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FILED FOR RECORD

CASE# DR-2019-187-2 ~ 05-28-2019 11:20:12 AM

INDEPENDENCE CO, AR CIRCUIT CLERK

GREG WALLIS

BY: SCOTT POLSTON

COURT USE ONLY PURSUANT TO ARK. SUP. CT. ADMIN. ORDER NO. 2(B)

IN THE CIRCUIT COURT OF INDEPENDENCE COUNTY, ARKANSAS

LUNDEN ALEXIS ROBERTS

PLAINTIFF

vs.

ROBERT HUNTER BIDEN

DEFENDANT

Case No: 32DR-19-187
2 DIV.

PETITION FOR PATERNITY AND CHILD SUPPORT

COMES NOW, Lunden Roberts, by and through her attorneys, LANCASTER & LANCASTER LAW FIRM, PLLC, and for her petition states:

1. That the plaintiff is a resident of Independence County, Arkansas.
2. That, upon information and belief, the defendant is a resident of Annapolis, Maryland.
3. That this case involves a child residing in Independence County, Arkansas.
4. That jurisdiction and venue are proper in this Court.
5. That the parties were in a relationship and a child, Baby Doe (08/2018), was born as a result of that relationship.
6. That this Court should establish paternity of the child, finding that the defendant is the child's biological father.
7. That this Court should order that the defendant pay child support to the plaintiff.

8. That, as part of child support, this Court should order that the defendant provide health insurance for the child.

9. That, as part of child support, this Court should order that the defendant equally divide the costs of health-related expenses for the child which are not covered by insurance.

10. That this Court should set this matter for a temporary hearing and award child support to the plaintiff.

11. That this Court should enter a permanent order for child support.

12. That this Court should order that the defendant pay the plaintiff's attorney's fees and costs.

WHEREFORE, Lunden Roberts petitions this honorable Court to determine and declare the paternity of the parties' child; for child support; for attorney's fees and costs; and for all other just and proper relief.

Respectfully Submitted,

LANCASTER & LANCASTER
LAW FIRM, PLLC

P.O. Box 1295

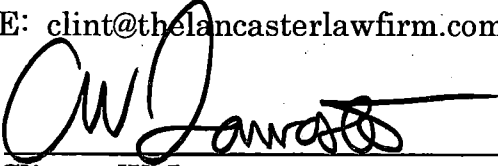
Benton, Arkansas 72018

P: (501) 776-2224

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E: clint@thelancasterlawfirm.com

By:



Clinton W. Lancaster, 2011179

DATE: AUGUST 19, 2019

TIME: 14:25:38

IN THE CIRCUIT COURT OF INDEPENDENCE COUNTY, ARKANSAS
2ND DIVISION

LUNDEN ALEXIS ROBERT'S

PLAINTIFF

VS.

CASE NO. 32DR-19-187

ROBERT HUNTER BIDEN

DEFENDANT

ANSWER

COMES NOW, the Defendant, by and through his attorneys Bart W. Calhoun and Jessica Duncan Johnston, and for his Answer to Plaintiff's Petition for Paternity and Child Support ("Petition"), does hereby state the following:

1. Defendant denies all allegations in Plaintiff's Petition that have not been expressly admitted or denied.
2. Defendant is without sufficient information to admit or deny the allegations in paragraph 1 and therefore denies the same.
3. Defendant denies the allegations in paragraph 2.
4. Defendant is without sufficient information to admit or deny the allegations in paragraph 3 and therefore denies the same.
5. Defendant is without sufficient information to admit or deny that jurisdiction and venue are proper and therefore denies the same. Pleading affirmatively pursuant to Ark. R. Civ. P. 12(b)(2) and 12(b)(3), Defendant states that venue is improper and this Court is without personal jurisdiction.
6. Defendant is without sufficient information to admit or deny the allegations in paragraphs 5 through 12 and therefore denies the same.
7. Defendant denies the allegations in the "WHEREFORE" paragraph.

8. Pleading affirmatively pursuant to Ark. R. Civ. P. 12(b)(5), Defendant has not been properly served with the Petition and Summons. The process server attempted to serve the Petition and Summons by delivering such to a non-party at an address where Defendant does not reside.

9. Pleading affirmatively, Defendant reserves his right to plead further, to file affirmative defenses, to file a counterclaim, and does not waive the requirements of personal jurisdiction, venue, and service of process.

WHEREFORE, the Defendant requests that this Court dismiss Plaintiff's Complaint, for attorney's fees and costs, and for all other appropriate relief.

