

THIRD DISTRICT JUVENILE COURT
FOR SALT LAKE COUNTY, STATE OF UTAH

STATE OF UTAH, in the interest of		Order Allowing Alternative Service through Publication
Montejo Mateo, Alfredo	06-28-2009	Case No. 1246856
A person under the age of 18 years		Judge Annette Jan

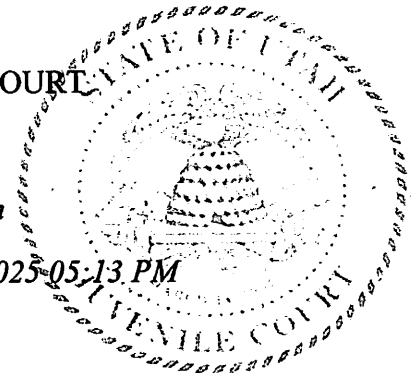
The matter came before the Court on the Petitioner's Petition for Custody and Guardianship. Petitioner filed a Motion for Alternative Service by Publication. Based on the facts alleged in the Motion and attached affidavit and that the whereabouts of the biological father is unknown but that based upon information and belief the biological father was last residing in Guatemala, the Court finds good cause and hereby;

ORDERS that service can be executed against the biological father by publication through GlobalLegalNotices.com. This publication shall be once every week for four weeks consecutively.

SIGNED BY THE COURT

/s/ Judge Annette Jan

and filed on 01-29-2025 05:13 PM



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IN THE THIRD JUDICIAL JUVENILE COURT – SALT LAKE

IN AND FOR SALT LAKE COUNTY, STATE OF UTAH

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STATE OF UTAH IN THE INTEREST OF	:	SUMMONS
	:	
ALFREDO MATEO MONTEJO	:	
(06/28/2009)	:	Case No.: 1246856
	:	
	:	Judge: Jan
A Child Under the Age of Eighteen Years.	:	

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The State of Utah to Pascual Mateo Pascual:

You are summoned and required to answer the attached complaint/petition. Within 30 days after service of this summons, you must file your written answer with the clerk of the court at the court the Third Judicial Juvenile Court located at 450 South State Street, Salt Lake City, UT 84111. Within that same time, you must mail or deliver a copy of your answer to the party or the party's attorney at the address shown above. If you fail to do so, judgment by default may be taken against you for the relief demanded in the amended petition, which is has been filed with the clerk of the court.

DATED: January 30, 2025

FILLMORE SPENCER LLC

/s/ Laura Lui
T. Laura Lui
Attorneys for Petitioner

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IN THE THIRD JUDICIAL JUVENILE COURT
IN AND FOR SALT LAKE COUNTY, STATE OF UTAH

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IN THE MATTER OF THE	:	PETITION FOR CUSTODY AND
GUARDIANSHIP OF:	:	GUARDIANSHIP
	:	
ALFREDO MATEO MONTEJO	:	
(06/28/2009)	:	Case No.:
	:	
A Child Under the Age of Eighteen Years.	:	Judge:
	:	
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COMES NOW Petitioner, IRMA MONTEJO MATEO (“hereinafter Petitioner”), by and through counsel T. Laura Lui and of FILLMORE SPENCER LLC, and hereby submit this Petition seeking custody and guardianship of Minor Child, Alfredo Mateo Montejo (hereinafter “Alfredo or child”). Petitioner alleges minor child is within the age of juvenile court jurisdiction and that he is an abandoned and neglected child within the provision of UCA §80-3-405. This Petition is based upon the following allegations:

1. Alfredo Mateo Montejo is a male child, born in Guatemala on August 10, 2009.
2. Petitioner is Alfredo’s Aunt. Ms. Montejo Mateo resides at 724 W 12260 S, Draper, UT 84020, and has done for the past year.

3. Venue lies in this Court pursuant to UCA §80-3-405, in that Alfredo resides in Salt Lake County with Ms. Montejo Mateo.

