

IN THE DISTRICT COURT OF CIMARRON COUNTY
STATE OF OKLAHOMA

WRANGLER COLE RICKMAN,)
)
)
Plaintiff,)
)
vs.)
)
VERONICA CLAIRE BUTLER,)
)
Defendant.)

CIMARRON COUNTY
FILED

FP-2019-1

MAR 20 2024

METZI BROWN
COURT CLERK
By _____ Deputy

**DEFENDANT'S 1ST AMENDED MOTION FOR INCREASED VISITATION
WITH THE SUBJECT MINOR CHILDREN**

Comes now, Defendant, Veronica Claire Butler, by and through her attorney, Garrett R. Oates, and for her first Amended Motion moves this Court pursuant to 12 O.S. §1351 and 43 O.S. §§109, 111.1 to increase her visitation frequency and times with the subject minor children and alleges:

1. On November 21, 2023, the Court entered an Order granting the Defendant, Veronica Claire Butler, supervised visitation with the subject minor children every Saturday, beginning on Saturday, November 25, 2023 and further stated that said visitations, “shall continue on each and every subsequent Saturday as currently Ordered until further Order of the Court.”

2. The Court set forth rules about how the supervised visitation was to occur:

“The Intervenor, Tiffany Adams, shall inform the Defendant, Veronica Claire Butler, every Wednesday whether the approved supervisor, Cheryl Brune, is available to supervise the upcoming Saturday’s supervised visitation. The Intervenor, Tiffany Adams, shall be responsible for any and all supervision fees charged by Cheryl Brune. Defendant’s supervised visitation shall take place exactly as Ordered herein on December 7, 2022 and filed herein on September 25, 2023.”

The Court went on to address what was to happen in the event Ms. Cheryl Brune was not available to supervise a Saturday visit between the Defendant and the subject minor children:

“In the event that the approved supervisor, Cheryl Brune, is unavailable, the Intervenor, Tiffany Adams, shall notify the Defendant, Veronica Claire Butler, by Wednesday at 5:00 p.m., and then the Defendant shall be allowed to use any of the following as approved supervisors:

- a. Ms. Nyeleve Johnson
- b. Ms. Robynne Rome
- c. MS. Killian Kelley”

Lastly, the Court made sure to address that none of the parties to this action could act unilaterally to cancel any visitation nor disqualify any of the approved supervisors:

“None of the parties to this case shall have the unilateral authority to cancel any visitation nor disqualify any of the above mentioned, court-approved, supervisors. If any party should have a problem with a visitation or a supervisor, said party shall file a motion and a hearing will then be held regarding said motion. All visitations shall continue unless and until there is an Order of this Court stating otherwise.”

3. The Defendant has visited with her minor children in accordance with the Court’s Orders as often as the Intervenor, Tifany Adams, has allowed her. As soon as three (3) weeks after the Court entered the Order regarding the Defendant’s visitation, the Intervenor, Tifany Adams, unilaterally canceled a visit between the subject minor children and the Defendant. On December 8th, 2023, the day before a visit was to take place on December 9th, 2023, the Intervenor texted the Defendant and cancelled the visitation because the children were allegedly sick. The Defendant pushed back on this allegation and pointed out that the children had gone to school the prior day, and that she is their mother and is capable of taking care of them, even if they are sick. Coincidentally, this was the first weekend following the Court’s Order where the Intervenor’s preferred supervisor, Ms. Cheryl Brune, was unavailable. Intervenor did not, and has never approved of Defendant’s alternate supervisors, and took it upon herself to unilaterally cancel the visitation scheduled on December 9, 2023.

4. On December 12, 2023, the Court made a specific Order about how make-up visits were to occur if a visitation was missed on a regularly scheduled Saturday:

“3. The Court Ordered that any make-up visitation for Ms. Butler will take place on the Sunday following the missed visitation from 8:00 a.m. to 5:00 p.m. or by agreement of the parties.”

5. The Intervenor has continuously disregarded the Orders of the Court and does what she wants, when she wants with regards to the Defendant’s visitations with the minor children, and the make-ups of said visitations.

6. Defendant requested that she be allowed to make up the missed December 9th, 2023 visit with the subject minor children on the Sunday following her regularly scheduled Saturday, December 16, 2023 visit. Intervenor told the Defendant that she had plans with the subject minor children on the 17th and instead offered December 22nd for it to be made up. Defendant reminded Intervenor of the Court’s recent Order stating that make-ups are to be done on the following Sunday, to which, the Intervenor again told the Defendant that they were busy and would not be meeting on the 17th. Again, the Intervenor does what she wants, when she wants.

7. The weekend of December 30th, 2023 was missed because the Defendant had COVID, which she let the Intervenor know about in plenty of time prior to the scheduled visitation. The Defendant was now down time with the subject minor children from missing the December 9th, 2023 visitation, because of the Intervenor, and from missing the December 30th, 2023 visit because she

had COVID.

8. The December 9, 2023 visit was finally made-up with the Defendant on January 7, 2024, which was a Sunday visit that took place after the Defendant was able to have visitation with the minor children on Saturday, January 6, 2024. The December 30th missed visit was then discussed that it would be made up on January 14, 2024, but again, the Intervenor told the Defendant that she had plans that day and would not agree to meet on the 14th. The Intervenor suggested January 21st instead. Again, the parties agreed and planned on making up the December 30, 2023 visit on January 21, 2024, but at 6:06 a.m. on the morning of January 21, 2024, the Intervenor texted the Defendant and said that she, not the kids, was sick, and would be cancelling the visit. Intervenor then told the Defendant that she was busy and had plans on January 28th, 2024 and could not make it up on that day either. At this point, the Defendant is still down one visit with the children from back on December 30, 2023.

