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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Family Court

Family Court Case No. 2021-DR-23-0394

Appellate Case No. 2023-000387

Brice Huet de Guerville, Petitioner,

v.

Sarah Huet de Guerville, Respondent.

AFFIDAVIT OF SARAH HUET De GUERVILLE

The undersigned after being duly sworn, hereby deposes and states:

1. My name is Sarah Huet de Guerville on the pleadings, but I have since remarried, and my name is now Sarah Walker. I state the following under oath and of my own knowledge except where otherwise stated.

2. MANIPULATION, DISPARAGING COMMENTS & DEEP CONCERNS

Brice has been methodical and calculated in his manipulation of Aidan. Throughout this relocation process, which is the current pending action in Family Court, Brice consistently said that I was “stealing/taking/kidnapping” Aidan from him and Aidan’s half-sister (Caroline, Brice’s daughter from a prior relationship), that I do not care about Brice or Caroline, and that I do not care about their time together. Brice has told Aidan that he does not need to listen to me. Brice consistently tells me that I am selfish and do not care about Aidan’s feelings. These are all things Brice has said to Aidan in

front of me or me in front of Aidan and made very clear.

3. LEAD UP AND CONTENTS OF THE MARCH 13, 2021 RECORDING

These issues were persisting prior to our hearing on March 11, 2021, for the relocation. After the court decided I could relocate to Tennessee with Aidan in March of 2021, I was living in a small, two-bedroom apartment where it was legitimately difficult to have a private conversation because of the size of the apartment and how easily the noise carried. That led to me sometimes overhearing conversations or parts of talks between Aidan and his father.

Around the time of the hearing on March 11, 2021, these conversations became more distressing for Aidan and I overheard Brice telling Aidan how disappointed he was in the court's order and discouraging any joy Aidan had about moving to Tennessee. Their conversation became especially alarming on March 13, 2021, and I decided I had to record what I characterize as manipulative, coercive and extremely damaging language from Brice to Aidan.

I could hear and recorded some of the remainder of the conversation between Brice and Aidan and Aidan crying and Brice telling Aidan that he (Aidan) was hurting his (Brice's) feelings and asking if Aidan lied to him about not wanting to go to TN. I heard Brice calling Kevin, my fiancé at the time now my husband, a liar for telling Aidan he would still get to see him (his Father) a lot still. Brice told Aidan that if he wanted to go to TN, then Brice and Caroline would be heartbroken and they wouldn't stop crying. Brice told Aidan that it wasn't fair that I get to talk to Aidan every day and try to get him to think it will be okay in TN. Aidan kept asking his father to stop the conversation but Brice persisted, telling Aidan that he was keeping a secret about wanting to go to TN from his father. Brice started coaching and warning Aidan that the court lawyer was going to come talk to Aidan and ask him what he wanted. Brice told Aidan that if he told the lawyer that he wanted to go to TN, Brice, and Aidan's sissy (sister) would be heartbroken. So, Aidan couldn't tell "them" that he wanted to go to TN. Aidan was full on crying and away from the

phone, trying to leave the conversation. Brice said that if Aidan hung up, he would be in huge trouble and forced Aidan to tell him what he wanted. Aidan started bawling more and was silent. Brice said that he was spending a lot of money to protect Aidan from moving to TN. Aidan said he wanted both. Brice continued to press the issue and push his agenda on Aidan through Aidan's sobbing and pleas to get off the phone and that he just wanted both to be ok.

I had to record this conversation because it was harming our son and I knew that the court-appointed advocate for Aidan needed to be aware of the extent of the liberty at which Brice was sharing his own desires, feelings, and disdain for the court orders with Aidan. Also, how brazenly Brice was coaching his son and manipulating his feelings and actions. This was the first time that I recorded Brice's conversation with Aidan.

I believe that these emotionally destructive conversations that Brice has had and I have a firm suspicion continues to have with Aidan cause my son a lot of excess stress, anxiety, and grief.

4. LEAD UP AND CONTENTS OF THE JUNE 30, 2021 RECORDING

Aidan and I relocated to Tennessee in June of 2021. On June 15, 2021, Judge Roper denied Brice's motion to reconsider, alter, or amend the temporary relocation order and clarified that Brice and I must meet halfway between our residences for pickups and drop-offs.

During this time, Brice and I were discussing visitation dates for the summer. We had finalized dates and he had plans to take Aidan to Disney World in July 2021. On June 28-29, 2021, I informed Brice of the signed court order and he confirmed receipt, and he accused me of wanting to get him fired from his job. I do not know what Brice told Aidan during the conversations they had these first days following Brice receiving the latest signed order. But I do know that Aidan became visibly distressed at this time following his conversations with his father, worried that he would not be able to go on vacation with his dad and sister. I had not had any conversations with

Aidan about the messaging from Brice at this time, so there would be no reason for Aidan to be upset other than what his father was telling him.

