

IN THE JUVENILE COURT OF SEVIER COUNTY, TENNESSEE

STATE OF TENNESSEE,
DEPARTMENT OF CHILDREN'S
SERVICES

Petitioner,

V.

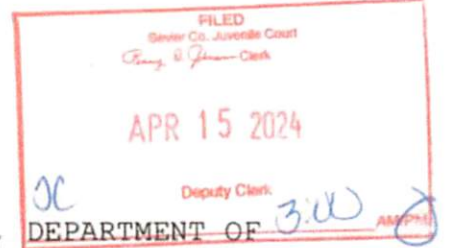
NEIDY XIOMARA CARTAGENA
VELAQUEZ

And

NUVIA MIDDELY RECARTE CURZ, Aunt
Respondents.

IN THE MATTER OF:
ESTHER ABIGAIL LOPEZ
DOB 02/23/2009
CESIA NOHEMY LOPEZ
DOB 09/04/2007
CHILD(REN) UNDER EIGHTEEN (18)
YEARS OF AGE

Docket No. 2024-DN-38
APPLICATION AND ORDER FOR
SERVICE BY PUBLICATION



COMES NOW THE PETITIONER, STATE OF TENNESSEE,
CHILDREN'S SERVICES, who submits the Application for Order for
Service by Publication.

FACTS OF THE CASE

This case is related to the transfer of temporary legal custody as described in the Emergency Petition. Petitioner is unable to locate the Respondents, **Neidy Xiomara Cartagena Velaquez, Mother** and **Ulysses Maldonado, Father** (see Exhibit "A").

REQUEST

Petitioner has been unable to locate or effect service of process on the Respondents in the above-captioned case. Petitioner hereby requests that the Court issue an Order for Service by Publication for a minimum period of once a week for four (4) consecutive weeks in the online legal notice publication, *Global Legal Notices*®, a website of general circulation in Guatemala and surrounding regions which specializes in service by publication and which provides numerous benefits over traditional print newspapers. Their publication policy is to publish the Order, any notices, and all court-issued documents continuously for a period of four (4) consecutive weeks, which exceeds statutory requirements.

ARGUMENT

Petitioner has attempted unsuccessfully to locate and serve the Respondents utilizing traditional service of process methods. Respondents have made themselves unavailable for service of process.

The most practical available alternative method of service is service by publication. The only known method for service by publication in Guatemala is through *Global Legal Notices*® which provides a more thorough method to give actual notice to the Respondents, as described on their legal notice website at www.GlobalLegalNotices.com.

This method allows for a greater opportunity to give actual notice to the Respondents than service by publication in a traditional newspaper. It provides publication of the Court Order, plus the entire set of Court-issued documents. Further, the publication period exceeds the customary once a week for four (4) consecutive weeks by continually publishing the documents for an indefinite period, as allowed by law or necessity. In addition, a Google search by the Respondents' name and country will typically appear on page one of the Google search after approximately five days, thus, providing a greater opportunity to give actual notice to the Respondents.

MEMORANDUM OF POINTS AND AUTHORITIES

The U.S. Supreme Court in *Mullane v. Central Hanover Trust & Bank Co.*, 22 ILL.339, U.S. 306, 70 S. Ct. 652, 94 L. Ed. 865 (1950), found that, "*It is a logical step forward in the evolution of civil procedure that the use of new technologies in common communication be utilized.*"

U.S. courts have reasoned that service by publication on foreign defendants is permitted under Federal Rules of Civil Procedure 4(F)(3). Rule 4 allows service of process on a foreign individual:

(1) by internationally agreed upon means of service reasonably calculated to give notice; (2) by a reasonably calculated method as prescribed by the country's law for service for general actions or as the foreign authority directs to a letter rogatory; or (3) by other means not prohibited by

international agreement. Because the 1993 amendments to FRCP 4(F) urge that FRCP (4) (3) be construed liberally, the courts have interpreted FRCP 4(F) (3) as authorizing them to utilize technological advancements for serving foreign defendants. Federal Rules of Civil Procedure, Rule 4((3)(1) provides that *"Service of an individual . . . may be effected in any judicial district of the United States pursuant to the law of the state in which the district court is located . . ."* Further, Tennessee Rules of Civil Procedure, Section 4.05(1)(c) allows for service "as directed by the court.". The challenge facing Petitioner in this case is there are no traditional newspapers in Guatemala that will allow for publication of legal notices which originate in courts in the United States.

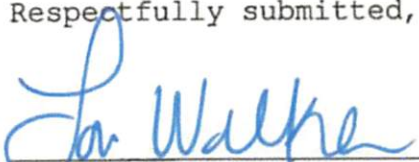
CONCLUSION

Global Legal Notices® offers an improved method of providing actual notice to a Respondent of a pending lawsuit while satisfying the Court's requirements for service by publication.

It is widely held that service by publication has a limited success rate in providing actual notice to a respondent that a legal case is pending. Yet, courts routinely issue an order allowing for service by publication in a newspaper, either print or online, as a last resort method to complete service of process.

Wherefore, Petitioner respectfully requests that the Court
issue an Order for Service by Publication in the instant case.

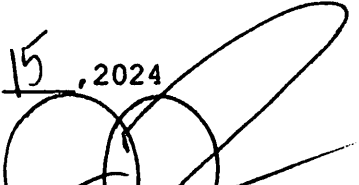
Respectfully submitted,



Attorney for Petitioner

ORDER FOR SERVICE BY PUBLICATION

IT IS SO ORDERED THAT service of the Civil Summons, Bench Order, Emergency Petition Alleging Dependency and Neglect and For Transfer of Temporary Custody, and Preliminary Hearing Order (English and Spanish) and all related court-issued documents in the case State of Tennessee, Department of Children's Services v. Velaquez, et al., Docket No. 2024-DN-38, be published in Global Legal Notices, LLC, a publication of general circulation in Guatemala, for a period of four (4) consecutive weeks, naming each Respondent, and that Proof of Publication be filed with this court no later than thirty (30) days after completion of the publication.

Dated: April, 15, 2024 

Judge, Juvenile Court of Sevier County, Tennessee

Exhibit "A"

**STATE OF TENNESSEE JUVENILE COURT
OF SEVIER COUNTY, TENNESSEE**

STATE OF TENNESSEE,
DEPARTMENT OF CHILDREN'S SERVICES

Petitioner,

vs.

NEIDY XIOMARA CARTAGENA VELAQUEZ,
Mother
And

NUVIA MIDDELY RECARTE CURZ, Aunt

Respondents.

Docket No. 2024-DN-38

Declaration in Support of
Petitioner's Application for
Service by Publication

**DECLARATION IN SUPPORT OF PETITIONER'S APPLICATION
FOR SERVICE BY PUBLICATION**

I, Nelson Tucker, offer this Declaration in Support of
Petitioner's Application for Service by Publication:

1. My firm, Process Service Network, LLC, was retained by
Petitioner, the State of Tennessee Department of
Children's Services, to serve the Respondent, **ULYSSES
MALDONADO**, ("Respondent") for the purpose of serving her
with the Civil Summons, Bench Order, Emergency Petition
Alleging Dependency and Neglect and For Transfer of
Temporary Custody, and Preliminary Hearing Order (English
and Spanish) in this case.

