

SHORT TITLE: GONZALEZ, BETTY BETULIA VELASQUEZ, ROBERTO	CASE NUMBER: 17CP000565
---	----------------------------

ATTACHMENT (Number): 6c*(This Attachment may be used with any Judicial Council form.)*

- (1) UCCJEA (form fl-105);
- (2) Petition to Establish Parental Relationship (FL-200);
- (3) Temporary Emergency Order (form FL-305) regarding passport for minor child;
- (4) Request for Order (form FL-300);
- (5) Memorandum of Points and Authorities in Support of Petitioner's Ex parte Request for Order; and
- (6) Declaration of Petitioner

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)

Page 1 of 1*(Add pages as required)*

PETITIONER: BETTY BETULIA GONZALEZ RESPONDENT: ROBERTO VELASQUEZ OTHER PARTY/PARENT:	CASE NUMBER: 17CP000565
--	----------------------------

INSTRUCTIONS

Publication:

1. **Publication:** Take this order to the approved newspaper for publication and pay the fee to publish the documents listed in item 6 of this order for at least once a week for four successive weeks.
2. **Proof of Service by Publication:** After the newspaper publication is complete, the newspaper will send you a declaration or affidavit of publication and a copy of the publication notice that appeared in the newspaper. You must file this declaration or affidavit of publication with the court clerk if it has not been filed by the newspaper. Be sure to make a copy for yourself.
3. **Service by Publication Completed:** Service by publication is complete at the end of the 28th day of publication in the newspaper. If no response has been filed by the respondent, the petitioner may file a *Request to Enter Default* (form FL-165) starting on the 59th day after the first day of publication.
4. **Mailing:** If during the time of publication, you locate the respondent's address, you must have someone 18 years of age or older mail the this order and all documents listed in item 6 of this order to the respondent. Be sure the person who mails these documents completes and files a proof of service of this mailing. The server may use *Proof of Service by Mail* (form FL-335).

Posting:

1. **Posting Location:** You must have someone, 18 years of age or older and not a party to the case, post a copy of this *Order for Publication or Posting* (form FL-982) and all documents listed in item 6 of this order at the court-ordered posting location leaving it posted for 28 days in a row.
2. **Mailing to last known address:** You must have someone, 18 years or older and not a party to the case, mail this *Order for Publication or Posting* (form FL-982) and all documents listed in item 6 of this order to the respondent's last known address. The person who mails these documents completes a proof of service of this mailing. The server may use *Proof of Service by Mail* (form FL-335).
3. **Proof of Service by Posting:** The person (server) who posts and/or mails these documents must complete and file a declaration under penalty of perjury of such proof of posting. The server may use *Proof of Service of Posting* (form FL-985).
4. **Service by Posting Completed:** Service by posting is complete at the end of the 28th day of posting. If no response has been filed by the respondent, the petitioner may file a *Request to Enter Default* (form FL-165) on the 59th day after the first day of posting.
5. **Mailing:** If during the time of posting, you locate the respondent's address, you must have someone 18 years of age or older mail the this order and all documents listed in item 6 of this order to the respondent. Be sure the person who mails these documents completes and files a proof of service of this mailing. The server may use *Proof of Service by Mail* (form FL-335).

<p>ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): MICHAEL E. LONICH, ESQ LONICH & PATTON LLP 1871 The Alameda, Suite 400 San Jose, CA 95126 TELEPHONE NO.: (408) 553-0801 E-MAIL ADDRESS (Optional): arevelo@lonichandpatton.com ATTORNEY FOR (Name): Betty Betulia Gonzalez</p>	<p>FOR COURT USE ONLY</p> <p>ENDORSED FILED</p> <p>2018 MAY 23 A 10:03</p> <p>L. PASION</p>
<p>SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA STREET ADDRESS: 201 N. First Street MAILING ADDRESS: 191 N. First Street CITY AND ZIP CODE: San Jose, CA 95113 BRANCH NAME: Family Justice Center</p>	
<p>PETITIONER: BETTY BETULIA GONZALEZ RESPONDENT: ROBERTO VELASQUEZ OTHER PARTY/PARENT:</p>	
<p>APPLICATION FOR ORDER FOR <input checked="" type="checkbox"/> PUBLICATION OR <input type="checkbox"/> POSTING</p>	<p>CASE NUMBER: 17CP000565</p>

1. **Publication Request:** The petitioner requests that the court issue an order directing service of the summons listed in item 3 based on Code of Civil Procedure section 413.30, and that the summons be published in the following newspaper of general circulation (name of proposed newspaper of general circulation where respondent is most likely to receive actual notice):
Global Legal Notices

2. **Posting Request:** The petitioner requests that the court issue an order directing service of the summons listed in item 3 by posting at the location listed below. The petitioner has submitted a *Request to Waive Court Fees* (form FW-001). This request is based on Code of Civil Procedure section 413.30.
 Posting location (name, city, and state of proposed location to post where respondent is most likely to receive actual notice):

3. The legal documents to be served are:
- a. *Summons (Family Law)* (form FL-110)
 - b. *Summons (Uniform Parentage—Petition for Custody and Support)* (form FL-210)
 - c. Other (specify):
 - (1) UCCJEA (form fl-105);
 - (2) Petition to Establish Parental Relationship (FL-200);
 - (3) Temporary Emergency Order (form FL-305) regarding passport for minor child;
 - (4) Request for Order (form FL-300);
 - (5) Memorandum of Points and Authorities in Support of Petitioner’s Ex parte Request for Order; and
 - (6) Declaration of Petitioner

PETITIONER: BETTY BETULIA GONZALEZ RESPONDENT: ROBERTO VELASQUEZ OTHER PARTY/PARENT:	CASE NUMBER: 17CP000565
--	----------------------------

4 The respondent cannot with reasonable diligence be served in any manner specified in Code of Civil Procedure sections 415.10 through 415.40 based on the declaration below.

5. Declaration:

Describe how you tried to find the respondent. This search may include checking with respondent's last known address; respondent's friends and family, respondent's current and past employers and any unions, Internet research, and the tax assessor records in the county of respondent's last known address or any county in which you think the respondent may live. List all steps, the date you took each step, and the results. (You may want to check with your local court's self-help center or the California courts on-line self-help center for additional ideas about how to locate someone).

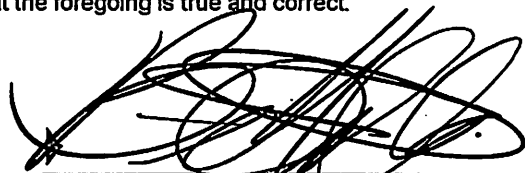
- a. I last saw or had contact with the respondent on (date): September 18, 2004
at (location): Modesto, CA
- b. The last address I have for respondent is: Las Colonias Cenobio Moreno, Munisipio de Michoacan, Mexico
- c. The last work or business address I have for respondent is: Not applicable. Respondent has never had a job.
- d. I have taken the following steps to try to find the respondent:
Please see the attached declaration.

- Continued on the attached declaration. Number of pages attached: 4
- Search results attached.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 5/15/18

Betty Gonzalez
(TYPE OR PRINT NAME)


(SIGNATURE OF PETITIONER)

ATTACHMENT TO FL-980
DECLARATION OF PETITIONER BETTY BETULA GONZALEZ IN SUPPORT OF
REQUEST FOR SERVICE BY PUBICATION

1 I, BETTY BETULIA GONZALEZ, declare as follows:

2 I submit this declaration upon my own personal knowledge of the facts herein and if
3 called as a witness could and would competently testify thereto. I make this Declaration in
4 support of my Request for Service by Publication.

5 FACTUAL BACKGROUND

6 1. Respondent, Roberto Velaquez (hereinafter "Father") and I have one child in
7 common, Reina Guadalupe Velasquez Gonzalez (DOB: 10/31/14, age 13). Father and I have
8 not been married.

9 2. Mother has been the primary caregiver for Reina since she was born. Father
10 and Reina have no relationship. Since Reina's birth, Father was incarcerated. After his
11 release, Father moved to Mexico. He has continued having no contact with our daughter.

12 ATTEMPTS TO LOCATE AND SERVE RESPONDENT

13 3. The last time I saw Father was on or around September 19, 2004 in Modesto,
14 California. That same day, Father was arrested for possession of controlled substances and
15 incarcerated in Fresno County for approximately twelve years. After Father was released
16 from prison, I was advised that Father was deported to Mexico.

17 4. Prior to filing the current action, I attempted to locate Father. I contacted his
18 Mother, who advised me that Father had been residing with her in Los Colonia Senobio
19 Moreno, Munisipio de Michuacan, Mexico.

20 5. On November 2, 2017, I filed a request for the special appointment of
21 Ancillary Legal Corporation as special process server to transmit my Petition and subsequent
22 pleadings to the Mexican Minister of Foreign Affairs in order to personally serve Father. The
23 Court granted my request.

24 6. On November 10, 2017, I was notified that Ancillary Legal Corporation
25 submitted my Petition and pleadings to the Mexican Central Authority for service and that
26 service would be completed by March 8, 2018. See Exhibit 1.

27 7. I was subsequently notified that the Mexican Central Authority could not

EXHIBIT 1

Alexis Revelo

From: Rachel Frawley <rachel.frawley@ancillaryinternational.com>
Sent: Friday, November 10, 2017 9:06 AM
To: Alexis Revelo
Subject: Status Update: service on Roberto Velasquez in Mexico

Good afternoon Alexis,

Your documents for service on Roberto Velasquez in Mexico were delivered to the Central Authority in Mexico on November 8th, 2017 at 2:11 PM. We will follow up with the Central Authority on March 8, 2018 in the event that a proof of service has not yet been returned.

In addition, please note that international service under the Hague Convention does take several months before a proof will be returned from the foreign authority. The lengthy time frame for formal service via the Hague treaty is an exception to your local Court rules. We can prepare an Affidavit explaining the procedure of service under the Hague Convention if necessary.

If you have any questions, please contact our office.

Thank you for allowing Ancillary Legal Corporation to handle this important matter.

