

IN THE IOWA DISTRICT COURT FOR WOODBURY COUNTY

UPON THE PETITION OF  
LIEN BEAVERS,

PETITIONER,

AND CONCERNING  
JERRY BEAVERS,

RESPONDENT.

**Case No. CDCD 124890**

**APPLICATION FOR RULE TO  
SHOW CAUSE**

COMES NOW Jerry Beavers (“Respondent”), by and through his attorney, and moves this Court for an order directing Lien Beavers (“Petitioner”) to show cause why she should not be punished for contempt of this Court. In support of his Application for Rule to Show Cause (“Application”), Respondent states as follows:

1. On June 14, 2019, the Court entered a Findings of Fact, Conclusions of Law and Decree regarding the custody and visitation of the minor children involved in this case.
2. Regarding visitation, the Court stated:

“Jerry’s summer visitation with the children shall begin 3 days after school is let out for the summer and shall continue until 7 days before school resumes in the fall.”
3. The Petitioner has violated the above listed provision and Court order as follows:
  - a. When the Respondent arrived on May 25, 2020, at 8 a.m. at the local Pilot gas station, the Petitioner failed to appear and did not allow the children to leave with him due to her fear of COVID-19 conditions in Iowa.

- b. Respondent had his attorney send a letter on May 21, 2020, outlining the current conditions in Iowa and the CDC recommendations he would follow while being the primary caretaker of the minor children.
  - c. Petitioner willfully violated the Court order and stated many times in text messages to the Respondent that she planned to do so when he attempted to pick up his children for summer visitation.
  - d. Respondent did everything in his power to inform Petitioner that her actions were against the current Court order and that he would do everything required to protect the health and safety of the minor children.
4. The Petitioner's above described violations of the Court's order and decree are, to the best of the Respondent's knowledge and belief, willful and contemptuous and the Petitioner should be cited and punished for Contempt of Court for such violations.
5. Iowa Code section 598.23(2)(b)(d) allows the Court, as an alternative punishment for contempt, to make an order which modifies visitation, establishes joint custody, transfers custody of the child and/or imposes specific sanctions or requirements. Pursuant to this section, the Respondent requests that the Court enter an Order that the minor children be transported immediately to Iowa for visitation, and missed visitation be made up by increasing his visitation with the minor children during Christmas, Spring/Easter Break and other holiday times. The Respondent also further requests that the Petitioner be required to transport his children to him in the Sioux City area and/or reimburse him for all travel costs he sustained (both for him and the children) in his travel to pick them up and failed attempt to exercise his visitation.

6. The Respondent also requests the Petitioner be held in contempt and if she exercises similar behavior in the future she immediately be jailed.
7. The Respondent requests attorney fees related to this matter.
8. The Affidavit of Jerry Beavers filed simultaneously herewith is hereby incorporated word for word herein by reference.

WHEREFORE, the Respondent respectfully requests that the Court set a hearing on his application for Rule to Show Cause and the Petitioner be forthwith required to show cause why she should not be punished for contempt; and that if she be found in violation of the Court's orders and decrees, she be punished for contempt as provided by the laws of the State of Iowa. The Respondent further prays for an order requiring the Petitioner to pay the Court costs incident to this action and the attorney's fees incurred by both parties and for such other relief as the Court deems just and proper.

Respectfully Submitted,

/s/ Rosanne Lienhard  
Rosanne Lienhard, AT0004772  
27524 C 70  
Hinton, Iowa 51024  
(712) 251-6113  
rllaw96@gmail.com