

STATE OF SOUTH CAROLINA )  
 )  
 COUNTY OF SPARTANBURG )  
 )  
 South Carolina Department )  
 of Social Services, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 Carmen Perez, et al. )  
 )  
 Defendant(s), )  
 )  
 IN THE INTEREST OF: )  
 Lisbeth Aguilar Ortega (09/03/2007) )  
Minor(s) Under the Age of 18 Years. )

IN THE FAMILY COURT OF THE  
 SEVENTH JUDICIAL CIRCUIT  
 DOCKET NO.: 2023-DR-42-1 856

**ORDER FOR PUBLICATION**

FILED  
 2023 OCT -9 AM 10:03  
 CLERK OF COURT  
 SPARTANBURG COUNTY  
 AMY W. COX

**HAVING READ** the petition of the Plaintiff herein, and appearing that this is an action involving the abuse and/or neglect of the above captioned child, Defendant, Marleny Ortega, and further, that Defendant, Marleny Ortega, cannot after due diligence, be located.

Plaintiff has been unable to serve the Defendant, Marleny Ortega due to the fact that the Defendant would not release her address to the caseworker and a CLEAR search was completed (copy attached to Affidavit of Due Diligence), but showed that the search was inconclusive.

**IT IS ORDERED** that a newspaper of general circulation within Tocoa Colon, Barrio Las Brisas, Country of Honduras will most likely give this Defendant notice of this proceeding;

**ORDERED** that service in this matter be made on the Defendant, Marleny Ortega, by publishing the Summons and Notice in a newspaper of general circulation in, Tocoa Colon, Barrio las Brisas, Country of Honduras once weekly for three consecutive weeks; and it is further,

**ORDERED** that service of summons by mail be waived.

AND IT IS SO ORDERED.

Timothy E. Madden  
FAMILY COURT JUDGE  
SEVENTH JUDICIAL CIRCUIT

Oct. 9, 2023  
Spartanburg, South Carolina

Amy W. Cox

BY: Anna Duncan D.C.  
DATE: 10/10/2023

2023 OCT -9 AM 10:33  
CLERK OF COURT  
SPARTANBURG COUNTY  
AMY W. COX

FILED

STATE OF SOUTH CAROLINA )  
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 COUNTY OF SPARTANBURG )  
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 South Carolina Department )  
 of Social Services, )  
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 Plaintiff, )  
 vs. )  
 Carmen Perez al., )  
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 Defendants )  
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 In the Interests of: )  
 Lisbeth Arguilar Ortega (DOB: 09/03/2007) )  
 Minor child under the age of eighteen. )

IN THE FAMILY COURT  
 SEVENTH JUDICIAL CIRCUIT  
 AFFIDAVIT OF DUE DILIGENCE

Case No.: 2023-DR-42-

FILED  
 2023 OCT -9 AM 10:34  
 CLERK OF COURT  
 SPARTANBURG COUNTY  
 ANYVA, COVA

PERSONALLY appeared before me, a notary public for South Carolina; the undersigned, who being first duly sworn, deposes and says:

1. I am an employee with the Department of Social Services assigned to this case.
2. A complaint has been filed in this matter alleging that these parties and children are within the jurisdiction of the court and that the Court has jurisdiction of the subject matter of these proceedings.
3. Marleny Ortega are the alleged parents of the minor child, Lisbeth Arguilar Ortega and it is necessary and proper that Marleny Ortega be notified of these proceedings and be made a party to this action if located.
4. The whereabouts of Marleny Ortega cannot be ascertained after a reasonable and diligent inquiry has been made in that regard, which inquiry has included, among other things, the following:
  - o Completing a CLEAR Search for Marleny Ortega on September 18, 2023.
  - o Calling the number to U.S. Immigration and Customs Enforcement to acquire information about the location of Marleny Ortega provided to the agency to get in contact with her.