2. I am the CEO of Process Service Network, LLC, a process
server and investigator with extensive experience in

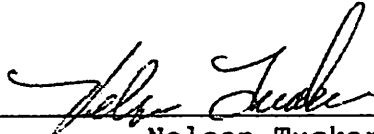
international service of process, am over the age of 18 years, and not a party to the within-named action. I have been a Registered Process Server and owner of Process Service Network, LLC since 1978. I have authored four (4) books on service of process, international investigations and court filing procedures and have conducted training seminars for the past 46 years. I regularly serve, or cause to be served, legal documents domestically and worldwide and supervise all international service and investigation assignments for clients who make assignments to us in Honduras. I regularly conduct MCLE courses on international service of process for major law firms and state Bar Associations. I am an Associate Member of the American Bar Association (ABA), Member of the Section on International Law and Section on International Trade. I am also a member of the Los Angeles County Bar Association, Member of the International Law Committee and Family Law Committee. I am a Life Member of the *National Association of Investigative Specialists* and the *International Process Servers Association*. I am qualified as an expert in my field and can competently testify to the facts stated and declared within.

3. On April 1, 2024, I commenced a search to determine an address where the Respondent can be served. The following is a result of that search:

4. Search using Facebook, Twitter, Instagram, MySpace, YouTube, Google+, WhatsApp, WeChat, Line and Foursquare.
Result: Nothing was found.
5. Criminal index for Respondent. Result: No record found.
6. Search of business licenses for Tegucigalpa, Honduras.
Result: No records were found.
7. Search of educational institutions in the Tegucigalpa, Honduras area for possible employment of Respondent. All educational institutions in Tegucigalpa, Honduras are closed due to COVID-19.
8. Search of public medical facilities and hospitals in the Tegucigalpa, Honduras area. Result: Nothing found.
9. **There is no known residence address for Respondent.**
10. Additional database searches revealed 2 possible matches. Each available data was investigated and determined to be invalid. The data checked was similar names.
11. Other steps, not required for publication, were taken to locate the Respondent. Result: All were unsuccessful.
12. The addresses searched were provided from the following sources: Petitioner, and obtained in course of our investigation.
13. SUMMARY: Based upon all available information, I am unable to locate and personally serve the Respondent.
Service by Publication in Global Legal Notices is

recommended.

Executed on this 4th day of April 2024, attesting the foregoing to be true and correct, under penalty of perjury of the laws of the State of Tennessee.



Nelson Tucker

**STATE OF TENNESSEE JUVENILE COURT
OF SEVIER COUNTY, TENNESSEE**

STATE OF TENNESSEE,
DEPARTMENT OF CHILDREN'S SERVICES

Petitioner,

vs.

NEIDY XIOMARA CARTAGENA VELAQUEZ,
Mother
And

NUVIA MIDDELY RECARTE CURZ, Aunt

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with the Civil Summons, Bench Order, Emergency Petition
Alleging Dependency and Neglect and For Transfer of
Temporary Custody, and Preliminary Hearing Order (English
and Spanish) in this case.
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international service of process, am over the age of 18 years, and not a party to the within-named action. I have been a Registered Process Server and owner of Process Service Network, LLC since 1978. I have authored four (4) books on service of process, international investigations and court filing procedures and have conducted training seminars for the past 46 years. I regularly serve, or cause to be served, legal documents domestically and worldwide and supervise all international service and investigation assignments for clients who make assignments to us in Honduras. I regularly conduct MCLE courses on international service of process for major law firms and state Bar Associations. I am an Associate Member of the American Bar Association (ABA), Member of the Section on International Law and Section on International Trade. I am also a member of the Los Angeles County Bar Association, Member of the International Law Committee and Family Law Committee. I am a Life Member of the *National Association of Investigative Specialists* and the *International Process Servers Association*. I am qualified as an expert in my field and can competently testify to the facts stated and declared within.

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Nelson Tucker

STATE OF TENNESSEE JUVENILE COURT
OF SEVIER COUNTY, TENNESSEE

CIVIL SUMMONS

STATE OF TENNESSEE

DEPARTMENT OF CHILDREN'S SERVICES

Docket No. 2024-DN-38

In Re: Lopez

Petitioner(s)

vs. **NEIDY XIOMARA CARTAGENA
VELAQUEZ**

*Address unknown, believed to reside in
Honduras*

Notice:

TO THE DEFENDANT(S):

Tennessee law provides a four thousand dollar(\$4,000.00) personal property exemption from execution of seizure to satisfy a judgment. If a judgment should be entered against you in the action and you wish to claim property as exempt, you must file a written list, under oath, of the items you wish to claim as exempt with the clerk of the court. The list may be filed at any time and may be changed by you thereafter as necessary; however, unless it is filed before the judgment becomes final, it will not be effective as to any execution or garnishment issued prior to the filing of the list. Certain items are automatically exempt by law and so not need to be listed, these include items of necessary wearing apparel (clothing) for yourself and your family and trunks or other receptacles necessary to contain such apparel, family portraits, the family Bible, and school books. Should any of these items be seized you would have the right to recover them. If you do not understand your exemption right or how to exercise it, you may wish to seek the counsel of a lawyer.

Respondent(s)

To the above named respondent(s):

Neidy Xiomara Cartagena Velaquez

You are hereby commanded and required to serve upon STATE OF TENN, DCS petitioner's attorney, whose address is 115 ALLENSVILLE ROAD, STE 105, SEVIERVILLE, TN 37876 an answer to the complaint which is herewith served upon you within thirty (30) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment default will be taken against you for the relief demanded in the complaint.

You are hereby commanded to appear in Juvenile Court on the 8 day of May, 2024, at 8:30 a.m.

Witnessed and issued this 8 day of March, 2024, at 10:58 a.m.

PENNY D. JOHNSON, Clerk

By:
Deputy Clerk

RETURN OF SERVICE OF SUMMONS

On this _____ day of _____, 2024:

_____ I have read the summons to respondent and left with the respondent a copy of this summons and a copy of the petition filed in this cause.

Received by: _____

Signature of Respondent

_____ I was unable to locate the respondent.

SWORN this the _____ day of _____, 2024.

BY: _____

Sheriff-Deputy Sheriff-Constable-Process Server

THIS SUMMONS IS ISSUED PURSUANT TO RULE 4 OF THE TENNESSEE RULES OF CIVIL PROCEDURE.

IN THE JUVENILE COURT OF SEVIER COUNTY, TENNESSEE

IN THE MATTER OF:

Case No. 78JC1-2024-JS-11

Cesia Nohemy Lopez - DOB 9/4/2007 AGE 16 years

A child under 18 years of age
(at the time of the offense)

CHARGE(S): Case 1, Count 1 - Unruly Behavior (TCA 37-1-132), a Status Offense

BENCH ORDER

This matter came to be heard on the, before the Honorable Jeff D Rader, upon petition filed alleging the above offense(s).

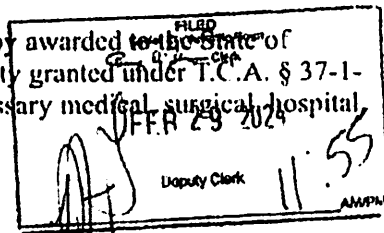
Those present were Sara Reynolds (Youth Services Officer) and Micki L Ownby (Director of Youth Services).

The Court, having considered the testimony and evidence presented and the entire record, finds as follows:

1. This Court has jurisdiction over this action, and venue is appropriate in this county.
2. There is probable cause to believe that the above-named child is dependent and neglected pursuant to T.C.A. § 37-1-102(b).
3. The child is subject to an immediate threat to the child's health or safety to the extent that delay for a hearing would be likely to result in severe or irreparable harm.
4. There is no less drastic alternative to removal available that would reasonably and adequately protect the child's health and safety pending a hearing.
5. Continuation of the child in the home is contrary to the best interests and welfare of the child for the following reasons: The aunt's refusal to allow the child to return to her home and the child's refusal to return to the aunt's home due to alleged abuse.
6. There is no less restrictive alternative removal of the child from the home that will reduce the risk of flight or of serious physical harm to the child or to others.
7. It was reasonable to make no efforts to maintain the child in the home based on an assessment of the family and the child(ren)'s circumstances that include: The aunt's refusal to allow the child to return to her home due to the inappropriate and disruptive behavior of the child. The child sneaking phones, contacting older adult males, running away from home and placing the aunt's younger children's health and safety in danger. Furthermore, the child's refusal to return to the aunt's home due to alleged abuse.