Kind regards,

Rachel Frawley
Ancillary Legal Corporation
74 Goldrush Circle
Atlanta, GA 30328
T: (770) 727-0455
rachel.frawley@ancillaryinternational.com

EXHIBIT 2



Oficio número ASJ- 63871
Expediente SRE ASJ/541/1/01488/2017
Ciudad de México, a 26 de enero de 2018

John Pierceall
Ancillary Legal Corporation
74 Goldrush Circle,
Atlanta, Georgia, 30328
United States of America

Devuelvo la carta rogatoria tramitada ante la Corte Superior de California, Condado de Santa Clara, Estados Unidos de América, deducida del caso **17CP000565**, relativo a Disolución de matrimonio, promovido por **BETTY B. GONZALEZ**, en contra de **ROBERTO VELAZQUEZ**, para que con fundamento en el "Convenio de La Haya sobre Notificación o Traslado en el Extranjero de Documentos Judiciales o Extrajudiciales en Materia Civil o Comercial"; se perfeccione lo siguiente:


h. Señalar el domicilio cierto y correcto, es decir:

Calle,	_____
Número	_____
Colonia,	Las Colonias Cenobio Moreno
Municipio	_____
Estado	Michoacán
Código Postal	_____

Lo anterior, se comunica con fundamento en los artículos 28 fracción XI de la Ley Orgánica de la Administración Pública Federal; 14 fracción VI y 33 fracción IX del Reglamento Interior de la Secretaría de Relaciones Exteriores; en relación con el "ACUERDO por el que se delegan facultades en los Servidores Públicos de la Secretaría de Relaciones Exteriores que se indican", todos los ordenamientos legales en vigor.

Atentamente

La Directora de Permisos Artículo 27 Constitucional con
fundamento en el Artículo 55 del Reglamento Interior de la
Secretaría de Relaciones Exteriores


María de Lourdes del Socorro Ochoa Neira

SUMMONS (Family Law)

CITACIÓN (Derecho familiar)

NOTICE TO RESPONDENT (Name): Roberto Velasquez
 AVISO AL DEMANDADO (Nombre):

FOR COURT USE ONLY
 (SOLO PARA USO DE LA CORTE)
E-FILED
 7/19/2017 4:58:36 PM
 Clerk of Court
 Superior Court of CA,
 County of Santa Clara
 17CP000565
 Reviewed By:K. Hirose

You have been sued. Read the information below and on the next page.
 Lo han demandado. Lea la información a continuación y en la página siguiente.

Petitioner's name is: Betty B. Gonzalez
 Nombre del demandante:

CASE NUMBER (NÚMERO DE CASO):
17CP000565

<p>You have 30 calendar-days after this <i>Summons</i> and <i>Petition</i> are served on you to file a <i>Response</i> (form <u>FL-120</u>) at the court and have a copy served on the petitioner. A letter, phone call, or court appearance will not protect you.</p> <p>If you do not file your <i>Response</i> on time, the court may make orders affecting your marriage or domestic partnership, your property, and custody of your children. You may be ordered to pay support and attorney fees and costs.</p> <p>For legal advice, contact a lawyer immediately. Get help finding a lawyer at the California Courts Online Self-Help Center (www.courts.ca.gov/selfhelp), at the California Legal Services website (www.lawhelpca.org), or by contacting your local county bar association.</p>	<p><i>Tiene 30 días de calendario después de haber recibido la entrega legal de esta Citación y Petición para presentar una Respuesta (formulario FL-120) ante la corte y efectuar la entrega legal de una copia al demandante. Una carta o llamada telefónica o una audiencia de la corte no basta para protegerlo.</i></p> <p><i>Si no presenta su Respuesta a tiempo, la corte puede dar órdenes que afecten su matrimonio o pareja de hecho, sus bienes y la custodia de sus hijos. La corte también le puede ordenar que pague manutención, y honorarios y costos legales.</i></p> <p><i>Para asesoramiento legal, póngase en contacto de inmediato con un abogado. Puede obtener información para encontrar un abogado en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en el sitio web de los Servicios Legales de California (www.lawhelpca.org) o poniéndose en contacto con el colegio de abogados de su condado.</i></p>
<p>NOTICE—RESTRAINING ORDERS ARE ON PAGE 2: These restraining orders are effective against both spouses or domestic partners until the petition is dismissed, a judgment is entered, or the court makes further orders. They are enforceable anywhere in California by any law enforcement officer who has received or seen a copy of them.</p>	<p>AVISO—LAS ÓRDENES DE RESTRICCIÓN SE ENCUENTRAN EN LA PÁGINA 2: Las órdenes de restricción están en vigencia en cuanto a ambos cónyuges o miembros de la pareja de hecho hasta que se despida la petición, se emita un fallo o la corte dé otras órdenes. Cualquier agencia del orden público que haya recibido o visto una copia de estas órdenes puede hacerlas acatar en cualquier lugar de California.</p>
<p>FEE WAIVER: If you cannot pay the filing fee, ask the clerk for a fee waiver form. The court may order you to pay back all or part of the fees and costs that the court waived for you or the other party.</p>	<p>EXENCIÓN DE CUOTAS: Si no puede pagar la cuota de presentación, pida al secretario un formulario de exención de cuotas. La corte puede ordenar que usted pague, ya sea en parte o por completo, las cuotas y costos de la corte previamente exentos a petición de usted o de la otra parte.</p>



- The name and address of the court are (*El nombre y dirección de la corte son*):
 SUPERIOR COURT OF THE STATE OF CALIFORNIA, COUNTY OF SANTA CLARA
 201 N. FIRST STREET/ 191 N. FIRST STREET
 SAN JOSE, CALIFORNIA 95113
- The name, address, and telephone number of the petitioner's attorney, or the petitioner without an attorney, are: (*El nombre, dirección y número de teléfono del abogado del demandante, o del demandante si no tiene abogado, son*):
 MICHAEL E. LONICH, ESQ., SBN 105989
 LONICH & PATTON, LLP
 SAN JOSE, CALIFORNIA 95126

Date (Fecha): 7/20/2017

Clerk, by (Secretario, por) /s/ K. Hirose, Deputy (Asistente)
Clerk of Court

STANDARD FAMILY LAW RESTRAINING ORDERS

Starting immediately, you and your spouse or domestic partner are restrained from:

1. removing the minor children of the parties from the state or applying for a new or replacement passport for those minor children without the prior written consent of the other party or an order of the court;
2. cashing, borrowing against, canceling, transferring, disposing of, or changing the beneficiaries of any insurance or other coverage, including life, health, automobile, and disability, held for the benefit of the parties and their minor children;
3. transferring, encumbering, hypothecating, concealing, or in any way disposing of any property, real or personal, whether community, quasi-community, or separate, without the written consent of the other party or an order of the court, except in the usual course of business or for the necessities of life; and
4. creating a nonprobate transfer or modifying a nonprobate transfer in a manner that affects the disposition of property subject to the transfer, without the written consent of the other party or an order of the court. Before revocation of a nonprobate transfer can take effect or a right of survivorship to property can be eliminated, notice of the change must be filed and served on the other party.

You must notify each other of any proposed extraordinary expenditures at least five business days prior to incurring these extraordinary expenditures and account to the court for all extraordinary expenditures made after these restraining orders are effective. However, you may use community property, quasi-community property, or your own separate property to pay an attorney to help you or to pay court costs.

ÓRDENES DE RESTRICCIÓN ESTÁNDAR DE DERECHO FAMILIAR

En forma inmediata, usted y su cónyuge o pareja de hecho tienen prohibido:

1. *llevarse del estado de California a los hijos menores de las partes, o solicitar un pasaporte nuevo o de repuesto para los hijos menores, sin el consentimiento previo por escrito de la otra parte o sin una orden de la corte;*
2. *cobrar, pedir prestado, cancelar, transferir, deshacerse o cambiar el nombre de los beneficiarios de cualquier seguro u otro tipo de cobertura, como de vida, salud, vehículo y discapacidad, que tenga como beneficiario(s) a las partes y su(s) hijo(s) menor(es);*
3. *transferir, gravar, hipotecar, ocultar o deshacerse de cualquier manera de cualquier propiedad, inmueble o personal, ya sea comunitaria, cuasicomunitaria o separada, sin el consentimiento escrito de la otra parte o una orden de la corte, excepto en el curso habitual de actividades personales y comerciales o para satisfacer las necesidades de la vida; y*
4. *crear o modificar una transferencia no testamentaria de manera que afecte la asignación de una propiedad sujeta a transferencia, sin el consentimiento por escrito de la otra parte o una orden de la corte. Antes de que se pueda eliminar la revocación de una transferencia no testamentaria, se debe presentar ante la corte un aviso del cambio y hacer una entrega legal de dicho aviso a la otra parte.*

Cada parte tiene que notificar a la otra sobre cualquier gasto extraordinario propuesto por lo menos cinco días hábiles antes de realizarlo, y rendir cuenta a la corte de todos los gastos extraordinarios realizados después de que estas órdenes de restricción hayan entrado en vigencia. No obstante, puede usar propiedad comunitaria, cuasicomunitaria o suya separada para pagar a un abogado que lo ayude o para pagar los costos de la corte.

NOTICE—ACCESS TO AFFORDABLE HEALTH INSURANCE: Do you or someone in your household need affordable health insurance? If so, you should apply for Covered California. Covered California can help reduce the cost you pay towards high quality affordable health care. For more information, visit www.coveredca.com. Or call Covered California at 1-800-300-1506.

AVISO—ACCESO A SEGURO DE SALUD MÁS ECONÓMICO: ¿Necesita seguro de salud a un costo asequible, ya sea para usted o alguien en su hogar? Si es así, puede presentar una solicitud con Covered California. Covered California lo puede ayudar a reducir el costo que paga por seguro de salud asequible y de alta calidad. Para obtener más información, visite www.coveredca.com. O llame a Covered California al 1-800-300-0213.

WARNING—IMPORTANT INFORMATION

California law provides that, for purposes of division of property upon dissolution of a marriage or domestic partnership or upon legal separation, property acquired by the parties during marriage or domestic partnership in joint form is presumed to be community property. If either party to this action should die before the jointly held community property is divided, the language in the deed that characterizes how title is held (i.e., joint tenancy, tenants in common, or community property) will be controlling, and not the community property presumption. You should consult your attorney if you want the community property presumption to be written into the recorded title to the property.

ADVERTENCIA—INFORMACIÓN IMPORTANTE

De acuerdo a la ley de California, las propiedades adquiridas por las partes durante su matrimonio o pareja de hecho en forma conjunta se consideran propiedad comunitaria para fines de la división de bienes que ocurre cuando se produce una disolución o separación legal del matrimonio o pareja de hecho. Si cualquiera de las partes de este caso llega a fallecer antes de que se divida la propiedad comunitaria de tenencia conjunta, el destino de la misma quedará determinado por las cláusulas de la escritura correspondiente que describen su tenencia (por ej., tenencia conjunta, tenencia en común o propiedad comunitaria) y no por la presunción de propiedad comunitaria. Si quiere que la presunción comunitaria quede registrada en la escritura de la propiedad, debería consultar con un abogado.

