

IN THE COURT OF COMMON PLEAS OF MONTGOMERY COUNTY, PENNSYLVANIA
FAMILY DIVISION

Donila RODRIQUEZ CHACON
(Mother)

NO. 2023-06298

VS.

Unknown

Seq. #0; Plt's Complaint For Custody

RESCHEDULING ORDER

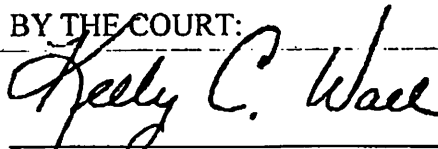
AND NOW, this 23rd day of May, 2024, upon the request from counsel for Plaintiff, it is hereby **ORDERED** and **DECREED** that the hearing on Custody under the Special Immigrant Juvenile Status for Custody of the minor child, G.R.C. (DOB: xx/xx/2015) currently scheduled for Tuesday, June 25, 2024, at 2:00 p.m., is rescheduled for **Tuesday, July 23, 2024, at 2:30 p.m.**

The hearing will take place in Courtroom (17), 9th floor, One Montgomery Plaza, Swede Road, Norristown, Pennsylvania.

Counsel shall provide the Court with all Exhibits no later than five (5) days prior to the scheduled hearing by email to; natalie.olds@montgomerycountypa.gov.

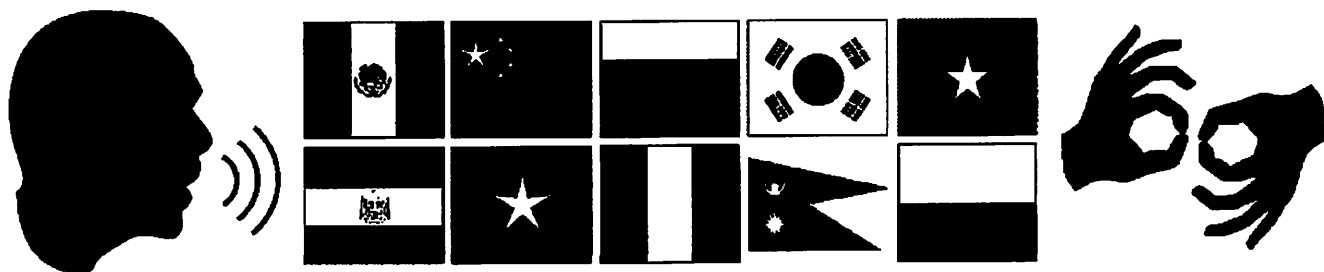
It is further **ORDERED** that Counsel is to notify the Court if a translator is required for the above hearing **within five (5) days from the date of this Order**. The appropriate form necessary to request or cancel an Interpreter can be found at **<https://www.montcopa.org/1622/Interpreter-Requests>**.

BY THE COURT:


KELLY C. WALL, J.

Copies sent by Prothonotary to:
Bryn Mella, Esquire, Counsel for Plaintiff
Copies sent by Chambers to:
Court Administration
Court Services

Notice of Language Rights



FREE INTERPRETER

PO Box 311 Norristown, PA 19404
languageaccesscoordinator@montcopa.org
610-278-3231
www.pacourts.us/language-rights

Spanish/Español: Usted tiene derecho a un intérprete libre de costo. Para solicitar un intérprete favor de informárselo al personal judicial utilizando la información provista en la parte superior de este aviso.

Russian/Русский: У вас есть право на бесплатные услуги переводчика. Заявка на переводчика подается в суд по адресу, телефону или эл. почте, указанным выше в заголовке этого уведомления.

Mandarin/Cantonese Simplified Chinese/普通话/粤语简体中文: 您有权获得免费的口译员服务。若需要口译员，请使用本通知上方提供的联系信息通知法院工作人员。

إعلام موظفي المحكمة باستخدام معلومات الاتصال المقدمة في الجزء العلوي من هذا الإشعار.
العربية/Arabic: يحق لك الحصول على مترجم دون دفع أي تكلفة من جانبك. لطلب مترجم، يُرجى

Korean/한국어: 귀하는 비용에 대한 부담 없이 통역 서비스를 받을 권리가 있습니다. 통역 서비스를 요청하려면 본 통지서의 상단에

**IN THE COURT OF COMMON PLEAS OF MONTGOMERY COUNTY,
PENNSYLVANIA**

RODRIGUEZ-CHACON, Donila

VS.

