

**ORDER**

Case No. JJ229984-01-00

Commonwealth of Virginia

VIRGINIA BEACH J&DR

Juvenile and Domestic Relations District Court

COMMONWEALTH OF VA

v/In re: REYEZ, CHRISTIAN F G

THE FOLLOWING PARTIES WERE PRESENT:

Juvenile  Attorney:  Probation Officer

Guardian *ad Litem* PEELER, JOHN CLAYTON

Parent HERNANDEZ, JOSE V G  
 MOTHER  FATHER

Parent REYEZ, MARIA S G  
 MOTHER  FATHER

Guardian  Other

Petitioner/Complainant  Attorney: CARMEN BOYKIN

Respondent/Defendant  Attorney:

Commonwealth's Attorney:

Type of Case:

Felony  Misdemeanor  CHINS  Custody  Visitation  Support  Foster Care  Other

Type of Hearing:

Determination/Appointment of Counsel  Detention Hearing  Transfer Hearing

Adjudicatory Hearing  Disposition Hearing  Continuance  Review  Preliminary Hearing

Show Cause  Trial  Motion

PLEA:

FINDINGS OF THE COURT:

THIS MATTER IS BEFORE THE COURT ON A PETITION FOR CUSTODY AND TO ESTABLISH SJIS STATUS FOR THE MINOR CHILD WHO IS 17 YEARS OLD. THE FATHER WAS NOT SERVED. COUNSEL FOR THE MOTHER IS REQUESTING TO SERVE THE FATHER BY PUBLICATION. THE FATHER LAST RESIDED IN HONDURAS.

IT IS ORDERED THAT:

THE MATTER IS CONTINUED FOR THE PETITIONER TO HAVE THE FATHER SERVED BY PUBLICATION IN HONDURAS.

THE CLERK SHALL OBTAIN A SPANISH INTERPRETER FOR THE NEXT HEARING DATE.

I certify that the document to which this authentication Pursuant to VA Code 88.01-391(c) is affixed is a true Copy of a record in the Virginia Beach Juvenile and Domestic Relations District Court, and that I have custody of the record, and that I am custodian of that record.

9-2-21

Date

Clerk

Deputy Clerk

This case is continued to: 12/07/2021

11:30 AM

#1

09/02/2021

DATE

*[Signature]*

JUDGE

PETITION

Commonwealth of Virginia VA. CODE §§ 16.1-262; 16.1-263

Case No. ....

Virginia Beach

DATE OF HEARING

Juvenile and Domestic Relations District Court

In re a Child under eighteen years of age

CHILD'S NAME	SSN:	DATE OF BIRTH	AGE	SEX	RACE
1. Cristian Francisco Granados Reyez	N/A	2. 02/17/2004	3. 17	M.F. M	H
CHILD'S ADDRESS			TELEPHONE NO.		
4. 1188 Edison Rd, Virginia Beach, Virginia 23454			757-753-9993		
FATHER'S NAME	SSN	DATE OF BIRTH	TELEPHONE NO.		
5. Jose V. Granados Hernandez	N/A	unknown	unknown		
FATHER'S ADDRESS					
6. Estancia, Santa Ana, La Paz, Honduras					
MOTHER'S NAME	SSN	DATE OF BIRTH	TELEPHONE NO.		
7. Maria Santos Granados Reyez	N/A	01/15/1978	757-753-9993		
MOTHER'S ADDRESS					
8. 1188 Edison Road, Virginia Beach, Virginia 23454					
GUARDIAN/LEGAL CUSTODIAN OR PERSON IN LOCO PARENTIS NAME AND ADDRESS				TELEPHONE NO.	
9.					
GUARDIAN'S /LEGAL CUSTODIAN OR PERSON IN LOCO PARENTIS RELATIONSHIP TO CHILD					
10.					
OTHER(S) NAME AND ADDRESS				TELEPHONE NO.	
11.					
12. Child held in CUSTODY [ ] Yes [ ] No					
13. Place of Detention or Shelter Care .....					
14. Date and Time Taken into Custody					
			13. Date and Time Placed in Detention or Shelter Care		
___/___/___ : ___ m.			___/___/___ : ___ m.		
15. The above information is not known to the petitioner: No(s).					

I, the undersigned petitioner, state under oath to the best of my knowledge, that the above-named child is within the purview of the Juvenile and Domestic Relations District Court Law in that, within this city/county, the child:

She petitions this Court to find that it is in the best interest of the minor child to be placed in the custody of the Petitioner pursuant to 16:1-241 (A,3) of the 1950 Code of Virginia, as Amended.

(FOR ADMINISTRATIVE USE ONLY IN DELINQUENCY CASES) Virginia Crime Code: ..... WHEREFORE, the Petitioner requests that the child and the persons having his or her custody and control be summoned to appear before this Court, and that this Court enter such orders and judgments as the Court deems fit and proper in accordance with the law and which will serve the purpose and intent of the Juvenile and Domestic Relations District Court Law.

