


The Chronicles of a US Navy Sailor Life Series

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**HOW I  
SURVIVED  
THROUGH FALSE  
ALLEGATIONS  
OF DOMESTIC  
VIOLENCE**



**A book for men and women faced  
with this heinous & vengeful act.**

# **How I Survived Through False Allegations of Domestic Violence**

D. LAMONICA

How I Survived Through False Allegations of Domestic Violence  
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## Table of Contents

[Title Page](#)

[Copyright Page](#)

[Epigraph](#)

[1. False Allegations of Domestic Violence](#)

[2. The Beginning of the End and I Saw It Coming](#)

[3. The Plan is Executed!](#)

[4. The Protective Order](#)

[5. Court](#)

[6. The Aftermath](#)

[7. Mediation & Conclusion](#)

“I was sexually assaulted when I was in college. I never reported it. It played out in my head my entire life even when I got married. My marriage fell apart. My husband falsely accused me of domestic violence. When he did that, I hardly ever thought about being sexually assaulted anymore as this took over my thinking every second of the day.”

UNKNOWN COMMENTER

# Chapter 1

## *False Allegations of Domestic Violence*

Domestic violence is defined as the violent or aggressive behavior within the home, typically involving the violent abuse of a spouse or partner. I watched my mother be abused by a man when I was in elementary school. I saw my mother with black eyes, busted lips, and a bloody nose at different times during that tumultuous time in her and my life. I remember one time my mother had had enough, and she stabbed this man one night. As I dig deep back in my thoughts, I can vividly picture and remember the night she had enough of his shit. I remember there was a lot of blood. He got out of the car and went in front with the lights beaming on him. He was all bloody and bleeding in front of the lights. My only saving grace during that time was my grandmother who did her best to keep me out of that situation and provide a stable environment for me to grow up in. I always remembered that from my childhood and vowed to myself that I would never become that man who abused my mother. That would never be me.

Just as domestic violence against women and men is a crime and it takes a toll on the victims physical, mental, and emotional state; false allegations of domestic violence can have the same mental and emotional effects on a spouse or partner who has been falsely accused of domestic violence. This act is done primarily as a strategic move for legal reasons because it's a known fact that most of the attention is and will be paid to the abused woman or man. The criminal justice system must favor the accuser to prevent other victims from feeling afraid. Even if the woman wasn't abused at all, she would get the benefit of the doubt in any court if she has a good act. She'll use whatever material she has at her disposal to make the partner or spouse look bad in front of the court. I know this because my former spouse reported false allegations of domestic violence against me and I never laid a hand on her.

My name is Deric Tyrrell. I'm going to take you on the mental and emotional roller coaster ride I took when my former spouse made false allegations of domestic violence against me. I'll start from the incident and guide you on where I made mistakes. What I should've done. And most importantly, how I was able to pull myself together, overcome, and move on. I'm not an expert on this subject, but I'm a survivor who has experienced it. One of the things I learned in the military was if I was tasked with something and I didn't have a clue on what to do; I learned and made myself an expert in the subject. I made myself learn and own the subject of false allegations of domestic violence. This is my story.

In my research and studies from multiple sources, the average number of divorce cases involving domestic violence was around 24 to 25 percent — courts across the US issue more than 1.3 million false or trivial temporary restraining orders every year. Going through the number of cases, about half of the restraining orders had no physical violence that actually occurred. These restraining orders that were issued by the court makeup about 68% of the total number of restraining orders courts issued every year. These false allegations come with a price as well to the taxpayer that I didn't realize. Rounding off the amount, the cost of a restraining order is around \$2,200 to issue, serve, and adjudicate the order. Of course, the largest segment of these orders targets men at around 86% with the rest falling on women at 14%. My research also revealed that there are around 800,000 false allegations of domestic violence reported each year in the US. One of them being mine.

## Chapter 2

### *The Beginning of the End and I Saw It Coming*

I'm telling this story from a man's perspective. However, women can find this story helpful because women are victims of false allegations of domestic violence as well. Women may represent a smaller number when it comes to false allegations of domestic violence against them, but it's the same crime no matter if it's committed by a man or a woman. I'm not a college educated psychologist or psychiatrist. I'm a regular guy telling his story about how biased the court system is when it comes to false allegations of domestic violence and how I suffered from the damaging effects from it mentally for months afterward. Prior to the false allegations of domestic violence against me, I saw signs that were red flags that my spouse was planning to do something to have me removed from the house. Below is a list of things I experienced that you should watch for when your marriage or relationship is headed south towards a breakup or divorce. These are not all-inclusive. There may be other behaviors or actions to watch for that are not on this list. These are the ones I experienced when I was married. I should have acted sooner when I saw these signs.

#### List A

#### Behaviors and Actions to Look for in A Spouse Looking for a Domestic Violence Charge Against You

1. Starting arguments over the smallest of things to get a rise out of you hoping you possibly get physical and touch your spouse or partner.
2. Degrading attacks on your character in front of your children and company to get a rise out of you.
3. Threatening you with talk of, "I'm going to get the house." "You can't touch me." "I don't like you, and I want you gone." "I'm going to get you."
4. Literature on domestic violence is found in your house when no domestic violence has been committed.
5. Unwanted purchases your spouse knows you will object to but will not return, for example, buying a pit bull.
6. Constantly harassing you in your own home to make your life miserable each day.
7. Jumping in your face saying, "Hit me."
8. You feel like a hostage in your own home because you have the feeling something is about to go down, and you don't want to speak up.
9. Takes the children away from you on your days or weekends off to get a rise out of you.
10. Your spouse or partner tries to turn your kids or step kids against you.
11. You're at the point you hate to come home because of your spouse, but you come home because of the kids.
12. You feel powerless in your own home.
13. Your spouse or partner does things that are wrong around the household to the kids, but you're afraid to say anything to your spouse or partner for fear you know they're plotting against you to start a fight.
14. Your spouse or partner starts taking important documents from you and confiscating them.