ATTORNEY OR PARTY WITHOUT ATTORNEY <i>(Name, state bar number, and address):</i> Michael E. Lonich, Esq., SBN: 105989 Alexis J. Revelo, Esq., SBN: 312722 1871 The Alameda, Suite 475, San Jose, CA 95126 TELEPHONE NO. <i>(Optional):</i> (408) 553-0801 FAX NO. <i>(Optional):</i> (408) 553-0807 E-MAIL ADDRESS <i>(Optional):</i> ATTORNEY FOR <i>(Name):</i> Betty Betulia Gonzalez	FOR COURT USE ONLY E-FILED 7/19/2017 4:58:36 PM Clerk of Court Superior Court of CA, County of Santa Clara 17CP000565 Reviewed By:K. Hirose
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA STREET ADDRESS: 201 N. FIRST STREET MAILING ADDRESS: 191 N. FIRST STREET CITY AND ZIP CODE: SAN JOSE, CALIFORNIA 95113 BRANCH NAME: FAMILY JUSTICE CENTER	
PETITIONER: BETTY BETULIA GONZALEZ RESPONDENT: ROBERTO VELASQUEZ	
PETITION TO ESTABLISH PARENTAL RELATIONSHIP <input type="checkbox"/> Child Support <input checked="" type="checkbox"/> Child Custody <input type="checkbox"/> Visitation <input type="checkbox"/> Other <i>(specify):</i>	CASE NUMBER: 17CP000565

1. Petitioner is

- a. the mother.
- b. the father.
- c. the child or the child's personal representative *(specify court and date of appointment):*
- d. other *(specify):*

2. The children are

a. <u>Child's name</u>	<u>Date of birth</u>	<u>Age</u>	<u>Sex</u>
Reina Guadalupe Velasquez Gonzalez	10/31/2004	12	F

b. a child who is not yet born.

3. The court has jurisdiction over the respondent because the respondent

- a. resides in this state.
- b. had sexual intercourse in this state, which resulted in conception of the children listed in item 2.
- c. other *(specify):*

4. The action is brought in this county because *(you must check one or more to file in this county):*

- a. the child resides or is found in the county.
- b. a parent is deceased and proceedings for administration of the estate have been or could be started in this county.

5. Petitioner claims *(check all that apply):*

- a. respondent is the child's mother.
- b. respondent is the child's father.
- c. parentage has been established by Voluntary Declaration of Paternity *(attach copy)*.
- d. respondent who is child's parent has failed to support the child.
- e. *(name):* _____ has furnished or is furnishing the following reasonable expenses of pregnancy and birth for which the respondent as parent of the child is obligated:

<u>Amount</u>	<u>Payable to</u>	<u>For (specify):</u>
---------------	-------------------	-----------------------
- f. public assistance is being provided to the child.
- g. other *(specify):*

6. A completed *Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)* (form FL-105) is attached.

PETITIONER: BETTY BETULIA GONZALEZ	CASE NUMBER: 17CP000565
RESPONDENT: ROBERTO VELASQUEZ	

Petitioner requests the court to make the determinations indicated below.

7. PARENT-CHILD RELATIONSHIP

- a. Respondent b. Petitioner
 c. Other (*specify*):

is the parent of the children listed in item 2.

8. CHILD CUSTODY AND VISITATION

- | | | | | |
|------------------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|
| | Petitioner | Respondent | Joint | Other |
| a. Legal custody of children to | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Physical custody of children to | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

c. Visitation of children:

- (1) None
 (2) Reasonable visitation.
 (3) Petitioner Respondent should have the right to visit the children as follows:

(4) Visitation with the following restrictions (*specify*):

- d. Facts in support of the requested custody and visitation orders are (*specify*): Respondent has never been part of his daughter's life and he has moved out of the country.
 Contained in the attached declaration.
 e. I request mediation to work out a parenting plan.

9. REASONABLE EXPENSES OF PREGNANCY AND BIRTH:

- | | | | |
|---|--------------------------|--------------------------|--------------------------|
| Reasonable expenses of pregnancy and birth be paid by as follows: | Petitioner | Respondent | Joint |
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

10. FEES AND COSTS OF LITIGATION

- | | | | |
|---|-------------------------------------|-------------------------------------|--------------------------|
| | Petitioner | Respondent | Joint |
| a. Attorney fees to be paid by | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Expert fees, guardian ad litem fees, and other costs of the action or pretrial proceedings to be paid by | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

11. NAME CHANGE

- Children's names be changed, according to Family Code section 7638, as follows (*specify*):

12. CHILD SUPPORT

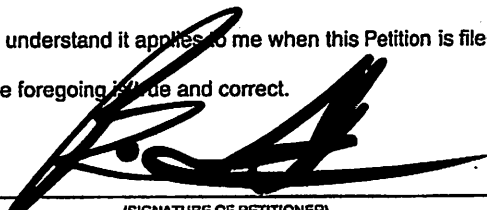
The court may make orders for support of the children and issue an earnings assignment without further notice to either party.

13. I have read the restraining order on the back of the *Summons* (FL-210) and I understand it applies to me when this Petition is filed.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 7/19/2017

BETTY GONZALEZ
(TYPE OR PRINT NAME)


(SIGNATURE OF PETITIONER)

A blank *Response to Petition to Establish Parental Relationship* (form FL-220) must be served on the Respondent with this Petition.

NOTICE: If you have a child from this relationship, the court is required to order child support based upon the income of both parents. Support normally continues until the child is 18. You should supply the court with information about your finances. Otherwise, the child support order will be based upon information supplied by the other parent. Any party required to pay child support must pay interest on overdue amounts at the "legal" rate, which is currently 10 percent.

Choices for Solving Legal Problems without a Court Hearing

FAMILY COURT
Superior Court of California, County of Santa Clara

Alternate Dispute Resolution is a CHOICE in Family Law Cases

"Alternative Dispute Resolution" (ADR) is a term used for ways you can solve problems without going to a formal Court hearing with a Judge. Some choices are explained below. ADR can save you time *and* money. With ADR you are likely to feel better about the legal process and how your case is settled. You can often solve Family Law issues such as child custody, visitation, support, and property division by agreement instead of by going to a Court hearing.

Except for custody and visitation mediation, ADR services are voluntary and can only be a part of your case resolution plan if both parties choose to use these services.

All court-connected ADR providers that are a part of your case resolution plan have been trained to assess and handle cases that may have domestic violence issues. Ask about separate sessions if meeting separately from the other party will make you feel safer.

TYPES OF RESOLUTION PROCESSES:

Custody/Visitation Mediation – Free

California law says that if parents do not agree about custody and visitation issues, they must try to settle the issues by going to Mediation. Mediation is a way for parents to meet with someone who does not work for either side to try to agree about their children. Mediation can be done through the Court at Family Court Services free or through a mediator you hire on your own. Mediation through Family Court Services is a confidential process - the mediator will not go to a Court hearing to tell the Judge what you or the other parent said in mediation. The mediator can help you and the other parent talk about and decide issues such as how much time the child will spend with each parent, how to best exchange the child, and other custody or visitation issues.

Parties must attend Orientation before Mediation if they have never been to Mediation before. Orientation and Mediation may be scheduled by calling (408) 534-5760.

Personal Property Arbitration – Free

A volunteer attorney will decide how to divide your **personal property**, such as cars and furniture. Both parties must agree to the arbitration or it must be ordered by the Court. The arbitrator writes up a decision after each side presents his or her case. The arbitrations are held at the Family Court and may be scheduled by calling (408) 534-5710.

Early Neutral Evaluation (ENE) - Free

A volunteer attorney will meet with parties who do not have their own attorneys. The attorney will help them identify and understand what **property issues** they have and what court processes can help them. The attorney is not either party's attorney. This process is done by agreement only. You can ask for an ENE at your Case Status Conference. A Case Status Conference may be scheduled by calling (408) 534-5710.

**SUPERIOR COURT, SANTA CLARA COUNTY
FAMILY COURT SERVICES**

NOTICE TO ATTEND

FAMILY COURT ORIENTATION and MEDIATION

Dear Parent:

You are directed by the Court to complete the **FAMILY COURT SERVICES ORIENTATION CLASS**. You may complete this class by either attending an in person 2 hour class or by taking the class on-line. If you wish to attend the in person class please contact Family Court Services at (408) 534-5760 between the hours of 8:30am and 3:00pm to schedule a date to attend the class. It is **MANDATORY** that you complete orientation before a mediation appointment will be scheduled. There are no exceptions. Mediation provides the opportunity to participate in a confidential process to resolve your child custody/timeshare dispute with the assistance of a mediator. The class will help you prepare for mediation and a parenting plan for your child/ren.

CLASSES ARE HELD:

WHERE **On-line: WWW.SCSCOURT.ORG/FAMILY/FAMILY_COURT_SERVICES/FCS_ORIENTATION_AND_MEDIATION**

In Person: Family Justice Center Courthouse, 201 North First Street, San Jose, on the ground floor, Room 134. Reservations are required.

WHEN: **Online:** Anytime
English In-Person: the 3rd Friday of each month, call (408) 534-5760.
Spanish In-Person: the 2nd Friday of each month, call (408) 534-5760..

** Childcare will NOT be provided. Please do NOT bring your child/ren to the class. Please arrive on time. If you are more than ten minutes late, you must reschedule.*

The Family Court Orientation class will provide you with very helpful information including:

- How to meet children's needs in divorce & separation;
- How to protect children from parental conflict & keep them out of the middle;
- How domestic violence affects children & families, and how to get help;
- How mediation can help you work out a parenting plan that is best for your children;
- Different ways of co-parenting;
- Constructive communication & problem solving;
- Community resources you may find helpful.

Once both parties have completed the Family Court Orientation class and submitted Intake Forms (available at the class, Family Court Services and on-line), you will be given the first available mediation appointment. Orientation and mediation are FREE. Mediation appointments that are cancelled or rescheduled within 48 hours of the original appointment are subject to a \$100.00 cancellation fee. Each party may reschedule one time; after one reschedule per party, the case will be sent to a Judicial Custody Conference.

S:/FORMS AND LETTERS/ORIENTATION/Notice to Attend Orientation 01-18-17

You must follow the California Rules of Court, the Superior Court of California, County of Santa Clara Local Family Law Rules and you must use the correct forms. You can access the California Rules of Court and Judicial Council forms at www.courts.ca.gov/rules.htm and the Local Family Law Rules and Local forms at www.scscourt.org.

A final Judgment will NOT be entered in your case automatically. You must take further action to finish your case!