3-23-21 DATE Maria Granados Reyez PETITIONER'S NAME (PRINT OR TYPE) Maria S Granados R PETITIONER'S SIGNATURE 1168 Edison Road, Virginia Beach, Virginia 23454; 757-753-9993 PETITIONER'S ADDRESS AND TELEPHONE NUMBER (COURT COPY ONLY)

Sworn/affirmed and signed before me on 23 March 2021 Title: Notary Signature: [Signature]

Filed by: [ ] INTAKE OFFICER [ ] ATTORNEY DATE

FOR NOTARY PUBLIC'S USE ONLY: State of Virginia [X] City [ ] County of Virginia Beach Acknowledged, subscribed and sworn to before me this 23rd day of March, 2021 7622167 NOTARY REGISTRATION NUMBER Mayra Garcia Gutierrez NOTARY PUBLIC (My commission expires: 01/31/23)

**AFFIDAVIT** (Uniform Child Custody Jurisdiction and Enforcement Act)  
COMMONWEALTH OF VIRGINIA Va. Code § 20-146.20

Case No. ....

Virginia Beach

Circuit Court  
 Juvenile and Domestic Relations District Court

In re: ..... Cristian Francisco Granados Reyez  
JUVENILE

I, ..... Maria Granados Reyez ..... v. ....  
the undersigned affiant, state the following information under oath:

Certain information has been omitted from this form and submitted under seal because I allege that the health, safety or liberty of a party or child would be jeopardized by disclosure. Another party may request that a hearing be held to determine whether this information should be disclosed.

1. The child presently resides at: ..... 1188 Edison Road, Virginia Beach, Virginia 23454  
ADDRESS

The child commenced residing there on ..... November 21, 2018 ..... and has resided there continuously to this date.  
DATE

2. The other places where and persons with whom this child has lived during the last five (5) years : (please complete reverse side).

3. I  have  have not participated, either as a party, witness, or in any other capacity in any other litigation (court proceeding) concerning custody of or visitation with this child, in any State or foreign country. If yes, complete below:

- a. Name of Court and State or foreign country in which litigation occurred: .....
- b. When did the litigation occur: .....
- c. What was the outcome of the litigation: .....
- d. Attach a copy of all pleadings and Orders filed in this litigation.

4. I  do  do not have knowledge or information of any proceeding that could affect this proceeding, including but not limited to custody, visitation, paternity, support, enforcement proceedings, proceedings related to domestic violence, protective orders, abuse and neglect, termination of parental rights and adoptions, which is pending in a court of this or any other State or foreign country. If yes, complete below:

- a. Name of Court and State or foreign country in which proceeding is pending: .....
- b. Attach a copy of all pleadings filed in the litigation.

5. I  do  do not know of any person who is not already named as a party in this proceeding who has physical custody of this child or who claims to have custody or visitation rights with respect to child. If yes:

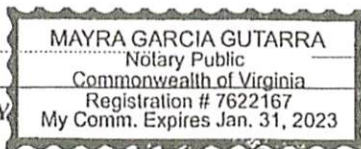
- a. Name and address of person: .....
- b. Does this person have physical custody of the child?  Yes  No
- c. State why you believe this person claims to have custody/visitation rights to the child: .....

6. I understand that I have an obligation to promptly inform this court if I later become aware of any other proceedings, including but not limited to custody, visitation, paternity, support, enforcement proceedings, proceedings related to domestic violence, protective orders, abuse and neglect, termination of parental rights and adoptions, either in this or any other State or foreign country that could affect the current proceeding.

Subscribed and sworn to before me on ..... 23 March 2021 .....  
DATE

*Maria Santos Granados R*  
SIGNATURE OF AFFIANT

Title: *Notary*



*[Signature]*  
SIGNATURE

**FOR NOTARY PUBLIC'S USE ONLY**

State of *Virginia* .....  City  County of *Virginia Beach* .....

Acknowledged, subscribed and sworn to before me this *23* day of *March*, 20 *21*.

*7622167*  
NOTARY REGISTRATION NUMBER

*Mayra Garcia Gutarra*  
NOTARY PUBLIC  
(My commission expires: *01/31/23*)

**COMMONWEALTH OF VIRGINIA:**

**IN THE JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT  
FOR THE CITY OF VIRGINIA BEACH**

<b>IN RE: CRISTIAN FRANCISCO GRANADOS REYEZ DOB: 02/17/2004</b>	) ) ) <b>Case No.</b> ) ) )
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**PRAECIPE**

Please take notice that undersigned counsel, Carmen A. Boykin, Virginia Bar Number 81349, is now representing the Petitioner, Maria Granados Reyez, in the above-listed case.

