

CAUSE NO: C4597

**IN THE MATTER OF
Courtney Stewart, Kyle Stewart,
STATE
Jessica Stewart, Simon Stewart
and Charles Stewart, CHILDREN
AND CONCERNING**

**IN THE DISTRICT COURT OF
ANYPLACE COUNTY, MOCK
3RD JUDICIAL DISTRICT**

**Samantha and Solomon Stewart,
RESPONDENTS**

**AFFIDAVIT IN SUPPORT OF EMERGENCY REMOVAL
AND PETITION FOR PROTECTIVE SERVICES**

I, Kathleen Minor, Investigator of the Mock State Department of Child and Family Services (DCFS) with the responsibility for this case, affirm that any allegations stated in this affidavit are within my personal knowledge and are true and correct.

The following facts show necessity for an order of emergency removal, ongoing temporary custody, and provision of protective services.

1. CHILD(REN)

Name: Courtney Stewart
DOB: 03/15/2013

Name: Kyle Stewart
DOB: 09/06/2010

Name: Jessica Stewart
DOB: 09/06/2010

Name: Simon Stewart
DOB: 12/10/2008

Name: Charles Stewart
DOB: 01/06/2006

2. PARENTS

Names: Samantha Stewart
Relationship: Mother
DOB: 06/08/1981
1234 Tulip Lane
Hopewood, Mock State 56789

Name: Solomon Stewart
Relationship: Father
DOB: 01/02/1981
Mock State Correctional Facility

3. ALLEGATIONS

On November 3, 2015, Reporter, Melinda Puller, counselor at Mockville Elementary School, contacted DCFS to report observed bluish bruises and welts on the arms and thighs of 5-year-old twins, Jessica and Kyle. According to Jessica and Kyle, the bruises and welts did not cause them any pain. Both children told the counselor that their mother hit them with a belt for throwing their toys down the steps and fighting each other. The alleged incident happened over the weekend. The reporter said that the twins are rambunctious in school and their teachers have shared their observations with Ms. Stewart. The reporter said that Mrs. Stewart is the primary caretaker and has faced many challenges raising her children since her husband went to prison three years ago.

Monique Carter, social worker of DCFS, investigated the report. She interviewed all 5 children, confirmed the information reported, and noted that Mrs. Stewart had difficulty managing all the children and had an alcohol abuse problem. DCFS substantiated the report for physical abuse and opened the case for voluntary in-home services. Mrs. Stewart's husband and father of all 5 children, Solomon Stewart, is incarcerated. A safety plan was established in which the mother's friend, who lived nearby, was to act as a safety monitor and check on the children frequently to ensure they were safe.

DCFS provided voluntary in-home services from December 13, 2015, through early April 2016. Samantha Stewart was referred for counseling and a parenting seminar.

On the afternoon of April 6, 2016, Officer Gary Ridgefield of the Hopewood Police Department contacted DCFS requesting emergency response. Samantha Stewart was stopped for driving while intoxicated with her five children in the car. Mrs. Stewart was arrested and jailed. She denied being intoxicated. The Officer also reported that this was her third offense and there was no one to care for the children so they were transported to the police department until the Department could be notified. Mrs. Stewart could not think of any relatives or friends for the children to stay with. The children were very upset that their mother was arrested.

On April 6, 2016, Kathleen Minor met with Officer Gary Ridgefield at the Hopewood Police Department and confirmed the information he reported to the hotline. Kathleen Minor spoke briefly with Samantha Stewart who repeated that there was no one available to care for the children. Mrs. Stewart provided the name of a family friend who assisted Kathleen Minor with securing the children's clothing and personal items.

On April 6, 2016, Kathleen Minor spoke with all five Stewart children. The children each independently confirmed that mom would often drink. Charles stated that he could usually convince his mom to stay home if she had been drinking, but that he was unable to convince her this one time.

On April 6, 2016, Kathleen Minor spoke to Angela Scott, a friend of Samantha Stewart. She said that Mrs. Stewart appeared overwhelmed with caring for all 5 children on her own. Angela Scott had been identified on the family safety plan that was developed during the in-home services intervention. Ms. Scott said that she had not been in touch with the family for a number of weeks and was not able to care for the children at this time.

On April 7, 2016, Kathleen Minor met with Samantha Stewart at the jail. Ms. Stewart could not completely recall the events of the prior evening. Samantha Stewart said that her husband, Solomon Stewart, was incarcerated at Mock State Correctional Facility.

On April 7, 2016, Kathleen Minor contacted Mock State Correctional Facility and confirmed Solomon Stewart's incarceration. His release date is currently scheduled for November 15, 2017.

Kathleen Minor

Investigator

Department of Child and Family Services

Affiant

SWORN TO AND SUBSCRIBED before me, the undersigned Notary Public on the 7th day of April 2016.

Eleanor Rigsbee

NOTARY PUBLIC in and for the

STATE OF MOCK STATE