IF YOU NEED HELP:

- Please visit the Self Help section on the Court's website at www.scscourt.org
- For a low cost consultation with a private attorney contact the Santa Clara County Bar Association at (408) 971-6822 (or www.sccbba.com).
- You can also email or visit the Court's Self Help Center.
 - www.scscourt.org click "Self-Help" then click "Free and Low Cost Legal Help" then click "Self Help Question Form"
 - You can leave a message at (408) 882-2926
 - Visit the Self Help Center located at 201 North First Street, San José, CA 95113, Monday through Thursday, during regular Court hours. Help is provided on a first come, first served basis.

If, after reviewing the Court's website or other information, you would like to schedule a Status Conference to review the status of your case and next steps to finish it, you may contact the Family Court Clerk's office at (408) 534-5600.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA STREET ADDRESS: 201 North First Street, San José, CA 95113 MAILING ADDRESS: 191 North First Street CITY AND ZIP CODE: San José, California 95113 BRANCH NAME: Family Justice Center	<small>FOR COURT USE ONLY</small> E-FILED 7/19/2017 4:58:36 PM Clerk of Court Superior Court of CA, County of Santa Clara 17CP000565 Reviewed By:K. Hirose
PETITIONER: Betty B. Gonzalez	CASE NUMBER: 17CP000565
RESPONDENT: Roberto Velazquez	
FAMILY LAW NOTICE Dissolution /Legal Separation/Nullity/Parentage	

PLEASE READ THIS ENTIRE FORM

Your case has been assigned to Judge Lie, Cynthia C in Department: 64 for all purposes at the Family Courthouse Located at: 201 North First Street, San José, CA 95113.

TO THE PETITIONER (the person who started the case): You must serve a copy of this notice on the other party. **YOU CANNOT SERVE THE OTHER PARTY YOURSELF.**

TO THE RESPONDENT (the person who did not start the case): If you want to protect your rights and participate in this case, you must file a Response with the Court within **30 days** of being served.

RULES FOR THE STATUS CONFERENCE:

You must follow the California Rules of Court, the Superior Court of California, County of Santa Clara Local Family Law Rules and you must use the correct forms. You can access the California Rules of Court and Judicial Council forms at www.courts.ca.gov/rules.htm and the Local Family Law Rules and Local forms at www.scscourt.org.

A final Judgment will NOT be entered in your case automatically. You must take further action to finish your case!

IF YOU NEED HELP:

- Please visit the Self Help section on the Court's website at www.scscourt.org
- For a low cost consultation with a private attorney contact the Santa Clara County Bar Association at (408) 971-6822 (or www.sccba.com).
- You can also email or visit the Court's Self Help Center:
 - www.scscourt.org click "Self-Help" then click "Free and Low Cost Legal Help" then click "Self Help Question Form"
 - You can leave a message at (408) 882-2926
 - Visit the Self Help Center located at 201 North First Street, San José, CA 95113, Monday through Thursday, during regular Court hours. Help is provided on a first come, first served bases.

If, after reviewing the Court's website or other information, you would like to schedule a Status Conference to review the status of your case and next steps to finish it, you may contact the Family Court Clerk's office at (408) 534-5600 or visit them in person at one of the three courthouses listed above during regular Court business hours. **The purpose of the Status Conference is to review your case's progress; it is not the date when your case is actually finished.**

Choices for Solving Legal Problems without a Court Hearing

FAMILY COURT
Superior Court of California, County of Santa Clara

Alternate Dispute Resolution is a CHOICE in Family Law Cases

"Alternative Dispute Resolution" (ADR) is a term used for ways you can solve problems without going to a formal Court hearing with a Judge. Some choices are explained below. ADR can save you time *and* money. With ADR you are likely to feel better about the legal process and how your case is settled. You can often solve Family Law issues such as child custody, visitation, support, and property division by agreement instead of by going to a Court hearing.

Except for custody and visitation mediation, ADR services are voluntary and can only be a part of your case resolution plan if both parties choose to use these services.

All court-connected ADR providers that are a part of your case resolution plan have been trained to assess and handle cases that may have domestic violence issues. Ask about separate sessions if meeting separately from the other party will make you feel safer.

TYPES OF RESOLUTION PROCESSES:

Custody/Visitation Mediation – Free

California law says that if parents do not agree about custody and visitation issues, they must try to settle the issues by going to Mediation. Mediation is a way for parents to meet with someone who does not work for either side to try to agree about their children. Mediation can be done through the Court at Family Court Services free or through a mediator you hire on your own. Mediation through Family Court Services is a confidential process - the mediator will not go to a Court hearing to tell the Judge what you or the other parent said in mediation. The mediator can help you and the other parent talk about and decide issues such as how much time the child will spend with each parent, how to best exchange the child, and other custody or visitation issues.

Parties must attend Orientation before Mediation if they have never been to Mediation before. Orientation and Mediation may be scheduled by calling (408) 534-5760.

Personal Property Arbitration – Free

A volunteer attorney will decide how to divide your **personal property**, such as cars and furniture. Both parties must agree to the arbitration or it must be ordered by the Court. The arbitrator writes up a decision after each side presents his or her case. The arbitrations are held at the Family Court and may be scheduled by calling (408) 534-5710.

Early Neutral Evaluation (ENE) - Free

A volunteer attorney will meet with parties who do not have their own attorneys. The attorney will help them identify and understand what **property issues** they have and what court processes can help them. The attorney is not either party's attorney. This process is done by agreement only. You can ask for an ENE at your Case Status Conference. A Case Status Conference may be scheduled by calling (408) 534-5710.

**SUPERIOR COURT, SANTA CLARA COUNTY
FAMILY COURT SERVICES**

NOTICE TO ATTEND

FAMILY COURT ORIENTATION and MEDIATION

Dear Parent:

You are directed by the Court to complete the FAMILY COURT SERVICES ORIENTATION CLASS. You may complete this class by either attending an in person 2 hour class or by taking the class on-line. If you wish to attend the in person class please contact Family Court Services at (408) 534-5760 between the hours of 8:30am and 3:00pm to schedule a date to attend the class. It is MANDATORY that you complete orientation before a mediation appointment will be scheduled. There are no exceptions. Mediation provides the opportunity to participate in a confidential process to resolve your child custody/timeshare dispute with the assistance of a mediator. The class will help you prepare for mediation and a parenting plan for your child/ren.

CLASSES ARE HELD:

WHERE On-line: WWW.SCSCOURT.ORG/FAMILY/FAMILY_COURT_SERVICES/FCS_ORIENTATION_AND_MEDIATION

In-Person: Family Justice Center Courthouse, 201 North First Street, San Jose, on the ground floor, Room 134. Reservations are required.

WHEN: Online: Anytime

English In Person: the 3rd Friday of each month, call (408) 534-5760.

Spanish In Person: the 2nd Friday of each month, call (408) 534-5760.

** Childcare will NOT be provided. Please do NOT bring your child/ren to the class. Please arrive on time. If you are more than ten minutes late, you must reschedule.*

The Family Court Orientation class will provide you with very helpful information including:

- *How to meet children's needs in divorce & separation;*
- *How to protect children from parental conflict & keep them out of the middle;*
- *How domestic violence affects children & families, and how to get help;*
- *How mediation can help you work out a parenting plan that is best for your children;*
- *Different ways of co-parenting;*
- *Constructive communication & problem solving;*
- *Community resources you may find helpful.*

Once both parties have completed the Family Court Orientation class and submitted Intake Forms (available at the class, Family Court Services and on-line), you will be given the first available mediation appointment. Orientation and mediation are FREE. Mediation appointments that are cancelled or rescheduled within 48 hours of the original appointment are subject to a \$100.00 cancellation fee. Each party may reschedule one time; after one reschedule per party, the case will be sent to a Judicial Custody Conference.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA STREET ADDRESS: 201 North First Street, San José, CA 95113 MAILING ADDRESS: 191 North First Street CITY AND ZIP CODE: San José, California 95113 BRANCH NAME: Family Justice Center	FOR COURT USE ONLY E-FILED 7/19/2017 4:58:36 PM Clerk of Court Superior Court of CA, County of Santa Clara 17CP000565 Reviewed By: K. Hirose
PETITIONER: Betty B. Gonzalez	CASE NUMBER: 17CP000565
RESPONDENT: Roberto Velazquez	
FAMILY LAW NOTICE Dissolution /Legal Separation/Nullity/Parentage	

PLEASE READ THIS ENTIRE FORM

Your case has been assigned to Judge Lie, Cynthia C in Department: 64 for all purposes at the Family Courthouse Located at: 201 North First Street, San José, CA 95113.

TO THE PETITIONER (the person who started the case): You must serve a copy of this notice on the other party. **YOU CANNOT SERVE THE OTHER PARTY YOURSELF.**

TO THE RESPONDENT (the person who did not start the case): If you want to protect your rights and participate in this case, you must file a Response with the Court within **30 days** of being served.

RULES FOR THE STATUS CONFERENCE:

You must follow the California Rules of Court, the Superior Court of California, County of Santa Clara Local Family Law Rules and you must use the correct forms. You can access the California Rules of Court and Judicial Council forms at www.courts.ca.gov/rules.htm and the Local Family Law Rules and Local forms at www.scscourt.org.

A final Judgment will NOT be entered in your case automatically. You must take further action to finish your case!

IF YOU NEED HELP:

- Please visit the Self Help section on the Court's website at www.scscourt.org
- For a low cost consultation with a private attorney contact the Santa Clara County Bar Association at (408) 971-6822 (or www.sccbba.com).
- You can also email or visit the Court's Self Help Center:
 - www.scscourt.org click "Self-Help" then click "Free and Low Cost Legal Help" then click "Self Help Question Form"
 - You can leave a message at (408) 882-2926
 - Visit the Self Help Center located at 201 North First Street, San José, CA 95113, Monday through Thursday, during regular Court hours. Help is provided on a first come, first served bases.