It is, therefore, **ORDERED, ADJUDGED AND DECREED** that:

1. Temporary custody of the child, Cesia Nohemy Lopez, is hereby awarded to the State of Tennessee, Department of Children's Services, with the authority granted under T.C.A. § 37-1-140, including the authority to consent to any ordinary or necessary medical, surgical, hospital, psychological, psychiatric, institutional or education care.



2. The Court further orders that all state, county, or local agencies with information or records relevant to the child's situation, including any public or private medical or mental health treatment resources and all educational facilities, shall release such information or records as are necessary for the management of this case to the Department of Children's Services.
3. That **Dianna Russell** is hereby appointed as guardian ad litem for the child.
4. That **Dianna Russell** is directed to file a Dependency & Neglect Petition within two (2) days after the child is taken into custody excluding Saturdays, Sundays and legal holidays pursuant to T.C.A. § 37-1-115.
5. The child shall be released to the Tennessee Department of Children's Services.

ENTERED this 29 day of February, 2014

The Honorable Jeff D Rader
Juvenile Court Judge
(T.C.A. § 16-1-115)

CERTIFICATION OF SERVICE

I hereby certify that a true and exact copy of the order has been delivered by United States mail, by personal service, by email or facsimile if service is so accepted, to the individuals listed below on the date of this order:

Nuvia Recarte, 118 VILLAGE Drive #2, GATLINBURG, TN 37738
Dianna Russell, diannarusscll@gmail.com



Juvenile Court Clerk

IN THE JUVENILE COURT FOR SEVIER COUNTY, TENNESSEE

**DIANNA RUSSELL
GUARDIAN AD LITEM
PETITIONER**

v.

No: 2024-DN-38

**NEIDY XIOMARA CARTAGENA VELAQUEZ, Mother
And**

**NUVIA MIDDELY RECARTE CURZ, Aunt
And**

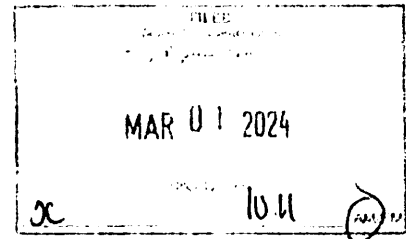
**STATE OF TENNESSEE
DEPARTMENT OF CHILDREN'S SERVICES**

RESPONDENTS.

IN THE MATTER OF:

**ESTHER ABIGAIL LOPEZ DOB 02/23/2009
CESIA NOHEMY LOPEZ DOB 09/04/2007**

Child Under Eighteen (18) Years of Age



**EMERGENCY PETITION ALLEGING DEPENDENCY AND NEGLECT AND FOR
TRANSFER OF TEMPORARY CUSTODY**

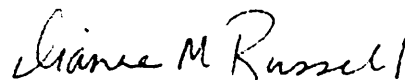
COMES now Dianna Russell, Guardian ad Litem for the above-named children, and moves this Honorable Court to find the children dependent and neglected in the mother's care and to order immediate transfer of temporary custody of the minor children named above to the Department of Children's Services effective immediately, and as cause states the following:

1. That Neidy Xiomara Cartagena Velaquez is the natural mother of the minor children.
2. That the father is unknown at this time.
3. That venue is appropriate, and jurisdiction is in Sevier County.
4. That the children have been living with the aunt, Nuvia Middely Recarte Curz, since coming to the United States.

5. That the children have not been following the rules of the home and have run away several times with older men.
6. That the children were picked up by law enforcement and placed at the Sevier County Juvenile Detention Center.
7. That the aunt is refusing to take the children back because of their behaviors and the concern of safety for her own minor children.
8. That the children have made allegations against the aunt as to abuse.
9. That a preliminary hearing be set for March 6, 2024 at 9 am.

WHEREFORE, the Guardian *ad Litem* believes that it is not reasonable nor in the children's best interests to prevent nor delay removal, and believes these conditions to be continuing, unresolvable, and unsafe and that the child is in immediate danger of irreparable harm, such that there is no less drastic alternative than an immediate bench order into the legal and physical custody of the State of Tennessee Department of Children's Services custody to be appropriately placed where they can receive appropriate care, that would come with DCS having temporary legal custody of these children.

RESPECTFULLY SUBMITTED this the 1st day of March 2024.



Dianna M. Russell, BPR#032348
Guardian ad Litem
110 Bruce Street, Suite 202
Sevierville, TN 37862
865-366-1482

CERTIFICATE OF SERVICE

I do hereby certify that I have forwarded a true and exact copy of the foregoing pleading via US Mail, facsimile, or hand delivery, postage pre-paid, sufficient for the delivery thereof to the following addresses:

Lori Walker via email

Neidy Xiomara Cartagena Velaquez
Address Unknown
Honduras

Nuvia Middely Recarte Curz

this the 15th day of March, 2024.


Dianna M. Russell
Dianna M. Russell, BPR#032348

IN THE JUVENILE COURT OF SEVIER COUNTY, TENNESSEE

No. 2024-DN-38

IN THE MATTER OF:

CESIA NOHEMY LOPEZ

DOB 09/04/2007

ESTHER ABIGAIL LOPEZ

DOB 02/23/2009

CHILD(REN) UNDER EIGHTEEN (18) YEARS OF AGE

PRELIMINARY HEARING ORDER

HEARD BY: HON. DWIGHT STOKES DATE OF HEARING: 3.06.2024

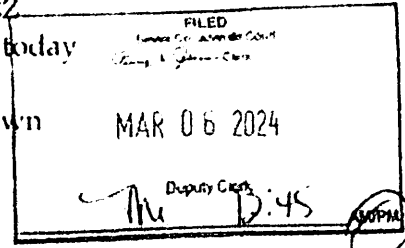
DATE PETITION FILED: 2.29.2024 (bench order)

DATE CHILD(REN) ENTERED FOSTER CARE: 2.29.2024

DATE OF NEXT HEARING 5/8/24 TYPE: Cont PH

PRESENT:

- [mother] NEIDY XIOMARA CARTAGENA VELAQUEZ
 - Present: on service of process served today
 - had notice and failed to appear
 - did not receive notice or whereabouts unknown
 - was represented by Attorney
 - waived counsel in writing



- [father] Ulysses Maldonado
 - Present: on service of process served today
 - had notice and failed to appear
 - did not receive notice or whereabouts unknown
 - was represented by Attorney
 - waived counsel in writing

- [custodian] NUVIA MIDDELY RECARTE CRUZ excused as party after today
 - Present: on service of process served today
 - had notice and failed to appear
 - did not receive notice or whereabouts unknown
 - was represented by Attorney

[children] _____

Guardian ad Litem: DIANNA RUSSELL

[other party/parties] _____

DCS Attorney Lori Walker / Dean Griffey

CPS Case Manager

DCS Family Services Worker(s) KATIE DAVIS

[other participants] Interpreter - Amanda Ortiz

COURT FINDINGS:

ADJ as to aunt - Status finding of d & n - she is

A. The Preliminary Hearing should be continued for the following reason: *Ready to be excused as a party*
 to obtain service of process.
 upon the waiver of time by Respondent(s).
 other: _____

B. Respondent(s) waive the Preliminary Hearing.

C. Upon the evidence presented, statements and arguments of counsel and the entire record, the Court finds

(1) that there is probable cause to believe the child is neglected, dependent or abused

due to _____

_____;

as alleged in the petition;

(2) that removal of the child is required pursuant to T. C. A. 37-1-114(2) and there is no less drastic alternative to removal; and

(3) that

reasonable efforts were made to prevent the child's removal from the home.

based on an assessment of the family and the child's circumstances, it was reasonable to make no effort to maintain the child in the home.

reasonable efforts to prevent removal were not required because:

- a court of competent jurisdiction has previously determined that the parent has subjected the child to aggravated circumstances as defined in T.C.A. 36-1-102(9).
- the parent has been convicted one of the felony crimes against a child specified in T.C.A. 37-1-166(g)(4)(B).
- the parental rights of the parent to a sibling or half-sibling have been terminated involuntarily.

