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• 1	PIX Dr				
1	Angela N. McGill, Esq.  SBN 189227  FILED Superior Court of California County of Los Angeles				
2	The Law Office Of Angela N. McGill, APC 249 East Ocean Blvd., Suite # 503  APR 0 3 2020				
3	249 East Ocean Blvd., Suite # 503  Long Beach, CA 90802  Tel.: 562 432-6227  Fay: 562 432-6337	k			
4	Fax: 562 432-6337 Michael Hart Deputy				
5	Attorney for PETITIONER Jafet Alfredo Rubio Hernandez				
6	Jaiet Alfredo Kubio Hernandez				
7	SUPERIOR COURT OF CALIFORNIA				
8	COUNTY OF LOS ANGELES				
9	In the matter of: ) CASE No. 19STPT00776				
10	Jafet Alfredo Rubio Hernandez ) (Proposed) ORDER FOR SERVICE				
11	) BY PUBLICATION Petitioner				
12					
13	v. )				
14	Joseline Del Carmen Hernandez Rivera ) Respondent				
15					
16	IT IS SO ORDERED THAT service of the Petition to Establish Parental				
17	Relationship, Summons, and all court-issued documents in the matter of Jafet Alredo				
18	Rubio Hernandez, Petitioner and Joseline Del Carmen Hernandez Rivera, Respondent,				
19	Case No. 19STPT00776, shall be published in Global Legal Notices for a period fo				
20	four (4) successive weeks and that Proof of Publication be filed with this court no				
21	later than thirty (30) days after completion of service.				
22	. 11/2				
23	Dated:				
24	De a sa				
25	Judge, Superior Court of California, County of Los Angeles				
	Steven A. ENU  (Broguesi) Order for service by publication				

MARIA VITTORIA 1 ATTORNEY AT LAW Bar No. 323651 2 249 E. Ocean Blvd., Suite 503 Long Beach, CA 90802 3 (562)432-6227, TEL. 4 Attorney for Petitioner 5 6 SUPERIOR COURT OF THE STATE OF CALIFORNIA 7 COUNTY OF LOS ANGELES 8 JAFET ALFREDO RUBIO HERNANDEZ ) 9 **CASE NO: 19STPT00776** Petitioner 10 NOTICE OF CONTINUANCE OF REQUEST FOR ORDER AND 11 Vs. CONFIDENTIAL REQUEST FOR 12 SPECIAL IMMIGRANT JUVENILE FINDINGS HEARING 13 JOSELINE DEL CARMEN HERNANDEZ RIVERA Hearing Date: 12/16/2020 14 Time: 8:30 AM Respondent Department: 2B 15 16 TO ALL PARTIES: You are hereby notified that the hearing on the Request for Order AND 17 Confidential Request for Special Immigrant Juvenile Findings in the above-captioned case has 18 been continued to December 16, 2020 at 8:30 in Dept. 2B of the Superior Court of California, 19 County of Los Angeles, Stanley Mosk Courthouse, located at 111 North Hill St. Los Angeles, 20 CA 90012. 21 Dated: September 11, 2020 22 23 Maria Vittoria, Esq. 24 Attorney for Petitioner 25

NOTICE OF CONTINUANCE OF REQUEST FOR ORDER AND CONFIDENTIAL REQUEST FOR SPECIAL IMMIGRANT JUVENILE FINDINGS HEARING

### AMENDED SUMMONS

### CITACIÓN (Paternidad—Custodia y Manutención)

(Parentage—Custody and Support) NOTICE TO RESPONDENT (Name): Joseline Del Carmen Hernandez Rivera AVISO AL DEMANDADO (Nombre):

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: Jafet Alfredo Rubio Hernandez El nombre del demandante:

CASE NUMBER: (Número de caso)

19STPT00776

FOR COURT USE OFFICE CONTENTS OF THE COURT OF CARLES OF THE COURT OF CARLES OF THE COURT OF THE

SEP 1 4 2020

Sherri R. Carter, Executive Officer/Clerk of Court By: Tikasha Reed, Deputy

You have 30 calendar days after this Summons and Petition | Tiene 30 dias de calendario después de habir recibido la entrega legal are served on you to file a Response (form FL-220 or FL-270) de esta Citación y Petición para presentar una Respuesta (formulario at the court and have a copy served on the petitioner. A FL-220 o FL-270) ante la corte y efectuar la entrega legal de una copia letter, phone call, or court appearance will not protect you. al demandante. Una carta o llamada telefónica o una audiencia de la corte no basta para protegerlo. If you do not file your Response on time, the court may make Si no presenta su Respuesta a tiempo, la corte puede dar órdenes que orders affecting your right to custody of your children. You afecten la custodia de sus hijos. La corte también le puede ordenar que may also be ordered to pay child support and attorney fees pague manutención de los hijos, y honorarios y costos legales. and costs. For legal advice, contact a lawyer immediately. Get help Para asesoramiento legal, póngase en contacto de inmediato con un finding a lawyer at the California Courts Online Self-Help abogado. Puede obtener información para encontrar un abogado en el Center (www.courts.ca.gov/selfhelp), at the California Legal Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en Services website (www.lawhelpca.org), or by contacting your el sitio web de los Servicios Legales de California (www.lawhelpca.org), local bar association. o poniéndose en contacto con el colegio de abogados de su condado. NOTICE: The restraining order on page 2 remains in effect AVISO: La órden de protección que aparecen en la pagina 2 against each parent until the petition is dismissed, a judgment continuará en vigencia en cuanto a cada parte hasta que se emita un is entered, or the court makes further orders. This order is fallo final, se despida la petición o la corte dé otras órdenes. Cualquier enforceable anywhere in California by any law enforcement agencia del orden público que haya recibido o visto una copia de estas officer who has received or seen a copy of it. orden puede hacerla acatar en cualquier lugar de California. EXENCIÓN DE CUOTAS: Si no puede pagar la cuota de presentación, FEE WAIVER: If you cannot pay the filing fee, ask the clerk pida al secretario un formulario de exención de cuotas. La corte puede for a fee waiver form. The court may order you to pay back all ordenar que usted paque, ya sea en parte o por completo, las cuotas y or part of the fees and costs that the court waived for you or

[SEAL]

the other party.

1. The name and address of the court are: (El nombre y dirección de la corte son:) Stanley Mosk Courthouse 111 North Hill St. Los Angeles, CA 90012

parte

2. The name, address, and telephone number of petitioner's attorney, or petitioner without an attorney, are: (El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante si no tiene abogado, son:) Angela Novas McGill, Esq.; Law Office of Angela Novas McGill 249 E. Ocean Blvd. Suite 503 Long Beach, CA 90802 phone number: 562-432-6227 SEP 1 4 2020

costos de la corte previamente exentos a petición de usted o de la otra

Date (Fecha):

Clerk, by (Secretario, por,

, Deputy (Asistente)

Page 1 of 2

Form Adopted for Mandatory Use Judicial Council of Califo FL-210 [Rev. January 1, 2015]

SUMMONS (Parentage—Custody and Support) Family Code, §§ 232, 233, 7700; Cal. Rules of Court, rule 5.50 www.courts.ca.gov

# STANDARD RESTRAINING ORDER (Parentage—Custody and Support)

# ORDEN DE RESTRICCIÓN ESTÁNDAR (Paternidad—Custodia y Manutención)

Starting immediately, you and every other party are restrained from removing from the state, or applying for a passport for, the minor child or children for whom this action seeks to establish a parent-child relationship or a custody order without the prior written consent of every other party or an order of the court.

This restraining order takes effect against the petitioner when he or she files the petition and against the respondent when he or she is personally served with the *Summons* and *Petition* OR when he or she waives and accepts service.