If, after reviewing the Court's website or other information, you would like to schedule a Status Conference to review the status of your case and next steps to finish it, you may contact the Family Court Clerk's office at (408) 534-5600 or visit them in person at one of the three courthouses listed above during regular Court business hours. **The purpose of the Status Conference is to review your case's progress; it is not the date when your case is actually finished.**

NAME AND ADDRESS OF PARTY OR ATTORNEY FOR PARTY: MICHAEL E. LONICH, ESQ., SBN 105989 ALEXIS J. REVELO, ESQ., SBN 312722 LONICH & PATTON, LLP 1871 THE ALAMEDA, 400, SAN JOSE, CA 95126 ATTORNEY FOR (Name): Betty Betulia Gonzalez	TELEPHONE NUMBER:	FOR COURT USE ONLY ENCLOSED FILED 201 JUL 21 A 10:09 CLERK OF THE COURT SUPERIOR COURT OF CALIFORNIA COUNTY OF SANTA CLARA
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA STREET ADDRESS: 201 North First Street, San Jose, CA 95113 MAILING ADDRESS: 191 North First Street CITY AND ZIP CODE: San José, California 95113 BRANCH NAME: Family Justice Center		
PETITIONER: Betty Betulia Gonzalez RESPONDENT: Roberto Velasquez	CASE NUMBER: 17CP000565	
DECLARATION IN SUPPORT OF EX PARTE APPLICATION FOR ORDERS	DEPARTMENT NUMBER: 64 FCS NUMBER:	

I, the undersigned, declare:

1. I am (choose one):
 - a. attorney for Petitioner attorney for Respondent attorney for child(ren)
 - b. self-represented Petitioner self-represented Respondent
 - c. other (explain): _____

2. The opposing party or minor children is represented by an attorney: Yes No
 (If you checked "Yes", fill in the name, address, and telephone number of all attorneys.
 If you checked "No", fill in the other party's name address, and telephone number.)
 Party/Attorney name: Roberto Velasquez
 Address/Telephone number: Las Colonias Senobio Moreno, Munisipio de Michuacan, Mexico
 Child's attorney name and address: _____

3. OTHER CASES: Have the parties to this case been involved in another Family, Probate Juvenile, or Criminal Court Case? Yes No If there has been another case, fill in the case number: _____

4. OTHER APPLICATIONS: I or another party have have not made previous application(s) on the same issue. Orders were were not granted on the prior application(s). Explain in your declaration.

5. NOTICE
 - a. I HAVE given notice to all opposing parties and/or their attorney by the following method:
 - Personal delivery Fax Overnight Carrier First Class Mail Other: _____
 - Date: _____ Time: _____ Person who received: _____
 - I have received confirmation that the other party has received my papers as follows: (Check one below)
 - In person/telephone (describe): Petitioner called Respondent to notify him of the ex parte
 - Written confirmation of receipt
 - b. I ask the Court not to require notice of the ex parte request for orders because (Check all that apply. In the space provided below in 5.c. and on any attached pages or a separate sworn declaration, you must give facts that support a request not to give notice for each box you check in 5.b. (except for Domestic Violence Prevention Act (DVPA) restraining orders):
 - This is an application for Domestic Violence Prevention Act (DVPA) restraining orders.
 - This application involves a matter not requiring notice under State Rules, Rule 5.170;
 - Giving notice would frustrate the purpose of the order;
 - Giving notice would result in immediate and irreparable harm to the applicant or the children who may be affected by the order sought;
 - Giving notice would result in immediate and irreparable damage to or loss of property subject to disposition in the case;
 - The parties agreed in advance that notice will not be necessary with respect to the matter that is the subject of the request for emergency orders. Provide documentation of this agreement; and/or,

PETITIONER: Betty Betulia Gonzalez	CASE NUMBER
RESPONDENT: Roberto Velasquez	17CP00565

- The party made reasonable and good faith efforts to give notice to the other party, and further efforts to give notice would probably be futile or unduly burdensome (describe those efforts in detail below).
- Other: _____

c. Further Explanation for Asking the Court NOT to Require Notice:

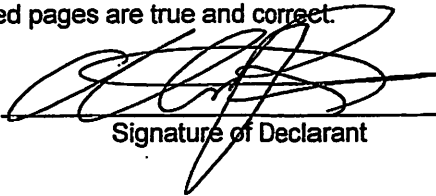
- Additional pages are attached. Total number of attached pages: _____
- Provide detailed factual explanation of any box checked under Paragraph 5.b. above. If you do not have enough room, attach additional pages or a separate sworn declaration of good cause:

Petitioner has contacted Respondent regarding her request, but stated that he wanted nothing to do with the minor child. Additionally, Respondent has never met the minor child and has no part in her life. Respondent does not reside in the United States as he has moved to Las Colonias Senobio Moreno in Mexico and is extremely difficult to contact.

I declare under penalty of perjury that the forgoing and any statement on attached pages are true and correct.

July 20, 2017
Date

Alexis J. Revelo
Print Name


Signature of Declarant

1 LONICH & PATTON
MICHAEL E. LONICH, ESQ., SBN 105989
2 ALEXIS J. REVELO, ESQ., SBN 312722
3 1871 The Alameda, Suite 400
San Jose, California 95126
4 Telephone (408) 553-0801
5 Facsimile (408) 553-0807
Attorneys for Petitioner,
6 BETTY BETULIA GONZALEZ

2017 01 23 PM 2:07

7
8
9 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 IN AND FOR THE COUNTY OF SANTA CLARA

11 BETTY BETULIA GONZALEZ) Case No. 17CP000565
12)
13) EX PARTE APPLICATION FOR ORDER
Petitioner,) SHORTENING TIME
14)
15 vs.) Date:
16) Time:
ROBERTO VELASQUEZ) Dept.: 64
17) Judge: Hon. Cynthia C. Lie
18)
Respondent.)

19 EX PARTE APPLICATION

20 As set forth in the Request for Order ("RFO") filed herewith, Petitioner BETTY
21 BETULIA GONZALEZ (hereinafter "Mother") is seeking an Order Shortening Time for her
22 Request for Order for a passport for the minor child.

23 Pending a hearing on her motion, Mother seeks a temporary order allowing her to apply
24 for a passport for the minor child.

25 ///
26 ///
27 ///
28 ///

- 1 -

EX PARTE APPLICATION FOR ORDER SHORTENING TIME
Case No. 17CP000565

27
28

- 2 -

EX PARTE APPLICATION FOR ORDER SHORTENING TIME
Case No. 17CP000565

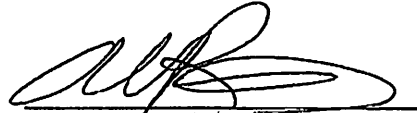
1 **GOOD CAUSE EXISTS TO GRANT THE REQUESTED RELIEF**

2 Mother is requesting an expedited hearing given the time sensitive nature of her request.
3 Mother planned a trip to Mexico at the end of July for the minor child to visit her grandmother
4 and to attend her cousin's wedding. Father is actively refusing to permit the minor child to
5 apply for a passport as he has expressed that wants nothing to do with his daughter. There are
6 no legal grounds or viable reasons for his refusal to sign the passport documents. All facts
7 regarding this issue are detailed in Petitioner's declaration and memorandum of points and
8 authorities filed concurrently herewith.

9 Pursuant to Santa Clara County Local Rules, Rule 5A(2), (1) the requested ex parte
10 order shortening time will not result in a change of status quo; (2) there are no other orders
11 already in effect regarding the same issues; (3) there have been no previous applications on the
12 same issue by any party.

13
14 DATED: 7/20/17

LONICH & PATTON



ALEXIS J. REVELO
Attorney for Petitioner,
Betty Betulia Gonzalez

ATTORNEY OR PARTY WITHOUT ATTORNEY STATE BAR NUMBER: 105989 NAME: Michael E. Lonich, Esq., / Alexis J. Revelo Esq., SBN: 312722 FIRM NAME: Lonich & Patton LLP STREET ADDRESS: 1871 The Alameda, Suite 475 CITY: San Jose STATE: CA ZIP CODE: 95126 TELEPHONE NO.: 408-553-0801 FAX NO.: 408-553-0807 E-MAIL ADDRESS: ATTORNEY FOR (name): Betty Betulia Gonzalez	FOR COURT USE ONLY JUN 25 P 3:01
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA STREET ADDRESS: 201 N. FIRST STREET MAILING ADDRESS: 191 N. FIRST STREET CITY AND ZIP CODE: SAN JOSE, CALIFORNIA 95113 BRANCH NAME: FAMILY JUSTICE CENTER	
PETITIONER: BETTY BETULIA GONZALEZ RESPONDENT: ROBERTO VELASQUEZ OTHER PARENT/PARTY:	
TEMPORARY EMERGENCY (EX PARTE) ORDERS <input type="checkbox"/> Child Custody <input type="checkbox"/> Visitation (Parenting Time) <input type="checkbox"/> Property Control <input checked="" type="checkbox"/> Other (specify): Passport for minor child	CASE NUMBER: 17CP000565

1. TO (name(s)): Roberto Velasquez
 Petitioner Respondent Other Parent/Party Other (specify):

A court hearing will be held on the Request for Order (form FL-300) served with this order, as follows:

a. Date: <u>8-15-17</u> Time: <u>1:30p</u> <input checked="" type="checkbox"/> Dept.: <u>64</u> <input type="checkbox"/> Room:
b. Address of court <input type="checkbox"/> same as noted above <input type="checkbox"/> other (specify): <u>64</u>

2. Findings: Temporary emergency (ex parte) orders are needed to: (a) help prevent an immediate loss or irreparable harm to a party or to children in the case, (b) help prevent immediate loss or damage to property subject to disposition in the case, or (c) set or change procedures for a hearing or trial.

COURT ORDERS: The following temporary emergency orders expire on the date and time of the hearing scheduled in (1), unless extended by court order:

3. CHILD CUSTODY

a. <u>Child's name</u>	<u>Date of Birth</u>	<u>Temporary physical custody, care, and control to:</u>		
		Petitioner	Respondent	Other Party/Parent
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Continued on Attachment 3(a)
 b. Visitation (Parenting Time) The temporary orders for physical custody, care, and control of the minor children in (3) are subject to the other party's or parties' rights of visitation (parenting time) as follows (specify):

See Attachment 3(b)

THIS IS A COURT ORDER.

PETITIONER: BETTY BETULIA GONZALEZ RESPONDENT: ROBERTO VELASQUEZ OTHER PARENT/PARTY:	CASE NUMBER: 17CP000565
--	----------------------------

3. CHILD CUSTODY (continued)

c. Travel restrictions

(1) The party or parties with temporary physical custody, care, and control of minor children must not remove the minor children from the state of California unless the court allows it after a noticed hearing.

- (2) Petitioner Respondent Other Parent/Party must not remove their minor children (specify):
- (a) from the state of California.
 - (b) from the following counties (specify):
 - (c) other (specify):

d. Child abduction prevention orders are attached (see form FL-341(B)).

e. (1) Jurisdiction: This court has jurisdiction to make child custody orders in this case under the Uniform Child Custody Jurisdiction and Enforcement Act (part 3 of the California Family Code, commencing with section 3400).