The Court further finds that the following is in the best interest of the child and **IT IS, THEREFORE, ORDERED** that:

1. **JURISDICTION:** The above-named child shall remain within the protective jurisdiction of this Court.

2. **CUSTODY:**

The State of Tennessee, Department of Children's Services, shall retain temporary legal custody of the children, with the authority to consent to necessary medical, surgical, hospital, institutional care, or educational enrollment, pending further order of this Court.

Temporary legal custody of the children is awarded to _____ pending further hearing, upon finding that such placement is suitable and is a less drastic alternative to foster care.

3. **VISITATION AND RESTRAINING ORDERS:**

Mother shall be allowed supervised visitation with the child according to the rules and regulations of the Department of Children's Services.

_____ shall be allowed supervised visitation with the child to be supervised by the custodian(s) or their third-party designee. No visitation shall take place, or the visit shall be cut short, if the parent appears to be under the influence of alcohol or drugs. The parent shall not drive a vehicle in which the children are passengers. *Supervised visitation does not include overnights.*

The Department of Children's Services and the Guardian *ad Litem* shall have the authority to modify visitation by relaxing or eliminating the requirement of supervision and by increasing the frequency or duration of visits, up to and including overnight visitation, at the discretion of the Department and based upon progress toward reunification and can further restrict visitation once again if necessary to supervised contact.

_____ shall have no contact with the children pending further hearing.

The Alleged Perpetrator(s), _____ waive(s) the Injunction Hearing and stipulate(s) to a preponderance of the evidence that the injunction is necessary to prevent conduct that is detrimental or harmful to the child/children.

Upon the evidence presented, statements of counsel, and the record as a whole, the Court finds that the injunction is necessary under Tennessee Code Annotated § 37-1-152 to prevent conduct that is detrimental or harmful to the child/children, and that the Department of Children's Services has established by a preponderance of the evidence that there is risk of harm to the child/children (1) for all of the reasons set out in the Petition, which are hereby specifically incorporated into this Order, (2) for the following reasons: _

_____.

PERMANENT RESTRAINING ORDER: _____ shall have no contact with the child/children, including no personal contact, no telephone calls, no electronic or written messages, and no messages through third parties. This injunction order shall remain in effect until the child/children reach the age of 18 or until this Order is modified by this Court.

PARENT'S/LEGAL GUARDIAN'S RESPONSIBILITIES: The Court informed the Mother/Father/Legal Guardian of his/her/their responsibility to enforce this Injunction and the potential legal penalties for violation of this Court's order.

4. HEARINGS:

- The preliminary hearing is waived.
- The preliminary is continued to be reset upon request of counsel for Respondent(s).

The preliminary hearing is reset for _____ at _____ AM/PM.

The ~~adjudicatory~~ ^{continued preliminary} hearing is set for 5/8/24 at 9 AM/PM.

The judicial review and ratification of the permanency plan is set for _____ at _____ AM/PM.

5. CHILD SUPPORT:

shall each pay token temporary child support in the amount of Fifty Dollars (\$50.00) per month per child, due on the first day of each month, through the Central Child Support Receiving Unit, P.O. Box 305200, Nashville, TN 37229, beginning immediately. The child's name and birthdate number shall be written on the check or money order. *This amount is determined without presumption of correctness.*

_____ shall appear for a hearing on _____, 2024, at 9:00 AM in the Child Support Division of this Court to determine the ability of each to pay child support. He/She/They shall each bring documentation of current income including recent pay stubs. Failure to appear at this hearing may result in the issuance of a default judgment.

6. COURT ORDERED MEDICAL AUTHORIZATIONS FOR CHILDREN IN DCS CUSTODY:

The State of Tennessee Department of Children's Services has, pursuant to T.C.A. 63-1-165 made written request to this court for the entry of an order authorizing vaccination of a minor child in the custody of the state. It is ordered that Department of Children's Services employees and agents are permitted to provide, request, or facilitate the vaccination of the subject child(ren), and are expressly granted the authority to provide consent to the following vaccinations for the subject child(ren):

Hepatitis B; Rotavirus; Diphtheria, tetanus, and acellular pertussis; Haemophilus influenzae type b; Pneumococcal conjugate; Inactivated poliovirus; Influenza; Measles, mumps, rubella; Varicella; Hepatitis A; and Meningococcal.

OTHER

Any healthcare provider shall accept the informed consent of the Department of Children's Services to administer any vaccine authorized by this order to the subject child(ren).

7. Vaccinations for children not in DCS custody: T.C.A. 63-1-165 does not prohibit legal custodians from obtaining vaccinations for children in their custody even if they do not have parental consent: (c)(1) A healthcare provider shall not provide a vaccination to a minor unless the healthcare provider first receives informed consent from a parent or legal guardian of the minor. The healthcare provider shall document receipt of, and include in the minor's medical record proof of, such prior parental or guardian informed consent. (T.C.A. 63-1-165 emphasis added).

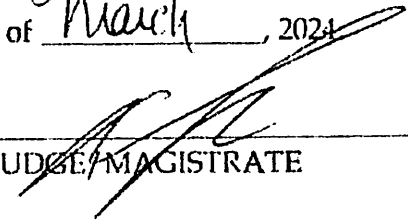
8. OTHER:

The Court advised the parent(s) present of the importance of regular visitation and of paying support for the child(ren) and that these are grounds for TPR.

Tasks:

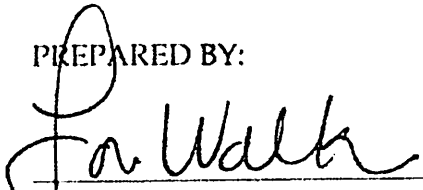
no contact Yeffri Cewano Diaz

Made the 6 day of March, 2024



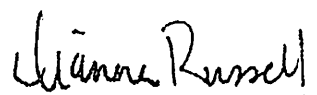
JUDGE/MAGISTRATE

PREPARED BY:

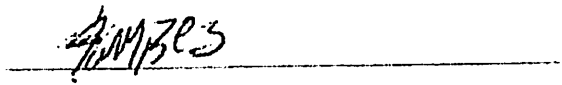


Lori J. Walker, BPR # 032421
Dean Griffey, BPR #032137
Assistant General Counsel
Department of Children's Services

APPROVED BY:



DIANNA RUSSELL, Guardian ad Litem
BPR No.: 032348



BPR No.:

CERTIFICATE OF SERVICE

I hereby certify that I have this day hand-delivered, e-mailed, faxed and/or deposited in the U. S. mail, with sufficient postage thereon, a copy of the foregoing Hearing Order addressed to:

Lori J. Walker, DCS Attorney

Dianna Russell, Esq.