15. Your spouse will not allow you to enter the car that she uses.
16. Your spouse says she has spoken with an attorney.
17. Using an incident that was not domestic violence and turning it on you as domestic violence.

These are the different behaviors and actions that my spouse developed towards me as our marriage continued to degrade towards divorce. *Lesson No. 1 - Don't wait for your spouse to make the first move. You make the first move. Get a lawyer and separate immediately!* If I had followed that rule, I would have been better off in the long run as I'll explain to you further as you read on.

The answer is yes. I endured everything that you read prior above in my home each day. Being in the military, I carried over habits that stayed with me. Most of the major incidents between my spouse and me, I wrote them down in a diary called a Will Book in the military. Almost everything she did to try to terrorize me in the household, I wrote down in this diary. I remember there was an argument between my spouse and me one day. I knew she was trying to taunt me into a confrontation, so I avoided it and just laughed which pissed her off even more. My spouse ended the one-sided argument she was having with me by viciously striking me on the side of my head. The blow was hard. A man never thinks of calling the cops on a woman, but I should have called the cops on her right then and there. Her ex-husband was smarter than I was as he called the cops on her for just tapping him and she went to jail. That should have been a sign for me from the beginning, but things like that are overlooked when you think you're in love. I should have just walked away, but I didn't. Instead, I chose to playfully respond by trying to tap her on the bun she had on top of her head which turned out to be a disaster as I missed the mark and tapped her on her nose. I missed the mark, and I paid for it because she used that incident as one of the incidents where she accused me of domestic violence. I apologized for the mistimed incident, and we went on, but unknowingly, I was already being set up.

One day I was in our bedroom and I saw a pamphlet concerning domestic violence after that incident. That should have been a red flag to me from the beginning to distance myself from my spouse and move out. With the discovery of that pamphlet, she was already in the planning stages or had already planned what she was going to do to get me out of the house. I saw that pamphlet and just decided not to play into her game of trying to get me with a domestic violence charge. But in the end, I ended up playing her game anyway, and I lost. I was being harassed constantly by my spouse daily. She was trying to get a rise out of me to start a fight, but I wouldn't budge for her, which pissed her off. I didn't even feel like I was the man of my own home anymore because of the things she said to me to make me fear she wanted a confrontation.

I tried to shield the antics of my spouse from my children as much as possible. She didn't care. She didn't care about degrading my character in front of our oldest daughter who was my stepchild. She said degrading things in front of my younger son and daughter as well. My son was too young to understand, but he caught on to some things. My daughter who was a little older and smarter did see that something was wrong. My spouse tried to do her best to turn my kids against me. She succeeded with the oldest daughter, my stepdaughter. She didn't succeed with the younger kids. I was the one who cared for them since they were babies and they looked at me as their primary care provider. Kids remember who take care of them the best and I did just that since they were little. However, my oldest daughter has been poisoned ever since she was a young child. Of all the relationships I wish I could have saved, my relationship with my stepdaughter was the one because I loved her so much. That was one of the things that really hurt



and angered me. My spouse would also do things to and with the kids I didn't approve of. My spouse even started taking my children away from me on my weekends off to her mother's house so I would be in the house by myself. I was helpless to do anything about what she was doing because I knew she wanted a confrontation with me. I was a hostage in my own home. Lesson No. 1 should have kicked in at that time, but I didn't want to leave my kids. They meant everything to me. They were what kept me going through this abuse day in and day out.

You should take threatening speech seriously if your spouse or partner is saying things that were stated in List A No. 3. If your spouse or partner is jumping in your face and saying what's in List A No. 7, that's a red flag that she wants something to go down. I took what she stated to me seriously, but I didn't act on it quickly enough because I wanted to be with my kids. That was another death nail and unfortunate weakness that my spouse used to her advantage and to my detriment. If your spouse or partner is saying those kinds of phrases listed in List A No. 3 or No. 7, there's already a plan in place to remove you from the house. Your spouse or partner is only waiting for the right opportune time to strike at you. Don't wait like I did to get caught up in the black widow's web. All it takes is one time for you to make the mistake your spouse or partner is waiting for. Once you have made the mistake your spouse or partner have been planning for you to make, they got you, and there's nothing you can do about it.

Your spouse may start purchasing items you don't approve of to get under your skin. We were planning to get a pet for the kids; a small house dog for the family to enjoy. But my spouse brought home a pit bull from the shelter. She knew I would object to it because it was a vicious animal I didn't approve of, especially around the kids. My spouse told me and I quote, 'There's nothing you can do about the dog. White people love animals. They would put a black man in jail for hurting a dog or even kill a black man.' This is just a taste of the terrorizing that I experienced on a daily basis in my household from my spouse. I was helpless at that point as I didn't want to get into an argument because I knew that's what she wanted to proceed with her plans. Again, I should have taken the advice of Lesson 1 and planned my move from the residence. You'll see why I keep saying this as you read on.

My spouse told me she had spoken with an attorney in the heat of an argument prior to the incident. I told myself I needed to attain the services of an attorney, but I dragged my feet on this situation. I thought I had time. Once your spouse or partner says that, don't waste any more time. You need to lawyer up as soon as possible. *Lesson No. 2 – Don't stay in a combustible situation. Swallow your pride and find somewhere else to live until this can be resolved by the courts. This will save you a lot of heartache, emotional stress, and money in the long run.* You'll see as you read on.