This restraining order remains in effect until the judgment is entered, the petition is dismissed, or the court makes other orders.

This order is enforceable anywhere in California by any law enforcement officer who has received or seen a copy of it.

En forma inmediata, usted y cada otra parte tienen prohibido llevarse del estado a los hijos menores para quienes esta acción judicial procura establecer una relación entre hijos y padres o una orden de custodia, ni pueden solicitar un pasaporte para los mismos, sin el consentimiento previo por escrito de cada otra parte o sin una orden de la corte.

Esta orden de restricción entrará en vigencia para el demandante una vez presentada la petición, y para el demandado una vez que éste reciba la notificación personal de la Citación y Petición, o una vez que renuncie su derecho a reclbir dicha notificación y se dé por notificado.

Esta orden de restricción continuará en vigencia hasta que se emita un fallo final, se despida la petición o la corte dé otras órdenes.

Cualquier agencia del orden público que haya recibido o visto una copia de esta orden puede hacerla acatar en cualquier lugar de California.

#### 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 toward high-quality, affordable health care. For more information, visit www.coveredca.com. Or call Covered California at 1-800-300-1506.

### AVISO—ACCESO A SEGURA DE SALUD MÁS

ECONOMICO Necessita seguro de salud a un costo asequible, ya sea para usted o alguien en su hogar? Si es asi, puede presentar una solicitud con Covered California. Covered California lo puede ayudar a reducir al 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.

		FL-20
	ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): ANGELA NOVAS MCGILL STATE BAR NUMBER:189227 249 E. OCEAN BLVD., SUITE 503 LONG BEACH, CA 90802 TELEPHONE NO. (Optional): 562-432-6227 FAX NO. (Optional): 562-432-6337	FOR COURT USE ONLY
	E-MAIL ADDRESS (Optional): attorneymcgill87@gmail.com ATTORNEY FOR (Name): Jafet Alfredo RUBIO HERNANDEZ  SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES STREET ADDRESS: 111 NORTH HILL ST.	CONFORMED COPY ORIGINAL FILED ORIGINAL FILED Superior Court of California County of Los Angeles
	MAILING ADDRESS: SAME CITY AND ZIP CODE: LOS ANGELES, CA 90012 BRANCH NAME: STANLEY MOSK COURTHOUSE PETITIONER:	SEP 1.4.2°°? Sherri R. Carler, Executive Unicentieth of Cour
	Jafet Alfredo RUBIO HERNANDEZ RESPONDENT: Joseline Del Carmen HERNANDEZ RIVERA PETITION TO ESTABLISH PARENTAL RELATIONSHIP	Sherri R. Carler, Executive Community  By: Tikasha Reed, Denuty  CASE NUMBER:
	Child Support Child Custody Visitation Other (specify):  AMENDED	19STPT00776
1	<ul> <li>Petitioner is</li> <li>a the mother.</li> <li>b the father.</li> <li>c the child or the child's personal representative (specify court and date of appoint d other (specify):</li> </ul>	ment):
2	. The children are a. Child's name     Jafet Alfredo Rubio Hernandez  Date of birth Age 11/09/2014 5	<u>Sex</u> Male
	b. a child who is not yet born.	
3.	<ul> <li>The court has jurisdiction over the respondent because the respondent</li> <li>a.  resides in this state.</li> <li>b.  had sexual intercourse in this state, which resulted in conception of the children lic.  other (specify):</li> </ul>	sted in item 2.
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	
5.	<ul> <li>a.  respondent is the child's mother.</li> <li>b. respondent is the child's father.</li> <li>c. parentage has been established by Voluntary Declaration of Paternity (attach cop d. respondent who is child's parent has failed to support the child.</li> </ul>	shing the following reasonable expenses
	f. public assistance is being provided to the child. g. other (specify):	
6.	A completed Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (U	(CCJEA)) (form FL-105) is attached.

DETITIONED							
Jafet Alfredo RUBIO HERNANDEZ	CASE NUMBER:						
RESPONDENT: Joseline Del Carmen HERNANDEZ RIVERA	19STPT00776						
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 lis	sted in item 2.						
O CHILD CHICAGOV AND MICHATION							
8. CHILD CUSTODY AND VISITATION Petitioner Respondent Jo	int Other						
b. Physical custody of children to	= -						
c. Visitation of children:							
(1) None							
(2) Reasonable visitation.							
(3) Petitioner Respondent should have the right to visit the children	en as follows:						
( )	en as ionows.						
(4) Visitation with the following restrictions (specify):							
d Face to the second of the se							
<ul> <li>Facts in support of the requested custody and visitation orders are (specify):</li> <li>Contained in the attached declaration.</li> </ul>							
e. I request mediation to work out a parenting plan.							
The question and the following plan.							
9. REASONABLE EXPENSES OF PREGNANCY AND BIRTH:							
Reasonable expenses of pregnancy Petitioner Respondent	Joint						
and birth be paid by as follows:							
us follows.							
10. FEES AND COSTS OF LITIGATION Petitioner Respondent	Joint						
Attorney fees to be paid by							
Expert fees, guardian ad litem fees, and other costs     of the action or pretrial proceedings to be paid by							
or the determ of protified proceedings to be paid by							
11. NAME CHANGE							
Children's names be changed, according to Family Code section 7638, as follows (sp	ecify):						
40. CHILD CHODODT							
12. CHILD SUPPORT The court may make orders for support of the children and issue an earnings assignment w	44 - 4 f - 1						
the south may make orders for support of the children and issue an earnings assignment w	ithout 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						
declare under penalty of perjury under the laws of the State of California that the foregoing is to Date: $09/11/2020$	true and correct.						
Jate: 09/11/2020							
Joseline Del Carmen Hernandez Rivera							
	GNATURE OF PETITIONER)						
A blank Response to Petition to Establish Parental Relationship (form FL-220) must be served of	on the Respondent with this Detition						
	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.						

10 percent. FL-200 [Rev. January 1, 2003]

Any party required to pay child support must pay interest on overdue amounts at the "legal" rate, which is currently

AMENPED

Date:	
Duty.	
8. X Other (specify): Special Immigrant Juvenile Status Findings pursuant to Californ request is attached hereto as form FL-358.	ia Code of Civil Procedure section 155. This
served with all documents filed with this Request for Order.	
(specify date, time, and location):  7. The orders in Temporary Emergency (Ex Parte) Orders (form FL-305) apply to the second of	his proceeding and must be personally
6. The parties must attend an appointment for child custody mediation or child cus	• •
<ol> <li>Time for service until the hearing is shortened. Service must</li> <li>A Responsive Declaration to Request for Order (form FL-320) must be served or</li> </ol>	
It is ordered that:  (FOR COURT USE ONLY)  4. Time for service until the hearing is shortened. Service must	ha an as hafara Aluta I.
COURT ORDER	
before the hearing (unless the court has ordered a shorter period of time), and appear more information.)  (Forms <u>FL-300-INFO</u> and <u>DV-400-INFO</u> provide information about cor	r at the hearing. (See form FL-320-INFO for
3. WARNING to the person served with the Request for Order: The court may make not file a Responsive Declaration to Request for Order (form FL-320), serve a copy or	the requested orders without you if you do
a. Date: 17 100 Time: 14 AM Dept.: b. Address of court same as noted above other (specify):	2B Room.: 241
2. A COURT HEARING WILL BE HELD AS FOLLOWS:	
Petitioner X Respondent Other Parent/Party	Other (specify):
1. TO (name(s)): JOSELINE DEL CARMEN HERNANDEZ RIVERA	
NOTICE OF HEARING	
Property Control Other (specify):	10000
X Child Custody Visitation (Parenting Time) Spousal or Partner Child Support Domestic Violence Order Attorney's Fees and	
REQUEST FOR ORDER CHANGE TEMPORARY EMERGENCY ORD	ERS CASE NUMBER:
RESPONDENT: JOSELINE DEL CARMEN HERNANDEZ RIVERA OTHER PARENT/PARTY:	
PETITIONER: JAFET ALFREDO RUBIO HERNANDEZ	
CITY AND ZIP CODE: LOS ANGELES, CA 90012 BRANCH NAME: STANLEY MOSK COURTHOUSE	By: Lashawida Moshv-Keys, Deni-
STREET ADDRESS: 111 NORTH HILL ST. MAILING ADDRESS: SAME	Sherri R Garles, Cassulies Offices/Oles
ATTORNEY FOR (name): JAFET ALFREDO RUBIO HERNANDEZ SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES	OCT 16 2019
TELEPHONE NO.: 562-432-6227 FAX NO.: 562-432-6337 E-NAIL ADDRESS: attorneymogill87@gmail.com	******
STREET ADDRESS: 249 E. OCEAN BLVD. SUITE 503  CITY: LONG BEACH STATE: CA ZIP CODE: 90802	Superior Court
FIRM NAME: LAW OFFICE OF ANGELA NOVAS MCGILL	ORIGINAL FILED
PARTY WITHOUT ATTORNEY STATE BAR NUMBER: 189227 NAME: ANGELA NOVAS MCGILL	FOR COURT USE ONLY