NEIDY XIOMARA CARTAGENA VELAQUEZ

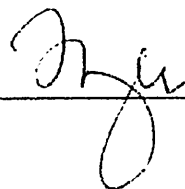
NUVIA MIDDELY RECARTE CRUZ

118 Village Dr. #2

Gatlinburg, TN 37738

This 6 day of March, 2024.

Clerk



STATE OF TENNESSEE JUVENILE COURT
OF SEVIER COUNTY, TENNESSEE

CIVIL SUMMONS

STATE OF TENNESSEE

DEPARTMENT OF CHILDREN'S SERVICES

Docket No. 2024-DN-38

In Re: Lopez

Petitioner(s)

vs. ULYSSES MALDONADO
Address unknown, believed to reside in
Honduras

Notice:

TO THE DEFENDANT(S):

Tennessee law provides a four thousand dollar(\$4,000.00) personal property exemption from execution of seizure to satisfy a judgment. If a judgment should be entered against you in the action and you wish to claim property as exempt, you must file a written list, under oath, of the items you wish to claim as exempt with the clerk of the court. The list may be filed at any time and may be changed by you thereafter as necessary; however, unless it is filed before the judgment becomes final, it will not be effective as to any execution or garnishment issued prior to the filing of the list. Certain items are automatically exempt by law and so not need to be listed, these include items of necessary wearing apparel (clothing) for yourself and your family and trunks or other receptacles necessary to contain such apparel, family portraits, the family Bible, and school books. Should any of these items be seized you would have the right to recover them. If you do not understand your exemption right or how to exercise it, you may wish to seek the counsel of a lawyer.

Respondent(s)

To the above named respondent(s):

Ulysses Maldonado

You are hereby commanded and required to serve upon STATE OF TENN, DCS petitioner's attorney, whose address is 115 ALLENSVILLE ROAD, STE 105, SEVIERVILLE, TN 37876 an answer to the complaint which is herewith served upon you within thirty (30) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment default will be taken against you for the relief demanded in the complaint.

You are hereby commanded to appear in Juvenile Court on the 8 day of May, 2024, at 8:30 a.m.

Witnessed and issued this 8 day of March, 2024, at 10:58 a.m.

PENNY D. JOHNSON, Clerk

By: Deputy Clerk

[Signature]

RETURN OF SERVICE OF SUMMONS

On this _____ day of _____, 2024:

I have read the summons to respondent and left with the respondent a copy of this summons and a copy of the petition filed in this cause.

Received by: _____

Signature of Respondent

I was unable to locate the respondent.

SWORN this the _____ day of _____, 2024.

BY: _____

Sheriff-Deputy Sheriff-Constable-Process Server

THIS SUMMONS IS ISSUED PURSUANT TO RULE 4 OF THE TENNESSEE RULES OF CIVIL PROCEDURE.

ESTADO DE TENNESSEE TRIBUNAL DE MENORES
DEL CONDADO DE SEVIER, TENNESSEE

CITACIÓN CIVIL

STATE OF TENNESSEE

Número de Registro 2024-DN-38

DEPARTMENT OF CHILDREN'S SERVICES

En el Asunto: Lopez

Demandante(s)

contra **ULYSSES MALDONADO**
Dirección desconocida, se cree que reside en Honduras

Aviso:

AL(S) DEMANDADO(S):

La ley de Tennessee proporciona una exención de propiedad personal de cuatro mil dólares (\$4,000.00) de ejecución o embargo para satisfacer un fallo. Si se emite un fallo en su contra en la acción y desea reclamar propiedad como exenta, debe presentar una lista escrita, bajo juramento, de los artículos que desea reclamar como exentos ante el secretario del tribunal. La lista se puede presentar en cualquier momento y se puede cambiar posteriormente según sea necesario; sin embargo, a menos que se presente antes de que el fallo se vuelva definitivo, no será efectiva respecto a ninguna ejecución o embargo emitido antes de la presentación de la lista. Ciertos artículos están automáticamente exentos por ley y no necesitan ser enumerados, estos incluyen artículos de vestir necesarios (ropa) para usted y su familia y baúles u otros receptáculos necesarios para contener dicha ropa, retratos familiares, la Biblia familiar y libros escolares. Si se incauta alguno de estos artículos, tendría derecho a recuperarlos. Si no comprende su derecho de exención o cómo ejercerlo, es posible que desee buscar el consejo de un abogado.

Demandado(s)

Ulysses Maldonado

A los demandados mencionados anteriormente:

Por la presente se les ordena y requiere que sirvan a STATE OF TENN, DCS al abogado del demandante, cuya dirección es 115 ALLENSVILLE ROAD, STE 105, SEVIERVILLE, TN 37876, y responda a la denuncia que se le notifica por la presente dentro de los treinta (30) días posteriores a la fecha de servicio de esta citación, excluyendo el día de servicio. Si no lo hacen, se tomará un fallo por incumplimiento en su contra por la reparación solicitada en la demanda.

Por la presente se le ordena comparecer ante el Tribunal de Menores el día 8 de May (Mayo) de 2024, a las 8:30 a.m.

Testificado y emitido este día 8 de March (marzo) de 2024, a las 10:58 a.M.

PENNY D. JOHNSON, Secretaria

Por: M. Mantham
Secretario Adjunto

DEVOLUCIÓN DE LA NOTIFICACIÓN DE CITACIÓN

En este día _____ de _____, 2024;

Yo he leído la citación al demandado y le he dejado al demandado una copia de esta citación y una copia de la demanda presentada en esta causa.

Recibido por: _____

Firma del Demandado

No pude localizar al demandado.

JURADO este día _____ de _____, 2024.

POR: _____

Alguacil-Deputy Sheriff-Constable-Oficial de notificación

EN EL TRIBUNAL DE MENORES DEL CONDADO DE SEVIER, TENNESSEE

EN EL ASUNTO DE:

Número de Caso: 78JC1-2024-JS-11

Cesia Nohemy Lopez - FECHA DE NACIMIENTO 4/9/2007 EDAD 16 Años

Menor de 18 años de edad

(en el momento del delito)

CARGO(S): Caso 1, Cargo 1 - Comportamiento Indisciplinado (TCA 37-1-132), una Ofensa de Estatus

ORDEN JUDICIAL

Este asunto se presentó para ser escuchado, ante el Honorable Jeff D. Rader, tras la presentación de una petición alegando el(s) cargo(s) mencionado(s) anteriormente.

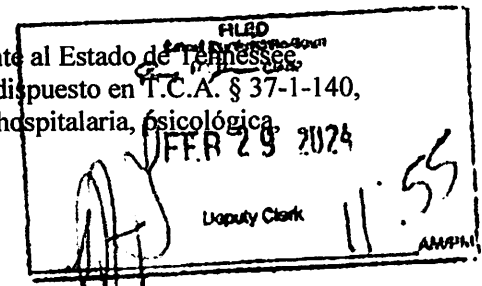
Presentes en la audiencia estaban Sara Reynolds (Oficial de Servicios Juveniles) y Micki L. Ownby (Director de Servicios Juveniles).