NO. 2023-06298

UNKNOWN

FAMILY COURT - CUSTODY PROCEEDINGS
for child Genesis RODRIGUEZ-CHACON

NOTICE TO DEFEND-CIVIL

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

LAWYER REFERENCE SERVICE
MONTGOMERY BAR ASSOCIATION
100 West Airy Street (REAR)
NORRISTOWN, PA 19401
(610) 279-9660, EXTENSION 201

Plaintiff

vs.

Defendant

: IN THE COURT OF COMMON PLEAS
: MONTGOMERY COUNTY, PENNSYLVANIA
:

: NO. _____

:
:
: CIVIL ACTION - CUSTODY

AFFIDAVIT PURSUANT TO 23 Pa.C.S.A. §5328 and §5329

CRIMINAL RECORD / ABUSE HISTORY VERIFICATION

I _____, hereby swear or affirm that, subject to penalties of law including 18 Pa.C.S. §4904 relating to unsworn falsification to authorities that:

1. Unless indicated by my checking the box next to a crime below, neither I nor any other member of my household have been convicted or pled guilty or pled no contest or was adjudicated delinquent where the record is publicly available pursuant to the Juvenile Act, 42 Pa.C.S. §6307 to any of the following crimes in Pennsylvania or a substantially equivalent crime in any other jurisdiction, including pending charges:

Please state whether or not you and/or **another adult living in your household** have been convicted of, pled guilty or no contest to the following crimes in Pennsylvania or any other jurisdiction, as follows:

NO	YES	Crime	Self	Other Household Member	Date Of Conviction & Plea	Sentence
<input type="checkbox"/>	<input type="checkbox"/>	18 Pa.C.S. Ch. 25 Criminal homicide; Murder;	<input type="checkbox"/>	<input type="checkbox"/> Name:		
<input type="checkbox"/>	<input type="checkbox"/>	18 Pa.C.S. §2702 Aggravated Assault;	<input type="checkbox"/>	<input type="checkbox"/> Name:		
<input type="checkbox"/>	<input type="checkbox"/>	18 Pa.C.S. §2706 Terroristic Threats	<input type="checkbox"/>	<input type="checkbox"/> Name:		
<input type="checkbox"/>	<input type="checkbox"/>	18 Pa.C.S. §2709.1 Stalking;	<input type="checkbox"/>	<input type="checkbox"/> Name:		
<input type="checkbox"/>	<input type="checkbox"/>	18 Pa.C.S. §2901 Kidnapping;	<input type="checkbox"/>	<input type="checkbox"/> Name:		
<input type="checkbox"/>	<input type="checkbox"/>	18 Pa.C.S. §2902 Unlawful restraint;	<input type="checkbox"/>	<input type="checkbox"/> Name:		
<input type="checkbox"/>	<input type="checkbox"/>	18 Pa.C.S. §2903 False imprisonment;	<input type="checkbox"/>	<input type="checkbox"/> Name:		
<input type="checkbox"/>	<input type="checkbox"/>	18 Pa.C.S. §2910 Luring child into motor vehicle or structure;	<input type="checkbox"/>	<input type="checkbox"/> Name:		