9. For the February 3, 2024 visit, Intervenor texted the Defendant on Friday, February 2, 2024 in the afternoon to inform the Defendant that the minor child, K.R., was sick and confirmed that Intervenor was cancelling the visit for February 3, 2024, the day before the visit was supposed to occur. On Saturday, February 3, 2024, Intervenor texted the Defendant that the minor child, K.R., was still sick, and thus the make-up visit could not occur on February 4, 2024, either. Now the Defendant is back to being two (2) visits down with the children.

10. It took at the way until the weekend of February 24-25, 2024 for the Intervenor to allow the Defendant to make-up a missed visit from all the way back on December 30, 2023 - eight weeks later. Now, the Defendant was only down one (1) visit with the subject minor children.

11. It was not until this past weekend, March 9-10, 2024, that the Defendant was able to make-up the visit that was missed all the way back on February 3, 2024 - again, another five weeks after the visit was missed.

12. The Intervenor, Tiffany Adams, unilaterally cancelled the visitation between the Defendant and the subject minor children that was Ordered to take place on March 16, 2024, because she, the Intervenor, had terrible chest congestion and a fever. The visit was not made-up on Sunday, March 17, 2024 either.

13. Currently, the Defendant is short an eight (8) hour visit with her children and said visit was not-made up in accordance with the Court's Orders. The Defendant's visitation schedule is at the whim of the Intervenor as to when it is going to be made up. The Court made specific Orders about how visitations are supposed to be handled, including make-ups, and the Intervenor refuses to follow the Court's Orders. The Court should ensure that ALL parties follow the Court's Orders.

14. Furthermore, the Defendant has had no negative reports nor has the Intervenor filed anything to suggest that anything has been going wrong during Defendant's visitations with the subject minor children. As such, it is in the subject minor children's best interests for their time with the Defendant, their mother, to be increased. Especially in light of the recent continuance that was

granted in this case due to the Intervenor firing her attorneys approximately twenty (20) days prior to a four-day trial that had been scheduled for months. This case is likely going to be continued for several more months due to the actions of the Intervenor, and it is not fair, nor equitable for the minor children and the Defendant to be restricted to the current Order regarding visitations.

15. Ms. Cheryl Brune has supervised all of the Defendant's visitations with the subject minor children and is aware of the hearing date on April 17th, 2024 at 1:30 p.m. that is currently scheduled in this matter and has been subpoenaed to appear that day to attest as to her observations of the Defendant's visitations with the subject minor children. Ms. Brune has not filed nor brought anything negative to the attention of counsel for the Defendant regarding her visitations with the subject minor children.

16. The Defendant requests this Court allow the Defendant to have unsupervised visitations with the subject minor children on her already scheduled Saturdays from 8:00 a.m. to 5:00 p.m. with the parties meeting at Elkhart, KS (which is closer to halfway for both parties rather than Four Corners) for exchanges of the minor children.

The Defendant would request that said unsupervised visits continue for four (4) consecutive Saturdays, and then step-up to every weekend from Saturday at 8:00 a.m. until the Defendant return the minor children at 5:00 p.m. on Sunday evenings with the parties continuing to meet at Elkhart, KS for exchanges.

Defendant would request that said unsupervised, one-overnight, visits continue for four (4) consecutive weekends and then step-up to every weekend with the parties meeting at 8:00 a.m. on Fridays (the minor children do not have school on Fridays) with the Defendant returning the minor children to the Intervenor at 5:00 p.m. on Sundays. The parties would continue to meet at Elkhart, KS for all exchanges. The Order regarding C.V. not being around the subject minor children would of course remain in place. The Defendant believes the increased visitation to be in the best interests of the minor children.

Even if the Intervenor were to cancel a visitation in this proposed stepped-up method, the Defendant should continue on with her steps towards more visitation. The Intervenor should be able to hamstring the Defendant moving towards increased visitations/overnights with the subject minor children by cancelling visitations. The Court should make this clear in any Order to this effect.

Wherefore, Defendant, Veronica Claire Butler, moves this Court to increase her visitation with the subject minor children pursuant to 12 O.S. §1351 and 43 O.S. §§109, 111.1 as is in the best interests of the children, and for all other and further relief deemed just and equitable by the Court.

Garrett R. Oates

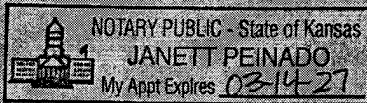
Garrett R. Oates, OBA#33579
Stake & Oates, P.C.
2207 Downs Avenue
Woodward, OK 73801
Telephone: 580.254.9181
Facsimile: 580.254.9183
Email: garrett@mikestakelaw.com
Website: mikestakelaw.com
Attorney for Defendant

STATE OF KANSAS)
COUNTY OF STEVENS)ss:

Veronica Claire Butler, of lawful age, being first duly sworn on oath, deposes and states that she has read this document and knows the contents thereof and things therein stated are true and correct.

Veronica Butler
Veronica Claire Butler, Defendant

SIGNED AND SWORN to before me on this 18th day of March, 2024.



Janett Peinado
Notary Public

CERTIFICATE OF MAILING

The undersigned certifies that on March 18th, 2024 I mailed by first class mail, with postage prepaid a true and correct copy of the Motion For Increased Visitation With Subject Minor Children as filed herein on March 18th, 2024 to Intervenor, Tiffany Adams, at her address of:

Ms. Tiffany Adams
47149 EW 14 Rd.
Keyes, OK 73947

Garrett R. Oates
Garrett R. Oates