El Tribunal, tras considerar el testimonio y las pruebas presentadas, así como el expediente completo, encuentra lo siguiente:

1. Este Tribunal tiene jurisdicción sobre esta acción, y el lugar es adecuado en este condado.
2. Existe causa probable para creer que el menor mencionado anteriormente es dependiente y desatendido según lo dispuesto en T.C.A. § 37-1-102(b).
3. El menor está sujeto a una amenaza inmediata para su salud o seguridad en la medida en que la demora para una audiencia podría resultar en un daño grave o irreparable.
4. No existe una alternativa menos drástica a la remoción disponible que razonablemente y adecuadamente protegería la salud y seguridad del menor mientras se espera una audiencia.
5. La continuación del menor en el hogar es contraria al interés superior y bienestar del menor por las siguientes razones: La negativa de la tía a permitir que el menor regrese a su hogar y la negativa del menor a regresar al hogar de la tía debido a presuntos abusos.
6. No existe una alternativa de remoción menos restrictiva del menor del hogar que reduciría el riesgo de fuga o de daño físico grave al menor o a otros.
7. Fue razonable no hacer esfuerzos para mantener al menor en el hogar basados en una evaluación de la familia y las circunstancias del menor, que incluyen: La negativa de la tía a permitir que el menor regrese a su hogar debido al comportamiento inapropiado y disruptivo del menor. El menor escondiéndose para usar teléfonos, contactando a hombres adultos mayores, huyendo de casa y poniendo en peligro la salud y seguridad de los hijos menores de la tía. Además, la negativa del menor a regresar al hogar de la tía debido a presuntos abusos.

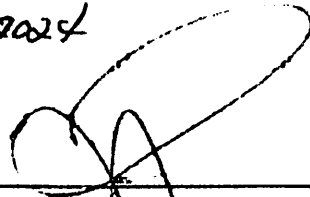
Por lo tanto, **SE ORDENA, JUZGA Y DECRETA** que:

1. La custodia temporal del menor, Cesia Nohemy Lopez, se otorga por la presente al Estado de Tennessee, Departamento de Servicios para Menores, con la autoridad otorgada según lo dispuesto en T.C.A. § 37-1-140, incluyendo la autoridad para consentir cualquier atención médica, quirúrgica, hospitalaria, psicológica, psiquiátrica, institucional o educativa ordinaria o necesaria.



2. El Tribunal ordena además que todas las agencias estatales, del condado o locales con información o registros relevantes para la situación del menor, incluyendo cualquier recurso público o privado de tratamiento médico o de salud mental y todas las instalaciones educativas, deberán proporcionar dicha información o registros que sean necesarios para la gestión de este caso al Departamento de Servicios para Menores.
3. Se nombra por la presente a **Dianna Russell** como tutor ad litem del menor.
4. Se ordena que **Dianna Russell** presente una Petición de Dependencia y Descuido dentro de los dos (2) días posteriores a que el menor sea tomado bajo custodia, excluyendo los sábados, domingos, y vacaciones legales, de acuerdo con T.C.A. § 37-1-115.
5. El menor será entregado al Departamento de Servicios para Menores de Tennessee.

Ingresado este 29 day of February, 2024
(29 de febrero de 2024)



El Honorable Jeff D. Rader
Juez del Tribunal de Menores
(T.C.A. § 16-1-115)

CERTIFICACIÓN DE SERVICIO

Por la presente certifico que se ha entregado una copia fiel y exacta de la orden por correo de los Estados Unidos, por servicio personal, por correo electrónico o fax si se acepta el servicio, a las personas enumeradas a continuación en la fecha de esta orden:

Nuvia Recarte, 118 VILLAGE Drive #2, GATLINBURG, TN 37738
Dianna Russell, diannarussell@gmail.com



Secretaria del Tribunal de Menores

EN EL TRIBUNAL DE MENORES DEL CONDADO DE SEVIER, TENNESSEE

**DIANNA RUSSELL
GUARDIAN AD LITEM
DEMANDANTE**

contra

Núm:2024-DN-38

**NEIDY XIOMARA CARTAGENA VELAQUEZ, Madre
Y**

**NUVIA MIDDELY RECARTE CURZ, Tía
Y**

**STATE OF TENNESSEE
DEPARTMENT OF CHILDREN'S SERVICES**

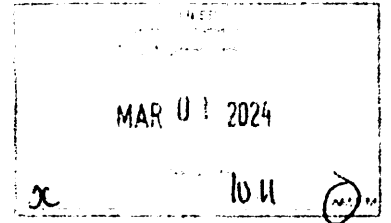
DEMANDADOS.

EN EL ASUNTO DE:

**ESTHER ABIGAIL LOPEZ
CESIA NOHEMY LOPEZ**

**FECHA DE NACIMIENTO: 23/02/2009
FECHA DE NACIMIENTO: 04/09/2007**

Menor de dieciocho (18) años de edad



**PETICIÓN DE EMERGENCIA ALEGA DEPENDENCIA Y DESCUIDO Y SOLICITA LA
TRANSFERENCIA DE CUSTODIA TEMPORAL**


Ahora comparece Dianna Russell, Guardian ad litem de los menores mencionados anteriormente, y solicita a este Honorable Tribunal que declare a los menores dependientes y descuidados bajo el cuidado de la madre y ordene la transferencia inmediata de la custodia temporal de los menores mencionados anteriormente al Departamento de Servicios para Menores, con efecto inmediato, y como causa expone lo siguiente:

1. Que Neidy Xiomara Cartagena Velaquez es la madre biológica de los menores.
2. Que el padre no es conocido en este momento.
3. Que el lugar es adecuado y la jurisdicción corresponde al Condado de Sevier.
4. Que los niños han estado viviendo con la tía, Nuvia Middely Recarte Curz, desde que llegaron a los Estados Unidos.

5. Que los niños no han estado siguiendo las reglas del hogar y han escapado varias veces con hombres mayores.
6. Que los niños fueron recogidos por la policía y colocados en el Centro de Detención Juvenil del Condado de Sevier.
7. Que la tía se niega a recibir de vuelta a los niños debido a su comportamiento y a la preocupación por la seguridad de sus propios hijos menores.
8. Que los niños han hecho acusaciones de abuso contra la tía.
9. Que se fije una audiencia preliminar para el día March 6 (6 de marzo), 2024 a las 9 am.

POR LO TANTO, el Guardian *ad Litem* considera que no es razonable ni está en el mejor interés de los niños impedir ni retrasar su remoción, y cree que estas condiciones son continuas, irresolubles y peligrosas, y que el niño está en peligro inmediato de sufrir un daño irreparable, de tal manera que no existe una alternativa menos drástica que una orden judicial inmediata para la custodia legal y física del State of Tennessee Department of Children's Services para ser colocados apropiadamente donde puedan recibir atención adecuada, que vendría con DCS teniendo la custodia legal temporal de estos niños.

RESPECTUOSAMENTE PRESENTADO este día 1st de marzo de 2024.



Dianna M. Russell, BPR#032348
Guardian ad Litem
110 Bruce Street, Suite 202
Sevierville, TN 37862
865-366-1482

CERTIFICADO DE SERVICIO


Por la presente certifico que he enviado una copia verdadera y autentica del escrito anterior por correo de los Estados Unidos, fax o entrega en mano, franqueo prepago, suficiente para su entrega a las siguientes direcciones:

Lori Walker por correo electrónico

Neidy Xiomara Cartagena Velaquez
Dirección Desconocida
Honduras

Nuvia Middely Recarte Curz

este día 15^A de March (Marzo), 2024


Dianna M. Russell, BPR#032348

EN EL TRIBUNAL DE MENORES DEL CONDADO DE SEVIER, TENNESSEE

Núm:2024-DN-38

EN EL ASUNTO DE:

CESIA NOHEMY LOPEZ

FECHA DE NACIMIENTO: 04/09/2007

ESTHER ABIGAIL LOPEZ

FECHA DE NACIMIENTO: 23/02/2009

NIÑO(S) MENOR(ES) DE DIECIOCHO (18) AÑOS DE EDAD

ORDEN DE AUDIENCIA PRELIMINAR

ESCUCHADO POR: HON. DWIGHT STOKES

FECHA DE LA AUDIENCIA: 06/03/2024

FECHA DE LA PETICIÓN PRESENTADA: 29/02/2024 (orden judicial)

