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

Cintya Marisol Guerra Mercado)	
)	
Plaintiff,)	
v.)	**Case No. 2022 DRB 1719**
)	
Miguel Angel Menjivar)	**Magistrate Judge Julie Breslow**
)	**Hearing Date: 9/15/22, 3:00 PM**
Defendant.)	
)	

<u>**ORDER GRANTING MOTION TO AUTHORIZE SERVICE BY POSTING**</u>

This matter is before the Court upon consideration of Plaintiff's Motion to Authorize

Service by Posting on Defendant Miguel Angel Menjivar. The instant case involves a Complaint

for Custody for one Minor Child, filed June 3, 2022. Plaintiff has filed an extensive motion,

providing the details of her diligent search for Defendant. For the sake of brevity, the Court will

not repeat those details herein. It suffices to say that the Court is satisfied that Plaintiff has made

a diligent investigation of Defendant's whereabouts for purposes of ordinary service of process.

The search was not successful. Furthermore, Plaintiff has given an adequate explanation of why

she should be allowed to serve Defendant through posting in the Clerk's Office or on the Court's

website at **https://www.dccourts.gov/services/serve-notice** rather than by publication in a

newspaper. The reason is economic.

WHEREFORE, it is hereby,

ORDERED that Plaintiff's Motion to Authorize Service by Posting is **GRANTED**; and

it is

FURTHER ORDERED, that Plaintiff is authorized to serve Defendant Miguel Angel

Menjivar, the father of the Minor Child, J.I.G.M. (DOB: 04/03/2008), by posting on the Superior

Court for the District of Columbia's website for a period of twenty-one (21) days, starting from the date of this order; and it is
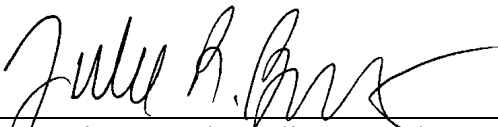
FURTHER ORDERED that if Defendant does not file a responsive pleading within twenty-one (21) days after service pursuant to the Rules Governing Domestic Relations Proceedings, Rule 12(a), or appear at the hearing, Plaintiff may file a motion for default and the Court may enter default by order and may convert the next hearing into a default/ex parte hearing to take testimony from Plaintiff and file a final judgment without Defendant's participation; and it is

FURTHER ORDERED, that if Plaintiff is seeking a default judgment, prior to the next scheduling hearing, Plaintiff shall file an Affidavit in Compliance with the Servicemembers Civil Relief Act; and it is

FURTHER ORDERED, that the parties shall appear for a remote hearing on **September 15, 2022 at 3:00 P.M. on WebEx 99**.

      SO ORDERED.

<u>**August 9, 2022**</u>
Date
                          Magistrate Judge Julie R. Breslow
                          District of Columbia Superior Court

Copies to:

Mary Bohan, Volunteer Attorney
Mary.bohan@verizon.net
Tel: (703) 402-0840
Attorney for Plaintiff

Krista L. Pages, Volunteer Attorney
Krista_pages@abtassoc.com
Tel: (571) 246-7339
Attorney for Plaintiff
Dana K. Rubin
D.C. Volunteer Lawyers Project

5335 Wisconsin Ave., N.W., Ste. 440
Washington, DC 20015
Tel: (202) 885-5542
Attorney for Plaintiff

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

	)	
Cintya Marisol Guerra Mercado	)	
	)	
Plaintiff,	)	
v.	)	**Case No. 2022 DRB 1719**
	)	
Miguel Angel Menjivar	)	**Magistrate Judge Julie Breslow**
	)	**Hearing Date: 9/15/22, 3:00 PM**
Defendant.	)	
	)	

NOTICE OF CUSTODY PROCEEDING

MIGUEL ANGEL MENJIVAR, YOU ARE HEREBY NOTIFIED THAT a complaint for custody has been filed in the above-captioned matter for the Minor Child J.I.G.M. (DOB: 04/03/2008)

IF YOU WANT TO CHALLENGE THIS COMPLAINT, you must file a written objection with the Court within twenty-one (21) days, and appear for the hearing scheduled for **September 15, 2022 at 3:00 p.m. on Webex 99**, that will be held remotely due to the coronavirus pandemic. Instructions to appear remotely are stated below, and can be obtained in writing by contacting the chambers of Judge Breslow at MagistrateJudgeBreslowChambers@dcsc.gov in advance of the hearing.

If you do not file a written objection within twenty-one (21) days or appear at the hearing, default may be entered against you, the hearing may be converted to a default/ex parte proof hearing and judgment may be 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, D.C. 20001.

IF YOU DO NOT WANT TO CHALLENGE THIS COMPLAINT, you may consent to the relief sought prior to the hearing scheduled for **September 15, 2022 at 3:00 p.m. on Webex 99**. For more information on how to file a Consent Answer, please contact the Family Court Self-Help Center by telephone (202) 879-0096.

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

INSTRUCTIONS TO PARTICIPATE IN A REMOTE HEARING:

The Court prefers participation by video and below are two options to attend by video. If a participant does not have a device that allows for video participation, participating by telephone is acceptable, and there is one option to do so below. Should you encounter any difficulties, please email MagistrateJudgeBreslowChambers@dcsc.gov

PLEASE NOTE:

When you log in to the remote courtroom, there may already be a hearing in progress. Please wait for the courtroom clerk to address you and mute your video/phone whenever you are not speaking.

** Or**

The Courtroom may be "locked" and you will be put into a "lobby" and the Courtroom clerk will admit you to the courtroom at the appropriate time

To access the remote courtroom by computer with video (two options):
  (1) Open Web Browser in Google Chrome and copy and paste following address:
      https://dccourts.webex.com/meet/ctb99
OR
  (2) Open Web Browser in Google Chrome and copy and paste following address:
      https://dccourts.webex.com. Select JOIN, enter ACCESS CODE: **129 820 3161 # (you may have to hit # a second time)**

To access the remote courtroom by smartphone or tablet with video:
Go to App Store, Download WebEx App (Cisco WebEx Meetings), Select Join Meeting, Enter URL: https://dccourts.webex.com/meet/ctb99, enter your name and e-mail.

To access the remote courtroom by phone, no video:
Call 1 (202) 860-2110 and enter ACCESS CODE **129 820 3161#, then hit # again.**