NO	YES	Crime	Self	Other Household Member	Date Of Conviction & Plea	Sentence
<input type="checkbox"/>	<input type="checkbox"/>	18 Pa.C.S. §3122.1 Statutory sexual assault	<input type="checkbox"/>	<input type="checkbox"/> Name:		
<input type="checkbox"/>	<input type="checkbox"/>	18 Pa.C.S. §3123 Involuntary deviate sexual intercourse	<input type="checkbox"/>	<input type="checkbox"/> Name:		
<input type="checkbox"/>	<input type="checkbox"/>	18 Pa.C.S. §3124.1 Sexual assault	<input type="checkbox"/>	<input type="checkbox"/> Name:		
<input type="checkbox"/>	<input type="checkbox"/>	18 Pa.C.S. §3125 Aggravated indecent assault	<input type="checkbox"/>	<input type="checkbox"/> Name:		
<input type="checkbox"/>	<input type="checkbox"/>	18 Pa.C.S. §3126 Indecent assault	<input type="checkbox"/>	<input type="checkbox"/> Name:		
<input type="checkbox"/>	<input type="checkbox"/>	18 Pa.C.S. §3127 Indecent Exposure	<input type="checkbox"/>	<input type="checkbox"/> Name:		
<input type="checkbox"/>	<input type="checkbox"/>	18 Pa.C.S. §3129 Sexual intercourse with animal	<input type="checkbox"/>	<input type="checkbox"/> Name:		
<input type="checkbox"/>	<input type="checkbox"/>	18 Pa.C.S. §3130 Conduct relating to sex offenders	<input type="checkbox"/>	<input type="checkbox"/> Name:		
<input type="checkbox"/>	<input type="checkbox"/>	18 Pa.C.S. §3301 Arson and related offenses;	<input type="checkbox"/>	<input type="checkbox"/> Name:		
<input type="checkbox"/>	<input type="checkbox"/>	18 Pa.C.S. §4302 Incest	<input type="checkbox"/>	<input type="checkbox"/> Name:		
<input type="checkbox"/>	<input type="checkbox"/>	18 Pa.C.S. §4303 Concealing death of a child;	<input type="checkbox"/>	<input type="checkbox"/> Name:		
<input type="checkbox"/>	<input type="checkbox"/>	18 Pa.C.S. §4304 Endangering the welfare of children;	<input type="checkbox"/>	<input type="checkbox"/> Name:		
<input type="checkbox"/>	<input type="checkbox"/>	18 Pa.C.S. §4305 Dealing in infant children;	<input type="checkbox"/>	<input type="checkbox"/> Name:		
<input type="checkbox"/>	<input type="checkbox"/>	18 Pa.C.S. §5902(b) Prostitution and related offenses;	<input type="checkbox"/>	<input type="checkbox"/> Name:		
<input type="checkbox"/>	<input type="checkbox"/>	18 Pa.C.S. §5903(c)(d) Obscene and other sexual materials and performances;	<input type="checkbox"/>	<input type="checkbox"/> Name:		
<input type="checkbox"/>	<input type="checkbox"/>	18 Pa.C.S. §6301 Corruption of minors	<input type="checkbox"/>	<input type="checkbox"/> Name:		
<input type="checkbox"/>	<input type="checkbox"/>	18 Pa.C.S. §6318 Unlawful contact with minor	<input type="checkbox"/>	<input type="checkbox"/> Name:		

NO	YES	Crime	Self	Other Household Member	Date Of Conviction & Plea	Sentence
<input type="checkbox"/>	<input type="checkbox"/>	18 Pa.C.S. §6320 Sexual exploitation of children	<input type="checkbox"/>	<input type="checkbox"/> Name: _____		
<input type="checkbox"/>	<input type="checkbox"/>	18 Pa.C.S. §6114 Contempt for violation of a Protection from Abuse order or agreement;	<input type="checkbox"/>	<input type="checkbox"/> Name: _____		
<input type="checkbox"/>	<input type="checkbox"/>	Driving under the Influence of alcohol or a controlled substance or drugs;	<input type="checkbox"/>	<input type="checkbox"/> Name: _____		
<input type="checkbox"/>	<input type="checkbox"/>	Possession, sale, delivery, manufacturing or offering for sale any controlled substance or other drug or device;	<input type="checkbox"/>	<input type="checkbox"/> Name: _____		

2. Unless indicated by my checking the box next to an item below, neither I nor any other member of my household have a history of violent or abusive conduct including the following:

NO	YES		Self	Adult in my Household	Date Of Finding	If YES, Where?
<input type="checkbox"/>	<input type="checkbox"/>	A finding of abuse by a Children & Youth Agency or similar agency in Pennsylvania or similar statute in another jurisdiction	<input type="checkbox"/>	<input type="checkbox"/> Name: _____	_____	
<input type="checkbox"/>	<input type="checkbox"/>	Abusive conduct as defined under the Protection from Abuse act in Pennsylvania or similar statute in another jurisdiction	<input type="checkbox"/>	<input type="checkbox"/> Name: _____	_____	
<input type="checkbox"/>	<input type="checkbox"/>	Involvement with a Children & Youth Agency or similar agency in Pennsylvania in or another jurisdiction.	<input type="checkbox"/>	<input type="checkbox"/> Name: _____	_____	

3. Please list any evaluation, counseling or other treatment received following conviction or finding of abuse: _____

4. If any conviction above applies to a household member, not a party, state that person's name, date of birth and relationship to the child:

5. If you are aware that the other party or members of the other party's household has or have a criminal/abuse history, please explain _____

I verify that the statements made in this affidavit are true and correct to the best of my knowledge, information or belief. I understand that any false statements herein are subject to the penalties of 18 Pa.C.S.A. §4904 relating to unsworn falsification to authorities.

