

**AFFIDAVIT OF ARIEL MCCLAIN**

I, Ariel McClain, after being duly sworn according to law, do make oath that the facts set forth in this Affidavit are true and correct to the best of my knowledge, information, and belief.

1. My name is Ariel McClain, I am a resident of Cheatham County, Tennessee and am over the age of 18.
2. All events discussed herein occurred while I resided with Benjamin Seth Powers (hereinafter referred to as "Seth") at 7004 Lama Terra Court, Goodlettsville TN, which is in Davidson County, Tennessee.
3. I met Seth Powers towards the end of 2011, and we began a romantic relationship in 2012.
4. In 2015 when Seth's ex-wife, Elizabeth Jones, was requesting to relocate with their minor child Piper. Seth told me that his attorney at the time advised we get married to help him with his parenting time.
5. On November 13, 2015, Seth and I went to the Robertson County Courthouse and were married. However, prior to us getting married, Seth notified me that he had to first get divorced from Catherine Royce.
6. Seth explained that he and Catherine Royce are both members of the United States Army, and that they had a "contract marriage". He explained that the purpose of their marriage was so that Seth would receive a higher Basic Allowance for Housing (BAH) amount and he and Catherine would divide that money equally between them. Seth did admit to me that they had a sexual relationship as well. Upon my information and belief, he was divorced from Catherine Royce in the state of Colorado.

7. I moved into Seth's residence located at 7004 Lama Terra Court, Goodlettsville TN around the time that we got married in November of 2015.
8. I quickly became the primary caregiver during his allotted parenting time with Piper Powers (DOB 03/27/2012) and his other children Alyssa McKee (DOB July 2011) and Bryden Powers (DOB 04/25/2005). In addition to being the primary caregiver for his children, I washed all of the clothes, vacuumed, packed lunches, and cleaned the house. I drove all of the children to their activities. I even drove Alyssa to exchange custody with her Mother. Seth spent his time either working at the Metro Nashville Fire Department or mowing grass.
9. Seth also would not allow Piper to say her Step-Father's name, or talk about her Mother and Step-Father while at his home. When Piper did, I witnessed Seth get angry and shame Piper for talking about her Step-Father or Mother. I witnessed Seth call Elizabeth Jones and berate her because Piper was talking about her Step-Father while telling Seth about a family vacation she went on with her Mother and Step-Father.
10. I witnessed Seth ignoring Elizabeth Jones' phone calls while Piper was in his custody.
11. I witnessed Seth on multiple occasions withholding information from Elizabeth Jones regarding Piper. Specifically on June 18, 2017, Piper stated to Seth and me that her half-sister Alyssa told Piper that while bathing with another child at Seth's house, they touched each other's private parts. Piper disclosed this to us as we were in route to exchange her with her Mother. Seth did not disclose this

information to Elizabeth Jones at the time of the exchange, nor to my knowledge did he notify Alyssa's Mother.

12. Piper reporting this to us was particularly worrisome to me because my minor son had previously reported to me an incident where Alyssa approached him and about showing each other their private parts. This event occurred while I was at work and Seth was at our home in the restroom. The incident with my son was reported to Alyssa's mother.
13. I witnessed Seth minimizing the truth of what Piper would tell her Mother in an effort to make it seem like Piper was lying. I witnessed Seth give Piper the silent treatment and act like he did not hear what she said or minimize what Piper would say in an effort to make Piper forget what she was talking about or to pretend that what she said was not important.
14. Seth has many sexual dysfunctions. I witnessed him spend hours every day in the restroom masturbating. Seth has admitted to me that he would spend that time in the restroom masturbating to pornography or what is known as "cam girls". I have observed where he has developed sores on his penis and surrounding skin and genitalia due to his extreme masturbation habits.
15. While he would spend time in the bathroom masturbating he would leave his children unattended with the expectation that I would supervise them if I was there.
16. In addition to Seth delegating all of his parenting responsibility to others, or me he also would leave Piper unattended in stores. For example, if we were in a

department store or grocery store, he would allow Piper and her siblings to walk around alone.

