

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

MARIA LUISA VAQUERO-BARRERA, :
 :
 Plaintiff, :
 :
 v. : Case No. 2022 DRB 000551
 : Judge Kelly Higashi
 : Next Event: Status Hearing
 JUAN DE LA CRUZ-MARTINEZ, : Date: August 19, 2022 at 9:00 AM
 :
 Defendant. :

**ORDER INSTRUCTING CLERK’S OFFICE TO POST NOTICE
AND CONTINUING JULY 6, 2022 STATUS HEARING**

This matter is set to come before the Court on July 6, 2022 for an initial hearing on Plaintiff Maria Luisa Vaquero Barrera’s *Complaint for Custody and/or Visitation*, filed February 22, 2022, concerning custody of the minor child Ildamar Kimberly de la Cruz Vaquero (DOB: 12/03/2006).

Previously on May 17, 2022, the Court granted Plaintiff’s *Motion to Serve by Publication or Posting* filed on April 22, 2022. The Court found that publication would pose a financial hardship on Plaintiff and thus issued instructions that the Clerk’s Office should post notice to Defendant for a twenty-one day period in the Clerk’s Office of the Family Court and, given the Coronavirus pandemic, on the Court’s website. *See* D.C. Code § 13-340(a). Plaintiff was also instructed to file a form titled “Affidavit in Support of Default and Compliance with Servicemembers Civil Relief Act of 2003” attesting that the Defendant is not an active service member.” However, an error occurred in the Clerk’s Office, and the notice was never posted.

Therefore, the Court issues this order instructing the Clerk’s Office of the Family Court to post the attached notice for a period of twenty-one days calendar days. If Defendant fails to file a responsive pleading within the time allowed after he has been served, the Court may enter a default

and convert the next hearing into a default/*ex parte* hearing to take testimony from Plaintiff and proceed to final judgment without Defendant's participation. Further, the Court will set a status hearing on **August 19, 2022 at 9:00 AM** to allow an adequate time both for posting and for Defendant to respond.

In addition, the Court notes that Plaintiff has not yet filed an "Affidavit in Support of Default and Compliance with Servicemembers Civil Relief Act of 2003" attesting that the Defendant is not an active service member. This form is required in order to proceed if Defendant is found in default at the next hearing. This form is specific to the Family Court Division of the D.C. Superior Court and can be located by going to www.dccourts.gov, finding the "Forms" link on the bottom of the page, and then narrowing the search by selecting "Family" from the "Category" drop-down list. The form is listed under the title "Affidavit in Support of Default." Furthermore, the Court informed Plaintiff that she could visit the "Servicemembers Civil Relief Act (SCRA) Website" at <https://scra-e.dmdc.osd.mil/scra/#/home> and receive a printout regarding Defendant Price's active service status if Plaintiff knows Defendant's date of birth and social security number. If Plaintiff does not have Defendant's social security number, she may still mail the form to the mailing address provided on the website. Plaintiff was also encouraged to contact the Family Court's Self-Help Center at (202) 879-1212 or the Family Law Assistance Network ("FLAN") at (202) 844-5428 for assistance in completing the required form.

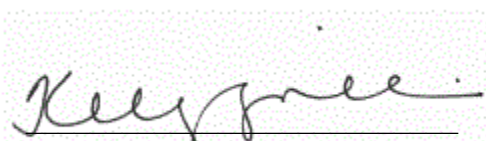
Accordingly, it is this **5th** day of **July, 2022**, hereby

ORDERED that the attached notice enclosed at the end of this Order shall be posted in the Clerk's Office of the Family Court of the Superior Court of the District of Columbia and on the Superior Court's website for a period of twenty-one (21) calendar days in order to serve Defendant Cruz-Martinez and notify him of the present action in which he is a party; and it is further

ORDERED that prior to the next scheduled hearing, Plaintiff must file an affidavit in compliance with the Servicemembers Civil Relief Act. If she needs assistance with this task, she may contact the Family Court Self-Help Center at (202) 879-1212; and it is further

ORDERED that the initial hearing set for July 6, 2022 is **CONTINUED**; and it is further

ORDERED that the parties shall appear for a status hearing in this matter on **Friday August 19, 2022 at 9:00 AM** in Courtroom 104 of the Moultrie Courthouse, 500 Indiana Ave. NW, Washington, DC 20001. **The hearing will be held in person.** Failure to appear may result in a default judgment, sanctions, or dismissal.



Kelly A. Higashi
Associate Judge

COPIES TO:

Maria Luisa Vaquero Barrera
VAQUERO.MARIA123@GMAIL.COM
Via Email
Plaintiff

Juan de la Cruz-Martinez
4408 Texas Ave. SE
Washington, DC 20019
Via First-Class Mail
Defendant

MARIA LUISA VAQUERO-BARRERA,	:	
	:	
Plaintiff,	:	
	:	Case No. 2022 DRB 001750
v.	:	Judge Kelly Higashi
	:	Next Event: Status Hearing
JUAN DE LA CRUZ-MARTINEZ,	:	Date: August 19, 2022 at 9:00 AM
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Defendant.	:	

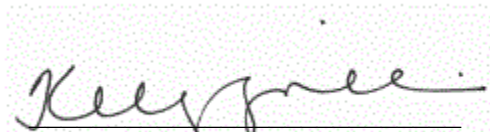
NOTICE OF CUSTODY PROCEEDING

JUAN DE LA CRUZ-MARTINEZ, YOU ARE HEREBY NOTIFIED THAT a complaint for custody has been filed in the above-captioned matter.

IF YOU WANT TO CHALLENGE THIS COMPLAINT, you must file a written objection with the Court within 21 days, and appear for the status hearing scheduled for August 19, 2022 at 9:00 a.m. in Courtroom 104. If you do not file a written objection within 21 days or appear at the hearing, default may be entered against you and the status hearing may be converted to a default/ex parte proof hearing, and judgment entered without further proceedings. Your objection should be emailed to FamilyCourtCIC@dcsc.gov, and 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 COMPLAINT, you may consent to the relief sought prior to the status hearing scheduled for August 19, 2022 at 9:00 a.m. in Courtroom 104. For more information on how to file a Consent Answer, please contact the Family Court Self-Help Center by telephone number (202) 879-0096.

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


Kelly A. Higashi
 Associate Judge