

**SUPERIOR COURT FOR THE DISTRICT OF COLUMBIA  
FAMILY COURT– DOMESTIC RELATIONS BRANCH**

**RASHED BAILEY,**

*Plaintiff,*

v.

**RASHEER JENKINS,**

*Defendant.*

**Case No. 2023 DRB 3328**

**Hon. Judge Laura E. Crane**

**Next Date: May 8, 2024 at 11:30 a.m.**

**ORDER GRANTING ORAL MOTION TO SERVE BY POSTING  
AND NOTICE OF HEARING**

This matter came before the Court on March 14, 2024 for a status hearing on Plaintiff Rashed Bailey's Complaint for Third Party Custody filed on October 2, 2023, which was Amended on November 13, 2023 regarding custody of the minor child Tyrek Jenkins (DOB: 11/20/2019) ("minor child"). Plaintiff is the minor child's grandfather and Defendant is the mother of the minor child. The father is unknown. Plaintiff appeared remotely *pro se*. Defendant did not appear.

The Court issued a temporary third-party custody order on November 13, 2023 ("TCO") granting Plaintiff temporary sole legal and sole physical custody of the minor child and directed Plaintiff to serve Defendant prior to the next hearing set for December 18, 2023. Plaintiff had still not served Defendant by the December 18, 2023 status hearing, and the Court reset the matter again for January 30, 2024. Plaintiff testified that he has been unable to serve Defendant, so the Court once again directed him to serve Defendant and reset this matter for this hearing on March 13, 2024.

*March 13, 2024, Hearing*

At the March 13, 2024 status hearing, Plaintiff appeared over speaker phone upon the Court calling him. Plaintiff testified to the Court that he last spoke with Defendant approximately three (3) months ago, does not have a phone number (she calls him from other numbers and when he calls those numbers back, the person tells her it is not her number), email address, or mailing address for Defendant Ms. Jenkins and does not have her social media. Plaintiff Mr. Bailey further testified that no one from the family speaks or hears from her. He has no one he could contact to try to reach her and advised that she is on bench warrant status for her failure to appear in Superior Court on unrelated cases.

The Court takes judicial notice of 2023 CTF 9035 District of Columbia v. Rasheer Jenkins, wherein on February 27, 2024, she failed to appear for a hearing regarding a pending charge of driving under the influence. The Court also takes judicial notice of 2023 CF2 9029 United States v. Jenkins wherein she was charged for unauthorized use of a vehicle and also failed to appear on February 27, 2024. A bench warrant has been issued against Ms. Jenkins in those criminal matters and as of today's hearing, she has not been picked up on the outstanding bench warrant.

The Court will interpret Mr. Bailey's testimony as a Motion for Alternative Service by Posting, which the Court will grant.

Before an order allowing service by publication or posting may be issued, the movant must demonstrate that she made a diligent but futile effort to locate the defendant, and must furnish the Court with the following:

(1) the time and place at which the parties last resided together; (2) the last time the parties were in contact with each other; (3) the name and address of the last employer of the Defendant either during the time the parties resided together or at a later time if known to the Plaintiff; (4) the names and addresses of those relatives known to be close to the Defendant; and (5) any other information which could furnish a fruitful basis for further inquiry by one truly bent on learning the present

whereabouts of the Defendant. From such basic information, the Plaintiff should then detail for the Court the particular efforts which [sic] have been made in the effort to ascertain the Defendant's present address.

*Bearstop v. Bearstop*, 377 A.2d 405, 408 (D.C. 1977).

Plaintiff Rashed Bailey has demonstrated that he performed a diligent search for Defendant and that further efforts would be futile. Plaintiff testified at the March 13, 2024 hearing that he does not know Defendant's current home address, phone number, working email address, or social media accounts. Plaintiff further testified that he has had no recent contact with Defendant, and that the last time they spoke was three months ago and that she does not have a phone number that he can reach her on.

The Court notes Defendant's criminal cases as referenced above, which she failed to appear for at the latest status hearing and a bench warrant has been issued for her arrest.

Based on the foregoing, the Court finds that Plaintiff has made diligent efforts to locate Defendant and that further efforts are likely to be futile. The Court next considers Plaintiff Mr. Bailey's oral request for service by posting, rather than publication.

Pursuant to Super. Ct. Dom. Rel. R. 4(c)(4)(D) and D.C. CODE § 13-340(a), the Court may authorize service by posting notice in the Clerk's Office of the Family Court for a period of twenty-one (21) days if the cost of publication would impose a substantial financial hardship. Plaintiff is caring for the minor child with no family assistance. Therefore, the Court authorizes service posting of the below notice for a period of twenty-one (21) days in the Clerk's Office and on the Court's website, [www.dccourts.gov/services/service-notice](http://www.dccourts.gov/services/service-notice). If Defendant Rasheer Jenkins fails to file a responsive pleading within the time allowed after she has been served, the Court may enter default by order and convert the next hearing into a default/*ex parte* hearing to take testimony from Plaintiff Mr. Bailey and file a final judgment without Defendant's participation.

**WHEREFORE**, it is on this 13<sup>th</sup> day of March 2024, hereby

**ORDERED** that Plaintiff Rashed Bailey's March 13, 2024 oral Motion to Serve by Publication or Posting is **GRANTED**; and it is further

**ORDERED**, that the attached notice shall be posted in the Clerk's Office of the Family Court of the Superior Court of the District of Columbia and on the Court's website, [www.dccourts.gov/services/service-notice](http://www.dccourts.gov/services/service-notice), for a period of twenty-one (21) calendar days in order to serve Defendant and notify her of the present action in which she is a party. It is further

**ORDERED** that the parties shall appear for a **Status Hearing** on **May 8, 2024, at 11:30 a.m.** The hearing will be conducted **in-person in Courtroom JM-13** at the Superior Court of the District of Columbia Moultrie Courthouse located at 500 Indiana Avenue Northwest, Washington, D.C. 20001. Failure to appear may result in dismissal, default, or sanctions.

**IT IS SO ORDERED.**

**DATE: March 14, 2024**



**LAURA E. CRANE**  
Associate Judge

**Copies to:**

Rashed Bailey  
Rashed.bailey75@gmail.com  
*via email*  
*Plaintiff*

Rasheer Jenkins  
Rasheerjenkins2213@gmail.com  
*via email/Alternative Service by Posting*  
*Defendant*