17. There was one specific instance when I traveled with Seth and his children, to include Piper, to the state of Ohio to visit his grandmother. During that trip, Piper complained of irritation around her vagina due to her not wiping well after using the restroom. On that evening, Seth allowed Piper to sleep with him without wearing any pajama bottoms or underwear. When I voiced my opposition to this, Seth told me to mind my own business.
18. In addition, Seth had no problem openly arguing and fighting with me in front of his children. I never wanted to argue in front of the children, however Seth would corner me in rooms and not allow me to leave as he verbally berated me in front of them.
19. Unfortunately, these altercations escalated to Seth physically abusing me toward the end of our relationship. Specifically in late April 2018, I told Seth I was leaving him. I went to sleep in our bedroom, and he agreed to sleep on the couch in the living room. He began drinking, and would enter our bedroom and make comments in hopes to incite an argument. Each time he would come closer to me on the bed. I stood up and threw a pillow at him, and he responded by charging at me. He grabbed me around my throat and pushed me against the back wall of the room while holding my throat. The back wall of our bedroom was a wall of windows. I remember I could not breathe and I struggled to put my feet on the windowsills so I could stand up and breathe. Seth then twisted me off the

windowsills and I was able to redirect myself because if I had not, my head would have been smashed into the bedpost, and instead I hit the floor.

20. Seth and I are part of the same Army Reserve Unit. On May 4, 2018, Seth and I were at Drill together in the Army Reserve. While at Drill, he berated me in front of members of my unit alleging that I was engaging in sexual relations with another person. I went to our shared room to get away from him and go to bed. He came to the room and continued to argue with me. I then decided to leave, but I was unable to find my car keys. When I left the room he followed me. To get away from him I ran back into the room and closed and locked the door which allowed me time to find my car keys. Seth began banging on the door and window in an attempt to gain access to the room. He pulled so hard on the window that it came off its slide. He entered the room when I attempted to leave again. He began coming toward me, cornering me. I was able to break free from him. I was afraid of what he would do so I ran to the car and he followed me. I was unable to lock the doors in time, and he entered the backseat. From the backseat he wrapped his arms around my body and neck and pulled me against the driver's seat. I could not breathe. I banged on the horn and screamed for help. He tried prying my keys from my hand. When he was unable to do so from the backseat he came to through the driver's door, placed his forearm on my throat to pin me back, causing me a lot of pain and making it difficult for me to breathe. It was then that he was able to pry my keys away. He then exited my vehicle with my keys. I ran after him to get them back. When I could not retrieve my keys, I ran to the barracks, hid under a bed until I saw someone, and asked for help. Our chain of

command was notified. Seth spoke first blaming the incident on alcohol, and that both of us had been drinking. It was decided that he should be removed from the unit, but he was not because he stated that he would be leaving the unit because he was applying to be a warrant officer. To-date he has not been removed from or left my unit, and I believe it is because he wants to continue harassing me.

21. Seth has stalked me by hacking into my Verizon wireless phone account, and my Google Play account. He was able to track my location because Google Play accounts automatically link to Google Maps. He was capable of viewing every address I looked up and places I went.
22. Sometime in April of 2018, after I notified him that I was going to be ending our marriage, he wrote a suicide note and texted it to me along with a picture of himself with a gun barrel in his mouth. Both of these are attached to this Affidavit as **collective Exhibit A**.
23. During my marriage to Seth I became fearful for my safety and him retaliating against me for leaving him or reporting his violent and inappropriate behaviors. I truly believed that he would not let me leave our marriage alive. My mother moved to Tennessee and provided me with a place to live and support is what has gotten me through leaving Seth
24. I am still fearful of him and that he will retaliate against me now for sharing this information. I do not want any contact from Seth.
25. I do not believe Seth is fit to be a father, and based on the actions that I have witnessed I am fearful for the wellbeing of his children while in his care.

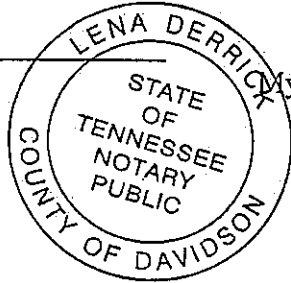
FURTHER AFFIANT SAYETH NAUGHT.

*Ariel McClain*  
ARIEL MCCLAIN

**NOTARY CERTIFICATION**

On July 26<sup>th</sup>, 2019, personally appeared before me, the above affiant, ARIEL MCCLAIN with whom I am personally acquainted and/or who proved her identity by valid state issued identification, and after being duly sworn, signed the above affidavit in my presence and attested to statements made therein as true and correct, to the best of her knowledge, information and belief.

*Lena Derrick*  
NOTARY PUBLIC



My Commission Expires: January 6, 2020