SUPERIOR COURT FOR THE DISTRICT OF COLUMBIA FAMILY DIVISION DOMESTIC RELATIONS BRANCH

GENET TADESSE	:	Case No. 2022 DRB 1580
Plaintiff,	:	
	:	
V.	:	
	:	
BERHANE TESFAZGHI	:	Judge Julie H. Becker
Defendant.	:	
	:	

ORDER GRANTING PLAINTIFF'S MOTION FOR ALTERNATIVE SERVICE

This matter comes before the Court on plaintiff Genet Tadesse's motion for alternative service, filed July 29, 2022. In her motion, Ms. Tadesse seeks to serve defendant Berhane Tesfazghi by posting. She has not been able to serve Mr. Tesfazghi.

Before an order allowing service by publication or posting may be issued, Ms. Tadesse must demonstrate that she made a diligent but futile effort to locate Mr. Tesfazghi, 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 have been made in the effort to ascertain the Defendant's present address.

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

In this case, the Court finds that Ms. Tadesse has performed a diligent search for Mr. Tesfazghi. Ms. Tadesse represents that she last lived with Mr. Tesfazghi in Ethiopia, that she separated from Mr. Tesfazghi in 2008, and that she has not had any contact with him since that

year. Plf.'s Mot. For Alternative Service ¶¶ 4-5. She also represents that neither she nor any of her family members has any contact information for him, including a physical address, work address, email address, phone number, or social media account. *Id.* at ¶¶ 7, 11. Ms. Tadesse further writes that she does not have contact information for any of Mr. Tesfazghi's family members, and that she posted a notice to her Facebook account seeking information about him and did not receive any responses. *Id.* at ¶¶ 9, 12. Ms. Tadesse writes that she has no reason to believe that Mr. Tesfazghi is or recently has been in the United States. *Id.* at ¶ 6. She further represents that the cost of publishing would cause her substantial hardship, as she receives Medicaid/DC Healthcare Alliance benefits and qualified for an *in forma pauperis* waiver to file her case with this Court. *Id.* at 3.

Based on the foregoing, the Court finds that Ms. Tadesse has made diligent efforts to locate Mr. Tesfazghi. In addition, the Court finds that Ms. Tadesse has demonstrated that publication pursuant to SCR-Dom. Rel. Rule 4(f) would impose a substantial financial hardship. *See* D.C. Code § 13-340(a). Therefore, the Court authorizes service by posting of the below notice for a period of twenty-one days in the Clerk's office of the Family Division.

Accordingly, based on the record of this case, it is this 11th day of August, 2022, hereby **ORDERED** that Plaintiff's Motion for Alternative Service is **GRANTED**. It is further

ORDERED that the attached notice shall be posted in the Clerk's Office of the Family Division of the Superior Court of the District of Columbia and on its website for a period of twentyone calendar days in order to serve Defendant Berhane Tesfazghi, and notify him of the present action in which he is a party. It is further

ORDERED that the initial hearing scheduled for September 2, 2022 is **VACATED**. It is further

ORDERED that parties shall appear **in person** for an initial hearing on October 28, 2022 at 10:15am in Courtroom 101 (500 Indiana Avenue, NW, Washington, DC 20001). **This will be your only notice. You will not receive a reminder by email.** Failure to appear may result in issuance of a default, a dismissal, or sanctions. It is further

ORDERED that if Mr. Tesfazghi does not file a responsive pleading within twenty (20) days of receiving notice from posting pursuant to SCR-Dom. Rel. Rule 12(a), the Court will enter default by order against him.

Julie H. Becker

Associate Judge

Copies to:

Genet Tadesse AMAF4706@GMAIL.COM Plaintiff

Berhane Tesfazghi 02 Kebele #120 Debre Tabor, Ethiopia *Defendant*

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BERHANE TESFAZGHI	:	Judge Julie H. Becker
Defendant.	:	
	:	

NOTICE OF CUSTODY PROCEEDING

BERHANE TESFAZGHI, YOU ARE HEREBY NOTIFIED THAT a petition for custody of the children Afomey Tesfazghi (DOB: 11/22/2008) and Amaniel Tesfazghi (DOB: 10/28/2005) has been filed in the above-captioned matter.

IF YOU WANT TO CHALLENGE THIS PETITION, you must file a written objection with the Court within twenty (20) days of receiving notice and prior to the hearing scheduled for October 28, 2022 at 10:15am in Courtroom 101 (500 Indiana Avenue, NW, Washington, DC 20001). If you do not file a written objection within twenty (20) days of receiving notice, default may be entered against you. Your objection should be directed to the Domestic Relations Branch Clerk, Family Court, Superior Court of the District of Columbia, 500 Indiana Avenue NW, Washington, DC 20001.

IF YOU DO NOT WANT TO CHALLENGE THIS PETITION, you may consent to the relief sought prior to the hearing scheduled for October 28, 2022 at 10:15am. For more information on how to file a consent answer, please contact the Self-Help Center, phone number (202) 879-0096 and located at JM-570, Superior Court of the District of Columbia, 500 Indiana Avenue NW, Washington, DC 20001.

FAILURE TO RESPOND IN THIS MATTER MAY RESULT IN THE ENTRANCE OF A PERMANENT CUSTODY ORDER WITHOUT YOUR PARTICIPATION.