

STATE OF SOUTH CAROLINA )  
COUNTY OF Horry )  
Maria Irma Pineda, )  
*Plaintiff,* )  
vs. )  
Argentina Mendoza Vergas and )  
Rumualdo Vijil Pineda )  
*Defendants.* )

IN THE FAMILY COURT  
FIFTEENTH JUDICIAL CIRCUIT

**ORDER FOR PUBLICATION**

Docket No.: 2019-DR-26-284

UPON reading the Affidavit for an Order for Service by Publication of Brana J. Williams, Esq. on behalf of the Plaintiff, it is hereby **ORDERED** that the Defendants Argentina Mendoza Vergas and Rumualdo Vijil Pineda be served by publication through GLOBAL LEGAL NOTICE, LLC (www.GlobalLegalNotices.com) which is more likely to give actual notice to the Defendants, and that the said publication be published once a week for three (3) consecutive weeks.

IT IS SO ORDERED this 6<sup>th</sup> day of February, 2019, in Conway, South Carolina.

  
Family Court Judge  
Fifteenth Judicial Circuit

2019 FEB -6 AM 10:20  
Horry County

ESTADO DE CAROLINA DEL SUR	)	EN EL TRIBUNAL DE FAMILIA DE LA
	)	DÉCIMOQUINTO CIRCUITO JUDICIAL
CONDADO DE HORRY	)	
	)	
Maria Irma Pineda,	)	
	)	
<i>La Demandante,</i>	)	
	)	CITACIÓN Y NOTIFICACIÓN DE
vs.	)	AUDIENCIA FINAL
	)	
	)	
Argentina Mendoza Vergas and	)	
Rumualdo Vijil Pineda,	)	
	)	EXPEDIENTE NO.: 2019-DR-26-0284
<i>El Demandado.</i>	)	
_____	)	

**ENVIADO A: ARGENTINA MENDOZA VERGAS AND RUMUALDO VIJIL PINEDA:**

**POR LA PRESENTE SE LE CITA** y se le requiere que responda a la Demanda que es el objeto de la presente acción, una copia de la cual se le entrega por la presente, y que usted entregue una copia de su respuesta a la suscrita a su dirección: Brana J. Williams, Indigo Family Law, LLC, 2055 Glens Bay Road, Surfside Beach, South Carolina, 29575, United States, dentro de treinta (30) días después de la entrega de la presente, sin contar el día de tal entrega, y si usted no respondere a la Demanda dentro del período susodicho, la Demandante de la presente acción solicitará que la Tribunal conceda el desagravio exigido en la Petición y la Demanda.

La acción fue presentada el 4 de febrero del año 2019.

La presente servirá también como Notificación de Audiencia Final, la cual está programada para el 5 de abril del año 2019 a las 9:30 de la mañana ante el ilustrísimo señora Jan Bromell-Holmes, en la sala del Tribunal de Familia 2E en el Centro Judicial del Condado de Horry, ubicado a 1301 2<sup>nd</sup> Avenue, Conway, Carolina de Sur, Estados Unidos.

**QUE ASÍ SE NOTIFIQUE.**

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BRANAJ. WILLIAMS, ESQ.  
 Abogada de la Demandante  
 INDIGO FAMILY LAW, LLC  
 2055 Glens Bay Road  
 Surfside Beach, South Carolina 29575  
 Telefono: +1 (843) 215-6100  
 Facsimil: +1 (843) 215-6105

STATE OF SOUTH CAROLINA )  
COUNTY OF HORRY )  
Maria Irma Pineda, )  
) *Plaintiff,* )  
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) *Defendants.* )

IN THE FAMILY COURT  
FIFTEENTH JUDICIAL CIRCUIT

COMPLAINT  
(Custody)

DOCKET NO.: 2019-DR-26-284

FILED  
HORRY COUNTY  
2019 FEB -4 PM 1:11  
FAMILY COURT  
HORRY COUNTY, SC

**TO: DEFENDANTS ABOVE NAMED:**

The Plaintiff, by and through her undersigned attorney, would respectfully allege and show unto this Honorable Court the following:

**Jurisdiction**

1. The Plaintiff is a resident of the County of Horry, State of South Carolina, and have been so for more than six (6) months prior to the commencement of this action, along with the child who is the subject of this action.
2. The Defendants are citizens and residents of the Country of Honduras.
3. The Plaintiff is the paternal aunt of the minor child JKVM.
4. The Defendants' are the biological parents of the minor child. The Defendants gave up on their parental duties and made the child choose between leaving the home or taking the dangerous journey to come and live with her paternal aunt in United States.
5. The minor child has no choice but to relocate in United States with her paternal aunt. JKVM entered United States, in September, 2018, illegally via Mexico-Texas Border and was apprehended by Border Patrol in Texas. She was later released to allow her to join Plaintiff aunt in South Carolina and was placed under her care.
6. The minor child has a pending Immigration Court matter at the Immigration Court

in Charlotte, North Carolina.

7. This is an action for child custody and for incidental relief and the Plaintiff is informed and believes that this Court has jurisdiction of the subject matter before it.

**UCCJEA INFORMATION PURSUANT TO § 63-15-346, CODE OF LAWS OF SOUTH CAROLINA 1976 AS AMENDED**

8. Plaintiff further alleges that the child has resided in Horry County, South Carolina with the Plaintiff Paternal Aunt.