If you feel like I felt when I felt powerless or like a hostage in my own home without any say in anything, except the finances because I did still control that, you and I have lost control of our household. I could now be manipulated into what my spouse wanted due to the fear I have of her. That's what happened to me, and I was strung along until I fell right into her trap. Heed the warnings and signs I have provided above in List A because they could mean the difference between you being a free person or you possibly going to jail as you will see as you read on.

## Chapter 3

### *The Plan is Executed!*

This is the day. I messed up, and I didn't even lay a hand on her. The only time my spouse and I came together during this tumultuous time in our marriage was to have intercourse. After we had intercourse, we went our separate ways. We had intercourse early in the morning around two thirty. Near eight o'clock that same morning, the cops were called on me. Pay close attention.

My spouse had banned me from going inside her car. She had the only key. I couldn't enter the car that I paid for and paid the insurance on. That very same morning, I went back into her room for more sex, but I saw the keys to her car. It was my only opportunity to see what was in the car and possibly get anything that was mine out of there. I grabbed the keys while she slept. I went downstairs to her car. When I searched the car, that's when I saw that she was fully packed and ready to go. This confirmed my suspicion that she had a plan against me. I also found my documents stashed in the back of the car. As soon as I was about finished and closed the door, my spouse came outside furious. It was then my spouse put her plan into action. I just fell into her web.

If you're married or have a partner who you've been with for a long time, who knows you better than anyone? Your spouse or partner probably knows you better than you know yourself. She's going to use everything she knows about you against you, and you may not even know it. I sure didn't until it was too late.

Prior to the height of the confrontation that morning, my spouse and I were sleeping in separate rooms. During the climax of our confrontation, I never left the room I stayed in. It was my safe haven. However, that same day, my spouse came into my room four times. Unbeknownst to me, she was trying to execute her plan against me. My kids were up that morning playing games in the upstairs living room next to the room my spouse was trying to confront me in. She had no concerns that the kids were right next to us and she still continued to try and execute her plan, but I wasn't buying into her act. Then I slipped and fell in her web without even thinking.

Being the voice of reason, I said to my spouse, "Let's go downstairs and talk quietly away from the kids." I wanted my kids to grow up in a world free from the episodes that I had in my life when I was a child.

My spouse and I were still in the room that I was staying in. She agreed to go downstairs and talk with me away from the kids downstairs. The only thing I had in the room at the time was my laptop computer which was open and on, my cell phone, and the clothes I had on the day before — nothing else. During this time, she was putting on the worst act of crying with no tears and being so disappointed I had ever seen. I knew she was faking. As soon as I walked through the door of the room headed downstairs to talk, I turned to see if she was following me. Her fake crying and despair had disappeared as she stood up with an angry look on her face and closed the door of the room on me. She wanted access to my computer. Prior to this, she had posted derogatory comments on my social media account twice. My computer was wide open for her to do whatever she wanted to do. As I look back on it, I should have just gone to the electrical box and shut the power off to the room. The computer would have gone dead. Remember above when I said there's no one who knows you better than your spouse. Well, she used my computer behind the locked door against me. Some people would say, so what if she had access to your

computer. Having access to my computer for my spouse was just like giving access to someone who is trying to steal and ruin your identity. My spouse knew I took pride in displaying the best of myself on my social media accounts to my family, friends, and the people that served with me in the military. I always portrayed that my life in and out the military was at its best all the time. I always wanted everyone to know that I had it together. That's the image I wanted to portray on my social media accounts. That crystal clean image meant a lot to me because I was a respected sailor and leader when I was in the military. I didn't want anything to tarnish that with the people who looked up to me. My spouse used that against me by closing the door knowing that I would get angry and come through the door to prevent disclosing derogatory information about me over the internet. I lost control, and I fell right into her trap, and I wasn't even thinking about that. Shame on me. As soon as I came through the door, I headed straight to my computer, but I turned and looked at my spouse who was nowhere near the door. She stood near the bed in the room and smiled. I knew I was screwed then. I knew that she had me. The black widow spider had gotten the fly. She had her cell phone ready and dialed 911 on me. *Lesson No. 3 – Maintain self-control of all your actions and know when it's time to walk away. The sooner the better.*

My spouse stepped on the bed and told the 911 operator, "My husband just assaulted me by breaking the door down, grabbing my wrist, and throwing me down! Please send the police! Hurry!"

I just stood there and watched in disbelief as she smiled at me as her plan had come full circle. I had finally helped her reach her goal. Thoughts raced through my head at a million miles per second as I tried to come to terms with the situation. I couldn't believe that the lady who I once thought I loved, would call and lie to the 911 operator that I had committed domestic violence against her. I was in shock. I got my computer, went downstairs and placed it in my car. I also went and got whatever important papers I had that she hadn't taken and placed them in my car. I called my mother and told her that my spouse had completed her plan and that I was going to jail. I needed her to come and bail me out because I thought for sure I was going to jail. My mother, who I wasn't very close to said she was on her way. During all of this, my spouse who claimed she was so terrified of me, took the time while on the phone with the 911 operator to walk by me with the kids and place them in the room. They were laughing and smiling like it was a game. I went downstairs with the dog. My spouse came downstairs where I was, walked pass me, placed the dog in its cage, and walked by me again to go back upstairs. That's how terrified she was of me. I didn't say anything to her. I just stared at her in disbelief as she methodically carried out her plot. I then went outside to await my fate to be placed in handcuffs and taken to jail. I lived in a nice neighborhood. This was so embarrassing to be sitting outside waiting for the police to come arrest me at my own house. I sat near my bushes outside so no one could see me if they came out of their house. The situation I tried to avoid, remembering the pain my mother had went through, had finally come to sink its teeth into me. I was its new victim.