4. Alfredo's mother is Candelaria Montejo Mateo. His father is Pascual Mateo Pascual. The parents live in Guatemala.

5. Alfredo's father abandoned him and his family. The father just disappeared. One of the cartel gang members was involved with my father's girlfriend and threatened to kill me and my family. There were rumors circulating around town that the girlfriend knew witchcraft and that she would use it to kill me and my family.

6. The mother had medical issues, such as diabetes and heart problems and therefore she is unable to care of Alfredo or protect him from violence and cartels trying to recruit him. One day, Alfredo was approached by a stranger who tried to kidnap him. Alfredo ran away from the stranger.

7. When Alfredo informed the mother about what happened and the need to report it, the mother did nothing about it.

8. When Alfredo told his mother he intended to take the very dangerous step of crossing the border into the United States, she did not try to stop him or otherwise protect him.

9. Alfredo began his journey to the United States on October 10, 2023, with only 100 quetzals (equivalent of \$12.95 US money). During his journey from Guatemala to the border of the United States, Alfredo would do odd jobs to make money. He travelled by foot and bus until he arrived at the border of the United States in December, 2023.

10. Alfredo was apprehended crossing the border alone by United States Border Patrol in December, 2023. He was then sent to a federal shelter for youth who have illegally crossed the border, Southwest Key Programs.

11. In January, 2024, the United States Office of Refugee Resettlement released Alfredo to the custody of his brother.

12. Alfredo is very bonded to Petitioner and wishes to remain in the United States in her care.

13. Alfredo is enrolled in school at South Jordan Middle School because his brother lives near that school and that is the school that is familiar with his needs but resides with Petitioner.

14. A referral has been made to Utah Child Protective Services. The referral case number is: 3232749.

WHEREFORE Petitioner prays that the Court find as follows:

1. THAT Alfredo is an abandoned and/or neglected pursuant to Utah Code Ann. §80-3-405 in that there is a long history of abandonment, including abandoning him in the United States without provision for his care;

2. THAT Alfredo is within the jurisdiction of the Court;

3. THAT Petitioner is in all respects fit custodian and guardian for Alfredo;

4. THAT it is in Alfredo's best interest to appoint Petitioner as his custodian and guardian;

5. THAT reunification with Alfredo's parents is not viable due to the fact that have abandoned the child, they have neglected his needs, and neither parent is able or willing to come to the United States or care for him in the United States;

6. THAT it is not the best interest of Alfredo to be returned to his country of nationality, or last habitual residence, as there are no suitable relatives or other persons there who are able to provide care for him. If returned to Guatemala, Alfredo would likely be subjected to further neglect or abandonment.

Based upon there finding, Petitioner respectfully moves the Court to:

1. ORDER that permanent custody and guardianship of Alfredo be awarded to Petitioner;
2. For such other Orders as the Court deems necessary.

Dated: January 2, 2025

/s/ Laura Lui
T. Laura Lui

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IN THE THIRD JUDICIAL JUVENILE COURT
IN AND FOR SALT LAKE COUNTY, STATE OF UTAH

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IN THE MATTER OF THE	:	Petición de Custodia y Tutela
GUARDIANSHIP OF:	:	
	:	
ALFREDO MATEO MONTEJO	:	Case No.:
(06/28/2009)	:	
	:	Judge:
A Child Under the Age of Eighteen Years.	:	
	:	
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SE PRESENTA AHORA La Peticionadora, IRMA MONTEJO MATEO ("en adelante La Peticionaria"), por y a través de la abogada T. Laura Lui y de FILLMORE SPENCER LLC, presentamos esta Petición solicitando la custodia y tutela del menor de edad, Alfredo Mateo Montejo (en adelante "Alfredo o el niño"). La Peticionaria alega que el menor de edad está dentro de la edad de jurisdicción del tribunal de menores y que es un niño abandonado y descuidado dentro de la disposición de UCA §80-3-405. Esta petición se basa en las siguientes alegaciones:

1. ALFREDO MATEO MONTEJO es un niño varón, nacido en Guatemala el 10 de agosto de 2009.

2. La Peticionaria es tía de Alfredo. La Sra. Montejo Mateo reside en 724 W 12260 S, Draper, UT 84020, y lo ha hecho durante el último año.