In addition to the above search, I have also made the following efforts to obtain Lisbeth Argular Ortega birth certificate of daughter of Marleny Ortega and it list the area in which she was born: Tocoa Colon, Barrio las Brisas Honduras.

In addition to the above search, I have also made the following efforts to obtain Marleny Ortega address: Reaching out to Ms. Marleny Ortega she provided an address and completing a CLEAR Search completed on September 18, 2023.

5. Even after reasonable and diligent efforts have been made to locate Marleny Ortega, the exact whereabouts of Marleny Ortega cannot be located or reasonably ascertained to be given notice of this action as required by the South Carolina Rules of Civil Procedure and by S.C. Code Sections 63-7-700, 1650, 1660 and/or 1700.

6. I make these statements as of my own knowledge, saving and accepting those matters upon information and belief, and as to those, I believe them to be true.

**Further, Affiant sayeth not.**

  
Jamie Smith/Erin Lee  
South Carolina Department of Social Services

2023 OCT -9 AM 10:34  
FILED  
CLERK OF COURT  
SPARTANBURG COUNTY  
AMY T. COX

SWORN TO BEFORE ME this  
28th Day of September, 2023.

  
Amy T. Stanko  
Notary Public for South Carolina  
My Commission Expires: 08/08/2033

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CLERK OF COURT  
SPARTANBURG COUNTY  
AMY W. COX

STATE OF SOUTH CAROLINA )  
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 Plaintiff, )  
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 vs. )  
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 Carmen Perez, et al., )  
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 Defendant(s), )  
 )  
 IN THE INTEREST OF: )  
 Lisbeth Aguilar Ortega (09/03/2007) )  
Minor(s) Under the Age of 18 Years. )

IN THE FAMILY COURT OF THE  
 SEVENTH JUDICIAL CIRCUIT  
 DOCKET NO.: 2023-DR-42-1 853

**PETITION FOR PUBLICATION**

**FILED**  
 2023 OCT -9 AM 10:34  
 CLERK OF COURT  
 SPARTANBURG COUNTY  
 AMY W. COX

The Plaintiff would respectfully show this Court that:

1. This is an action involving the abuse and/or neglect of the above captioned minor child.
2. Due and diligent search has been made for Marleny Ortega, but defendant cannot be located in Tocoa Colon, Barrio Las Brisas, Country of Honduras.
3. It is necessary to obtain jurisdiction of Marleny Ortega, by publication of the Summons in a newspaper of general circulation in Tocoa Colon, Barrio Las Brisas, Country of Honduras as provided for in S.C. Code Ann. § 15-9-740, (1977), and, a newspaper of general circulation in said City and Country most likely to give the defendants notice of these proceedings.
4. That service of the Summons by mail be waived because the place of residence of the defendants are unknown and cannot be ascertained after the exercise of reasonable diligence.
5. Plaintiff has been unable to serve the Defendant, Marleny Ortega due to the fact that the Defendant would not release her address to the caseworker and a CLEAR search was completed (copy attached to Affidavit of Due Diligence), but showed that the search was inconclusive.

WHEREFORE, plaintiff prays that this Court issue its order authorizing service of the Summons and Notice by publication in a newspaper of general circulation in Tocoa Colon, Barrio las Brisas, Country of Honduras such being designated as the newspaper most likely to give notice of these proceedings; and for such other and further relief as may be just and proper.

S. C. DEPARTMENT OF SOCIAL SERVICES

Jonathan Neal, SC Bar No. 73915  
Attorney for Plaintiff  
South Carolina Department of Social Services  
630 Chesnee Hwy  
Spartanburg, SC 29303  
(864) 345-1110/(864) 596-2337

10/2, 2023  
Spartanburg, South Carolina.