Respectfully submitted,

  
Carmen A. Boykin

Attorney for Petitioner  
VA Bar # 81349  
Boykin Law Firm PLLC  
2461 Eisenhower Ave, 2<sup>nd</sup> Fl  
Alexandria, VA 22314  
Tel: 202-656-1559  
Fax: 703-595-4821

Date: April 16, 2021

**COMMONWEALTH OF VIRGINIA:**

**IN THE JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT  
FOR THE CITY OF VIRGINIA BEACH**

_____	)	_____
<b>IN RE:</b>	)	
<b>CRISTIAN GRANADOS REYEZ</b>	)	<b>Case No.</b>
	)	
<b>DOB: 02/17/2004</b>	)	
_____	)	_____

**PETITION FOR SOLE LEGAL AND PHYSICAL CUSTODY**

COME NOW the Petitioner, Maria Santos Granados Reyez, by Counsel and moves this Court for an entry of an Order granting the Petitioner sole legal and physical custody, and in support thereof state to the Court as follows:

1. Cristian Granados Reyez (hereinafter referred to as “the minor child”) was born on February 17, 2004 in La Paz, La Paz, Honduras to Maria Santos Granados Reyez (hereinafter referred to as “mother”) and Faustino Granados (hereinafter referred to as “father”). See Exhibit A, Birth Certificate of Minor Child.

2. That the minor child is seventeen (17) years old and unmarried. He entered the United States on or about September 27, 2018. He has not returned to Honduras since he entered the United States.

3. That the minor child has been residing within the jurisdiction and venue of this Court in the City of Virginia Beach since approximately September 2018. He currently resides with the Petitioner, at 1188 Edison Road, Virginia Beach, VA 23454.

4. That the Petitioner, Maria Santos Granados Reyez, of address at 1188 Edison Road, Virginia Beach, VA 23454, in Virginia Beach, Virginia and the jurisdiction and

venue of this court, is the mother of the minor child and a person having a legitimate interest in this proceeding.

5. That the father of the minor child, Jose Vicente Granados Hernandez, has not been involved in the life of the minor child, effectively abandoning the minor child. In addition, the father of the minor child has failed to provide for the minor child's basic needs or communicate with the minor child about his care. *See Exhibit B, Affidavit of Cristian Granados Reyez.*

6. That the minor child's father never cared for the minor child financially or emotionally. *Id.* Cristian's father never took an active role in his life. *Id.* Cristian was cared for by his mother and his grandparents while he was in Honduras. *Id.* Cristian's mother has always supported Cristian financially while he lived in Honduras. *Id.* Cristian's mother continues to support Cristian now that they reside together here in the United States. *Id.*

7. Under the Virginia Code, this Juvenile and Domestic Relations Court, and the judges therein, have *exclusive original jurisdiction* over all cases, matters, and proceedings which arise within Virginia Beach and involve the custody, visitation, support, control or disposition of a child.<sup>1</sup>

8. This Court has jurisdiction over Cristian because he has resided in Virginia Beach for the past two (2) years and his mother is currently petitioning for custody in Virginia Beach, Virginia.

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<sup>1</sup> Va. Code § 16.1-241.

9. Virginia Code defines an abused or neglected child as one whose parent abandoned him or her.<sup>2</sup> Abandonment has been defined, for domestic relations purposes, as “the renunciation or abdication of responsibility over the child...or a voluntary relinquishment of the child without cause.”<sup>3</sup>

10. Mr. Granados Hernandez abdicated his responsibility for Cristian after he was born, voluntarily relinquishing his legal duty to care for Cristian. He has not provided financial or emotional support to Cristian. Therefore, reunification with the minor child’s father is not viable due to abandonment.

11. That the Petitioner is willing to assume sole legal and physical custody of the minor child and provide a home for him, and she has the ability to provide a stable life for the minor child.

12. That in the care of the Petitioner, the minor child has been thriving. The minor child wishes to remain in the care of his mother, the petitioner. *See Exhibit B, Affidavit of Cristian Granados Reyez.* Cristian cannot safely return to live in his home country of Honduras, especially after witnessing the kidnapping of his classmate while at school. *Id.* Cristian fears returning to Honduras because he believes he will be targeted by gang members as a young male in Honduras. *Id.*

13. That it is in the best interests of the minor child that the Petitioner be granted sole legal and primary physical custody of the minor child.

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<sup>2</sup> Va. Code 16.1-228(3).

<sup>3</sup> *Todd v. Copeland*, 55 Va. App. 773, 794-95 (2010); *See also* Black’s Law Dictionary 1 (7<sup>th</sup> ed. 2000)(defining “abandonment” as the relinquishing of a right or interest with the intention of never again claiming it).

**WHEREFORE, the Petitioner prays that the Court award her the following relief:**

- a. Award the Petitioner sole legal and primary physical custody of the minor child; and**
- b. Award such other relief as the nature of this cause requires and the court deems necessary and proper and which will serve the purpose and intent of the Juvenile and Domestic Relations District Court Law.**

**Dated this 16<sup>th</sup> day of April 2021.**

**Respectfully submitted,**



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**Carmen A. Boykin  
Attorney for Petitioner  
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