(2) Notice and opportunity to be heard: The responding party was given notice and an opportunity to be heard as provided by the laws of the State of California.

(3) Country of habitual residence: The country of habitual residence of the child or children is (specify):

The United States of America Other (specify):

(4) If you violate this order, you may be subject to civil or criminal penalties, or both.

4. PROPERTY CONTROL

a. Petitioner Respondent Other Parent/Party is given exclusive temporary use, possession, and control of the following property that the parties own or are buying lease or rent

b. Petitioner Respondent Other Parent/Party is ordered to make the following payments on the liens and encumbrances coming due while the order is in effect:


Pay to:	For:	Amount: \$	Due date:
Pay to:	For:	Amount: \$	Due date:
Pay to:	For:	Amount: \$	Due date:
Pay to:	For:	Amount: \$	Due date:

5. All other existing orders, not in conflict with these temporary emergency orders, remain in full force and effect.

6. OTHER ORDERS (specify): Additional orders are listed in Attachment 6.

Petitioner's RFO for passport shall be heard on short notice, Service shall be 2 days before the hearing, and the response deadline shall be 1 day before the hearing. Petitioner request an order permitting her to apply for the minor's passport. Service shall be made no later than 5 days prior to hearing, and the responsive declaration shall be served no later than 2 days before the hearing. Petitioner may apply for identification documents, including but not limited to a passport, for the minor child, but neither parent may travel outside the state of California pending the hearing.

Date: 7/20/17

 CYNTHIA LIE
 JUDGE OF THE SUPERIOR COURT

THIS IS A COURT ORDER.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Michael E. Lonich, Esq., SBN: 105989/ Alexis J. Revelo, Esq., SBN: 312722 Lonich & Patton, LLP 1871 The Alameda, Suite 475 San Jose, CA 95126 TELEPHONE NO.: 408-553-0801 FAX NO. (Optional): 408-553-0807 E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): Betty Betulia Gonzalez	FOR COURT USE ONLY JUL 25 P 2:01												
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA STREET ADDRESS: 201 N. FIRST STREET MAILING ADDRESS: 191 N. FIRST STREET CITY AND ZIP CODE: SAN JOSE, CALIFORNIA 95113 BRANCH NAME: FAMILY JUSTICE CENTER													
PETITIONER/PLAINTIFF: BETTY BETULIA GONZALEZ RESPONDENT/DEFENDANT: ROBERTO VELASQUEZ OTHER PARENT/PARTY:													
<table style="width:100%; border: none;"> <tr> <td style="width:33%; border: none;"><input type="checkbox"/> REQUEST FOR ORDER</td> <td style="width:33%; border: none;"><input type="checkbox"/> MODIFICATION</td> <td style="width:33%; border: none;"><input type="checkbox"/> Temporary Emergency Court Order</td> </tr> <tr> <td style="border: none;"><input type="checkbox"/> Child Custody</td> <td style="border: none;"><input type="checkbox"/> Visitation</td> <td style="border: none;"><input checked="" type="checkbox"/> Other (specify):</td> </tr> <tr> <td style="border: none;"><input type="checkbox"/> Child Support</td> <td style="border: none;"><input type="checkbox"/> Spousal Support</td> <td style="border: none;">Passport for minor child</td> </tr> <tr> <td style="border: none;"><input type="checkbox"/> Attorney Fees and Costs</td> <td colspan="2" style="border: none;"></td> </tr> </table>	<input type="checkbox"/> REQUEST FOR ORDER	<input type="checkbox"/> MODIFICATION	<input type="checkbox"/> Temporary Emergency Court Order	<input type="checkbox"/> Child Custody	<input type="checkbox"/> Visitation	<input checked="" type="checkbox"/> Other (specify):	<input type="checkbox"/> Child Support	<input type="checkbox"/> Spousal Support	Passport for minor child	<input type="checkbox"/> Attorney Fees and Costs			CASE NUMBER: 17CP000565
<input type="checkbox"/> REQUEST FOR ORDER	<input type="checkbox"/> MODIFICATION	<input type="checkbox"/> Temporary Emergency Court Order											
<input type="checkbox"/> Child Custody	<input type="checkbox"/> Visitation	<input checked="" type="checkbox"/> Other (specify):											
<input type="checkbox"/> Child Support	<input type="checkbox"/> Spousal Support	Passport for minor child											
<input type="checkbox"/> Attorney Fees and Costs													

1. TO (name): Roberto Velasquez
2. A hearing on this Request for Order will be held as follows: If child custody or visitation is an issue in this proceeding, Family Code section 3170 requires mediation before or at the same time as the hearing (see item 7.)

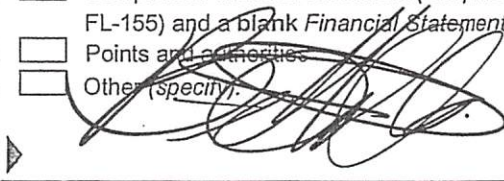
a. Date: 8-15-17	Time: 1:30p	Dept.: 64	Room.: <input type="checkbox"/>
------------------	-------------	-----------	---------------------------------

b. Address of court same as noted above other (specify):

3. Attachments to be served with this Request for Order:

- | | |
|--|---|
| a. A blank Responsive Declaration (form FL-320)
b. <input type="checkbox"/> Completed Income and Expense Declaration (form FL-150) and a blank Income and Expense Declaration | c. <input type="checkbox"/> Completed Financial Statement (Simplified) (form FL-155) and a blank Financial Statement (Simplified)
d. <input type="checkbox"/> Points and authorities
e. <input type="checkbox"/> Other (specify): |
|--|---|

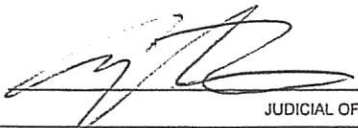
Date: 7/20/17 Betty B. Gonzalez
(TYPE OR PRINT NAME)


(SIGNATURE)

COURT ORDER

4. YOU ARE ORDERED TO APPEAR IN COURT AT THE DATE AND TIME LISTED IN ITEM 2 TO GIVE ANY LEGAL REASON WHY THE ORDERS REQUESTED SHOULD NOT BE GRANTED.
5. Time for service hearing is shortened. Service must be on or before (date): 5 days before hearing
6. Any responsive declaration must be served on or before (date): 2 days before hearing
7. The parties are ordered to attend mandatory custody services as follows:

8. You are ordered to comply with the Temporary Emergency Court Orders (form FL-305) attached.
9. Other (specify):

Date: 7/20/17  CYNTHIA LIE
JUDICIAL OFFICER

To the person who received this Request for Order: If you wish to respond to this Request for Order, you must file a Responsive Declaration to Request for Order (form FL-320) and serve a copy on the other parties at least nine court days before the hearing date unless the court has ordered a shorter period of time. You do not have to pay a filing fee to file the Responsive Declaration to Request for Order (form FL-320) or any other declaration including an Income and Expense Declaration (form FL-150) or Financial Statement (Simplified) (form FL-155).

PETITIONER/PLAINTIFF: BETTY BETULIA GONZALEZ RESPONDENT/DEFENDANT: ROBERTO VELASQUEZ OTHER PARENT/PARTY:	CASE NUMBER: 17CP000565
--	----------------------------

REQUEST FOR ORDER AND SUPPORTING DECLARATION

Petitioner Respondent Other Parent/Party requests the following orders:

1. **CHILD CUSTODY** To be ordered pending the hearing
- a. Child's name and age b. Legal custody to (name of person who makes decisions about health, education, etc.) c. Physical custody to (name of person with whom child will live)

- d. As requested in form
- Child Custody and Visitation Application Attachment* (form FL-311)
 - Request for Child Abduction Prevention Orders* (form FL-312)
 - Children's Holiday Schedule Attachment* (form FL-341(C))
 - Additional Provisions—Physical Custody Attachment* (form FL-341(D))
 - Joint Legal Custody Attachment* (form FL-341(E))
 - Other (Attachment 1d)

- e. Modify existing order
 (1) filed on (date):
 (2) ordering (specify):

2. **CHILD VISITATION (PARENTING TIME)** To be ordered pending the hearing
- a. As requested in: (1) Attachment 2a (2) *Child Custody and Visitation Application Attachment* (form FL-311)
 (3) Other (specify):

- b. Modify existing order
 (1) filed on (date):
 (2) ordering (specify):

- c. One or more domestic violence restraining/protective orders are now in effect. (Attach a copy of the orders if you have one.) The orders are from the following court or courts (specify county and state):

- | | |
|--|--|
| (1) <input type="checkbox"/> Criminal: County/state:
Case No. (if known): | (3) <input type="checkbox"/> Juvenile: County/state:
Case No. (if known): |
| (2) <input type="checkbox"/> Family: County/state:
Case No. (if known): | (4) <input type="checkbox"/> Other: County/state:
Case No. (if known): |

3. **CHILD SUPPORT** (An earnings assignment order may be issued.)

- a. Child's name and age b. I request support based on the child support guidelines c. Monthly amount requested (if not by guideline) \$

- d. Modify existing order
 (1) filed on (date):
 (2) ordering (specify):

Notice: The court is required to order child support based on the income of both parents. It normally continues until the child is 18. You must supply the court with information about your finances by filing an *Income and Expense Declaration* (form FL-150) or a *Financial Statement (Simplified)* (form FL-155). Otherwise, the child support order will be based on information about your income that the court receives from other sources, including the other parent.