CLERK OF COURT  
SPARTANBURG COUNTY  
AMY W. COX

2023 OCT -9 AM 10:34

FILED

STATE OF SOUTH CAROLINA )  
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 COUNTY OF SPARTANBURG )  
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 South Carolina Department )  
 of Social Services, )  
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 Plaintiff, )  
 vs. )  
 Carmen Perez al., )  
 )  
 Defendants )  
 )  
 In the Interests of: )  
 Lisbeth Arguilar Ortega (DOB: 09/03/2007) )  
 Minor child under the age of eighteen. )

IN THE FAMILY COURT  
 SEVENTH JUDICIAL CIRCUIT

**AFFIDAVIT OF DUE DILIGENCE**

Case No.: 2023-DR-42-188

2023 OCT -9 AM 10:54  
 FILED  
 CLERK OF COURT  
 SPARTANBURG COUNTY  
 MAY W. COX

PERSONALLY appeared before me, a notary public for South Carolina, and signed, who being first duly sworn, deposes and says:

1. I am an employee with the Department of Social Services assigned to this case.
2. A complaint has been filed in this matter alleging that these parties and children are within the jurisdiction of the court and that the Court has jurisdiction of the subject matter of these proceedings.
3. Marleny Ortega are the alleged parents of the minor child, Lisbeth Arguilar Ortega and it is necessary and proper that Marleny Ortega be notified of these proceedings and be made a party to this action if located.
4. The whereabouts of Marleny Ortega cannot be ascertained after a reasonable and diligent inquiry has been made in that regard, which inquiry has included, among other things, the following:
  - o Completing a CLEAR Search for Marleny Ortega on September 18, 2023.
  - o Calling the number to U.S. Immigration and Customs Enforcement to acquire information about the location of Marleny Ortega provided to the agency to get in contact with her.



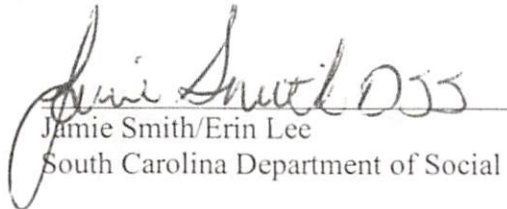
In addition to the above search, I have also made the following efforts to obtain Lisbeth Arguilar Ortega birth certificate of daughter of Marleny Ortega and it list the area in which she was born: Tocoa Colon, Barrio las Brisas Honduras.

In addition to the above search, I have also made the following efforts to obtain Marleny Ortega address: Reaching out to Ms. Marleny Ortega she provided an address and completing a CLEAR Search completed on September 18, 2023.

5. Even after reasonable and diligent efforts have been made to locate Marleny Ortega, the exact whereabouts of Marleny Ortega cannot be located or reasonably ascertained to be given notice of this action as required by the South Carolina Rules of Civil Procedure and by S.C. Code Sections 63-7-700, 1650, 1660 and/or 1700.

6. I make these statements as of my own knowledge, saving and accepting those matters upon information and belief, and as to those, I believe them to be true.

**Further, Affiant sayeth not.**

  
Jamie Smith/Erin Lee  
South Carolina Department of Social Services

SWORN TO BEFORE ME this  
28th Day of September, 2023.

  
Amy T. Stanke  
Notary Public for South Carolina  
My Commission Expires: 08/08/2033

CLERK OF COURT  
SPARTANBURG COUNTY  
AMY W. COX

2023 OCT -9 AM 10:31

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2023 OCT -9 AM 10:34  
CLERK OF COURT  
SPARTANBURG COUNTY  
AMY W. COX

STATE OF SOUTH CAROLINA )  
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COUNTY OF SPARTANBURG )  
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South Carolina Department )  
of Social Services, )  
 )  
Plaintiff, )  
vs. )  
Carmen Perez, et al. )  
 )  
Defendants. )  
 )  
IN THE INTEREST OF: )  
Female Minor (2007) )  
Minors Under the Age of 18 )