**f** --

PETITIONER: JAFET ALEBEDO BURIO LICONANIE	FL-30
RESPUNDENT: JUSELINE DEL CARMEN HEDRIANDEZ DIVEDA	CASE MUNIBER
Note: An earnings assignment may be Issued. See Income Withholding for a large I request that the court order child support as follows:  Child's name and age.	
I want to change a current court order for child support filed on (date) The court ordered child support as follows (specify):	. Attachment 3a.
Tell Meet I	and Expense Declaration (form FL-150) or I filed the requirements to file form FL-155.  Attachment 3d.
lote: An Earnings Assignment Order For Spousal or Partner Support (form F Amount requested (monthly): \$  I want the court to change end the current support.  The court ordered \$ per month for support.  This request is to modify (change) spousal or partner support after a I have completed and attached Spousal or Partner Support Declaratinat addresses the same factors covered in form FL-157.  I have completed and filed a current Income and Expense Declaration (for	entry of a judgment.  tion Attachment (form FL-157) or a declaration
The petitioner respondent other parent/party be gi	I request temporary emergency orders ven exclusive temporary use, possession, and ease or rent (specify):
and liens coming due while the order is in effect:  Pay to:  Pay to:  For:  Amoun  Pay to:  For:  Amoun  Amoun	dered to make the following payments on debts  at: \$Due date:  at: \$Due date:  at: \$Due date:  at: \$Due date:
·	
	D. I want to change a current court order for child support filed on (date) The court ordered child support as follows (specify):  I have completed and filed with this Request for Order a current Income as a current Financial Statement (Simplified) (form FL-155) because I meet to a current Financial Statement (Simplified) (form FL-155) because I meet to the court should make or change the support orders because (specify):  POUSAL OR DOMESTIC PARTNER SUPPORT Note: An Earnings Assignment Order For Spousal or Partner Support (form Flote: An Earnings Assignment Order For Spousal or Partner Support (form Flote: An Earnings Assignment Order For Spousal or Partner Support (form Flote: An Earnings Assignment Order For Spousal or Partner Support Orders I have count ordered \$ per month for support.  The court ordered \$ per month for support Orders I have completed and attached Spousal or Partner Support Declaration (for I have completed and filed a current Income and Expense Declaration (for I have completed and filed a current Income and Expense Declaration (for I have completed and filed a current Income and Expense Declaration (for I have completed and filed a current Income and Expense Declaration (for I have completed and filed a current Income and Expense Declaration (for I have completed and filed a current Income and Expense Declaration (for I have completed and filed a current Income and Expense Declaration (for I have completed and filed a current Income and Expense Declaration (for I have completed and filed a current Income and Expense Declaration (for I have completed and filed a current Income and Expense Declaration (for I have completed and filed a current Income and Expense Declaration (for I have completed and filed a current Income and Expense Declaration (for I have completed and filed a current Income and Expense Declaration (for I have completed and filed a current Income and Expense Declaration (for I have completed and filed a current Income and Expense Declaration (for I have completed and attach

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PETI	TIONER: JAFET ALFREDO RUBIO HERNANDEZ	FL-300
RESPO OTHER PARENT	JNUENT: JOSELINE DEL CARMEN HERNANDEZ DIVEDA	CASE NUMBER:
l request	NEY'S FEES AND COSTS st attorney's fees and costs, which total (specify amount): \$ surrent Income and Expense Declaration (form FL-150).	. I filed the following to support my request:
b. A <i>Re</i> in tha	equest for Attorney's Fees and Costs Attachment ( <u>form FL-319</u> ) or a de at form.	
	upporting Declaration for Attorney's Fees and Costs Attachment ( <u>form F</u> ors covered in that form.	L-158) or a declaration that addresses the
	TIC VIOLENCE ORDER	
	not use this form to ask for domestic violence restraining orders! Read in property Restraining Order, for forms and information you need to ask for	
11001	No reput by 1900-INFO, now to Change or End a Domestic Violence Res	training Order for more information.
a. The F	Restraining Order After Hearing (form DV-130) was filed on (date):	
prote	The state mass in restraining Order Alter nearing (form DV-130). (	, stay-away, move-out orders, or other f you want to change the orders, complete 7c.)
с	I request that the court make the following changes to the restraining of	orders (specify): Attachment 7c.
d. I wani	nt the court to change or end the orders because (specify):	Attachment 7d.
8. COTHER	ORDERS REQUESTED (specify):	Attachment 8.
a b	OR SERVICE / TIME UNTIL HEARING I urgently need:  To serve the Request for Order no less than (number): court of the hearing date and service of the the Request for Order to be sooned the order because (specify):	lays before the hearing. er. <u> </u>
10. FACTS T cannot b	TO SUPPORT the orders I request are listed below. The facts that I writ be longer than 10 pages, unless the court gives me permission.	e in support and attach to this request Attachment 10.
	ally of perjury under the laws of the State of California that the information of Californ	ion provided in this form and all attachments

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). (Civ. Code, § 54.8.)