Respectfully submitted,

BART CALHOUN
On behalf of Defendant

By:



Bart W. Calhoun, Ark. Bar No. 2011221
McDaniel, Richardson & Calhoun, PLLC
1020 West Fourth Street, Ste. 410
Little Rock, AR 72201
Phone: (501) 235-8336
Email: bcalhoun@mrcfirm.com

Jessica Duncan Johnston, Ark. Bar No.

CERTIFICATE OF SERVICE

On this 19th day of August, 2019, a true and correct copy of foregoing was sent by first class mail to the following:

Lancaster & Lancaster Law Firm, PLLC
Attn: Clint Lancaster
P.O. Box 1295
Benton, AR 72018

BTCIL
Bart W. Calhoun

DATE: SEPTEMBER 30, 2019

TIME: 11:51:05

COURT USE ONLY PURSUANT TO ARK. SUP. CT. ADMIN. ORDER NO. 2(B)

IN THE CIRCUIT COURT OF INDEPENDENCE COUNTY, ARKANSAS

LUNDEN ALEXIS ROBERTS PLAINTIFF

vs.

ROBERT HUNTER BIDEN DEFENDANT

Case No: 32DR-19-187
2D DIV.

MOTION FOR SCIENTIFIC (DNA) TESTING

COMES NOW the plaintiff, by and through her attorneys, LANCASTER & LANCASTER LAW FIRM, PLLC, and for her motion states:

1. That the defendant has verbally admitted to the plaintiff that he is the father of her child.
2. That the defendant denies to the media and the Court that he is the father of the child in this case.
3. That DNA testing would conclusively determine paternity.
4. That this Court should order that the defendant appear and give a DNA sample to determine paternity.


WHEREFORE the plaintiff moves this honorable Court for an order compelling the defendant to appear and provide a sample for DNA testing; for attorney's fees and costs; and for all other just and proper relief to which she might be entitled.

Respectfully Submitted,

LANCASTER & LANCASTER
LAW FIRM, PLLC



P.O. Box 1295
Benton, Arkansas 72018
P: (501) 776-2224
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E: clint@thelancasterlawfirm.com

By: 
Clinton W. Lancaster, 2011179

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing has been delivered by the below method to the following person or persons:

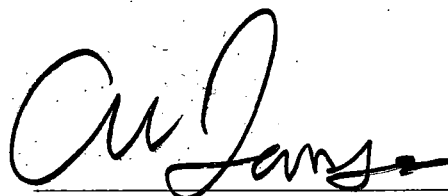
First Class Mail Facsimile Email AOC/ECF Hand Delivery

Bart Calhoun
bcalhoun@mrcfirm.com

Jessica D. Johnston
jessica@bdjlawoffice.com

Dustin McDaniel
dmcdaniel@mrcfirm.com

on this 25 DAY of SEPTEMBER, 2019.


Clinton W. Lancaster

DATE: OCTOBER 21, 2019

TIME: 15:26:25

IN THE CIRCUIT COURT OF INDEPENDENCE COUNTY, ARKANSAS

LUNDEN ALEXIS ROBERTS

PLAINTIFF

vs.

NO. 32DR-19-187

ROBERT HUNTER BIDEN

DEFENDANT

RESPONSE TO MOTION FOR SCIENTIFIC (DNA) TESTING

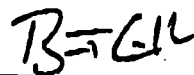
Comes now the Defendant, Robert Hunter Biden, by and through his attorneys, Dustin B. McDaniel, Bart W. Calhoun and Jessica Duncan Johnston, and for his Response to Motion for Scientific (DNA) Testing, docs state:

1. Defendant denies each and every material allegation not specifically herein admitted.
2. Defendant admits and agrees that a paternity test is warranted.
3. Defendant and Plaintiff are currently discussing protocol and procedure for administering the paternity test, and Defendant anticipates and intends that such agreement be done on or before November 1, 2019.
4. Thus, the issue of paternity should be resolved before the December 2, 2019 hearing.

