 14, 1997, I received a letter of reply from Judge
519 McFadden stating he instructed the court to send me an
520 inventory of the items Diane had taken from the storage
521 facility with his permission--it is not true, correct and
522 complete.
523 165. Judge McFadden also refused to respond to my additional
524 requests in my letter which was recorded in lines 481-506 of
525 this affidavit. He also stated he did not plan to change the
526 existing record of the case regarding my status. Judge

527 McFadden also sent an identical copy of the first court
528 transcript I requested on January 2, 1997.

529 166. On May 19, 1997, Kay Sather sent a letter to me via fax of
530 Kay Sather's refusal to sign subpoena duces tecum "at the
531 advice of legal counsel".

532 167. On May 27, 1997, I sent a letter to the Attorney General in
533 Idaho--an FOIA request--asking for the following
534 information/answers: (1) a copy of the job description for
535 the following Benewah County employees--magistrate judge,
536 prosecutor, clerk of court, sheriff, policeman, bailiff, head
537 sheriff, and county commissioners; (2) where is the mailing
538 address, phone and fax numbers of the people/office that
539 keeps the financial statements on the people listed in
540 question #1, (3) who has the drivers license and social
541 security numbers listed for the people in question #1 (Is it
542 available?, How do I get it?), (4) I want copies of the
543 oath's of office of everyone listed in question #1 (How do I
544 get it?), (5) a list of all Benewah County employees; (6) a
545 copy of the attorney general job description and oath of
546 office, (7) a copy of the code of ethics for everyone in
547 question #1 including yourself. To this date (October 18,
548 2001), I have received no reply.

549 168. On May 27, 1997, I sent a second request to the American Bar
550 Association asking--is it illegal for an attorney in Idaho to
551 lie and say he doesn't represent a party when in practice he
552 does? Also, I requested a copy of the American Bar
553 Association Articles of Incorporation. To this date (October
554 18, 2001), I have received no reply.

555 169. On May 27, 1997, I sent two letters (FOIA requests) to Judge
556 McFadden of Benewah County. The first said: please send me a
557 list of Benewah County, Idaho State, St. Maries employees
558 present during my soon-to-be ex-wife's ex-parte protection
559 order hearing and the 90-day extension of same--dates on or
560 about November 29, 1996, and December 11, 1996. I also asked
561 for detailed instructions in the reply on how I can receive
562 the following information/answers: (1) name, address, phone
563 and fax numbers of the bonding company(ies) who bond the
564 aforementioned employees for their employers for criminal and
565 civil penalties, violations, infractions, actions, mistakes,
566 etc., (2) where can I get a true, correct, complete, certain
567 and not misleading copy of the court transcripts from the
568 aforementioned hearings. I have asked for a proper copy of
569 the December 11, 1996, hearing two times before--this is my
570 third request, (3) true, correct, complete, certain, and not
571 misleading copies of the aforementioned employees' signed
572 oaths of offices and licenses to practice law (if attorneys),
573 (4) a request for a true, correct, complete, certain and not
574 misleading list of items removed from my storage facilities,
575 not an incomplete copy like I received May 19, 1997, (5) a
576 request of how I change the court record from March 10, 1997,
577 which to this point you have said you will not do. Also, I
578 have asked for a copy of the law that allows you (Judge
579 McFadden) not to honor my request to change the court record.
580 The second letter said (I request) (1) a copy of your job

description; (2) a copy of the code of ethics you must adhere to; (3) name(s), address(es), phone number(s) of your immediate supervisor in Idaho State and/or Benewah County. To this date (October 18, 2001), I have received no reply.

170. On June 9, 1997, I sent the following documents to Connie Port at the Benewah County Courthouse: (1) motion for order to show cause and for joint preliminary injunction, (2) order for service for Writ of Habeas Corpus, (3) summons, (4) joint preliminary injunction, (5) verified petition for Writ of Habeas Corpus, (6) Writ of Habeas Corpus, (7) verified petition for custody, (8) affidavit of Kristopher-Aage: Swenson. In the letter I also asked if the court will allow me any movement in this case. I also stated that it is the court's responsibility to keep track of people they "protect" via restraining orders so they (Benewah County and Craig Mosmon) are still "representing Diane" and blocking me in due process (5th Amendment, U.S. Constitution). I asked to have reply by mail of the Case # for the Writ of Habeas Corpus and whether or not the court will allow me to proceed in Case CV9700100.

171. On June 18, 1997, I received back in the mail all the papers I sent to Judge McFadden listed in line 128. There is a handwritten notation on the order for the Writ of Habeas Corpus that says, "Denied 06/16/97, fails to conform to IRCP and contains provisions unacceptable to the court PR McFadden 367".

172. On or about August 22, 1997, I received an incomplete copy of the application and temporary restraining order and notice of hearing in the mail.

173. On or about February 10, 1998, I received a notice of proposed dismissal in the mail regarding my case #CV97-00100.

174. On or about March 1, 1998, I received an order for dismissal in the mail regarding my case #CV97-00100.

I certify and affirm on my commercial liability that I have read the foregoing instrument and know the content thereof and that to the best of my knowledge and belief it is true, correct, complete and not misleading, the truth, the whole truth, and nothing but the truth.

Further Affiant Sayeth Naught



K. A. Swenson
Kristopher-Aage Swenson
Box 2044
Battle Ground, Washington 98604
Pager: 1-888-950-5050
PIN: 600-3298

Lora Bartholomew
Lora Bartholomew, Notary

STATEMENT

Page No. 1

434pm

Name Kristopher Aage Swenson
Address Box 61971 Vancouver Wash 98666
DOB 122757 SOC 390-72-9513 TELEPHONE NO. 360-694-2307
Home Work

Please describe what you saw, heard, or know of this incident using full names, dates and times.

I left the Schaefer household of
Plummer Idaho @ 409 on 030997 after
viewing many of my belongings and
belongings owned jointly by my wife
and I. Mr Schaefer said they were
moved there by my wife, her paramour
Earl Norman Utter and the Schaefer
family. The court order issued allowed
my wife into my storage facility to remove
food and other essentials (clothing) not
to strip me of my property and property
jointly owned by she and I

I have read this statement consisting of 1 page(s) and the facts contained therein are true and correct to the best of my knowledge.

Signature

Date

Time

KA Swenson

434pm 030997

434pm

Page 1 of 1

Stolen Belongings of Kristopher Aage Swenson

Inventory of what is missing from
my belongings as of 0530-060297

25+ cases of books

5+ cases of personal papers

unknown personal papers

TV

VCR

Silver ware, dishes, kitchen utensils, pots + pans
microwave

Washer + dryer

all my portable electric saws, drills, buffer
SKS rifle

.308 Western Field Bolt action rifle

.22 ruger Semi-Auto rifle

.22 ruger Single Action Pistol

.308 Ammo - 2500 rounds

.22 ammo - 10,000 rounds

Childrens clothes + toys

VW semiphores

cash from file box - approx. \$100⁰⁰

video tapes

personal cassette tapes

exhibit 12 has 4 of 11

Stolen belongings of Kristopher
Aage Swenson continued

tape recorder / player
magazine collection
weights + weight bars
family pictures
Bookcases
Desk
Bean Bag chairs