IN THE FAMILY COURT  
SEVENTH JUDICIAL CIRCUIT  
2023-DR-42-1856

**SUMMONS AND NOTICE**

TO DEFENDANTS: Marleny Ortega

**YOU ARE HEREBY SUMMONED** and required to answer the complaint for removal in and to the minor children in this action, the original of which has been filed in the Office of the Clerk of Court for Amy Cox, on July 17, 2023, a copy of which will be delivered to you upon request; and to serve a copy of your answer to the complaint upon the undersigned attorney for the Plaintiff at 630 Chesnee Highway, Spartanburg, SC, 29303 within thirty (30) days following the date of service upon you, exclusive of the day of such service; and if you fail to answer the complaint within the time stated, the Plaintiff will apply for judgment by default against the Defendants for the relief demanded in the complaint.

**YOU ARE FURTHER NOTIFIED** that: (1) the Guardian *ad litem* (GAL) who is appointed by the court in this action to represent the best interests of the children will provide the family court with a written report that includes an evaluation and assessment of the issues brought before the court along with recommendations; (2) the GAL's written report will be available for review twenty-four (24) hours in advance of the hearing; (3) you may review the report at the GAL Program county office.

S. C. DEPARTMENT OF SOCIAL SERVICES

s/Jonathan Neal(as)  
Rob Rhoden, SC Bar No. 69209  
Attorney for Plaintiff  
South Carolina Department of Social Services  
630 Chesnee Highway  
Spartanburg, SC 29303  
(864) 345-1110/(864) 596-2337

October 10, 2023  
Spartanburg, South Carolina

ESTADO DE CAROLINA DEL SUR )  
 )  
CONDADO DE SPARTANBURG )  
 )  
Departamento de Carolina del Sur )  
de Servicios Sociales, )  
 )  
Demandante, )  
vs. )  
Carmen Pérez, et al. )  
 )  
Demandados. )  
 )  
EN INTERÉS DE: )  
Mujer Menor (2007) )  
Menores de 18 años )

EN EL TRIBUNAL DE FAMILIA  
SÉPTIMO CIRCUITO JUDICIAL  
2023-DR-42-1856

**CITACIÓN Y NOTIFICACIÓN**

A LOS DEMANDADOS: Marleny Ortega

**POR LA PRESENTE SE LE CITA** y se le exige que responda a la demanda de remoción en y para los hijos menores en esta acción, cuyo original se ha presentado en la Oficina del Secretario del Tribunal para Amy Cox, el 17 de julio de 2023, una copia de la cual se le entregará a usted si la solicita; y a entregar una copia de su respuesta a la demanda al abogado abajo firmante de la Demandante, en 630 Chesnee Highway, Spartanburg, Carolina Del Sur, 29303, dentro de los treinta (30) días siguientes a la fecha en que se le entregue a usted, excluido el día de dicha entrega; y si usted no responde a la demanda dentro del plazo indicado, la Demandante solicitará una sentencia en rebeldía contra los Demandados por la reparación exigida en la demanda.

**SE LE NOTIFICA ADEMÁS** que: (1) el Guardián *ad litem* (GAL) que es designado por el tribunal en esta acción para representar los mejores intereses de los niños proporcionará al tribunal de familia un informe escrito que incluye una evaluación y valoración de las cuestiones presentadas ante el tribunal junto con recomendaciones; (2) el informe escrito del GAL estará disponible para su revisión veinticuatro (24) horas antes de la audiencia; (3) usted puede revisar el informe en la oficina del condado del Programa GAL.

DEPARTAMENTO DE SERVICIOS SOCIALES DE  
CAROLINA DEL SUR

s/Jonathan Neal(as)

Rob Rhoden, Carolina Del Sur No. de Colegiado 69209

Abogado del demandante

Departamento de Servicios Sociales de Carolina del Sur

630 Chesnee Highway

Spartanburg, Carolina Del Sur 29303

(864) 345-1110/(864) 596-2337

10 de octubre de 2023  
Spartanburg, Carolina del Sur