FECHA EN QUE EL/LA NIÑO(A)(S) INGRESÓ/INGRESARON A CUIDADO DE ACOGIDA: 29/02/2024

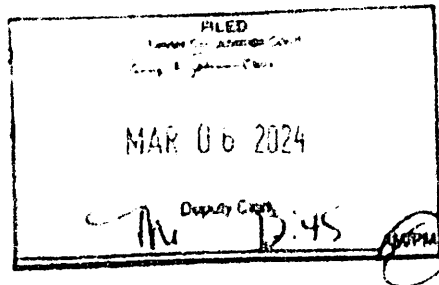
FECHA DE LA PRÓXIMA AUDIENCIA 5/8/24

TIPO: Cont PT/

PRESENTE:

[madre] NEIDY XIOMARA CARTAGENA VELAQUEZ

- Presente: en servicio de proceso servido hoy
- fue notificado y no compareció
- no recibió aviso o su paradero es desconocido
- fue representado por un abogado
- renunció al abogado por escrito



[Padre] Ulysses Maldonado

- Presente: en servicio de proceso servido hoy
- fue notificado y no compareció
- no recibió aviso o su paradero es desconocido
- fue representado por un abogado _____
- renunció al abogado por escrito

[custodia] NUVIA MIDDELY RECARTE CRUZ

excused as party after today

excusado como parte después de hoy

- Presente: en servicio de proceso servido hoy
- fue notificado y no compareció
- no recibió aviso o su paradero es desconocido
- fue representado por un abogado _____

niños _____

Guardian ad litem: DIANNA RUSSELL

[otra parte/partes] _____

Abogado del DCS Lori Walker / Dean Griffey

Gerente de Casos de CPS

Trabajador(es) de Servicios Familiares del DCS KATIE DAVIS

(otros participantes) interpreter - Amanda Ortiz

Intérprete - Amanda Ortiz

CONCLUSIONES DEL TRIBUNAL:

ADJ as to aunt - Status finding of d'n - she is ready

A. La Audiencia Preliminar debería ser pospuesta por la siguiente razón:

- para obtener servicio de proceso.
- tras la renuncia del tiempo por parte del/de los Demandado(s).
- otro: _____

ADJ con respecto a la Tía : Hallazgo de estado de Dependencia y Descuido - Esta lista para ser excusada como parte	<i>to be excused as a party</i>
---	---------------------------------

B. El/los Demandado(s) renuncian a la Audiencia Preliminar.

C. A partir de las pruebas presentadas, declaraciones y argumentos de los abogados y el expediente completo, el Tribunal encuentra

(1) que existe causa probable para creer que el niño está descuidado, dependiente o abusado

debido a _____

cómo se alega en la petición;

(2) que se requiere la remoción del niño de acuerdo con T.C.A. 37-1-114(2) y que no existe una alternativa menos drástica a la remoción; y

(3) que

se hicieron esfuerzos razonables para evitar la remoción del niño del hogar

basado en una evaluación de la familia y las circunstancias del niño, fue razonable no hacer ningún esfuerzo para mantener al niño en el hogar.

no se requirieron esfuerzos razonables para evitar la remoción porque:

- un tribunal de jurisdicción competente ha determinado previamente que el padre ha sometido al niño a circunstancias agravantes según lo definido en T.C.A. 36-1-102(9)
- el padre ha sido condenado por uno de los delitos graves contra un niño especificados en T.C.A. 37-1-166(g)(4)(B).
- los derechos parentales del padre sobre un hermano o medio hermano han sido terminados involuntariamente.

El Tribunal encuentra además que lo siguiente es en el mejor interés del niño y, **POR LO TANTO, SE ORDENA** que:

1. JURISDICCIÓN: El niño mencionado anteriormente permanecerá dentro de la jurisdicción protectora de este Tribunal.

2. CUSTODIA:

The State of Tennessee, Department of Children's Services, retendrá la custodia legal temporal de los niños, con la autoridad para consentir tratamientos médicos, quirúrgicos, hospitalarios, institucionales o la inscripción educativa necesarios, en espera de una orden adicional de este Tribunal.

La custodia legal temporal de los niños se otorga a _____ pendiente de una audiencia adicional, al encontrar que dicha colocación es adecuada y es una alternativa menos drástica al cuidado de crianza.

3. VISITAS Y ÓRDENES DE RESTRICCIÓN:

mother (La Madre)

se le permitirá tener visitas supervisadas con el niño de acuerdo con las reglas y regulaciones del Departamento de Servicios para Menores.

se le permitirá tener visitas supervisadas con el niño, que serán supervisadas por el/los custodio(s) o su designado de terceros. No se permitirá la visita, o la visita se interrumpirá, si el padre parece estar bajo la influencia de alcohol o drogas. El padre no conducirá un vehículo en el que los niños sean pasajeros. *Las visitas supervisadas no incluyen pernoctaciones.*

El Departamento de Servicios para Menores y el Guardian ad Litem tendrán la autoridad para modificar las visitas relajando o eliminando el requisito de supervisión y aumentando la frecuencia o duración de las visitas, incluso incluyendo visitas nocturnas, a discreción del Departamento y basado en el progreso hacia la reunificación y pueden restringir nuevamente las visitas si es necesario a contacto supervisado.

_____ no tendrá contacto con los niños hasta una audiencia adicional.

El/los Presunto(s) Agresor(es), _____ renuncia(n) a la Audiencia Pública y estipula(n) por preponderancia de la evidencia que la medida cautelar es necesaria para evitar conductas que sean perjudiciales o dañinas para el niño/níños.

A partir de las pruebas presentadas, las declaraciones de los abogados y el expediente en su totalidad, el Tribunal encuentra que la medida cautelar es necesaria según el Tennessee Code Annotated § 37-1-152 para prevenir conductas que sean perjudiciales o dañinas para el niño/níños, y que el Departamento de Servicios para Menores ha establecido por preponderancia de la evidencia que existe riesgo de daño para el niño/níños (1) por todas las razones establecidas en la Petición, que se incorporan específicamente en esta Orden, (2) por las siguientes razones:

_____.

ORDEN DE RESTRICCIÓN PERMANENTE: _____ no tendrá contacto con el niño/níños, incluyendo ningún contacto personal, ninguna llamada telefónica, ningún mensaje electrónico o escrito, y ningún mensaje a través de terceros. Esta orden de inhibición permanecerá en efecto hasta que el niño/níños alcancen la edad de 18 años o hasta que esta Orden sea modificada por este Tribunal.

RESPONSABILIDADES DEL PADRE/TUTOR LEGAL: El Tribunal informó a la Madre/Padre/Tutor Legal de su responsabilidad de hacer cumplir esta infracción y las posibles sanciones legales por violación de la orden de este Tribunal.

4. AUDIENCIAS:

Se renuncia a la audiencia preliminar.

La audiencia preliminar se pospone a solicitud del abogado del/de los Demandado(s).

La audiencia preliminar se reprograma para el día _____ a las _____ AM/PM.

Continuidad preliminar

Continuación preliminar

9 La audiencia de ~~adjudicación~~ *adjudicación* se programa para el día 5/14/24 a las _____ AM/PM.

La revisión judicial y la ratificación del plan de permanencia se programan para el día _____ a las _____ AM/PM.