PARTY WITHOUT ATTORNEY OR ATTORNEY STATE BAR NO. 180227	JV-356
NAME: ANGELA NOVAS MCGILL	FOR COURT USE ONLY
FIRM NAME: LAVA CERICE OF ANOTHA NOVA CAROLINA	CONFIDENTIAL
FIRM NAME: LAW OFFICE OF ANGELA NOVAS MCGILL, APC STREET ADDRESS: 249 E. OCEAN BLVD., SUITE 503	CONFIDENTIAL
ICITY I ONG DEAGU	CONFORMED COPY
27 CODE: 90802	
E-MAIL ADDRESS: attorneymcgill87@gmail.com	Gounty of Lor Appeler
ATTORNEY FOR (Name): JAFET ALFREDO RUBIO HERNANDEZ	OOT A'O as
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES	OCT 1 6 2019
STREET ADDRESS: 111 NORTH HILL ST.	
MAILING ADDRESS: SAME	Shell, n. value, Cinculus umense
CITY AND ZIP CODE: LOS ANGELES, CA 90012	W. Lashawada Wanday Kayes, Day
BRANCH NAME: STANLEY MOSK COURTHOUSE	Attend-ents' @30
PETITIONER: JAFET ALFREDO RUBIO HERNANDEZ RESPONDENT: JOSELINE DEL CARMEN HERNANDEZ RIVERA OTHER PARENT/PARTY:	
CONFIDENTIAL REQUEST	CASE NUMBER:
FOR SPECIAL IMMIGRANT JUVENILE FINDINGS—FAMILY LAW	19STPT0C776
To the person filing this request: You must file this request in the case identified in 6, be the petition and a request for an order of sole physical custody of the child named in 4.*  To the court clerk: You must file this request in a confidential part of the case file.	elow, at the same time as or any time after
A COURT HEARING WILL BE HELD AS FOLLOWS:	
a. Date: M 2011) Time: GMAM Dept.:	4 h
b. Address of court same as noted above cher (specify):	2B Room: 247
. I am the x petitioner respondent other parent or party. I allege the make the specified findings and conclusions.	following facts and request that the court
This court has jurisdiction to make a custody determination about the child in item 4 unand Enforcement Act (UCCJEA). (Fam. Code, §§ 3400–3465.) If not currently on file with Child Custody Jurisdiction and Enforcement Act (UCCJEA) (form FL-105) is attached.	der the Uniform Child Custody Jurisdiction Ith the court, <i>Declaration Under Uniform</i>
· The child (name):* JAFET ALFREDO RUBIO HERNANDEZ	
is a national of (country): EL SALVADOR	(date of birth): 11/09/2014
is a regional of (continty): EL SALVADOR	
The child's parents are (name each):	
JOSEI INE DEL CARMEN HERMANDEZ DIVERA	
WILFREDO RUBIO ALVAREZ  Mother  Mother	Father Other legal parent  X Father Other legal parent
The following petition has been filed earlier in this case at the same time	
	as this request.
manufacture (term FL-100), asking for sole physical states of the sole physical states	ical custody of the child named in 4.
b. x Petition to Establish Parental Relationship (form FL-200), asking for sole physical	sical custody of the child named in 4.
c. X Petition for Custody and Support of Minor Children (form FL-260), asking for	Polo physical quality of the state of the
d. Request for Domestic Violence Restraining Order (form DV 100), asking for	sole physical custody of the child named in 4.
Light Dy-100, asking for s	ole physical custody of the child named in 4.
e. Adoption Request (form ADOPT-200) asking to adopt the child named in 4.	
f. Another petition and request for sole physical custody of the child named in 4	(specify):
This court made final orders about physical custody of the child on (date):  X The case in item 6 is pending in this court.	. The orders remain in effect.

Form Adopted for Mandatory Use Judicial Council of Celifornia FL-356 [Rev. July 1, 2018]

PETITIONER: JAFET ALFREDO RUBIO HERNANDEZ			FL-35
RESPONDENT: JOSELINE DEL CARMEN HERNANDEZ OTHER PARENT/PARTY:	Z RIVERA	CASE NUMBER:	
After the court has made final orders in this case individual appointed by the court. The court will another court acquires valid jurisdiction, until the	e, identified in item 6, the child have jurisdiction to determine e child reaches 18 years of age	will be legally placed under the cust requests to modify or terminate thes	tody of an se orders, unless
<ol> <li>I understand that section 3026 of the Family Co- proceeding. After the court has issued final orde custody of another parent (i.e., reunification) will</li> </ol>	de prohibits the court from orde	ering reunification services as part o	of a child custody the physical
I REQUEST THAT THE COURT MAKE THE FOLL			
10. The child has been placed in the custody of (nar who is an individual appointed by the court as de	me): IOSEI INE DEL CADMEN L	IERNANDEZ RIVERA	
Reunification of the child with the mother because of (check all that apply):     abuse abuse neglect		ther legal parent is not viable unde	er California law
abandonment another legal basis (specify):			
It is in the best interest that the MINOR, JAFET ADEL CARMEN HERNANDEZ RIVERA. JOSELINE D JAFET ALFREDO RUBIO HERNANDEZ, while MIN minor 2 years ago and has not provided any fin mother in El Salvador, MINOR'S FATHER, was enthe minor.	IOR'S FATHER, WILFREDO RUE	EKA provides for the health, safety, BIO ALVAREZ, abandoned and neg	, and welfare of lected the
Continued on Attachment 11.			
<ol><li>It is not in the best interest of the child to be return residence (specify country or countries):</li></ol>	ned to the child's or the parent'	s country of nationality or country of	f last habitual
Facts supporting this finding (specify): JAFET ALFREDO RUBIO HERNANDEZ'S health, so JUSET ALFREDO RUBIO HERNAND	would not be sat npunity . In additi n El satuador Mor	e in El salvador becau On he does not ha Rover Upranno an	vea
Continued on Attachment 12.  Additional documents in support of the requi	est are attached and incom-	A-41 N	
. Additional documents in support of the required and an additional documents in support of the laws of the	est are autected and incorpora	ited into this form. Number of pages	attached:
leclare under penalty of perjury under the laws of thate: 61/14/2619	e State of California that the In	normation on this form is true and co	orrect.
		(SIGNATURE)	

FL-356 [Rev. July 1, 2016]

# SUPERIL OURT OF CALIFORNIA, COUNTY OF LOS . JELES NOTICE OF CASE ASSIGNMENT FAMILY LAW DIVISION

Case Number: 19STPT00776 Case Hernandez, Jafet Alfredo Rubio vs Rivera, Joseline Del Title: Carmen Hernandez

To Petitioner and/or Petitioner's Attorney of Record: You are notified that this case is assigned for all pre-trial and post-judgment matters to the judicial officer named below:

	ASSIGNED JUDGE/COMMISSIONER	DEPT	ROOM		ASSIGNED JUDGE/COMMISSIONER	DEPT	ROOM
$\boxtimes$	Judge Holly A. Thomas	2B	247		Judge Anne Richardson	43	419
	Commissioner Laura Hymowitz	2C	243		Commissioner Doreen Boxer	59	547
	Commissioner Kimberly Dotson	6	543		Judge Steven Cochran	63	604
	Judge Alexander C.D. Giza	7	319		Judge Gregory J. Weingart	65	608
	Judge Lynn H. Scaduto	13	312		Judge Mark H. Epstein	81	832
	Judge Audra Mori	21	313		Judge Joseph Lipner	83	829
	Judge Michael R. Powell	22	519		Judge Helen Zukin	84	835
	Judge Alison Mackenzie	23	315	面	Judge Gary D. Roberts	87	830
	Judge Joshua Wayser	27	634		5		1

PETITIONER AND/OR PETITIONER'S ATTORNEY: You must serve a copy of this Notice on the Respondent with the Summons and Petition.

ALL PARTIES MUST write the name of the assigned judicial officer and department number on the first page, beneath the case number, on ALL documents filed with the clerk, to assure proper departmental assignment, calendaring of hearings and distribution of documents.

**COMMISSIONERS:** Cases may be assigned to a sitting or retired Superior Court Commissioner, or a Temporary Judge. A Commissioner/Temporary Judge may preside as the judge over a case only if the parties agree. Additionally, a Commissioner/Temporary Judge may be assigned solely for the processing of the Default or Stipulated Judgment. If this occurs, failure to object to the assigned judicial officer within 10 days after Default or Stipulated Judgment has been signed will be deemed as having stipulated to the Commissioner or Temporary Judge.