The police arrived at our residents. There were two squad cars. Just as they arrived, my next door neighbor came outside. I thought to myself, *Great*. She waved her hand at me as I tried to hide behind the bushes as she got in her car. I waved back at her. The two policemen got out of their squad cars. One came to me, and the other went to her. *Lesson No. 4 – Tell the truth for the police report. Get your thoughts together, so they flow consistently.* You'll understand why I say this as you read on. If you are ever in a situation like this, like I was, your adrenaline would be pumping like mine was. My heart was beating like I had just finished working out. My thoughts and feelings were all over the place. I wish I had time to get my thoughts together. I was scared. I was terrified. I thought I was going to jail. All kinds of things were going through

my mind. No. 1 – I could go to jail today. No. 2. – I’ll lose my job because I’m in jail. No. 3. – I would have a police record now. No. 4 – The money I worked so hard for I would have to now give to a lawyer to defend me taking away things I could have gotten for my children. No. 5 – Depending on how long I did stay in jail, I would have missed payments on bills that only I pay. No. 6 – If I go and apply for a job, I would have to place this crime on my application if I’m arrested and found guilty. No. 7 – Just the stigma of being labeled that I committed domestic violence. These are the main thoughts that went through my mind at that time.

As soon as the officer came to me, I said, “She got me. She got me.”

I then proceeded to explain the events that happened to the policeman as best as I could. My thoughts were all over the place as I tried to link everything together that showed I was set up. This is what I meant. Calm yourself down, get your thoughts together, and calmly tell the officer what went on so he could get a full report. This is very important. The other officer that spoke to my spouse came outside. The policeman then told me the two were going to discuss and combine notes. He said they would be right back. I just stood there and waited as I watched them in one of the squad cars talk with each other. I thought to myself; *I guess I’ll find out how it feels to have handcuffs placed on me today.* I just sat there and waited. It seemed like an eternity. I saw both officers come back towards me. I knew I was finished. I got myself prepared for the worst. The officer that talked to my spouse stayed with me. The officer that spoke with me went in and spoke to my spouse.

“Mr. Starks, you were walking a fine line by breaking down the door; however, no charges will be pressed against you, and you’re free to stay if you want. However, I recommend a cooling-off period. So I would advise you to go somewhere, cool off, and talk with your spouse tomorrow.”

“You mean I’m not going to be arrested?” I asked.

“No, you’re not going to be arrested. We’re not here to arrest anyone. As I said, you were walking a fine line, but I didn’t see any reason to arrest you. There was no evidence of anything happening to your wife, so you’re free to go.” The officer told me. “What’s your decision?”

I told the officer that I would go to a hotel for the night and call my wife tomorrow. The officer escorted me in the house to retrieve some things I required to stay in a hotel. I went upstairs and packed my sea bag. I stopped by my kids who didn’t know what was going on. That was a good thing. They were playing video games.

I sat and told my little boy and girl, “Daddy is going away for a little while, but I’ll be back okay. Know that daddy loves you.” I hugged them both. I was now separated from my children. That hurt most of all. That’s what really enraged me.

I went downstairs. My spouse was on the phone with the phone company. There was nothing wrong with her. Her plan was a success. It was a brilliant plan to get me out of the house, and I fell for it. Being in this situation, I knew something was bound to happen, and it did. I didn’t take the situation serious enough to leave. I didn’t think my spouse had it in her to do something so underhanded and cruel not only to me but to our children. Now, look at me. I’m leaving the house that I purchased hoping to pass it on to my children. This was my first home before I ever met my spouse and now, I’m heading out the door. If I could go back in time, I would have followed *Lesson No. 2 – Don’t stay in a combustible situation. Swallow your pride and find somewhere else to live until this can be resolved by the courts. This will save you a lot of heartache, emotional stress, and money in the long run.* I got in my car and headed to a motel where I could plan my next move. I could barely concentrate on the road. I was driving, but I couldn’t see. I wasn’t paying attention at all.

## Chapter 4

### *The Protective Order*

*Lesson No. 5 – After you and your spouse or partner are separated, be careful what you send through email or text. Your spouse or partner could and will use it to their advantage in court to lie against you.* From my hotel room, I began sending emails to my spouse stating that she shouldn't do what she was doing. I sent a ton of emails to her trying to convince her to talk with me, and we could resolve this peacefully. That was a big mistake. *Lesson No. 6 – When it's over, it's over. Let it go and move on.* I didn't let go. The very next day, I should have attained the services of an attorney and filed separation papers. I still dragged my feet when it came to this. I was more interested in trying to sway her back so we could talk about this and resolve this situation, but there was no talking or getting through to her. She had it in her mind that she would carry out this lie to the very end.

I stayed away from the house for almost a week and a half still trying to make contact with my spouse. I was still trying to convince her not to go through with this. I made contact with a lawyer finally, but I didn't hire him yet. My mom called me and said that my spouse called her and was looking for me. I contacted my spouse through email and told her I was coming by the house to see the kids, but I didn't receive a reply. I was missing my kids, so I drove by the house and saw the grass was overgrown and nobody was home. I went inside and looked around the house. My spouse had taken what she could. I figured she went to her sister's house, but for what reason, I didn't know. I wasn't trying to harm her. All that was a made up lie by her. While walking around the house and investigating, I noticed she had taken all my external hard disc drives that contained countless pictures since my first ship in the navy that were irreplaceable. The walls were bare. She had taken most of the pots and pans with her. That was odd, but you'll see why she took the pots and pans as you read on. The setup and plan weren't over yet.