3. La jurisdicción está establecida en este Tribunal de conformidad con UCA §80-3-405, ya que Alfredo reside en el Condado de Salt Lake con la Sra. Montejo Mateo.

4. La madre de Alfredo es Candelaria Montejo Mateo. Su padre es Pascual Mateo Pascual. Los padres viven en Guatemala.

5. El padre de Alfredo lo abandonó a él y a su familia. El padre simplemente desapareció. Uno de los miembros de la pandilla del cártel estaba involucrado con la novia de su padre y amenazó con matar al niño y a su familia. Había rumores circulando por la ciudad de que la novia sabía de brujería y que la usaría para matar al niño y a su familia.

6. La madre tenía problemas médicos, como diabetes y problemas cardíacos, por lo que no puede cuidar a Alfredo ni protegerlo de la violencia y los cárteles que intentan reclutarlo. Un día, Alfredo fue abordado por un desconocido que intentó secuestrarlo. Alfredo huyó del desconocido.

7. Cuando Alfredo informó a la madre sobre lo sucedido y la necesidad de denunciarlo, la madre no hizo nada al respecto.

8. Cuando Alfredo le dijo a su madre que tenía la intención de dar el paso muy peligroso de cruzar la frontera hacia los Estados Unidos, ella no trató de detenerlo ni de protegerlo de ninguna otra manera.

9. Alfredo inició su viaje a Estados Unidos el 10 de octubre de 2023, con solo 100 quetzales (equivalentes a 12,95 dólares). Durante su viaje desde Guatemala hasta la frontera de los Estados Unidos, Alfredo hacía trabajos esporádicos para ganar dinero. Viajó a pie y en autobús hasta que llegó a la frontera de Estados Unidos en diciembre de 2023.

10. Alfredo fue detenido cruzando la frontera solo por la Patrulla Fronteriza de los Estados Unidos en diciembre de 2023. Luego fue enviado a un refugio federal para jóvenes que han cruzado ilegalmente la frontera, Southwest Key Programs.

11. En enero de 2024, la Oficina de Reasentamiento de Refugiados de los Estados Unidos liberó a Alfredo a la custodia de su hermano.

12. Alfredo está muy unido a La Peticionaria y desea permanecer en los Estados Unidos bajo su cuidado.

13. Alfredo está inscrito en la escuela secundaria South Jordan porque su hermano vive cerca de esa escuela y esa es la escuela que está familiarizada con sus necesidades pero reside con La Peticionaria.

14. Se ha hecho una referencia a los Servicios de Protección Infantil de Utah. El número de caso de referencia es: 3232749.

POR LO TANTO, La Peticionaria solicita a la Corte que determine lo siguiente:

1. QUE Alfredo es un niño abandonado y/o descuidado de conformidad con el Código Anotado de Utah §80-3-405 en el sentido de que existe una larga historia de abandono, incluyendo abandonarlo en los Estados Unidos sin provisión para su cuidado;

2. QUE Alfredo está dentro de la jurisdicción de la Corte;
3. QUE La Peticionaria es en todos los aspectos digno custodio y tutor de Alfredo;
4. QUE es en el mejor interés de Alfredo nombrar a La Peticionaria como su custodio y tutor;
5. QUE la reunificación con los padres de Alfredo no es viable debido a que han abandonado al niño, han descuidado sus necesidades, y ninguno de los padres puede o quiere venir a los Estados Unidos o cuidarlo en los Estados Unidos;
6. QUE no es el interés superior de Alfredo ser devuelto a su país de nacionalidad, o última residencia habitual, ya que no hay allí parientes adecuados u otras personas que puedan cuidarlo. Si regresa a Guatemala, es probable que Alfredo sea objeto de más negligencia o abandono.

Sobre la base de este hallazgo, La Peticionaria respetuosamente solicita a la Corte que:

1. ORDENE que se otorgue la custodia y tutela permanente de Alfredo a La Peticionaria;
2. Para las demás Órdenes que el Tribunal considere necesarias.

Con fecha 2 de enero de 2025

/s/ Laura Lui
T. Laura Lui