INTERPRETER SERVICES: The Los Angeles Superior Court offers interpreter services free of charge. Spanish language interpreters for Family Law are available at each court location where Family Law matters are heard. Therefore, it is not necessary to request a Spanish language interpreter in advance. If you need an interpreter in another language for a courtroom proceeding, you should request one prior to your court date. While the court will make every effort to locate an interpreter for the date and time of your hearing, it cannot guarantee that one will be immediately available. You may access the interpreter request portal by visiting the Court's website at <a href="https://www.lacourt.org">www.lacourt.org</a> and clicking on the Language Access Services icon.

Date:	3/20/2019	Sher	Sherri R. Carter, Executive Officer/Clerk of Court			
		Ву:	Christopher Herrera	, Deputy		

NOTICE OF CASE ASSIGNMENT - FAMILY LAW DIVISION

### **SUMMONS**

CITACIÓN (Paternidad—Custodia y Manutención)

(Parentage—Custody and Support) NÓTICE TO RESPONDENT (Name): Joseline Del Carmen Hernandez Rivera AVISO AL DEMANDADO (Nombre):

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:

Jafet Alfredo Rubio Hernandez

El nombre del demandante:

FOR COURT USE ONLY (SOLO PARA USO DE LA CORTE)

CONFORMED COPY ORIGINAL FILED Superior Court of California

County of Los Angeles

MAR 2 0 2019

Sherri R. Carter, Executive Unicer/Clerk of Court

By: Christopher Herrera, Deputy

CASE NUMBER: (Número de caso)

You have 30 calendar days after this Summons and Petition at the court and have a copy served on the petitioner. A letter, phone call, or court appearance will not protect you.

Tiene 30 dias de calendario después de habir recibido la entrega legal are served on you to file a Response (form FL-220 or FL-270) de este Citación y Petición para presentar una Respuesta (formulario FL-220 o FL-270) 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 protegerio.

If you do not file your Response on time, the court may make orders affecting your right to custody of your children. You may also be ordered to pay child support and attorney fees and costs.

Si no presenta su Respuesta a tiempo, la corte puede dar órdenes que afecten la custodia de sus hijos. La corte también le puede ordenar que pague manutención de los hijos, y honorarios y costos legales.

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 bar association.

Para asesoramiento legal, póngase en contacto de inmediato con un abogado. Puede obtener información para encontrar un abogado en el Centro de Avuda 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.

NOTICE: The restraining order on page 2 remains in effect against each parent until the petition is dismissed, a judgment is entered, or the court makes further orders. This order is enforceable anywhere in California by any law enforcement officer who has received or seen a copy of it.

AVISO: La órden de protección que aparecen en la pagina 2 continuara en vigencia en cuanto a cada parte hasta que se emita un fallo final, se despida la pelición o la corte dé otras órdenes. Cualquier agencia del orden público que haya recibido o visto una copia de estas orden puede hacerla acatar en cualquier lugar de California.

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 al or part of the fees and costs that the court waived for you or the other party.

EXENCIÓN DE CUOTAS: Si no puede pagar la cuota de presentación, pida al secretario un formulario de exención de cuctas. 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

(SEAL)	
	i

- 1. The name and address of the court are: (El nombre y dirección de la corte son:) Stanley Mosk Courthouse 111 North Hill St. Los Angeles, CA 90012
- 2. The name, address, and telephone number of petitioner's attorney, or petitioner without an attorney, are: (El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante si no tiene abogado, son:) Angela Novas McGill, Esq. 249 E. Ocean Blvd. Suite 503 Long Beach, CA 90802

phone number: 562-432-6227

Clerk, by (Secretario, por)

, Deputy (Asistente)

Form Adopted for Mandalory Use Judicial Council of California FL-210 [Rev. January 1, 2015]

Date (Fecha):

SUMMONS (Parentage---Custody and Support) Page 1 of 2

Family Code, §§ 232, 233, 7700; Cal. Rules of Court, rule 5.50

### STANDARD RESTRAINING ORDER (Parentage—Custody and Support)

### ORDEN DE RESTRICCIÓN ESTÁNDAR (Paternidad—Custodia y Manutención)

Starting immediately, you and every other party are restrained from removing from the state, or applying for a passport for, the minor child or children for whom this action seeks to establish a parent-child relationship or a custody order without the prior written consent of every other party or an order of the court.

This restraining order takes effect against the petitioner when he or she files the petition and against the respondent when he or she is personally served with the Summons and Petition OR when he or she waives and accepts service.

This restraining order remains in effect until the judgment is entered, the petition is dismissed, or the court makes other orders.

This order is enforceable anywhere in California by any law enforcement officer who has received or seen a copy of it.

En forma inmediata, usted y cada otra parte tienen prohibido llevarse del estado a los hijos menores para quienes esta acción judicial procura establecer una relación entre hijos y padres o una orden de custodia, ni pueden solicitar un pasaporte para los mismos, sin el consentimiento previo por escrito de cada otra parte o sin una orden de la corte.

Esta orden de restricción entrará en vigencia para el demandante una vez presentada la petición, y para el demandado una vez que éste reciba la notificación personal de la Citación y Petición, o una vez que renuncie su derecho a recibir dicha notificación y se dé por notificado.

Esta orden de restricción continuará en vigencia hasta que se emita un fallo final, se despida la petición o la corte dé otras órdenes.

Cualquier agencia del orden público que haya recibido o visto una copia de esta orden puede hacerla acatar en cualquier lugar de California.

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 toward high-quality, affordable health care.

For more information, visit www.coveredca.com. Or call Covered California at 1-800-300-1506.

AVISO—ACCESO A SEGURA DE SALUD MÁS

ECONOMICO Necessita seguro de salud a un costo asequible, ya sea para usted o alguien en su hogar? Si es asi, puede presentar una solicitud con Covered California. Covered California lo puede ayudar a reducir al costo que paga por seguro de salud asequible y de alta calidad. Para obtener más información, visite www.coveredca.com. O liame a Covered California al 1-800-300-0213.

	·	Ĭ	Ė. 00
	ATTORNEY OR PARTY WITHOUT ATTORNEY (Namo, state bar number, and address): ANGELA NOVAS MCGILL STATE BAR NUMBER:189227	FOR COURT USE ONLY	FL-20
	249 E. OCEAN BLVD., SUITE 503 LONG BEACH, CA 90802 TELEPHONE NO. (Optional): 562-432-6227 FAX NO. (Optional): 562-432-6337	CONFORMED COPY ORIGINAL FILED	
	E-MAIL ADDRESS (Optional): 302-432-033 / ATTORNEY FOR (Name): Jafet Alfredo Rubio Hernandez	Superior Court of California County of Los Angeles	
Ì	SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES STREET ADDRESS: 111 NORTH HILL ST.	MAR 2 0 2019	
	MAILING ADDRESS: SAME Sharri	A. Carter, Executive Unicer/Clerk of Court	
-	CITY AND ZIP CODE: LOS ANGELES, CA 90012  BRANCH NAME: STANLEY MOSK COURTHOUSE  PETITIONER:  BY	: Christopher Herrera, Deputy	
	JAFET ALFREDO RUBIO HERNANDEZ RESPONDENT: JOSELINE DEL CARMEN HERNANDEZ RIVERA		
1	PETITION TO ESTABLISH PARENTAL RELATIONSHIP	CASE NUMBER:	*******
L	Child Support	19STPT00776	
	<ul> <li>Petitioner is</li> <li>a the mother.</li> <li>b the father.</li> <li>c the child or the child's personal representative (specify court and date of appoint other (specify):</li> </ul>	tment):	
2	. The children are		
	a. Child's name Jafet Alfredo Rubio Hernandez  Date of birth Age 11/09/2018 4	<u>Sex</u> Male	
	b. a child who is not yet born.		
3.	. The court has jurisdiction over the respondent because the respondent		
	<ul> <li>a.  resides in this state.</li> <li>b.  had sexual intercourse in this state, which resulted in conception of the children in the conception of the children in the c</li></ul>	listed in item 2.	
4.	The action is brought in this county because (you must check one or more to file in this co a.  the child resides or is found in the county.	ounty):	
	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 cop d. respondent who is child's parent has failed to support the child.	ру).	
		tishing the following reasonable exp d:	enses
	f. public assistance is being provided to the child. g. other (specify):		