5. MANUTENCIÓN DE MENORES

deberá(n) pagar cada uno una manutención temporal simbólica de cincuenta dólares (\$50.00) por mes por cada niño, venciendo el primer día de cada mes, a través de la Unidad Central de Recaudación de Manutención de Menores, P.O. Box 305200, Nashville, TN 37229, comenzando de inmediato. El nombre del niño y la fecha de nacimiento deberán estar escritos en el cheque o giro postal. *Esta cantidad se determina sin presunción de corrección.*

_____ deberá presentarse para una audiencia el _____ de 2024, a las 9:00 a. m. en la División de Manutención de Menores de este Tribunal para determinar la capacidad de cada uno para pagar la manutención de menores. Él/Ella/Ellos deberá(n) traer documentación de ingresos actuales, incluyendo talones de pago recientes. La falta de comparecencia a esta audiencia puede resultar en la emisión de un fallo en rebeldía.

6. AUTORIZACIONES MÉDICAS ORDENADAS POR EL TRIBUNAL PARA LOS NIÑOS BAJO LA CUSTODIA DEL DCS:

The State of Tennessee, Department of Children's Services de conformidad con el T.C.A. 63-1-165, ha solicitado por escrito a este tribunal la emisión de una orden autorizando la vacunación de un niño menor de edad bajo la custodia del estado. Se ordena que los empleados y agentes del Departamento de Servicios para Menores tienen permitido proporcionar, solicitar o facilitar la vacunación del (de los) niño(s) en cuestión, y se les otorga expresamente la autoridad para otorgar el consentimiento para las siguientes vacunas para el (los) niño(s) en cuestión:

Hepatitis B; Rotavirus; Difteria, tétanos y tos ferina acelular; Haemophilus influenzae tipo b; Neumocócica conjugada; Polio virus inactivado; Influenza; Sarampión, paperas, rubéola; Varicela; Hepatitis A; y Meningocócica.

OTRO _____

Cualquier proveedor de atención médica deberá aceptar el consentimiento informado del Departamento de Servicios para Menores para administrar cualquier vacuna autorizada por esta orden al(los) niño(s) en cuestión.

7. Vacunas para niños que no están bajo custodia del DCS: T.C.A. 63-1-165 no prohíbe a los custodios legales obtener vacunas para los niños bajo su custodia incluso si no tienen el consentimiento parental: (c)(1) Un proveedor de atención médica no deberá administrar una vacuna a un menor a menos que el proveedor de atención médica primero reciba el consentimiento informado de un padre o **tutor legal** del menor. El proveedor de atención médica deberá documentar la recepción y, incluir en el expediente médico del menor, prueba de dicho consentimiento informado previo de los padres o guardianes. (Énfasis añadido al T.C.A. 63-1-165).

8. OTRO:

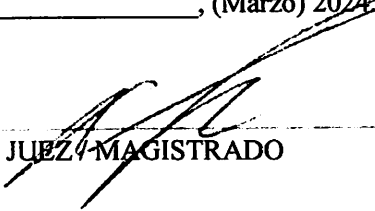
El Tribunal informó a los padres presentes sobre la importancia de las visitas regulares y del pago de manutención para el(los) niño(s) y que estos son motivos para la TPR.

Actividades:

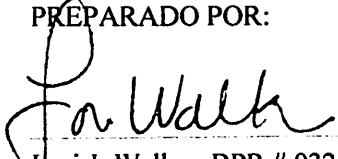
no contact Yettri Cerrano Diaz

Sin contacto Yettri Cerrano Diaz

Hecho el día 6 de March, (Marzo) 2024

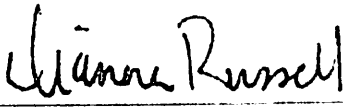

JUEZ / MAGISTRADO

PREPARADO POR:



Lori J. Walker, BPR # 032421
Dean Griffey, BPR # 032137
Abogado General Asistente
Departamento de Servicios para Menores

APROBADO POR:



DIANNA RUSSELL, Guardian ad Litem
BPR Núm. 032348



BPR Núm.

CERTIFICADO DE SERVICIO

Por la presente certifico que el día de hoy he entregado personalmente, enviado por correo electrónico, enviado por fax y/o depositado en el correo de los Estados Unidos, con suficiente franqueo, una copia del precedente Orden de Audiencia dirigida a:

Lori J. Walker, Abogada del DCS

Dianna Russell, Esq.

NEIDY XIOMARA CARTAGENA VELAQUEZ

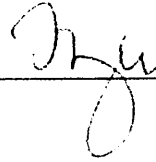
NUVIA MIDDELY RECARTE CRUZ

118 Village Dr. #2

Gatlinburg, TN 37738

Este día 6 de March (Marzo) de 2024.

Secretario/a



ESTADO DE TENNESSEE TRIBUNAL DE MENORES
DEL CONDADO DE SEVIER, TENNESSEE

CITACIÓN CIVIL

STATE OF TENNESSEE

Número de Registro 2024-DN-38

DEPARTMENT OF CHILDREN'S SERVICES

En el Asunto: Lopez

Demandante(s)

contra **NEIDY XIOMARA CARTAGENA
VELAQUEZ**

*Dirección desconocida, se cree que reside en
Honduras*

Aviso:

AL(S) DEMANDADO(S):

La ley de Tennessee proporciona una exención de propiedad personal de cuatro mil dólares (\$4,000.00) de ejecución o embargo para satisfacer un fallo. Si se emite un fallo en su contra en la acción y desea reclamar propiedad como exenta, debe presentar una lista escrita, bajo juramento, de los artículos que desea reclamar como exentos ante el secretario del tribunal. La lista se puede presentar en cualquier momento y se puede cambiar posteriormente según sea necesario; sin embargo, a menos que se presente antes de que el fallo se vuelva definitivo, no será efectiva respecto a ninguna ejecución o embargo emitido antes de la presentación de la lista. Ciertos artículos están automáticamente exentos por ley y no necesitan ser enumerados, estos incluyen artículos de vestir necesarios (ropa) para usted y su familia y baúles u otros receptáculos necesarios para contener dicha ropa, retratos familiares, la Biblia familiar y libros escolares. Si se incauta alguno de estos artículos, tendría derecho a recuperarlos. Si no comprende su derecho de exención o cómo ejercerlo, es posible que desee buscar el consejo de un abogado.

Demandado(s)

A los demandados mencionados anteriormente:

Neidy Xiomara Cartagena Velaquez

Por la presente se les ordena y requiere que sirvan a STATE OF TENN, DCS

al abogado del demandante, cuya dirección es 115 ALLENSVILLE ROAD, STE 105, SEVIERVILLE, TN 37876, dentro de los treinta (30) días posteriores a la fecha de servicio de esta citación, excluyendo el día de servicio. Si no lo hacen, se tomará un fallo por incumplimiento en su contra por la reparación solicitada en la demanda.

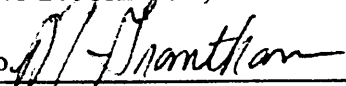
Por la presente se le ordena comparecer ante el Tribunal de Menores el día 8 de May (Mayo)

de 2024, a las 8:30 a.m.

Testificado y emitido este día 8 de March (marzo) de 2024, a las 10:58 a.M.

PENNY D. JOHNSON, Secretaria

Por:
Secretario Adjunto



DEVOLUCIÓN DE LA NOTIFICACIÓN DE CITACIÓN

En este día _____ de _____, 2024;

Yo he leído la citación al demandado y le he dejado al demandado una copia de esta citación y una copia de la demanda presentada en esta causa.

Recibido por: _____

Firma del Demandado

_____ No pude localizar al demandado.

JURADO este día _____ de _____, 2024.

POR: _____

Aguacil-Deputy Sheriff-Constable-Oficial de notificación

ESTA CITACIÓN SE EMITE DE CONFORMIDAD CON LA RULE 4 DE TENNESSEE RULES OF CIVIL PROCEDURE.