

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

TONYA WASHINGTON,

Plaintiff,

v.

DANIEL WASHINGTON ET AL,

Defendant.

**Case No. 2024 DRB 002581
Judge Kenia Seoane Lopez**

ORDER CONCERNING PENDING MOTIONS

This matter is before the Court on Plaintiff Tonya Washington's *Complaint for Third Party Custody* of the minor children Egypt Washington (DOB: 04/21/2011) and Arizona Washington (DOB: 12/27/2012). Pending before the Court are several motions: (i) the guardians ad litem (the "GALs") *Motion to Continue Trial* filed on July 14, 2025, (ii) the GALs *Motion Requesting Virtual Appearance* filed on July 28, 2025, (iii) Plaintiff's *Motion to Allow Service by Posting* filed on July 29, 2025, and (iv) Plaintiff's *Motion to Appear Remotely* filed on July 30, 2025. The Court will deny the *Motion to Continue the Trial* for the reasons stated herein and grant the remaining three motions.

This matter is currently set to go to trial on September 17, 18, and 19, 2025 from 10:00 AM to 4:45 PM each day. The GALs have requested the trial be continued. In support of this, the GALs cite that the Defendant Daniel Washington is scheduled to be sentenced on September 26, 2025 in a related criminal matter in which he pled guilty to (1) attempted second degree child sexual abuse with aggravating circumstance and (2) second degree cruelty to children. The GALs request the Court continue the trial until after his sentencing. According to the GALs, continuing

the trial until after the sentencing would allow for a clearer picture of what sentence the Defendant is going to receive, as well as provide additional time for any final settlements in this matter.

The Court will deny this request. Given the uncertainty of where the Defendant may be held, and the potential long delay in scheduling a later trial given the Court's schedule, the Court does not believe the trial should be continued and will deny this request. As it currently stands, the Court would likely only be able to schedule a three-day trial in April 2026, or later.

The Court will grant the request of both the GALs and the Plaintiff to appear remotely at the pre-trial hearing set on August 6, 2025, and as such, both motions related to remote appearances will be granted.

Finally, the Court will grant the Plaintiff's *Motion to Allow Service by Posting* filed on July 29, 2025. The Plaintiff is requesting to serve the minor children's biological mother, Angela Winfield, by posting in this matter.

Before an order allowing service by publication or posting may be issued, the Plaintiff must demonstrate that they made a diligent but futile effort to locate the parties, 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 the Plaintiff has made diligent efforts to serve the Defendant Winfield, the biological mother of the minor children. The Plaintiff has attempted to contact the Defendant through social media and by going to a local pawn shop that, at one point, had been frequented by the Defendant Winfield. It is undisputed that the Defendant has not been involved with or seen the minor child in more than four years. The Plaintiff and the guardians ad litem have been unable to contact or locate the Defendant Winfield, and the Plaintiff has no ways to contact the Defendant Winfield.

Based on the foregoing, the Court finds that Plaintiff has made diligent efforts to locate Defendant Winfield. The Court next considers Plaintiff's request for service by posting, rather than publication. Pursuant to the Rules Governing Domestic Relations Proceedings, Rule 4(f), 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. *See* D.C. CODE § 13-340(a). The Plaintiff qualifies for as she has already been approved to file this case without paying any fees. Thus, the Court finds that publication would pose a financial hardship and authorizes service by posting of the below notice for a period of twenty-one (21) days in the Clerk's Office on the Court's website.

It is, September 9, 2025 hereby

ORDERED that the guardians ad litem's *Motion to Continue Trial* is hereby **DENIED**.

It is further

ORDERED that the guardians ad litem's *Motion for Virtual Appearance* and the Plaintiff's *Motion to Appear Remotely* to the August 6, 2025 pre-trial hearing are hereby **GRANTED**. It is further

ORDERED, that Plaintiff's *Motion to Allow Service by Posting* is **GRANTED**. It is

further

ORDERED, that prior to the next scheduled hearing, **Plaintiff must file an affidavit in compliance with the Servicemembers Civil Relief Act**, which includes certification from the Department of Defense Manpower Center that Defendant Angela Winfield is not a current member of the military or contains facts from Plaintiff's personal knowledge that would support that finding. Plaintiff may contact the Family Court Self-Help Center at (202) 879-1212 for assistance with this obligation. 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 Superior Court's website for a period of twenty-one (21) calendar days in order to serve the Plaintiff and the Defendant and notify them of the present action in which they are parties. It is further

ORDERED that parties shall appear for a pre-trial hearing in this matter on August 6, 2025, at 3:45 PM in Courtroom 104 of the Moultrie Courthouse, 500 Indiana Avenue NW, Washington, DC 20001. **The Plaintiff and the guardians ad litem may appear virtually via the following link: <https://dccourts.webex.com/meet/ctb104>** Failure to appear may result in a default judgment, sanctions, or dismissal. It is further

ORDERED that the Temporary Custody Order issued on August 13, 2024 remains in effect.

IT IS SO ORDERED.



Date: September 9, 2025

JUDGE KENIA SEOANE LOPEZ
ASSOCIATE JUDGE

Copies to:

Schantell S. Comegys and Luer Yin
Via CaseFileXpress and Email
Counsel for the Plaintiff

Daniel Washington
Via U.S. Mail
D.C. Department of Corrections
1901 D. Street SE
Washington D.C., 20003
Defendant

Anna Perina, Hedda Garland and Nellie Phelen
Guardians ad litem
Via Email and CaseFileXpress

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

TONYA WASHINGTON,

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**DANIEL WASHINGTON and
ANGELA WINFIELD,**

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Case No. 2024 DRB 002581

NOTICE OF COMPLAINT FOR THIRD PARTY CUSTODY

ANGELA WINFIELD YOU ARE HEREBY NOTIFIED THAT a *Complaint for Third Party Custody* has been filed against you 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 pre-trial hearing scheduled for August 6, 2025 at 3:45 PM in Courtroom 104 or the trial scheduled in this matter scheduled for September 17, 2025, September 18, 2025, or September 19, 2025 at 10:00 AM in Courtroom 104 of the Moultrie Courthouse at 500 Indiana Ave NW, Washington, DC 20001. If you do not file a written objection within 21 days or appear at the afore mentioned hearings, default may be entered against you, and judgment entered without your participation. 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 pre-trial hearing scheduled for August 6, 2025 at 3:45 PM in Courtroom 104 or the trial scheduled in this matter scheduled for September 17, 2025, September 18, 2025, or September 19, 2025 at 10:00 AM in Courtroom 104 of the Moultrie Courthouse at 500 Indiana Ave NW, Washington, DC 20001. 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.



KENIA SEOANE LOPEZ
D.C. SUPERIOR COURT JUDGE

Copies to:

Schantell S. Comegys and Luer Yin
Via CaseFileXpress and Email
Counsel for the Plaintiff

Daniel Washington
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1901 D. Street SE
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