

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

SHAKEELAH MUJAAHIDA ALI, :
Plaintiff, :
 :
v. : **Case No. 2022 DRB 638**
 : **Judge Darlene M. Soltys**
 : **Next Date: August 3, 2022**
HARRY D LANE JR, :
Defendant. :

ORDER GRANTING PLAINTIFF’S MOTION TO SERVE BY POSTING

This matter is before the Court on Plaintiff Shakeelah Ali’s *Motion to Serve by Publication or Posting* filed on May 11, 2022. An initial hearing is scheduled on August 3, 2022 on Plaintiff’s *Complaint for Absolute Divorce* filed on March 2, 2022. Plaintiff’s motion seeks authorization for alternative service because she has been unable to locate and serve Defendant Harry Lane Jr.

Before an order allowing service by publication or posting may be issued, Plaintiff 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 has demonstrated that she performed a diligent search for Defendant and that further efforts would be futile. Plaintiff avers that she does not know Defendant’s current address or telephone. Her Complaint indicates that the parties separated in 2018, and the motion states that

she last saw Defendant in September of 2018. Plaintiff attempted to serve Defendant via certified mail, sending the Summons and Complaint to Defendant's last known address (710 Farragut St NW). Plaintiff took additional steps to locate Defendant, which are outlined in her motion. She contacted Defendant's sister in July 2021 and was told that Defendant's sister didn't know where her brother was. She called the "411" operator and was told there was no listing for Defendant. Plaintiff also contacted the Bureau of Prisons, Correctional Treatment Facility, District of Columbia Jail, and US Parole Commission, none of which indicated that Defendant was in custody. The Court takes judicial notice that there is still a pending bench warrant for Defendant's arrest in an undisposed 2019 criminal case in the District of Columbia. Plaintiff also used conducted a Service Members Civil Relief Act web search, which indicated that Defendant is not a current member of the military.

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's request for alternative 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 has demonstrated that the cost of publication would impose a substantial financial hardship because she has already been allowed to file this case without payment of court costs. 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. If Defendant fails to file a responsive pleading within the time allowed after he 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 and


file a final judgment without Defendant's participation.

Wherefore, it is on this 17th day of May, 2022, hereby

ORDERED, that Plaintiff's *Motion to Serve by Publication or Posting* is **GRANTED**. It is further

ORDERED, that parties shall appear for an initial hearing on **August 3, 2022 at 10:30am** in Courtroom 103 (500 Indiana Ave NW, Washington, DC 20001). If the hearing is conducted remotely, instructions to participate are attached. Failure to appear may result in the issuance of a default, default judgment, a dismissal, or sanctions.

IT IS SO ORDERED.



DARLENE M. SOLTYS
JUDGE

Copies to:

Shakeelah Ali
5537 Illinois Ave NW Apt B
Washington, DC 20011
ALISHAKEELAH2@GMAIL.COM
Via Email
Plaintiff

Harry Lane Jr. – no known address

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 JudgeSoltysChambers@dcsc.gov.

****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.****

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/ctbjm3>

OR

(2) Open Web Browser in Google Chrome and copy and paste following address:
<https://dccourts.webex.com>. Select JOIN, enter ACCESS CODE: **129 444 8680**

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/ctbjm3>, enter your name and e-mail.

To access the remote courtroom by phone, no video:

Call 1 (202) 860-2110 and enter ACCESS CODE **129 444 8680#**, then hit # again.

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	:	Next Date: August 3, 2022
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NOTICE OF DIVORCE PROCEEDING

HARRY LANE JR, YOU ARE HEREBY NOTIFIED THAT a complaint for absolute divorce has been filed in the above-captioned matter.

IF YOU WANT TO CHALLENGE THIS COMPLAINT, you must file a written objection with the Court by June 17, 2022, and prior to the status hearing scheduled for August 3, 2022 at 10:30 a.m. in Courtroom JM-3 (accessible at <https://dccourts.webex.com/meet/ctbjm3>, or by dialing (202) 860-2110 and entering Meeting ID 129 444 8680, followed by "###"). If you do not file a written objection by June 17, 2022, default may be entered against you and the next status hearing may be converted to a default/*ex parte* proof hearing. 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 COMPLAINT, you may consent to the relief sought prior to the initial hearing scheduled for August 3, 2022 at 10:30 a.m. in JM-3. For more information on how to file a Consent Answer, please contact the Self-Help Center, telephone 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
JUDGMENT OF ABSOLUTE DIVORCE WITHOUT YOUR PARTICIPATION