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

PETITIONER:						
JAFET ALFREDO RUBIO HERNANDEZ	CASE NUMBER:					
RESPONDENT: JOSELINE DEL CARMEN HERNANDEZ RIVERA						
Petitioner requests the court to make the determinations indicated below.  7. PARENT-CHILD RELATIONSHIP						
a. Respondent b. Petitloner						
c. Other (specify): Is the parent of the children its	4-d l- 14 0					
	ted in item 2.					
8. CHILD CUSTODY AND VISITATION Petitioner Respondent Joi	nt Other					
a. Legal custody of children to						
c. Visitation of children:						
(1) None						
(2) Reasonable visitation.						
(3) Petitioner Respondent should have the right to visit the children	i					
to periodic interest to right to visit the children	en as tollows:					
(4) Visitation with the following restrictions (specify):						
d. Facts in support of the requested custody and visitation orders are (specify):						
Contained in the attached declaration.						
e.						
9. REASONABLE EXPENSES OF PREGNANCY AND BIRTH: Reasonable expenses of pregnancy Petitioner Respondent						
and birth be paid by	Joint					
as follows:	L					
10. FEES AND COSTS OF LITIGATION Petitioner Respondent						
a. Attorney fees to be paid by	Joint					
b. Expert fees, guardian ad litem fees, and other costs						
of the action or pretrial proceedings to be paid by						
11. NAME CHANGE						
Children's names be changed, according to Family Code section 7638, as follows (specify):						
spiral servicing to taking observation ross, as lallows (spiral	eary):					
12 CUILD CLIDDODT						
12. CHILD SUPPORT The Court may make criters for support of the skilldran and leaves and						
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:						
TOSELING HETNEADER RIVERA (ON behalf of	The state of the s					
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. FL-200 [Rev. January 1, 2003]

# DECLARACIÓN DE JOSELINE DEL CARMEN HERNANDEZ RIVERA

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Yo, Joseline Del Carmen Hernández, declaro las razones por la cual pido la custodia completa, legal y física, de mi hijo, Jafet Alfredo Rubio Hernandez.

- 1. Mi nombre es Joseline Del Carmen Hernández Rivera. Nací en Cantón el Volcán, San Miguel en El Salvador, el 7 de junio del 1993.
- 2. En mayo del 2012 conocí a Wilfredo Rubio Alvarez, el papa de Jafet, quien me maltrato y abuso de mí.
- 3. Wilfredo era mucho más mayor que yo. Él tenía 36 años cuando lo conocí y yo tenía 18 años. Cuando lo conocí yo ya era madre de Oswaldo el hijo que tuve con mi primera pareja, Walter Rivera. Al conocernos Wilfredo me invito a salir y empezamos a salir juntos. El me comento que le gustaba mucho y que quería algo serio conmigo. Ya después me enteré de que Wilfredo estaba casado y que tenía hijos. Sus hijos estaban con su esposa en Houston, TX. En Julio del año 2012, su esposa había llegado de visita a El Salvador y así me enteré de que él todavía estaba casado. Después de esto empezaron los problemas. Yo le dije a Wilfredo que no quería una relación así. Pero él me decía que no era para mi decisión, que era lo que el quería. Cuando la esposa regreso a los Estado Unidos Wilfredo me ordeno que estuviera con él.
- 4. Wilfredo me violaba cuando él quería. El me forzaba a tener relaciones sexuales. Él quería tener un hijo varón. Cuando la esposa de Wilfredo se iba, el llegaba a la casa de mi mama y me llevaba a su casa a las fuerzas. Por no causar problemas o preocupar a mi madre yo me dejaba. Wilfredo también me tenía amenazada porque él decía que me atuviera a las consecuencias si no hacia lo que él decía, incluyendo consecuencias para mi familia. Alrededor de marzo del 2013 me enteré de que estaba embarazada esperando un hijo de Wilfredo.
- 5. En mayo 30, 2013 desafortunadamente me enteré que el bebé murió por el maltrato de Wilfredo. Cuando fui al doctor en mayo 30, 2013 me enteré de que era una niña y que ya tenía 3 semanas de muerta. Los doctores me dijeron que la niña se había ahogado, se había asfixiado. En mayo 31, 2013 los doctores provocaron el parto porque la placenta todavía estaba funcionando. La niña la tuve por parto natural aunque ya estaba muerta. De este entonces me sentí muy mal, porque Wilfredo no me dejaba usar un método de contraceptivos para no salir embarazada. Él quería un hijo, pero yo no. Yo quería planificar porque me daba miedo tener otro bebé muerto.

6. Wilfredo era muy posesivo y siempre tomaba alcohol y usaba drogas. Siempre me maltrataba con palabras, me contestaba feo, y me controlaba. Cuando él tomaba frecuentemente me hacía que me hincara y me empezaba a gritar. En ocasiones intente a escapar, pero siempre me encontraba. Me decía que si me escapaba iba a tirar una granada a la casa de mi familia. Su amigo pandillero le preguntaba a Wilfredo; ¿cómo va a quedar la "chaparra" si se porta mal? Wilfredo le contestaba que, "si la chaparra no está conmigo, se muere." Después me enteré de que Wilfredo había estado preso en los Estados Unidos por tráfico de drogas y fue deportado para El Salvador. Él no me dejaba llámar a mi madre. Cuando mi mama llamaba me decía que dijera que todo estaba bien y que no llamara.

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- 7. Wilfredo abuso de mi tantas veces que no recuerdo todas las veces que me maltrato. En abril 2013 Wilfredo estaba tomado/drogado y me empezó a preguntar que a quien más tenía. Por celos y la necesidad de controlarme él no me dejaba salir. Él le alquilaba el apartamento a un amigo. Una vez en noviembre del 2012 le rogué al amigo que me dejara salir ya que Wilfredo estaba dormido. El amigo salió de la habitación para darme la oportunidad de que me escapara, pero Wilfredo lo había ordenado a que no me dejara salir sola.
- 8. En otra ocasión Wilfredo me tenía arrodillada y me puso un hot dog en la cara y me pregunto si tenía hambre. Yo no había comido todo el día y él me dijo que las perras no comían. Y me pego muy fuerte hasta que me falto el aire y diciéndome que no le importará si me muriera.
- 9. También en otra ocasión el me encerró a mí y a su propia madre. Porque se puso bien loco. Su misma mama me dijo que me escapara de ahí con mis hijos.
- 10. Intenté escapar varias veces y no recuerdo cada fecha. Después de que yo escapaba Wilfredo me iba a buscar con mi mama y me decía que me suba al carro y por no empezar problemas con mi mama me subía y me iba con él. No tenía a donde ir. Al llegar a su casa me decía que llamara a mi mama y le dijera que todo estaba bien. Cuando la esposa llegaba a El Salvador el me obligaba a salirme de su casa y después de que su esposa se iba me pedia que regresara. Me decía que yo tenía que estar con él hasta que yo me muriera.
- 11. En abril del 2013, Wilfredo me agarro y me sentó en una silla y me amarro las manos al alrededor de la silla y la puso cerca de la estufa diciendo que ahí me iba a quedar. Me hacía preguntas como loco. Me preguntaba con quien andaba y si tenía a otro hombre. Yo le decía que

no tenía a nadie. Él me decía que yo estaba mintiendo y que me iba a ahorcar y me iba a meter en una bolsa de plástico y tirarme al rio. Pase cuatro horas atada a la silla. A las cinco de la mañana me soltó. Se disculpó y dijo que hizo lo que hizo por celos.

