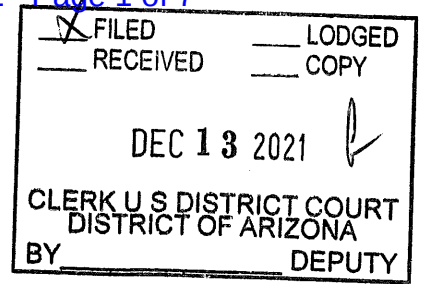


Kayla Diegel, IN PRO PER  
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**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF ARIZONA**

KD  
5109 Northern Lights Dr.  
Reno, Nevada 89506

**CV21-02126-PHX-SMM**

Civil Action No. \_\_\_\_\_

Jury Demand endorsed Hereon

Plaintiff

-vs-

The Arizona Department of Child Safety  
Phoenix Corp. Center  
3003 North Central Avenue  
Phoenix, AZ 85012

THIS DOCUMENT IS NOT IN PROPER FORM ACCORDING  
TO FEDERAL AND/OR LOCAL RULES AND PRACTICES  
AND IS SUBJECT TO REJECTION BY THE COURT.

REFERENCE LRC n P S M  
(Rule Number/Section)

Director Flanagan, Director, McKay,  
and Director Faust  
Directors Department of Child Safety  
3003 North Central Avenue  
Phoenix, AZ 85012

Attorney General Mark Brnovich  
and his Assistants  
2005 North Central Avenue  
Phoenix, AZ 85004

Phoenix Children's Hospital  
1919 East Thomas Road  
Phoenix, Arizona 85016

Dr. Emmanuel K. Siaw, M.D.  
1919 East Thomas Road  
Phoenix, Az 85061

and DOES, 100 inclusive,

Defendants

**COMPLAINT**

**I. INTRODUCTION, PARTIES, JURISDICTION**

1. At all times hereto, Plaintiff and her younger sister have been wards of the Arizona Dependency Court, residing with two foster care providers under the care and scrutiny of the AZ Department of Child Safety. Then shifted to their paternal grandparents and then to their father.

2. In 2014 the Department of Child Safety's Director Flanagan 's case workers, seized me without warrant in the spring of 2014. In late 2014 Director Greg McKay carried on as my forced isolation from my mother continued. In late 2019 Michael Faust currently the director of the department. As a 20-year-old I am coming out of 7 years of confusion consisting of years of hounding by employees and contractors of CPS/DCS including caseworkers, lawyers, foster-care providers, visitation monitors, doctors, and other court actors under the high level influence of the directors of DCS/CPS. Flanagan, McKay and Faust are sued and named above because they delegate the decision making as to the conduct of investigators, caseworker's and contractors in the actions asserted herein.

2. The Attorney General's office prosecuted this case against my parents, and they lost their parental rights in December of 2016. I demanded to speak at my parent's trial and a motion was prepared by my counsel but, I was denied. The Attorney General is sued, as a 14-year-old girl I was competent to speak at the trial that severed my relationship with my mother.

3. The foster care provider Lia Hiticas was not convinced that I would testify against my mother so, she said told me I was not ready to testify and exerted her influence to make sure I would not testify. The foster care provider Ms. Hiticas exerted unrelenting pressure on me to shift blame, despise and testify against my mother whenever I spoke to anyone. It was her job to coerce and force me to turn against ANYONE who would help me or tell me the truth of what happened to my family. We had a caring CASA, named Ms. Shipp. Shipp took us places and spoke kindly and was supportive and concerned for our safety and well-being. Ms. Hiticas reported to me Ms. Shipp was an agent of my mothers and a bad person, and not to believe anything she said to us. Ms. Shipp was concerned that I was losing a great deal of weight after Dr. Siaw

said he was removing the feeding tube after he told me I needed it! After seizure at age 12 Dr. Siaw removed the feeding tube, I lost 17 pounds and had bruises all over my body. I told Ms. Shipp that the food being forced on me by Hiticas was making me very sick. The fosterer Ms. Hiticas spent her time chastising, degrading me, forcing me to eat foods I could not tolerate. I could feel the deep concern of Ms. Shipp the CASA. Ms. Hiticas had an agenda. Ms. Shipp reported to Dr. Siaw and out of concern for my condition, Siaw ordered the feeding tube formula be resumed. If my sister and I argued on behalf of our mother or if our “maternal deprivation” revealed itself, we were punished for hours and days on end. It seemed we were always in trouble standing facing a wall or sitting on the floor for hours at a time simply for mentioning our mother, resulting in severe emotional distress. I do not know what motivated Ms. Hiticas but her actions were with malice and took a toll on my physical state as she beat me down emotionally.

4. 2016 Judge Hoffman adopted us against our will to our paternal grandparents and removed our maternal grandparents from her courtroom as they were there to intervene in the adoption proceedings. As we saw our maternal grandparents, we were ordered to spread our arms on the table and not look at them by caseworkers. We had no choice with whom we were placed. Our paternal grandparents adopted us but once the adoption was finalized, shortly afterward we moved to Reno Nevada, and my sister and I moved in with our father, whose parental rights were severed, along with our mother’s rights, I believe in August of 2016. My Grandparents resided in a different house.

