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NOV 02 2005

*Quantita M. Duran*  
CLERK DISTRICT COURT

PATRICIA A. MONTES

STATE OF NEW MEXICO  
SECOND JUDICIAL DISTRICT

**ANGELA J. JEWELL**  
DISTRICT JUDGE  
DOMESTIC VIOLENCE  
DIVISION XXI

P.O. BOX 488  
ALBUQUERQUE, NM 87102  
(505) 241-8748

November 2, 2005

Ms. Patricia Long  
P.O. Box 800  
Grants, New Mexico 87020

Re: DM-2002-00523

Dear Ms. Long:

I am in receipt of your letter dated October 26, 2005.

Your request regarding continuation of the November 18, 2005 hearing is granted, as your desire to address time-sharing and custody of the minor children is premature at this time. Upon your release from incarceration, you should file a Motion or have counsel file a Motion, to have a hearing scheduled to address time-sharing/visitation. Certainly, therapeutic intervention will be mandatory, due to the circumstances of this case, and also the lack of contact for a long period of time.

I am not going to vacate the Domestic Violence Hearing, scheduled for November 14, 2005, at 10:15 AM. This is a mandatory hearing, on allegations of domestic abuse, and cannot be vacated, unless requested by the Petitioner. You will be transported to the Second Judicial District Court for this hearing.

I am also not going to set Mr. Avery's Motion regarding obtaining records from the Department of Corrections. This Motion is also premature. Upon receipt of your Motion regarding time-sharing, this Court will ask for an independent psychological evaluation, whether through the Court Clinic or a private entity. The therapist conducting the evaluation can determine whether or not records from the Department of Corrections are necessary, and I can then Order a Release to be signed by yourself or set a hearing on the Departments request for a Protective Order, if the Department objects to producing any records.

By copy of this letter, I am also alerting Mr. Avery that Family Court does not have the jurisdiction to terminate parental rights. This must be accomplished through the State of New Mexico, d/b/a CYFD. If Mr. Avery alleges neglect, abuse or abandonment on the part of Ms. Long, then the State determines if it should investigate and pursue a termination of parental

rights. Family Court can suspend visitation and/or otherwise limit custody and visitation.

So in summation, there will no scheduled hearings in this matter, until Ms. Long is out of the Department's custody. Issues of time-sharing and custody are premature until that time.

Sincerely,

A handwritten signature in cursive script that reads "Angela J. Jewell". The signature is fluid and covers several lines of text.

Angela J. Jewell

cc: Mr. Stephan A. Avery  
Counsel for Department of Corrections