My mental state during that time in the house had degraded to anger. I was angry that my spouse had done this to me and I vowed I wouldn't let her have anything in this house to enjoy because of the lie she told on me. I began systematically selling and even giving away everything in the house until it was all gone except for what I needed to start over. *Lesson No. 7 – Do not make rash decisions according to how you're feeling. It will come back to bite you in the ass later on down the line.* I stayed in the house for about a week figuring my spouse had left me. That's what I wanted to believe. It was far from the truth. I heard a knock at the door. I went to the door and looked out the side window to see a sheriff's car outside. I opened the door and was served papers for a restraining order and to appear in court. Another checkmate for my spouse as her plans continued to fall in place. Now I needed to hire the lawyer pronto. This goes back to *Lesson No. 1 – Don't wait for your spouse to make the first move. You make the first move. Get a lawyer and separate immediately!* Now I had to jump to it and go with this one lawyer who I spoke with when I could have probably talked with dozens of lawyers by now. My procrastination put me behind, and I was losing this war horribly. For those of you that haven't had the privilege of being served with a restraining order, I'll go through this worksheet and point out the main parts of this court order for you so you'll have an understanding of it if you're ever in this situation. Understanding this document can be the difference between staying out and going to jail.

Item 1 is how you're related, i.e., husband/wife, cohabitating, or household family members. Item 2 is asking if the incident that happened was in the county that it's being filed. Item 3 asked the who, what, when, where about the incident. Of course, my spouse lied about what really happened and of course the court bought into her lie as you will see. Item 4 is who committed the abuse and Item 5 is the victim of the abuse. Item 6 reads, *'The evidence establishes that the respondent represents a credible threat to the physical safety of the victim.* It stated I was a credible threat to the victim. Keep in mind, my spouse and I at the time had intercourse at 2:30 AM and by 8 AM I was a threat to her. The court didn't know that, and now I have to prove that in court which you'll see as you read on. Item 7 states the petitioner is a fit and proper person to have custody of the minor child or children. How would the courts know that she was a fit parent? Because she was the one initiating the restraining order? Because she seemed like a woman in distress from an abusive husband? The courts don't have a clue whether the person initiating this restraining order is lying, like my spouse did, or telling the truth. So, I can't fault the courts for trying to protect women or men who legitimately initiate a restraining order to protect themselves and their children. It's impossible to tell who is lying or telling the truth. If the courts would take the time but time is what the courts never have. This item is the one my spouse wanted from me in the beginning. It's Item 12 – The petitioner should have the use and possession of the home and furnishings located at the home. Remember what I did previously. I sold or gave away everything in the house. So, I was already in violation of the protective order due to my built-up anger inside. Learn from my mistakes to advance your cause if you're in a similar situation. My actions didn't help me at all. The next part of the restraining order reads, 'IT IS THEREFORE ORDERED THAT': A. Respondent meaning me, is temporarily restrained, prohibited and forbidden to abuse, threaten to abuse or molest Petitioner or engage in any other conduct that would place Petitioner in reasonable fear of bodily injury. B. Respondent is temporarily restrained and prohibited from using, attempting to use, or threatening to use physical force against Petitioner that would reasonably be expected to cause bodily injury. C. Respondent is temporarily restrained, prohibited and forbidden to communicate or attempt to communicate with Petitioner in any way or to enter or attempt to enter Petitioner's place of residence, employment, education, etc. D. Petitioner is awarded temporary custody of the minor children. E. Respondent is awarded temporary visitation rights with the minor children as follows. This part of the restraining order was the part that hurt me the most as I will explain this later on as you read. Those were the main parts of the Order of Protection that affected me. There were other parts of the protective order for different situations other than mine.

## Chapter 5

### *Court*

Remember earlier when I was dragging my feet about finding an attorney? When I got served by the sheriff, I went with the attorney I first spoke with. He was the only one I spoke with, so I went with him. He immediately went to work. On the day we went to court, my attorney filed the separation papers about five minutes after my spouse's attorney filed her separation papers. If I had been first, I would be the plaintiff, and she would have been the defendant. That goes back to *Lesson 1 – Don't wait for your spouse to make the first move*. You make the first move! I didn't, and it cost me from being the plaintiff in this case. The reason being the plaintiff is important is not only does the plaintiff go first, the judge immediately looks at the defendant in a different light in family court - especially if you're a man. I predicted she was going to get on the stand, lie, and give an Oscar-winning performance - she didn't disappoint. And, to complete the performance, she went to a woman's shelter with my kids. She did this to make it look like she was in fear for her life when in actuality she wasn't even afraid of me one bit. Just like I said in the beginning, we had intercourse at 2:30 AM that morning and by 8:00 AM I was being framed with false allegations of domestic violence. The policeman who appeared on scene was subpoenaed to come to court. I came to find out that the officer that I spoke with actually did request an arrest warrant for me, however, thank God there was a magistrate that said no to the arrest warrant. At least I can thank that one magistrate who used common sense as it related to false allegations of domestic violence. If you read the police report, even the officer said she was faking. But most importantly, on that police report, my spouse and I agreed that I did say, 'let's go downstairs away from the kids and talk about this in private.' If any judge out there actually read the police report and did their job, I may have come out on top that day. Everything else was against me. I didn't feel my lawyer gave enough when my spouse was on the stand, but he explained why. He knows all the judges and their tendencies. He explained it would have been bad for us if he did that. He stated the judge wouldn't like that because we're dealing with an emotional woman. I thought to myself, *A woman who has just lied on the stand to get what she wanted out of the court*. The court bought it hook, line and sinker. There was no questioning about the false allegations or anything that I said. There was no real in-depth examination into the heart of my claims at all.