Due to Aidan's distress and emotion, Brice's history of inappropriate and damaging remarks to Aidan and the text messages that Brice was sending to me at this time, I was extremely suspicious that Brice was again engaging in inappropriate and harmful communications with Aidan. I needed to record this conversation to understand and be able to help the worry, distress, and sadness that Aidan was feeling at this time. Following this conversation, Aidan was crying, begging me to let him go on vacation with his father and sister. My concerns were confirmed in the recording.

On the recording, Brice said that he could not take Aidan on vacation with them unless I drove to Greenville. Brice told Aidan that I was able to drive him to Greenville, but that I just wouldn't do that for Aidan. Aidan said that he wanted to hang up and that he did not like talking about this stuff. Brice said that he was just explaining what was going to happen. Aidan said that he just wanted to go on the vacation. Brice said that I wasn't going to bring Aidan there, so Aidan may not get to go. Brice also said that he may lose his job if he had to drive halfway. Aidan started crying.

5. LEAD UP AND CONTENTS OF THE JULY 2, 2021 RECORDING

Brice repeatedly said he would lose his job, said that he couldn't drive the distance because his car was a lease, that I was being cruel and selfish, and that I didn't care if this decision hurt him or Aidan. Brice threatened further litigation, said in text messages that my cruelty disgusted him and that Aidan deserved better than me. I continued to try and work with him on a good date and time for him to get Aidan, saying it could be after work hours at a reasonably flexible date and

time to better accommodate Brice's work schedule. I wanted what was best for Aidan and was trying my best to make sure Aidan was able to be with his father for visitation.

Aidan continued to be extremely upset, distressed, and worried after his conversations with his father. I was very worried about Aidan and the affects that these conversations were having on him emotionally and psychologically. Myself, Aidan, Kevin, and his kids traveled to my mother and father's house on July 2, 2021. Due to Aidan's ongoing distress about the trip and Brice's previous inappropriate conversations with Aidan, I recorded their conversation when we got to my parent's home. Following that conversation, Aidan was also in tears, conflicted and hurt. It seemed as if he was closing off from me and confused about who to trust and what would happen. It was so heartbreaking to see this happening to my son and to be under court order to continue to have to allow these conversations to even happen.

The recording confirmed the worst of my fears. On this recording, Brice told Aidan that Brice had been crying all day because his joys about Disney were crushed because Aidan's mom (me) doesn't care about them. Brice said that he had offered to get Aidan during the weekend, but I thought the birthday party was more important than Disney. Brice asked Aidan if he would rather do the plans with his mom (me) or if he would rather go to Disney with him. Brice continued to tell Aidan how wonderful Disney would be and then that the only way Aidan could go is if his mom (me) would do as Brice wished.

Aidan told Brice that I would take him to Disney next weekend, that I was sad for him and said I wanted to take him to Disney. To clarify, I said that we would go at some point and it wouldn't be his only chance to go to Disney. But Brice took this word for word from his at the time 7 year-old-son. Brice then told Aidan that he hated his mother (me). Brice said that was such a mean thing for me to do. Aidan said he was very sad and very mad. Brice instructed Aidan not

to speak to me again until I took him to see his dad. Aidan said that would just be rude. But Brice said that when he was mad at someone, he just wouldn't talk to them. Aidan said this was a very frustrating and weird talk and he just wanted to hang up. Brice made him stay on the phone and instructed Aidan what to specifically say to me and that if I said no, he would just not talk to me.

Brice also told Aidan that I probably want Brice to lose his job and have to move to find a new job and have Aidan all to myself so he would never have to see his daddy. Aidan said he would be mad, not looking at me or talking to me.

6. REASONS FOR MAKING RECORDINGS

I made the recordings out of a necessity and desire to help my son and stop Brice from continuing to harm Aidan's wellbeing. Disparaging me, discussing the court case in such a manner, and manipulating Aidan's feeling by inciting guilt and stress, are all extremely inappropriate, not to mention in clear violation of the Order. It's not healthy at the very least, and I believe that it's been very damaging to Aidan. I request that this court deny the motion to suppress these recordings. These recordings were made purely out of a need to protect my son, following moments and times of distress and deep anxiety. These recordings prove that Brice is willfully refusing to abide by the restraining orders set forth by the court and I pray they will help to allow my son protection from having to endure this kind of behavior in future conversations. I am very concerned that this continues through to today in Aidan's conversations with his father.

FURTHER DEPONENT SAYETH NOT.

SWORN TO BEFORE ME

This 17 day of March 2023

Printed Name of Notary: Patricia A Myers

Notary Public For TN

My Commission Expires: 8-18-2026

Sarah Huet de Guerville
SARAH HUET DE GUERVILLE
NOW SARAH WALKER

Sarah Walker