9. Plaintiff alleges that the parties have not participated as a party or witness in any other proceeding concerning the custody of or visitation with the child.

10. Plaintiff is unaware of any proceeding that could affect the current proceeding, including proceedings for enforcement and proceedings relating to domestic violence, protective orders, termination of parental rights, and adoptions.

11. Plaintiff is unaware of any person not a party to the proceeding who has physical custody of the child or claims rights of legal custody or physical custody of, or visitation with, the child.

**Custody**

12. Plaintiff is the paternal aunt of JKVM, and the child has been living with her since her entered the United States. Prior to her arrival, the child had lived with the Defendants in the Country of Honduras.

13. While the child was in Honduras the parents were unable to provide for the child in the face of constant gang-related violence and ever-present threat of kidnapping and demand for ransom. They were unable to protect her from her becoming a victim of the sex-trafficking and child prostitution. They demanded that the child drop out of school and stay homebound 24/7.

14. After all these measures failed the parents gave up on their parental duties and made the child choose between leaving the home or taking the dangerous journey to come and live with her paternal aunt, who has been in United States for almost 26 years.

15. Based upon the foregoing, Plaintiff prays for an Order granting her the custody of the minor child, and Plaintiff pray for this relief *pendente lite* and permanently.

**Restraining Orders**

16. The Plaintiff reiterates and incorporates her previous allegations as fully as if set forth herein verbatim.

17. Plaintiff requests an order of this court, *pendente lite* and permanently, enjoining Defendant from harassing, molesting, or interfering with her and from interposing any restraints upon her personal liberty.

18. Plaintiff further alleges that the Defendant should be restrained and enjoined from coming about the residence of the Plaintiff or her place of employment, unless agreed upon in writing, *pendente lite* and permanently.

**Attorney's Fees**

19. Plaintiff has incurred attorney's fees and costs in this matter and she is informed and believes that the Defendant should be fully responsible therefor, as the filing of this action is directly related to his behavior and actions negatively impacting the well-being of the minor child. She would affirmatively show that she was ultimately forced to institute this action based upon the Defendant's actions. Accordingly, she prays for this relief *pendente lite* and permanently.

**Guardian ad Litem**

20. Finally, especially given the Defendants' behavior, Plaintiff prays that a Guardian ad Litem be appointed.

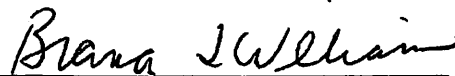
21. Plaintiff requests that the Guardian immediately begin investigations in this matter, and that he or she investigate the psychological harm the Defendants' behavior has caused on the minor child and to ensure that the child does not continue to suffer mentally or psychologically.

22. Further, the Plaintiff would seek this Court's Order requiring the Defendants to be responsible for all or a substantial portion of any Guardian *ad litem* fees to be incurred.

**WHEREFORE**, Plaintiff prays that this Honorable Court inquire into this matter and that it issue its Order awarding unto her the following relief *pendente lite* and permanently:

- (a) Granting the Plaintiff custody of the child permanently;
- (b) Making special findings that the child is dependent upon this court, the reunification with her parents is not viable due to neglect and abandonment, it is not in the child's best interest to return to Honduras and it is in her best interest to stay in this country with her paternal aunt;
- (c) Requiring the Defendants to cooperate with any investigation relating to the minor child;
- (d) Granting Plaintiff's attorney's fees and costs to be paid by Defendants;
- (e) Appointing a Guardian *ad Litem*, and requiring Defendants to pay all or a substantial portion of the fees; and,
- (f) Such other and further relief as this Honorable Court may deem just and proper.

Respectfully submitted,



Brana J. Williams, Esq.  
*Attorney for Plaintiff*

INDIGO FAMILY LAW, LLC  
2055 Glens Bay Road  
Surfside Beach, South Carolina 29575  
Telephone: (843)215-6100  
Facsimile: (843)215-6105

This the 1<sup>st</sup> day of February, 2019  
In Surfside Beach, South Carolina.

STATE OF SOUTH CAROLINA )  
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 COUNTY OF HORRY )  
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 Maria Irma Pineda, )  
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 Plaintiff, )  
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 Rumualdo Vijil Pineda, )  
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 Defendant. )

IN THE FAMILY COURT  
 FIFTEENTH JUDICIAL CIRCUIT

**CONFIDENTIAL  
 REFERENCE LIST OF  
 REDACTED IDENTIFIERS**

Case No. : 2019-DR-26- 284

**THE INFORMATION ON THIS FORM IS CONFIDENTIAL AND MUST NOT BE  
 PLACED IN A PUBLICLY ACCESSIBLE PORTION OF A FILE OR CASE  
 MANAGEMENT SYSTEM.**

PLEADING OR DOCUMENT	UNREDACTED IDENTIFIER	SUBSTITUTED IDENTIFIER
Complaint	Jenny Karina Vijil Mendoza DOB: 06/07/2002	JKVM, 16 year old
Motion	Jenny Karina Vijil Mendoza DOB: 06/07/2002	JKVM, 16 year old

**CONFIDENTIAL**

FILED  
 Horry County  
 2019 FEB -4 PM 1:13  
 CLERK OF COURT  
 Horry County, SC