When it came to false accusations of domestic violence, it's all about lies, and that's what my spouse did when she was called to the stand. She put on an amazing scared, timid woman act while on the stand. She lied about everything that happened. It was a great act. She even used fake tears, and the court sucked it up. Remember *Lesson No. 5 – Be careful what you send through the email*. My spouse used my emails against me. I didn't even say anything violent or rude. I tried to win her back over to my side by writing nice emails which she turned around and used against me in court. After you and your spouse have separated, don't communicate with her anymore through email. It can and will come back to bite you in the ass, and you may not have even sent anything derogatory towards her. This is one tool you don't need your spouse or partner using against you, so no emails or text after you've separated.

When it was my turn to take the stand, I told the truth, with the exception of one thing that I messed up on that haunts me till this day. *Lesson 8 – Don't try to sugarcoat your actions to the judge. Tell him exactly what happened*. When it came down to the judge making a decision, he paused while he was thinking. It seemed like an eternity. My biggest mistake that I regret to this

day was, I tried to say I pushed the door in and that I didn't break it down when I actually did break through the door to get to my computer. That one mistake cost me the case. My lawyer said that the judge was about to go in my favor, but because of that one mistake with words, I lost the case. The protective order was issued against me after I told the truth and my spouse told a lie in a court of law. From here on out, she's looked upon as a victim, and I'm looked upon as the perpetrator of domestic violence. There was no discussion about what she did prior to the incident happening in court. I doubt the judge even read the affidavits. You only have one shot to get your story in, and if you don't get it in perfectly, you're screwed for the duration. My mind went all over the place after that. I couldn't even think straight anymore after I told the truth and still was defeated. I didn't even have a permanent address so my kids could come and visit me which meant my visitation with my kids would be held in abeyance for two and a half months. I wouldn't be able to see my kids until I found somewhere to live. This is what really made me angry, but I kept my composure as much as possible. This goes back to the beginning with *Lesson No. 3 – Know when to walk away*. If I had done that earlier, gotten a place of my own, and filed for divorce, none of this would have happened. I would have saved a lot of time, money, and stress. Instead, I'm without my kids. The only reason I live is for them.

When my lawyer forwarded the paperwork to me after the court hearing, I read the two main reasons for divorce were the two incidents involving my spouse and me. Keep in mind, even though I wrote in my affidavit that my spouse viciously hit me in our first confrontation leading up to the next incident, that was all overlooked. The courts didn't even pay attention to it. That's not equal justice under the law at all in my opinion. Know that you'll never get a fair trial at all in court. Go into court and keep that in mind so you won't be as disappointed as I was when I left. It will save you a lot of grief afterwards.



## Chapter 6

### *The Aftermath*

I was without my kids for two and a half months. I worked out with weights constantly to keep my mind off my kids and everything that happened to me. It was impossible not to think about my two kids because I was the one that took care of them. I thought I was going to lose my mind during this time. I felt lost and angry. In my mind, the act of my spouse dialing 911 and smiling while she was doing it played in my head constantly. Some nights, I couldn't even sleep because I saw her face smiling at me while dialing 911. I had to take sleeping pills to get a good night's sleep. If not, I would be up for twenty-four hours straight and then have to go back to work with no sleep in a twenty-four hour period. I felt like I was losing my mind. My mother, the kids' grandmother, was alienated as well. After all my mother did for my spouse, she treated her like a nobody. My spouse wouldn't even let my mother speak to the children. Since false accusations of domestic violence was my undoing, I decided to do research on the subject. I pulled the section below from the South Carolina law, and it states:

SECTION 20-4-375. Filing false protection order; criminal penalty; civil liability.

(A) A person who knowingly or willfully makes, presents, files, or attempts to file a false, fictitious, or fraudulent foreign protection order is guilty of a felony and, upon conviction, must be fined not more than five thousand dollars or imprisoned for not more than five years, or both, in the discretion of the court.

(B) If a family court determines that a person has knowingly or willfully made, presented, filed, or attempted to file a false, fictitious, or fraudulent foreign protection order, the respondent is entitled to recover from the person who made, presented, filed, or attempted to file the report such relief as may be appropriate, including:

- (1) actual damages;
- (2) punitive damages; and
- (3) a reasonable attorney's fee and other litigation costs reasonably incurred.

My spouse was guilty of the above, and she had gotten away with it. Check with your state's law. There may be a similar law just as the one above. That's the daunting task my lawyer had ahead of him. To prove the Plaintiff, who I refuse to call my spouse from here on out, made this story up and this was an act of vengeance against me to get me out of the house.

I went on many different websites concerning false accusations of domestic violence contributing my story to the many other stories of men and women across the United States who have been falsely accused of domestic violence. One contributor on one site said and I quote, 'I was sexually assaulted when I was in college. I never reported it. It played out in my head my entire life even when I got married. My marriage fell apart. My husband falsely accused me of domestic violence. When he did that, I hardly ever thought about being sexually assaulted anymore as this took over my thinking every second of the day.' That was the same way I felt. I

told the group that I had done four or five tours in the Middle East. I would have to go back in my record and look to see the exact number of times. I told them that a fellow sailor, a coworker of mine didn't show up for work one-day onboard ship. That wasn't like him, so I told one of the guys to give him a call. He probably overslept or something because this wasn't like him to be late. His wife told us that he had committed suicide the night before. Someone who I had spoken with yesterday had just killed himself. These thoughts of being falsely accused of domestic violence have totally overridden those thoughts of my tours in the Middle East and the death of my shipmate. That's how deep these false allegations of domestic violence have penetrated my being. Then, one day I was on another site about false accusations of domestic violence. Someone messaged me asking me how I was coping. I told them I wasn't coping well. I told this unknown person that I thought I was about to lose my mind. This unknown person then said, what do I like to do? I said I work out and that I like to write a little even though I hadn't done it in a long time. This unknown person said, 'Start writing and keep writing. Don't stop until the demons of false accusations of domestic violence go away.' So that's what I did. I started writing, and I haven't stopped since. That's the only way I was able to overcome the false accusations of domestic violence. It was my only escape from the torture that was in my mind daily on a constant basis. By writing and placing my life on paper, it was my only therapy on coping with what happened to me.