- 12. En una de las varias ocasiones en la cual intente escapar, Wilfredo me dio una tarjeta de banco y me dijo que sacara un dinero y se lo trajera. Yo lo vi como una oportunidad de escaparme. Me fui con una amiga pero Wilfredo me estuvo buscando y forzó a mi amiga a que le diera mi número de teléfono. Cuando Wilfredo me encontró él me prometió que él me quería y que nunca iba volver a maltratarme. ...que me quería y que actuaba así por celos.
- 13. Él no me dejaba salir, y se encargaba de dejar a Oswaldo en la escuela y de recogerlo. Yo ya no quería estar con él, no me gustaba como me hablaba o trataba. Todo lo que decía él, lo repetía Oswaldo y Oswaldo se metía en problemas porque maltrataba a sus compañeros siguiendo el ejemplo de Wilfredo.
- 14. En enero del 2014 me enteré de que estaba embarazada otra vez. Mi embarazo se complicó porque en mayo del 2014 tuve una hemorragia debido a un pleito verbal que tuve con Wilfredo. Me puse a llorar y Wilfredo me dijo "Crees que te voy a tener lastima por eso que traes adentro?" Con la hemorragia estaba propensa a un aborto. Estuve hospitalizada por 2-3 días. Estuve en reposo absoluto. No podía hacer nada. Repose hasta septiembre del 2014. Afortunadamente en noviembre del 2014 nació mí hijo Jafet, sano y saludable.
- 15. A los 20 días de haber nacido Jafet, Wilfredo tuvo una sobredosis de cocaína que lo cambio por lo peor. Tuve que ir al hospital y cuidarlo y deje a Jafet con mi madre. Él estuvo como por una semana en el hospital antes de que le dieron de alta. Cuando él estaba en el hospital no reconocía a nadie. Desde este entonces Wilfredo cambio en peor y no era la misma persona.
- 16. Cuando Jafet tenía 3 meses Wilfredo me maltrato porque perdió el conocimiento. Él tenía como alucinaciones. Yo tenía a Jafet abrazado, el me lo arrebato y me agarró del cuello tan fuerte que perdí el control y me orine de lo mucho que me asfixiaba del cuello. El también tomo a Jafet del cuello y apretó diciendo que nos iba a matar, y a su propio hijo, casi lo suelta al piso. Jafet estaba llorando a gritos. Wilfredo decía que lo quería matar y que había hombres alli. El

nos encerró a Jafet, Oswaldo, y a mi en el cuarto dando una patada a la puerta. Oswaldo, Jafet, y yo estábamos muy asustados esa noche.

- En Febrero del 2016 me entere de que Wilfredo había comprado una arma y obtuvo 17. permiso de traer armas de fuego. Yo temía mucho por mi vida y la de mis hijos. El maltrato de Wilfredo continuaba conmigo y en la presencia de los niños. Además el seguía drogándose y emborrachándose. No podía seguir viviendo en esas condiciones y el 7 de abril decidí huir a los Estados Unidos con los niños.
- Jafet ha vivido conmigo en los Estados Unidos desde Abril del 2016. Yo soy la persona 18. quien se encarga económicamente de el. También soy la única persona quien se encarga de la salud y el bien estar de mi hijo. Es por esto que pido que me den la custodia legal y física de mi hijo, Jafet.

Joseline Del Carmen Hernández

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## DECLARATION OF JOSELINE DEL CARMEN HERNANDEZ RIVERA.

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- I, Joseline Del Carmen Hernández, state the reasons why I ask for full custody, legal and physical, of my son, Jafet Alfredo Rubio Hernández.
- 1. My name is Joseline Del Carmen Hernández Rivera, I was born in Cantón el Volcán, San Miguel in El Salvador, on June 7, 1993.
- 2. In May of 2012, I met Wilfredo Rubio Alvarez, Jafet's father, who mistreated and abused me.
- 3. Wilfredo was much older than me. He was 36 years old when I met him and I was 18 years old. When I met him, I was the mother of Oswaldo, the son I had with my first partner, Walter Rivera. When we met Wilfredo, he invited me to leave and we started to go out together. He told me that he liked me a lot and that you wanted something serious with me. Later I learned that Wilfredo was married and had children. His children were with his wife in Houston, TX. In July of 2012, his wife had come to visit El Salvador and I learned that he was still married. After this the problems began. I redid Alfredo that he did not want a relationship like that. But he told me that it was not for my decision, that it was what he wanted. When the wife returned to the United States, Wilfredo ordered me to be with him.
- 4. Wilfredo raped me when he wanted to. He forced me to have sex. He wanted to have a son. When Wilfredo's wife left, he would arrive at my mother's house and take his house to the forces. For not causing problems or worrying my mother I left. Wilfredo also threatened me because he said that I should take the consequences if you do not do what he said. including consequences for my family. Around March 2013 I found out dam was pregnant expecting a son of Wilfredo.
- 5. On May 30, 2013 unfortunately I learned that baby died due to the mistreatment of Wilfredo. When I went to the doctor on May 30, 2013, I found out that she was a girl and that she was already 3 weeks dead. The doctors said that the girl had drowned, had suffocated. On May 31, 2013 the doctors provoked the delivery because the placenta was still functioning. I had the girl as a natural child even though she was already dead. Since then I felt very bad, because Wilfredo would not let me use a contraceptive method to avoid getting pregnant. He wanted a son, but I did not. I wanted to plan because I was afraid of having another dead baby.

6. Wilfredo was very possessive and always took alcohol and used drugs. He always mistreated me words, answered me ugly, and controlled me. When he often took me to face me and started screaming. Occasionally I tried to escape, but I always found myself. I deserved that if I ran away, I would throw a grenade at my family's face. His gangster friend was asking Wilfredo; How will the "Chaparra" be if it misbehaves? Wilfredo replied that "if the chaparra is not with me, he dies". Later I learned that Wilfredo had been imprisoned in the United States for drug trafficking and was deported to El Salvador. He would not let me call my mother. When my mom called, she told me to say that everything was fine and not to call.

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- 7. Wilfredo abused me so many times that I do not remember all the times he mistreated me. In April 2013 Wilfredo was taken / drugged and he began to ask me who else he had. Out of jealousy and the need to get out of control, he would not let me out. He rented the apartment to a friend. Once in November 2012 I begged my friend to let me out, Wilfredo was asleep. The friend left the room to give me the opportunity dike escape, but Wilfredo had ordered him not to let me leave alone.
- 8. On another occasion, Wilfredo had me kneeling and he put a dog today on my back and asked me if I was hungry. I had not eaten all day he told me that bitches did not eat. And he hit me very hard until he took my breath away and told me he did not care if I died.
- 9. Also on another occasion he locked me and his own mother. Because he got really crazy. His mother told me to run away with my children.
- 10. I tried to escape several times and I do not remember every date. After I ran away, Wilfredo would pick me up with my mother and tell me to get in the car and not to start problems with my mother. I had nowhere to go. When he got home, he told me to call my mother and tell her that everything was fine. When the wife came to El Salvador, he forced me to leave home and after his wife resigned, he would ask me to return. He told me that I had to be with him until I died.
- 11. In April 2013, Wilfredo grabbed me and sat me in a chair and tied my hands around the box and put it near the stove saying that I would stay there. He asked me questions like crazy. I was wondering who he was with and if you had another man. I told him that

I did not have anyone He told me that I was lying and that he was going to hang me and put me in a plastic bag and throw me in the river. I spent four hours tied to the chair. At five in the morning he released me. He apologized and said he did it out of jealousy.