WHEREFORE, the Defendant prays as above, for costs, for attorney's fees, and all other relief to which he is entitled;

Respectfully submitted,

By:



Dustin B. McDaniel, #99011
Bart W. Calhoun, #2011221
McDaniel, Richardson & Calhoun, PLLC
1020 West Fourth Street, Suite 410
Little Rock, AR 72201

Phone: 501-235-8336
Fax: 501-588-2104
dmcdaniel@mrcfirm.com
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Jessica Duncan Johnston, #2008027
Benca and Johnston, PLLC
1311 Broadway St.
Little Rock, AR 72202
Phone: 501.359.0024
jessica@bdjlawoffice.com

Attorneys for Defendant

CERTIFICATE OF SERVICE

I, Bart W Calhoun, hereby certify that on October 21, 2019, a copy of the forgoing was served on the following by email on the following:

Mr. Clinton Lancaster
Lancaster & Lancaster Law Firm, PLLC
PO Box 1295
Benton, AR 72018
clint@thelancasterlawfirm.com



Bart W. Calhoun

DATE: DECEMBER 23, 2019

TIME: 14:48:38

COURT USE ONLY PURSUANT TO ARK. SUP. CT. ADMIN. ORDER NO. 208

IN THE CIRCUIT COURT OF INDEPENDENCE COUNTY, ARKANSAS

LUNDEN ALEXIS ROBERTS

PLAINTIFF

vs.

ROBERT HUNTER BIDEN

DEFENDANT

Case No: 32DR-19-187

2D DIV.

MOTION FOR CUSTODY WITH INCORPORATED BRIEF

COMES NOW the plaintiff, by and through her attorneys, LANCASTER & LANCASTER LAW FIRM, PLLC, and for her motion states:

1. That the Court indicated in a letter and a conference call that it intended to address custody and visitation at the next hearing in this matter. Those issues were not previously pled by either party. However, to make clear the plaintiff's position, set the burden of proof, and determine the course of litigating these issues, the plaintiff seeks the relief set forth in this document.

2. The rule in Arkansas has long been that child support obligations and a parent's right to visitation are completely separate issues. *Henderson v. Johnston*, 2017 Ark. App. 620, 5-6, 534 S.W.3d 196, 200 (2017) (citing *Walden v. Jackson*, 2016 Ark. App. 573, 506 S.W.3d 904 (2016); *Newton v. Office of Child Support Enft*, 2013 Ark. App. 53, 2013 WL 361827 (2013); *Lyons v. McInvale*, 98 Ark. App. 433, 256 S.W.3d 512 (2007)). A parent's child support obligation does not depend on the parent's relationship or visitation with the child. *Id.*, 534 S.W.3d at 200.

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3. That the plaintiff has been the only physical and legal custodian of the child in this case since the child's birth. She has been involved in the child's life both night and day. She is intimately familiar with every detail and aspect of her child and the child's daily activities.

4. That the defendant has had no involvement in the child's life since the child's birth, never interacted with the child, never parented the child, never made or even participated in health related decisions for the child, never interacted with the child's medical professionals, never seen the child, and could not identify the child out of a photo lineup.

5. That the child has had no exposure to the defendant. The defendant is a complete stranger to this child.

6. That the plaintiff should have primary physical and legal custody of the only child in this case. Such action is in the best interests of the child.

7. That the plaintiff objects to the Court's raising the issue of visitation for the defendant *sua sponte*.

8. That this Court should not award the defendant visitation until such time as he pleads that matter before the Court with specificity as to dates and times of sought-after visitation so that the plaintiff may have due process as to the matters to be litigated regarding visitation. This will apprise the plaintiff of the type and manner of visitation the defendant would be seeking with the child so that she may properly respond and present evidence to the Court regarding the same.

WHEREFORE the plaintiff moves his honorable Court to grant her primary

physical and legal custody of the parties' child; set a hearing on visitation when the defendant properly pleads that issue before the Court; for attorney's fees and costs; and for all other just and proper relief to which she is entitled.

Respectfully Submitted,

LANCASTER & LANCASTER
LAW FIRM, PLLC

P.O. Box 1295

Benton, Arkansas 72018

P: (501) 776-2224

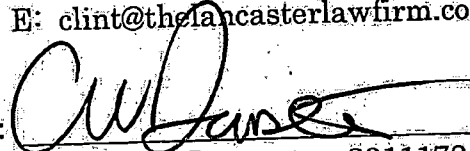
F: (501) 778-6186

E: jennifer@thelancasterlawfirm.com

E: clint@thelancasterlawfirm.com

ORIGINAL
LANCASTER LAW FIRM

By:



Jennifer M. Lancaster, 2011178

Clinton W. Lancaster, 2011179

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing has been delivered by the below method to the following person or persons:

First Class Mail Facsimile Email AOC/ECF Hand Delivery

Brent Langdon
blangdon@ldatty.com

on this 23 DAY of DECEMBER, 2019.



Clinton W. Lancaster