

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

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MIRIAN GUARDADO ALBERTO,	)	
<i>Plaintiff,</i>	)	
	)	
v.	)	CASE NO. 2024 DRB 2826
	)	MAGISTRATE JUDGE BRESLOW
MARVIN OMAR MENJIVAR CASTILLO,	)	NEXT EVENT: 12/11/24, 2:00PM
<i>Defendant.</i>	)	

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**ORDER GRANTING PLAINTIFF'S MOTION FOR ALTERNATIVE SERVICE BY POSTING**

This matter is before the Court upon consideration of Plaintiff Mirian Guardado Alberto's ("Plaintiff") Motion for Alternative Service by Posting on Defendant Marvin Omar Menjivar Castillo ("Defendant") filed on September 3, 2024. The instant case involves a Complaint for Custody for one Minor Child. Plaintiff has filed a motion providing the details of her diligent search for Defendant, whose whereabouts are unknown. The court will not repeat those details herein. 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 and on the Court's website at <https://dccourts.gov/services/serve-notice> rather than by publication in a newspaper. The reason is economic.

**ORDERED** that Plaintiffs Motion for Alterative Service by Posting is hereby **GRANTED**; and it is

**FURTHER ORDERED** that Plaintiff may serve Defendant Marvin Omar Menjivar Castillo the father of the Minor Child, L.A.M.G. (DOB: 2/14/2008) by posting on the Superior

Court for the District of Columbia's website for a period of twenty-one (21) calendar days and in the Domestic Relations Clerk's Office, starting with the date of this order; and it is

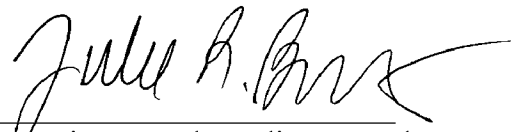
**FURTHER ORDERED** that if Defendant Marvin Omar Menjivar Castillo does not file a responsive pleading within twenty-one (21) days after service pursuant to the Rules Governing Domestic Relations Proceedings, Rule 12(a), Plaintiff may file a motion for default and the Court may enter default by order and may convert the next hearing into a default/*ex parte* hearing to take testimony from Plaintiff and file a final judgment without Defendant Marvin Omar Menjivar Castillo'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 a hearing on Plaintiff's Complaint for Custody and Motion for Special Immigrant Juvenile Status is scheduled for **December 11, 2024 at 2:00 p.m.** before Magistrate Judge Julie R. Breslow remotely on WebEx 99. Instructions on how to appear remotely are attached to this order; and it is

**SO ORDERED.**

September 4, 2024  
Date

  
Magistrate Judge Julie R. Breslow  
District of Columbia Superior Court

*Copy served by CaseFileXpress to:*

Courtney Federico, Esq.  
D.C. Volunteer Lawyers Project  
5335 Wisconsin Ave., N.W., Ste. 440  
Washington, DC 20015  
*Attorney for Plaintiff*

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<b>MIRIAN GUARDADO ALBERTO,</b>	)	
<i>Plaintiff,</i>	)	
	)	
v.	)	<b>CASE NO. 2024 DRB 2826</b>
	)	<b>MAGISTRATE JUDGE BRESLOW</b>
<b>MARVIN OMAR MENJIVAR CASTILLO,</b>	)	<b>NEXT EVENT: 12/11/24, 2:00PM</b>
<i>Defendant.</i>	)	

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**NOTICE OF CUSTODY PROCEEDING**

**MARVIN OMAR MENJIVAR CASTILLO, 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 twenty-one (21) days, and appear for the hearing scheduled for **December 11, 2024 at 2:00 p.m. on Webex 99 or in-person in Courtroom HR-99 of the Moultrie Courthouse, 500 Indiana Avenue, NW, Washington, D.C. 20001**, 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@dsc.gov](mailto:MagistrateJudgeBreslowChambers@dsc.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@dsc.gov](mailto:FamilyCourtCIC@dsc.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 **December 11, 2024 at 2:00 p.m. on Webex 99 or in-person in Courtroom HR-99 of the Moultrie Courthouse, 500 Indiana Avenue, NW, Washington, D.C. 20001**. 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@dcdc.gov](mailto:MagistrateJudgeBreslowChambers@dcdc.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.

## **INSTRUCCIONES PARA PARTICIPAR EN UNA AUDIENCIA A DISTANCIA:**

El Tribunal prefiere la participación por video. A continuación, se presentan dos opciones para comparecer por video. Si un participante no tiene un dispositivo que permita la participación por video, se acepta la participación por teléfono, y se presenta una opción para hacerlo a continuación. Si tiene alguna dificultad, envíe un mensaje por correo electrónico a [MagistrateJudgeBreslowChambers@dsc.gov](mailto:MagistrateJudgeBreslowChambers@dsc.gov).

### **POR FAVOR TENGA EN CUENTA:**

Cuando ingrese a la sala del Tribunal a distancia, es posible que ya haya una audiencia en curso. Por favor, espere a que el secretario de la sala se dirija a usted y silencie su video/teléfono en todo momento que no esté hablando.

**\*\*O\*\***

La sala puede estar “cerrada”. En ese caso, se le dirigirá a un “vestíbulo” y el secretario de la sala lo admitirá en la sala en el momento correspondiente.

### **Para acceder a la sala a distancia por computadora con video (dos opciones):**

- (1) Abra el navegador web en Google Chrome y copie/pegue la siguiente dirección:  
<https://dccourts.webex.com/meet/ctb99>

**O**

- (2) Abra el navegador web en Google Chrome y copie/pegue la siguiente dirección:  
<https://dccourts.webex.com>. Seleccione JOIN (entrar) y escribe el CÓDIGO DE ACCESO: **129 820 3161 # (es posible que tenga que escribir # dos veces)**

### **Para acceder a la sala a distancia mediante un teléfono inteligente o una tableta con video:**

Vaya a la App Store, descargue la aplicación de WebEx (Cisco WebEx Meetings), seleccione Join Meeting (entrar a reunión), escriba la URL: <https://dccourts.webex.com/meet/ctb99>, y escriba su nombre y correo electrónico.

### **Para acceder a la sala a distancia por teléfono, sin video:**

Llame al (202) 860-2110 y marque el CÓDIGO DE ACCESO **129 820 3161#** y marque # de nuevo.