PETITIONER/PLAINTIFF: BETTY BETULIA GONZALEZ RESPONDENT/DEFENDANT: ROBERTO VELASQUEZ OTHER PARENT/PARTY:	CASE NUMBER: 17CP000565
--	----------------------------

4. SPOUSAL OR PARTNER SUPPORT *(An earnings assignment order may be issued.)*
- a. Amount requested *(monthly)*: \$ c. Modify existing order
 b. Terminate existing order (1) filed on *(date)*:
(2) ordering *(specify)*:
 d. The *Spousal or Partner Support Declaration Attachment* (form FL-157) is attached *(for modification of spousal or partner support after judgment only)*
 e. An *Income and Expense Declaration* (form FL-150) must be attached
5. ATTORNEY FEES AND COSTS are requested on *Request for Attorney Fees and Costs Order Attachment* (form FL-319) or a declaration that addresses the factors covered in that form. An *Income and Expense Declaration* (form FL-150) must be attached. A *Supporting Declaration for Attorney Fees and Costs Order Attachment* (form FL-158) or a declaration that addresses the factors covered in that form must also be attached.
6. PROPERTY RESTRAINT To be ordered pending the hearing
- a. The petitioner respondent claimant is restrained from transferring, encumbering, hypothecating, concealing, or in any way disposing of any property, real or personal, whether community, quasi-community, or separate, except in the usual course of business or for the necessities of life.
 The applicant will be notified at least five business days before any proposed extraordinary expenditures, and an accounting of such will be made to the court.
 b. Both parties are restrained and enjoined from cashing, borrowing against, canceling, transferring, disposing of, or changing the beneficiaries of any insurance or other coverage, including life, health, automobile, and disability, held for the benefit of the parties or their minor children.
 c. Neither party may incur any debts or liabilities for which the other may be held responsible, other than in the ordinary course of business or for the necessities of life.
7. PROPERTY CONTROL To be ordered pending the hearing
- a. The petitioner respondent is given the exclusive temporary use, possession, and control of the following property that we own or are buying *(specify)*:

 b. The petitioner respondent is ordered to make the following payments on liens and encumbrances coming due while the order is in effect:
- | <u>Debt</u> | <u>Amount of payment</u> | <u>Pay to</u> |
|-------------|--------------------------|---------------|
| | | |
8. OTHER RELIEF *(specify)*:
 Passport for minor child. Please also see declaration and points and authorities filed concurrently herewith.

NOTE: To obtain domestic violence restraining orders, you must use the forms *Request for Order (Domestic Violence Prevention)* (form DV-100), *Temporary Restraining Order (Domestic Violence)* (form DV-110), and *Notice of Court Hearing (Domestic Violence)* (form DV-109).

PETITIONER/PLAINTIFF: BETTY BETULIA GONZALEZ RESPONDENT/DEFENDANT: ROBERTO VELASQUEZ OTHER PARENT/PARTY:	CASE NUMBER: 17CP000565
--	----------------------------

9. I request that time for service of the *Request for Order* and accompanying papers be shortened so that these documents may be served no less than (*specify number*): 2 days before the time set for the hearing. I need to have this order shortening time because of the facts specified in item 10 or the attached declaration.

10. FACTS IN SUPPORT of orders requested and change of circumstances for any modification are (*specify*):
 Contained in the attached declaration. (*You may use Attached Declaration (form MC-031) for this purpose. The attached declaration must not exceed 10 pages in length unless permission to file a longer declaration has been obtained from the court.*)

Please see declaration and points and authorities filed concurrently herewith.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 7.20.17

Betty B. Gonzalez

(TYPE OR PRINT NAME)



(SIGNATURE OF APPLICANT)



Requests for Accommodations
 Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the proceeding. Contact the clerk's office or go to www.courts.ca.gov/forms for *Request for Accommodations by Persons With Disabilities and Response* (form MC-410). (Civil Code, § 54.8.)

1 LONICH & PATTON
2 MICHAEL E. LONICH, ESQ., SBN 105989
3 ALEXIS J. REVELO, ESQ., SBN 312722
4 1871 The Alameda, Suite 400
5 San Jose, California 95126
6 Telephone (408) 553-0801
7 Facsimile (408) 553-0807
8 Attorneys for Petitioner,
9 BETTY BETULIA GONZALEZ

201 JUL 25 P 3 01

8 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 IN AND FOR THE COUNTY OF SANTA CLARA

10 BETTY BETULIA GONZALEZ) Case No. 17CP000565
11)
12) MEMORANDUM OF POINTS AND
13) AUTHORITIES IN SUPPORT OF
14) PETITIONER'S EX PARTE REQUEST
15) FOR ORDER
16)
17) Date:
18) Time:
19) Dept.: 64
20) Judge: Hon. Cynthia C. Lie
21)
22)
23)
24)
25)
26)
27)
28)

Petitioner,

vs.

ROBERTO VELASQUEZ

Respondent.

INTRODUCTION

Petitioner, BETTY BETULIA GONZALEZ, (hereinafter "Mother"), hereby submits this Memorandum of Points and Authorities in support of her ex parte request regarding an order permitting her to apply for the minor child's passport.

Mother's ex parte should be GRANTED because this is a time sensitive issue and the minor child will suffer irreparable harm if this matter is not resolved expediently. For this reason, Mother's ex parte requests for a passport for the minor child, should be GRANTED.

//
//
//

1 **I. FACTUAL AND PROCEDURAL BACKGROUND**

2 Mother and Respondent, Roberto Velquez (hereinafter "Father") have one child in
3 common: Reina Guadalupe Velasquez Gonzalez (hereinafter "Reina"), D.O.B. 10/31/04. The
4 parties were never married.

5 Mother has been the primary caregiver for Reina since she was born. Father was not
6 present for Reina's birth and he has never seen her as he was incarcerated. Father and Reina
7 have no relationship. Even after he was released from incarceration, he moved to Mexico and
8 has never once asked to see Reina. Recently, Father even conveyed to Mother that he wanted
9 nothing to do with his daughter.

10 As detailed in Mother's declaration filed concurrently herewith, Father has
11 consistently refused to allow Reina to obtain a passport. Reina intends to travel to Mexico at
12 the end of July to visit her grandmother and to attend her cousin's wedding; and it is
13 imperative that she obtain a passport in order to go on the trip. There are no orders in place
14 preventing Reina from traveling, and the trip is scheduled to take place in at the end of July.

15 **II. LEGAL ARGUMENT**

16 **A. THIS IS AN EMERGENCY SITUATION WARRANTING AN EX PARTE**
17 **ORDER**

18 The California Rules of Court provide: "An [ex parte] applicant must make an
19 affirmative factual showing in a declaration containing competent testimony based on
20 personal knowledge of *irreparable harm, immediate danger*, or any other statutory basis for
21 granting relief ex parte." See Cal. Rules of Court, Rule 3.1202(c) (emphasis added).

22 Ex parte orders are appropriate when the allegations demonstrate a sufficient
23 likelihood of "immediate danger or irreparable harm." Immediacy is the key consideration,
24 and factual allegations restating the basis for seeking the underlying order do not constitute
25 good cause for shortening time or granting other ex parte orders. *Marriage of Seagondollar*
26 (2006), 139 Cal.App.4th 1116, 1128; See also CRC 5.151(d)(2) (ex parte orders justified
27 when there is "an affirmative factual showing of irreparable harm, immediate danger, or any
28

1 other statutory basis for granting relief without notice or with shortened notice to the other
2 party.”)

3 Mother has planned a trip to Mexico at the end of July for Reina to travel with her
4 aunt in order to visit her grandmother and to attend her cousin’s wedding. Reina has always
5 traveled to Mexico every summer to visit her grandmother. Ex parte orders are necessary as
6 Mother is running out of time to apply for a passport for Reina. The process can take up to
7 six weeks, and if a resolution is not reached regarding the passport immediately, Reina will
8 miss her window of opportunity for this trip. Withholding this trip from Reina will cause her
9 irreparable harm, while there is no danger of harm to Father if the request is granted.

10 **III. CONCLUSION**

11 For the reasons set forth herein, Mother’s ex parte request regarding an order
12 permitting her to apply for the minor’s should be GRANTED.

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

DATED: July 20, 2017

LONICH & PATTON



ALEXIS J. REVELO
Attorney for Petitioner,
Betty Betulia Gonzalez

1 LONICH & PATTON
2 MICHAEL E. LONICH, ESQ., SBN 105989
3 ALEXIS J. REVELO, ESQ., SBN 312722
4 1871 The Alameda, Suite 400
5 San Jose, California 95126
6 Telephone (408) 553-0801
7 Facsimile (408) 553-0807
8 Attorneys for Petitioner,
9 BETTY BETULIA GONZALEZ

2017 JUL 25 PM 3:01

10 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 IN AND FOR THE COUNTY OF SANTA CLARA

11 BETTY BETULIA GONZALEZ) Case No. 17CP000565
12)
13) DECLARATION OF PETITIONER,
14) BETTY BETULIA GONZALEZ IN
15) SUPPORT OF EX PARTE REQUEST
16) FOR ORDER
17)
18) Date:
19) Time:
20) Dept.: 64
21) Judge: Hon. Cynthia C. Lie
22)
23)
24)
25)
26)
27)
28)

Petitioner,

vs.

ROBERTO VELASQUEZ

Respondent.

19 I, BETTY BETULIA GONZALEZ, declare as follows:

20 I submit this declaration upon my own personal knowledge of the facts herein and if
21 called as a witness could and would competently testify thereto. I make this Declaration in
22 support of my Request for Order regarding a passport for our minor child.

23 I. PROCEDURAL HISTORY

24 1. Respondent, Roberto Velaquez (hereinafter "Father") and I have one child in common:
25 Reina Guadalupe Velasquez Gonzalez (hereinafter "Reina"), D.O.B. 10/31/04, age 12. Father
26 and I have not been married.

1 2. Father has never met Reina and he has not had a role in her life. Since Reina's birth,
2 Father was incarcerated. Even after he was released, he moved out of the United States and
3 moved to Mexico. He has continued having no contact with our daughter.

4 **II. REQUEST FOR COURT ORDER REGARDING PASSPORT FOR REINA**

5 3. I am requesting the Court's assistance in procuring a passport for our daughter, Reina.

6 4. For the past several years, Reina has traveled to Mexico every summer to visit my
7 mother in order for her to spend some time with her grandmother and to assist me in taking
8 care of her. When Father was incarcerated, I was able to ask him to sign the necessary
9 paperwork for Reina to obtain a passport. However, Reina's passport now needs to be
10 renewed. Since Father's move to Mexico, it has proved difficult to ask him for his assistance.

11 5. I applied for Reina's passport renewal, but on July 18, 2017 I was notified that my
12 request was denied as the application also needed Father's signature. A true and correct copy
13 of the notification from the U.S. Department is attached hereto as Exhibit A.

14 6. I have requested that Father assist me in obtaining a renewal passport for Reina by
15 signing the necessary paperwork. He has refused to do so, without cause and without legal
16 justification. Father's only reasoning for his refusal is that he wants nothing to do with Reina.

17 7. Reina needs a passport so that she can travel with my aunt to Mexico at the end of July.
18 My mother, and many of my family members live in Mexico. My cousin also has a wedding in
19 Mexico that Reina would like to attend. It is important to me for Reina to be able to have this
20 experience, and to spend time with her grandmother.

21 8. I have never forced Father to spend time with Reina and I have never requested child
22 support from him. However, I need either his assistance or the Court's assistance in order to
23 get Reina's passport renewed.