5. I have not seen or heard from my mother since April of 2014 after a visitation monitor disrupted our visit as was their practice at SW Human Development. My mother was my primary attachment figure from birth. My bond with her was all important to me and was strong. Her last words to me were, “I will never stop fighting for you, I love you and your sister, and nobody can take that away from us.” I carry those words with me. I miss her, her loss to me has been devastating. All I want is to feel her arms around me again. With all their attempts DCS and their associates have failed to destroy my attachment with my mother. The case workers whose names I cannot recall said terrible things to me about my mother. I have been heartbroken and indoctrinated against my mother

since I was seized by CPS/DCS without warrant in 2014. The trauma inflicted on us has been endless with thoughts of suicide, and for my sister as well. The therapists assigned to me are hit and miss. Trish and Susan were terrible.

6. I have reached out to legal services to a Ms. Holly Stokes when I started to ask family members what was going on in the case.

7. A police interviewer, a female, contacted me asking leading questions regarding my mother long after I was adopted. I was confused by her. I was traumatized again by her as she used the same line of questioning to make me say bad things about my mother. I never felt safe with the interrogations, I felt threatened by the interrogator, I fell back into repeating some of the things I was told by CPS operatives, simply to keep myself safe. I honestly thought the interrogations and the attempts to implicate my mother and to turn me against her were over.

8. I have been a prisoner, captive of the state, lied to, manipulated and deeply harmed.

**II. FIRST CLAIM AGAINST PHOENIX CHILDREN'S HOSPITAL AND DR. SIAW  
FORTH AND FOURTEENTH AMENDMENT VIOLATIONS: JUDICIAL DECEPTION AND  
FALSIFICATION**

9. Plaintiff re-alleges paragraph 3

10. This Claim is brought to vindicate my rights under the Fourth and Fourteenth Amendments to the Constitution of the United State:

11. Defendants seized me without exigency or warrant and have been isolated from my mother who I love, for 7 years.

12. Defendants' falsifications, misrepresentation and material omissions regarding the conflicting treatment by Dr. Siaw caused me to nearly starve to death under the care and scrutiny of DCS and Foster Care by reversing his treatment at the behest of DCS operatives, by telling me that a feeding tube he prescribe to me that kept me stable was not needed any longer. He followed DCS demands in order to shift blame to my mother and keep me from my parents. Mom and Dad were terrified by my condition in foster care. The CASA was worried about me too.

**III. SECOND CLAIM AGAINST FOSTER CARE PROVIDER Lia Hiticas IN HER VIOLATIONS OF MY FIRST AND FOURTEENTH AMENDMENT RIGHTS TO FREEDOM OF SPEECH, TO TESTIFY TO THE FACTS I KNEW AND TO DUE PROCESS OF THE LAW. I WAS PREVENTED BY THE OBJECTIONS OF COURT ACTORS and Ms. Lia Hiticas' INTERFERENCE CAUSING JUDICIAL DECEPTION.**

12. Plaintiff re-alleges paragraph 3

13. Defendants' falsifications, misrepresentations, and material omissions in their statements to the court resulted in loss of my parents' fundamental right to raise us without governmental interference. At age 14, I was old enough to testify on behalf of my parents and if I were not prevented from doing so, there would have been a far different outcome.

**IV. CLAIM AGAINST THE ASSISTANT ATTORNEY GENERALS IN THEIR VIOLATIONS OF MY FIRST AND FOURTEENTH AMENDMENT RIGHTS TO FREEDOM OF SPEECH AND TO TESTIFY TO THE FACTS AS I KNEW THEM AT MY PARENT'S TRIAL. MY RIGHT TO DUE PROCESS OF THE LAW, I WAS PREVENTED BY THE OBJECTIONS OF COURT ACTORS AND DCS OPERATIVES, i.e., Assistant Attorney Generals**

14. Plaintiff re-alleges paragraph 2

15. As a direct and proximate result, I have suffered great physical and emotional distress; denial of my liberty and other such compensatory damages as the evidence may establish. As a result, I was punished in a jail-like setting by court actors and DCS operatives, I suffered physical injury, loss of liberty and extreme emotional trauma and distress.

16. I enjoyed the right to the care, comfort, and protection of my mother Melissa Diegel. AZDCS in concert with Phoenix Children's Hospital staff in a concerted plan to separate the parents from the minors, in order to intimidate me, a minor, into cooperating with their deception. The actions of the Defendants as set forth above, in falsifying information to secure termination of my mother's parental rights without due process of law. These actions were not arbitrary but taken in furtherance of the ultimate goal of

compelling me to cooperate with doctors, attorneys, case workers, and foster care providers and police to build a false case against my mother to destroy our relationship forever and placing me in danger of severe bodily and emotional harm.

17. WHEREFORE, Plaintiff demands judgement of Defendants, jointly and severally, as follows:

1. Under all Claims, award of compensatory damages to Plaintiff in such amounts as the jury deems just.
2. Under the Twelfth, Thirteenth and other Claims as apply, an award of special damages to Plaintiff.
3. Under all claims directed to Defendants in their individual capacities, award of punitive damages in such amounts as the jury deems just, for a total award of ten million dollars (\$10, 000,000.00).
4. I am seeking a civil rights attorney and would seem reasonable attorney fees and costs pursuant to 42 U.S.C. 1988
5. Interest.
6. Such other equitable relief as the Court deems just:

Respectfully submitted,

Kayla Diegel



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**JURY DEMAND**

Plaintiff demands trial by a jury of twelve (12) persons as to all issues.

**Kayla Diegel**

A handwritten signature in black ink, appearing to read "Kayla Diegel". The signature is written in a cursive style with a large initial "K".

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