

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

ANTONIO LAMONT BUTLER,

Plaintiff,

v.

**Case No. 2018 DRBSLD 000440
Judge Kenia Seoane Lopez**

IL'ARONA ELKERSON,

Defendant,

v.

WANDA CHILDS,

Intervenor.

SCHEDULING ORDER AND ORDER FOR SERVICE BY POSTING

This matter came before the Court on February 21, 2025 for a status hearing on Intervenor's *Motion to Intervene* and included *Motion to Modify Custody* filed on September 5, 2024. Plaintiff Antonio Butler's original *Complaint for Custody* was filed on February 7, 2018. The Intervenor Wanda Childs appeared virtually *pro se*. Guardian ad litem (GAL) Phillip Vieira also appeared virtually.

The Intervenor Wanda Childs filed the instant *Motions* on September 5, 2024. The Intervenor filed a *Motion for Alternative Service* on December 23, 2024, requesting that the Court allow her to serve her *Motion to Intervene* and the included *Motion to Modify Custody* on the Plaintiff and the Defendant by posting, as she has been unable to find or serve the Plaintiff or the Defendant despite significant and diligent efforts to do so.

Before an order allowing service by publication or posting may be issued, the Intervenor 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 Intervenor has made diligent efforts to serve the Plaintiff and the Defendant. She has mailed documents to the last known addresses of the parties, sent the documents multiple times over email, has contacted all known relatives that she is aware of to try to find the parties current location, has conducted a records search to see if the parties are in the military or currently incarcerated in the federal system, Washington D.C., Virginia, or Maryland, has contacted the last known employer of the Defendant Il'Arona Elkerson, and has attempted to find the Defendant Elkerson on Georgia Avenue in Washington D.C., where she has previously spent significant time. The Intervenor made similar efforts to find the Plaintiff, though she has no information regarding his last employer and was not able to find such information. According to the Intervenor, she believes both parties suffer significant substance abuse and mental health issues.

Based on the foregoing, the Court finds that Plaintiff has made diligent efforts to locate parties. The Court next considers Intervenor'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). Intervenor is retired and taking care of the minor child on a fixed retirement income and cannot afford to pay to publish the documents. 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.

WHEREFORE, it is on this February 25, 2025, hereby

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 the parties shall appear for a status hearing on April 14, 2025 at 9:30am in Courtroom 104 of the Moultrie Courthouse, 500 Indiana Avenue, N.W., Washington, DC 20001. Failure to appear at a hearing may result in the issuance of a default judgment, dismissal of the complaint, or sanctions.

IT IS SO ORDERED.



KENIA SEOANE LOPEZ
D.C. SUPERIOR COURT JUDGE

Copies to:
Wanda Childs
Via Email

Philip Viera
Guardian ad litem

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Plaintiff,	:	
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v.	:	Case No. 2018 DRBSLD 000440
	:	
IL'ARONA ELKERSON,	:	
	:	
Defendant,	:	
	:	
v.	:	
	:	
WANDA CHILDS,	:	
	:	
Intervenor	:	

NOTICE OF MOTION TO INTERVENE AND MODIFY CUSTODY

ANTONIO LAMONT BUTLER and IL'ARONA ELKERSON YOU ARE HEREBY NOTIFIED THAT a motion to intervene and a motion to modify custody has been filed in the above captioned matter.

IF YOU WANT TO CHALLENGE THIS MOTION, you must file a written objection with the Court within 21 days, and appear for the hearing scheduled for April 14, 2025 at 9:30am 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 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 MOTION, you may consent to the relief sought prior to the status hearing scheduled for April 14, 2025 at 9:30am 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.



KENIA SEOANE LOPEZ
D.C. SUPERIOR COURT JUDGE

Copies to:

Antonio Lamont Butler
By posting

Il' Arona Elkerson
By posting

Wanda Childs
By Email

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