- 12. On one of several occasions in which I tried to escape, Wilfredo gave me a bank card and told me to take out a money that I brought. I saw it as an opportunity to escape. I went with a friend but Wilfredo was looking for me and forced my friend to give her my phone number. When Wilfredo found me, he promised me that he loved me and that he was never going to mistreat me again ... that you loved me and that he acted like that out of jealousy.
- 13. He would not let me leave, and he would take care of leaving Oswaldo at school and picking him up. I did not want to be with him anymore, I did not like how he talked to me or tried. Everything he said, Oswaldo repeated, and Oswaldo got into trouble because he mistreated his companions following the example of Wilfredo.
- 14. In January of 2014 I will lie that I was pregnant again. My pregnancy got complicated because in May 2014 I had a hemorrhage due to a verbal lawsuit that I had with Wilfredo. I started to cry and Wilfredo told me "Do you think I'm going to feel sorry for what you're bringing inside? With the hemorrhage, I was still prone to abortion. I was hospitalized for 2-3 days. I was in absolute rest. I could not do anything. I rested until September 2014.

Fortunately, in November 2014, my son Jafet was born, healthy and healthy.

- 15. Twenty days after Jafet was born, Wilfredo had an overdose of cocaine that changed him for the worse. I had to go to the hospital and take care of him and leave Jafet with my mother. He spent a week in the hospital before he was discharged. When he was in the hospital he did not have anyone, since then Wilfredo changed into worse and was not the same person.
- 16. When Jafet was 3 months old, Wilfredo mistreated me because he lost consciousness. He had hallucinations. I had Japheth embraced, he snatched it from me and grabbed my neck so hard that I lost control and urinated on how much it suffocated me by the neck. He also took Japheth by the neck and squeezed saying that he was going to kill us, and thus his own son, almost looses him to the floor. Jafet was crying loudly, Wilfredo said that you wanted to kill him and that there were men there. He locked us Janet, Oswaldo, and me in the room kicking the door. Oswaldo, Janet, and I were very scared that night.

- 17. In February 2016, I learned that Wilfredo had bought a gun and obtained permission to bring firearms. I was very afraid for my life and beats my children. The mistreatment of Wilfredo continued with me and in the presidency of the children. He was still getting drunk and getting drunk. I could not continue living in those conditions and on April 7, I decided to flee to the United States with the children.
- 18. Jafet has lived in the United States since April 2016. I am the person who is financially responsible for him. I am also the only person who is responsible for the health and well-being of my son. It is a prisoner that I ask for legal and fiscal custody of my son Jafet.

Joseline Del Carmen Hernandez

01/01/2019 Date

**CERTIFICATION OF TRANSLATOR'S COMPETENCE** 

I, Jose Mejia . HEREBY CERTIFY: That the above is an accurate translation of the original DECLARATION OF JOSELINE DEL CARMEN HERNANDEZ RIVERA, in SPANISH, and that I am competent in both ENGLISH and Spanish languages to render such translation.

Signature: \_ Date: February 1, 2019 1605 W. Olympic Blvb Suite 9006, Los Angeles, California 90015

Telephone 213-387-d76b.

SHORT TITLE:						1		-105/GC-12
Rubio Hernandez v. Hernandez Rivera						CASE NUMBE	R:	
4. Do you have inform or custody or visite Yes 7		or have you partions, in California on attach a copy of ti	i ciaewiiele.	. concemina a	מותוום פווחום	of to thic near	nooding!	her court cas
Proceeding	Case numb	Cau	rt	Court order or judgment (date)		each child	Your connection to the case	Case status
a. Family								
b. Guardianship						-		
c. Other						71/		
Proceeding		Ca	se Number			Court (n	eme state location	
d. Juvenile Deli	Juvenile Delinquency/ Juvenile Dependency			Court (name, state, location)				
e. Adoption		· · · · · · · · · · · · · · · · · · ·						
5. One or more end provide t	domestic viol he following in	ence restraining/p	rotective or	ders are now i	n effect. (At	tach a copy o	of the orders if you	ı have one
Court		County State Case numb		number (if	nber (if known) Orders expire (date)			
a. Criminal								
b. Family								
c. Juvenile Delin	nquency/ endency							
d. 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			n					
Has physical cu Claims custody Claims visitation	rights	Has physical custody Claims custody rights Claims visitation rights			Has physical custody Claims custody rights			
Name of each child		Name of each child			Name of each child			
declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.								
Toseine Hernandez Rivern								
	PE OR PRINT NA	ME)			7	(SIGNATURE C	OF DECLARANT)	<del></del>
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.								

STATE BAR NUMBER: 189227

FAX NO. (Optional): 562-432-6337

30VERNMENTAL AGENCY: ANGELA NOVAS MCGILL

LONG BEACH, CA 90802

TELEPHONE NO. (Optional):

E-MAIL ADDRESS (Optional):

249 E. OCEAN BLVD., SUITE 503

562-432-6227

attorneymcgill87@gmail.com

FOR COURT USE ONLY

Continued on Attachment 4 (describe in detail, attach additional pages if necessary).

CHILD'S NAME: JAFET ALFREDO RUBIO HER	NANDEZ	CASE NUMBERS:
PETITIONER: JAFET ALFREDO RURIO HER	NANDEZ	
RESPONDENT: JOSELINE DEL CARMEN HER OTHER PARENT:	UNANDEZ RIVERA	19STPT00776
OTILIN PARENT.		
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<ol><li>The proposed guardian ad litem is fully competent to under with those of the minor.</li></ol>	reland and protoct the victor of	Title
with those of the minor.	retains and brotect the tights of	the minor and has no interests conflicting
Date: 6/10/19		
1 1, /		
ANGELA NOVAS MCGILL		
(TYPE OR PRINT NAME)		
(TIPE ON PAINT TOME)		(SIGNATURE OF APPLICANT)
CONSENT TO ACT	AS GUARDIAN AD LITE	AR.
		VI
I consent to the appointment as guardian ad litem and agree to	assume the responsibilities	•
	the man respondential	
Date: \$/6/19		
bate. 25/6/1/		
<i>(</i> ·		
LINDA J. VOGEL		
(TYPE OR PRINT NAME)		X )//
	(SIGN)	ATURE OF PROPOSED GUARDIAN
CONSENT TO OUR DEVIA		
CONSENT TO GUARDIAN BY I	VINOR 14 YEARS OF AGE	OR OLDER
1.41		
I, (name):	, am (specify age):	years of age and hereby nominate
(name): reasons set forth in items 4 and 5 of this application.	to be my guardian ad liter	n to represent my interests for the
reasons sectoral in items 4 and 5 or this application.		•
Date:		
	<b>L</b>	
100.00		
(TYPE OR PRINT NAME)	(5	IGNATURE OF PETITIONER)
ORDER	EX PARTE	
THE COURT FINDS		
It is reasonable and necessary to appoint a guardian ad litem for	the person named in the application	Cation, as requested above
THE COURT ORDERS that (name): Linda J. Vog. litem of (name): Jafet Alfredo Rubio Li lorth in item 4 of the application.	_	and it de reducated anove.
litem of framely and finance):	el, r	is hereby appointed guardian ad
lath in Hom 4 of the application of the property of the proper	ternandez	for the purposes set
		, ,
Application for Appointment of Guardian ad Litem filed (date):		
a is denied.		
b. 🔀 is granted.		
c. is set for hearing on (date):	at (time):	
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AUG 0 2 2019		
Date:	1 HK 1	w Www
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