Two and a half months later, on the second court appearance, the only thing the judge did was issue child support and alimony to the Plaintiff plus, I finally was granted visitation with my children after two and a half months away from them over this false allegation — this lie. The judge didn't even read my affidavit or anything concerning my allegations that the Plaintiff falsely accused me of domestic violence and was unfit to parent my children. My lawyer stated to me that since we lost the temporary restraining order battle, I was labeled as having committed domestic violence because I broke down the door trying to get to my computer. I'm here to tell you the judge is not going to look at your affidavit or anything you have to say if you're on the defendant side. As in my case, I had already lost before I sat in the chair.

The only good thing that came out of that court hearing was that I was reunited with my kids after two and a half months of being separated from them. I suffered without them during that time because of a lie. I was so used to making their food, getting them ready for school, tucking them in at night during bedtime, and all that which comes with being a parent. I missed their whole summer. I could never make up the time lost, but we started over when my kids ran up to me because they missed me so much. I burst into tears after not seeing them for so long. They had never seen daddy cry before as I'm crying now just thinking back as I'm writing this and remembering that day when we were reunited. My mother was there as she had suffered the same as I as a grandparent. One of the things my kids told me was that they were living in a shelter the Plaintiff used to portray that she was frightened of me. Can you believe that a woman would take their children to a shelter that's made for actual victims of domestic violence in an effort to portray that she was a scared and battered woman? I want that to sink into you men and women out there that have been physically harmed through domestic violence. We have this perpetrator, faker, and untrustworthy person using facilities that could have gone to someone that actually was suffering from domestic violence. This was how disgusting the Plaintiff was at trying to accomplish her goal. She was trying to prove that she was a victim when she used it as a tool to convince the courts to get what she wanted — and it worked.

Once I sat down with a clear mind, I pieced together the Plaintiff's plan from the start and chronologically mapped out this whole story for me and you in how it played out. The first

incident where I grazed the Plaintiff's nose by accident was the catalyst to go and seek advice from an attorney on domestic violence. However, since we were still sleeping together, having intercourse, and she had forgiven me, she needed something else to move on to the next phase. The Plaintiff educated herself by reading the pamphlet I found in the master bedroom on domestic violence. The Plaintiff knew what she had to do to get me out of the house, so she put the next phase of her plan in effect. That plan was to harass and terrorize me in my own home until I fell into her trap. I walked right into her trap and she sprung the next phase of her plot into action by dialing 911. That got me out of the house so she could proceed with the next phase of her plan which was pretending to be scared of me. She went to a woman's shelter to make it look believable. Now, remember when I said when I returned to the house, and I found it strange that a lot of the cooking hardware was missing. She already knew what she needed to stay at the woman's shelter, so she packed that up into an already fully packed car and headed to a woman's shelter. I discovered the car fully packed the morning of the incident which set off the chain of events which led to my undoing. Remember when I said she told me she had a lawyer already in an argument we were having? Well, now that her plan was in effect, she called the lawyer to begin the process of placing the fork in me. Remember, I stayed away from the house for a couple of weeks before returning. She was looking for me because she needed to make sure I was home so I could be served with the papers by the sheriff for the protective order and to show up in court. I attained the services of an attorney last minute which was a big mistake on my part because I could have been the plaintiff instead of the defendant if I had acted earlier. Only a few minutes separated the time my attorney filed and the Plaintiff's attorney filed. The Plaintiff puts on an award-winning performance in court acting like a mother in distress. I say I pushed the door in instead of broke the door down. When the gavel came down in court, a protective order was issued against me where I was separated from my kids for two and a half months. I was labeled as someone that committed domestic violence against the Plaintiff, my soon to be former spouse.

## Chapter 7

### *Mediation & Conclusion*

It's getting close to the one-year anniversary when I was falsely accused of domestic violence. Now keep in mind, my accusations of falsely being accused of domestic violence and the plot against me have been overlooked totally by the courts and even my lawyer which I'm about to explain. The last time we went to court, mediation was ordered by the court to begin within ninety days. This is how screwed up the family court system is, specifically in South Carolina. Every piece of evidence that I had laid out in my affidavit with my concerns that this was a setup by the Plaintiff and I'm being falsely accused had been totally overlooked. The court actually wants me to mediate with someone who had criminally lied in court on me about having committed domestic violence against her. The courts do not care at all about your concerns at all if you're in the same situation. I learned this from my lawyer who explained it to me prior to mediation when I thought that the last court case when we finally went to trial, my lawyer would finally be able to get the Plaintiff on the stand and convince the judge that she did falsely accuse me of domestic violence and lied. It was a daunting task considering the screw ups I made previously as I stated above, but if he tried and didn't succeed, at least I could say my lawyer gave it his all. I found out through email exchange with my lawyer prior to mediation that he had already given up on me. The only thing this was about was divorce, custody, visitation, child support, and the division of marital property and debts - nothing more. He stated if I was going to make a claim about being falsely accused of domestic violence, then I should find another attorney. I couldn't stop thinking about what he said for the entire day. When I thought about it, it made my heart skip a beat. I couldn't even think straight the entire day. I had my kids that weekend, and I tried to cover up my disappointment in learning that from my lawyer, but it was hard to do. I tried to keep a perfect attitude and face for my kids while I was very much distraught in my mind. Here I was thinking that at this final trial, my lawyer and I was going to get a chance to finally lay out the case for the Plaintiff plotting this false accusation of domestic violence against me. This whole case was headed to nowhere but to a no-fault divorce between the two of us. The Plaintiff's plan came full circle, and she won. The accusations of domestic violence disappeared from the reason for divorce. The reason for divorce was continuous separation for over one year. Everything that happened to me, the false allegations of domestic violence and lies, was like it had never happened. False allegations against the Plaintiff meant nothing. Again, the Plaintiff got everything she wanted. It was a brilliant plan, and I fell for it.