24 9. In order to give Reina time with her grandmother, I am respectfully requesting that the
25 court order Father to execute the necessary documents for Reina's passport application.
26 Should Father fail to comply with this court order, I request that the court order that the clerk
27 of the court be permitted to execute said documents in his place.

28 ///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

III. CONCLUSION

9. I respectfully request that the court make an order permitting myself to apply for a passport for Reina.

DATED: 7.20.17

BETTY BETULIA GONZALEZ
Petitioner

EXHIBIT A

Alexis Revelo

Subject: RE: Passport Application Correspondence (locator #284031677)

From: "U.S Dept. of State, National Passport Center-eIRL" <CAPPTNPCEFSuspense@state.gov>

Date: July 18, 2017 at 2:07:37 PM PDT

To: "'gonzalezbetty22@yahoo.com'" <gonzalezbetty22@yahoo.com>

Subject: Passport Application Correspondence (locator #284031677)

NOTICE

This e-mail contains official U.S. Government correspondence pertaining to your recent U.S. Passport application with the U.S. Department of State. Your response is required to the Information Request Letter below in order to continue processing your U.S. Passport application.

PLEASE DO NOT REPLY VIA E-MAIL. MESSAGES SENT TO THIS E-MAIL ADDRESS ARE NOT MONITORED.
If you have any questions regarding this e-mail, please contact the National Passport Information Center (NPIC) at:
1-877-487-2778, TDD: 1-888-874-7793
Also visit us at www.travel.state.gov for additional information.

HOW TO RESPOND TO THIS E-MAIL

You can respond immediately to this request for additional information by following the below steps. You will also be receiving a hard copy of this letter (and any applicable enclosures or forms) within the next few days by Priority Mail and may respond to that letter if you choose.

How to respond *before* receiving hard copy of letter:

- Print a copy of this email;
- With your response to the information requested below, include the printed copy of the email; and
- **Please put Applicant's Name, Date of Travel & Application number on the front of the envelope, failure to do so may delay processing;**
- Please note: This email correspondence will be followed by a hard copy **sent via regular mail**. If you reply to this email, you do not need to reply to the hard copy.
- Mail your response (and copy of this email) by mail to the address below.

If you are unable to print this e-mail, please include your nine-digit Reference number below with any mail-in response.

ADDRESS ALL MAIL TO:
National Passport Center
Attn: EF
207 International Drive
Portsmouth, NH 03801-6827

Letter Date 7/18/2017

Reina Guadalupe Velasquez Gonzalez
1709 Ross Cir Apt 3
San Jose, CA 95124

RE: 284031677

Dear Ms. Velasquez Gonzalez:

Thank you for your recent passport application. However, additional information is needed to process your request. The Code of Federal Regulations, Title 22, Section 51.28 provides that U.S. passport applications for children under the age of 16 require the consent of both parents or legal guardians.

The application was only signed by one parent/guardian. Please submit the document listed below:

- ◆ A court order specifically permitting the applying parent/guardian to apply for the child's U.S. passport; **or**,
- ◆ A court order granting sole legal custody to the applying parent/guardian (unless the child's travel is restricted by that order); **or**,
- ◆ A court order authorizing the minor to travel outside the United States with the applying parent.

Please note the following important details on acceptable documentation:

- Court orders must be complete, and include the child's name and judge's signature;
- If the name of the parent/guardian is different than the name on the documents, evidence of legal name change is required.
- **Notarized statements of consent must be signed on the same day by the non-applying parent/guardian in the presence of a certified notary public, be less than three months old, and accompanied by a photocopy of the front and back side of the photo identification presented to the notary public.**

To assist with processing your application, we must receive the requested information within ninety (90) days of the date shown on this letter. If the information is not received or is insufficient to establish your entitlement to a U.S. passport, your application may be denied and your citizenship evidence will be returned. By law, the passport execution and application fees are non-refundable.

If you have any questions please contact the National Passport Information Center: 1-877-487-2778 (TTY/TDD: 1-888-874-7793).

For general passport information or to check the status of your passport application, please visit us on-line at travel.state.gov.

PLEASE RETURN A COPY OF THIS LETTER, ALONG WITH ALL REQUESTED INFORMATION TO THE ADDRESS LISTED ABOVE INCLUDING THE +4 ZIP CODE.

Sincerely,

Customer Service Department

DISCLAIMER

This e-mail and any files transmitted with it are confidential and intended solely for the use of the individual or entity to which they are addressed. If you are not the named addressee you should not disseminate, distribute, or copy this e-mail. Please notify the sender immediately by telephone at 1-877-487-2778 if you received this e-mail in error, and delete this email from your system. This message contains confidential information and is intended only for the individual named. If you are not the intended recipient you are notified that disclosing, copying, distributing, or taking any action in reliance on the contents of this information is strictly prohibited and may be unlawful.

E-mail transmission cannot be guaranteed to be secure or error-free as information in electronic files could be intercepted, corrupted, lost, destroyed, or incomplete, as well as possibly contain viruses or arrive late. The U.S. Government and the U.S. Department of State assume no liability for any errors or omissions in the contents of this e-mail transmission. If verification is required, a hard-copy version can be requested by calling 1-877-487-2778.

**Official
UNCLASSIFIED**

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Michael E. Lonich, Esq., SBN: 105989 Alexis J. Revelo, Esq., SBN: 312722 Lonich & Patton, LLP 1871 The Alameda, Suite 475, San Jose, CA 95126 TELEPHONE NO.: (408) 553-0801 FAX NO. (Optional): (408) 553-0807 E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): Betty Betulia Gonzalez	FOR COURT USE ONLY E-FILED 7/19/2017 4:58:36 PM Clerk of Court Superior Court of CA, County of Santa Clara 17CP000565 Reviewed By:K. Hirose
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA STREET ADDRESS: 201 N. FIRST STREET MAILING ADDRESS: 191 N. FIRST STREET CITY AND ZIP CODE: SAN JOSE, CALIFORNIA 95113 BRANCH NAME: FAMILY JUSTICE CENTER	CASE NUMBER: 17CP000565
PETITIONER: <i>(This section applies only to family law cases.)</i> BETTY BETULIA GONZALEZ RESPONDENT: ROBERTO VELASQUEZ OTHER PARTY:	
GUARDIANSHIP OF (Name): Minor DECLARATION UNDER UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT (UCCJEA)	(This section applies only to guardianship cases.)

1. I am a party to this proceeding to determine custody of a child.
2. My present address and the present address of each child residing with me is confidential under Family Code section 3429 as I have indicated in item 3.
3. There are (specify number): _____ minor children who are subject to this proceeding, as follows:
(Insert the information requested below. The residence information must be given for the last FIVE years.)

a. Child's name Reina Guadalupe Velasquez Gonzalez	Place of birth San Jose, California	Date of birth 10/31/2004	Sex F
Period of residence 2011 to present	Address 1709 Ross Circle Apt 3, San Jose, CA 95124 <input type="checkbox"/> Confidential	Person child lived with (name and complete current address) Betty Betulia Gonzalez <input type="checkbox"/> Confidential	Relationship Mother
2004 to 2011	Child's residence (City, State) 200 Ford Road #64 San Jose, CA 95138	Person child lived with (name and complete current address) Betty Betulia Gonzalez	Mother
to	Child's residence (City, State)	Person child lived with (name and complete current address)	
to	Child's residence (City, State)	Person child lived with (name and complete current address)	
b. Child's name <input type="checkbox"/> Residence information is the same as given above for child a. (If NOT the same, provide the information below.)	Place of birth	Date of birth	Sex
Period of residence to present	Address <input type="checkbox"/> Confidential	Person child lived with (name and complete current address) <input type="checkbox"/> Confidential	Relationship
to	Child's residence (City, State)	Person child lived with (name and complete current address)	
to	Child's residence (City, State)	Person child lived with (name and complete current address)	
to	Child's residence (City, State)	Person child lived with (name and complete current address)	

- c. Additional residence information for a child listed in item a or b is continued on attachment 3c.
- d. Additional children are listed on form FL-105(A)/GC-120(A). (Provide all requested information for additional children.)

SHORT TITLE: Gonzalez / Gonzalez	CASE NUMBER: 17CP000565
--	-----------------------------------

4. Do you have information about, or have you participated as a party or as a witness or in some other capacity in, another court case or custody or visitation proceeding, in California or elsewhere, concerning a child subject to this proceeding?
 Yes No (If yes, attach a copy of the orders (if you have one) and provide the following information):

Proceeding	Case number	Court (name, state, location)	Court order or judgment (date)	Name of each child	Your connection to the case	Case status
a. <input type="checkbox"/> Family						
b. <input type="checkbox"/> Guardianship						
c. <input type="checkbox"/> Other						

Proceeding	Case Number	Court (name, state, location)
d. <input type="checkbox"/> Juvenile Delinquency/ Juvenile Dependency		
e. <input type="checkbox"/> Adoption		

5. One or more domestic violence restraining/protective orders are now in effect. (Attach a copy of the orders if you have one and provide the following information):

Court	County	State	Case number (if known)	Orders expire (date)
a. <input type="checkbox"/> Criminal				
b. <input type="checkbox"/> Family				
c. <input type="checkbox"/> Juvenile Delinquency/ Juvenile Dependency				
d. <input type="checkbox"/> Other				

6. Do you know of any person who is not a party to this proceeding who has physical custody or claims to have custody of or visitation rights with any child in this case? Yes No (If yes, provide the following information):

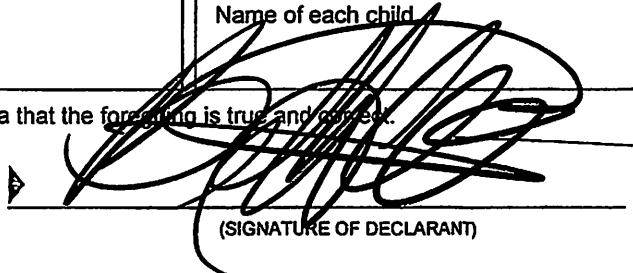
a. Name and address of person <input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims custody rights <input type="checkbox"/> Claims visitation rights Name of each child	b. Name and address of person <input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims custody rights <input type="checkbox"/> Claims visitation rights Name of each child	c. Name and address of person <input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims custody rights <input type="checkbox"/> Claims visitation rights Name of each child
---	---	---

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: July 19, 2017

Betty B. Gonzalez

(TYPE OR PRINT NAME)



(SIGNATURE OF DECLARANT)

7. Number of pages attached: _____

NOTICE TO DECLARANT: You have a continuing duty to inform this court if you obtain any information about a custody proceeding in a California court or any other court concerning a child subject to this proceeding.