

COMMONWEALTH OF MASSACHUSETTS

HAMPSHIRE, SS.

PROBATE AND FAMILY COURT DEPT.  
HAMPSHIRE DIVISION  
DOCKET NO: 96D0228DV2

CHERYL R. DUVAL,

Plaintiff

v.

TIMOTHY SYMINGTON,

Defendant

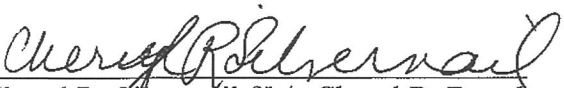
**AFFIDAVIT OF CHERYL R.  
SILVERNAIL F/K/A CHERYL R.  
DUVAL**

NOW COMES Cheryl R. Silvernail formerly known as Cheryl R. Duval and states under the pains and penalties of perjury that the following information is true based upon her own personal knowledge.

1. I am the mother of Connor Peter Silvernail formerly known as Connor Patrick Symington, born June 8, 1994 and Jade Anna Symington, born March 6, 1998.
2. A Judgment of Divorce Nisi was entered by this Court on May 16, 2002.
3. During the divorce proceedings and certain subsequent proceedings all documents relating to the divorce and subsequent proceedings were impounded by the Court via an Order of Impoundment issued March 7, 2005 and lasting until March 6, 2016 when Jade turns 18.
4. It is my understanding that this impoundment was issued so as to protect personal, private matters regarding my children until Jade turned age 18.
5. Issues in these proceedings included, but were not limited to, abuse of me and my children by Mr. Symington. Extensive testimony and documents were presented to the Court regarding these issues.
6. Pursuant to the Judgment of Divorce, I was awarded sole legal and physical custody of my children.
7. My son, Connor, turned 18 on June 8, 2012.
8. For some time prior to turning 18 and since then, Connor has asked me questions regarding the divorce and the 2007 trial and has specifically asked to see the Court file.

9. I am honest and forthright with my children and have informed Connor that because of the impoundment order I am unable to answer many of his questions or show him documents relating to the proceedings.
10. As an 18 year old, Connor, an Eagle Scout, ranch hand and wrestler, is mature and strong enough to make his own decisions regarding his desire to view the documents relating to the proceedings.
11. I therefore request that as to Connor, the Court lift the order impounding the case so that he may review the documents on file with the Court at the Court House, including, but not limited to; all affidavits, trial testimony, orders and exhibits and to make copies thereof and to obtain copies of the trial tapes and have them transcribed prior to May 2013 when, I understand, the tapes will be destroyed by the record keepers.
12. I do not, however, ask that Connor be allowed to see those documents which relate solely to his younger sister Jade, and/or any medical or other treatment received by Jade.
13. To the extent there is a cost associated with excluding Jade's documents, exhibits and trial tapes from those Connor is allowed to view, copy and obtain, I will pay in advance the cost associated with doing so and am willing to pay an attorney appointed by the Court to accomplish this task.

Signed under the pains and penalties of perjury this \_\_\_\_ day of October, 2012.

  
Cheryl R. Silvernail f/k/a Cheryl R. Duval

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CHERYL R. DUVAL,

Plaintiff

v.

TIMOTHY SYMINGTON,

Defendant

**AFFIDAVIT OF CONNOR PETER  
SILVERNAIL F/K/A CONNOR  
PATRICK SYMINGTON**

NOW COMES Connor Peter Silvernail formerly known as Connor Patrick Symington and states under the pains and penalties of perjury that the following information is true based upon his own personal knowledge.

1. I am the son of Cheryl Silvernail formerly known as Cheryl Duval. My biological father's name is Timothy Symington.
2. Timothy Symington abused me until the age of 9 which resulted in me having to see numerous therapists over many years to heal.
3. I was born on June 8, 1994 and have not had any contact with my biological father since I was 9 years old.
4. My mother, Cheryl Silvernail, has told me that I cannot have access to anything regarding the trial in 2007 because the court impounded everything until March 6, 2016.
5. I want to have the testimony and affidavits of Timothy Symington, my therapists, and anyone else involved in the trial to help me determine whether there is sufficient evidence for me to bring a civil lawsuit against Timothy Symington.
6. I understand that if I have to wait until the records are no longer impounded I will not be able to sue Timothy Symington for what he did.
7. I understand that the tapes of the trial from 2007 will be destroyed in 2013.
8. I ask that the Court please give me access to any and all information, exhibits, testimony, tapes, etc. as soon as possible.

Signed under the pains and penalties of perjury this 12 day of October, 2012.

Connor P. Silvernail

Connor Peter Silvernail

f/k/a Connor Patrick Symington