At the mediation, The Plaintiff and I were in separate rooms. In my mind, I couldn't believe that I had to go through with this. I had to bend to the will that this was the way it was and there wasn't anything I could do about it. I spoke with my attorney in between when the mediator was not in the room. My understanding about mediation was if we didn't come to an agreement on some items, then that would be left up to the judge. However, I was wrong. If the Plaintiff and I couldn't come to a complete meeting of the minds on everything that was in dispute, then everything we had agreed upon would be thrown out, and the judge would be left to make the decision on everything. If I had the money and resources, I would have taken the Plaintiff to court. There are risks that are involved with going to trial. Your whole case and future outcome is placed in the hands of a man that sits behind a desk in a black robe who doesn't know shit about your case. The judge didn't read the affidavits. He's just going to go through, which is standard procedure. So, I could go to trial and possibly prevail. But, if I don't

prevail in court, I would and could be responsible for the Plaintiff's attorney's fees and be under the mercy of anything the judge orders. So, I could mediate and somewhat control my own destiny through mediation or I could possibly suffer at the hands of some family court judge who just wants to get this case over with quickly and get us out of the courtroom. The judge more than likely just wants to get through a case as fast as possible, so he can go to another. My lawyer stated to me that the judge usually called the attorneys representing both clients into chambers to discuss why we're at trial and why this didn't get taken care of at mediation. My attorney said he would have to tell the judge that I decided to forego mediation because of my allegations of being falsely accused of domestic violence. If I couldn't prove my case, the Plaintiff would get her attorney's fees paid by me. That's the kicker that frightens people away from going to trial. Losing and having to pay the other party's attorney fees. That keeps people away from trial and mediating out of court. So the hell with the truth. It's a shame because they let a criminal use the system to her advantage and now she had gotten away with it. Some lawyers charge by the hour. I was fortunate mine only wanted a flat fee for each session which was a good thing. My lawyer also stated the judge could levy upon me to pay the attorney's fees anyway even if he was able to prove the case. This man in a black robe can do anything he deems necessary. Everything would be in the hands of the judge. So, in the end, you yourself have to decide and make the decision on what is the more logical route for you to take as it pertains to. Do you want to go all the way with some family court judge who could give two shits about your word against her word? Do you want to mediate and be done with it? I chose to mediate. Did I want to? No, I didn't. The family court system is set up for the cases to go to mediation and to frighten both parties into settling with mediation instead of going to court to prove your case. Nobody wins in the end. The only people who win in the end is the lawyer, the mediator, and the judge. The lawyer and the mediator because they're getting paid. The judge, because now all he must do is render a no-fault divorce which takes about fifteen minutes and not go to trial, which gives the judge an easy day. So, my allegations of being falsely accused of domestic violence go to the wayside. They're not even brought up. It was as if it never happened. But to me, it will always be in my mind. It will always be a part of me. Where someone could be that evil enough to want to damage your reputation, your livelihood, and most of all, to make you suffer and try to take all that you've worked so hard for.

Again I say, no one wins in the end. I just had to put it in the past and move on. But I haven't stopped writing. I'm going to keep writing until the demons of false accusations of domestic violence go away. Because I can see the event in my head and it plays out over and over. I hope I was able to provide some sort of help or information you can use to help you in your fight against false allegations of domestic violence. It's something that I wouldn't wish on my worst enemy. The most important thing that came out of this was that I was reunited with my kids and they're happy. I did survive. You can too if you're in this situation. No matter what your spouse or your partner said or did to you claiming false allegations of domestic violence against you, can never take away the good person you know you are. I'm with you till the end. I'm still writing, and I'm not going to stop. Below I have listed the lessons I learned during this trying time in my life. I hope they will help you survive. Read them and put them to use. These rules could save you a lot of time, money, and mental anguish in the future and prevent you from making the same mistakes I did. Take care.

## List B

### The Lessons I Learned from Being Falsely Accused of Domestic Violence

Lesson No. 1 - Don't wait for your spouse to make the first move. You make the first move. Get a lawyer and separate immediately!

Lesson No. 2 – Don't stay in a combustible situation. Swallow your pride and find somewhere else to live until this can be resolved by the courts. This will save you a lot of heartache, emotional stress, and money in the long run.

Lesson No. 3 – Maintain self-control of all your actions and know when it's time to walk away. The sooner the better.

Lesson No. 4 – Tell the truth for the police report. Get your thoughts together so they flow consistently.

Lesson No. 5 – After you and your spouse or partner are separated, be careful what you send through email or text. They could and will use it to their advantage in court to lie against you.

Lesson No. 6 – When it's over, it's over. Let it go and move on

Lesson No. 7 – Do not make rash decisions according to how you're feeling. It will come back to bite you in the ass later down the line.

Lesson 8 – Don't try to sugarcoat your actions to the judge. Tell him exactly what happened and what you did.