Signature

Printed name

**CRIMINAL CHARGE INFORMATION FOR INDIVIDUALS INVOLVED IN CHILD CUSTODY
CASES CAN BE FOUND BY ACCESSING THE JEN & DAVE PROGRAM AT
WWW.JENDAVEPROGRAM.US**

IN THE COURT OF COMMON PLEAS OF MONTGOMERY COUNTY, PENNSYLVANIA

Donita RODRIGUEZ-CHACON :
 :
 : NO. _____
 :
 VS. :
 Unknown Father :
 :
 :
 :
 :
 :
 :
 :

COMPLAINT FOR CUSTODY

1. The plaintiff is Donita RODRIGUEZ-CHACON
residing at 3761 Germantown Pike, Apt 4, Collegeville PA 19426
2. The defendant is Unknown Father
residing at Unknown location, Hardwar
3. Plaintiff seeks (shared legal custody) (sole legal custody) (partial physical custody) (primary physical custody) (shared physical custody) (sole physical custody) (supervised physical custody) of the following child(ren):

Name of Child	Date of Birth	Present Residence
<u>Genesis Rodriguez-Chacon</u>	<u>March 7, 2015</u>	<u>3761 Germantown Pike, Apt 4, Collegeville PA 19426</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

The child(ren) was/were (not) born out of wedlock.

The child(ren) is/are presently in the custody of Donita RODRIGUEZ-CHACON (Plaintiff)
who resides at 3761 Germantown Pike, Apt 4, Collegeville PA 19426

During the past five years, the child(ren) has/have resided with the following persons and at the following addresses:

(List all persons)	(List all addresses)	(Dates)
<u>Plaintiff</u>	<u>3761 Germantown Pk Apt 4 Collegeville PA</u>	<u>11/8/22 - Present</u>
<u>Plaintiff</u>	<u>1515 W Main St, Apt 2, F12, Collegeville PA</u> <u>19426</u>	<u>5/7/18 - 11/8/22</u>
_____	_____	_____

The mother of the child(ren) is Plaintiff
currently residing at 3761 Germantown Pike Apt 4 Collegeville PA 19426

She is (married) (divorced) (single)

The father of the child(ren) is Unknown Father (Defendant)
currently residing at Unknown location, Honduras

He is (married) (divorced) (single) N/A

4. The relationship of the plaintiff to the child(ren) is that of Biological Mother

The plaintiff currently resides with the following people:

Name	Relationship
<u>Angel BARTOLON</u>	<u>Unmarried Partner</u>
_____	_____
_____	_____

5. The relationship of the defendant to the child(ren) is that of Biological Father

The defendant currently resides with the following people:

Name	Relationship
<u>Unknown</u>	<u>Unknown</u>
_____	_____
_____	_____

6. Plaintiff has (not) participated as a party or witness, or in another capacity, in other litigation concerning the custody of the child(ren) in this, or another court. The court, term and number, and its relationship to the action is _____.

Plaintiff has ~~(no)~~ information of a custody proceeding concerning the child(ren) pending in a court of the Commonwealth. The court, term and number, and its relationship to this action is

Plaintiff (knows) (does not know) of a person not a party to the proceedings who has physical custody of the child(ren) or claims to have custodial rights with respect to the child(ren).

The name and address of such person is _____

7. The best interest and permanent welfare of the child(ren) will be served by granting the relief requested because: See attachment (brief)

8. Each parent whose parental rights to the child(ren) have not been terminated and the person who has physical custody of the child(ren) have been named as parties to this action. All other people, named below, who are known to have or claim a right to custody of the child(ren) have been given notice of the pendency of this action and the right to intervene:

Name	Address	Basis of Claim
N/A	N/A	N/A

9. (a) If the plaintiff is a grandparent who is not in loco parentis to the child and is seeking physical and/or legal custody pursuant to 23 Pa.C.S. §5323, you must plead facts establishing standing pursuant to 23 Pa.C.S. §5324(3).

N/A

- (b) If the plaintiff is a grandparent or great-grandparent who is seeking partial physical custody or supervised physical custody pursuant to 23 Pa.C.S. §5325, you must plead facts establishing standing pursuant to §5325.

N/A

- (c) If the plaintiff is a person seeking physical and/or legal custody pursuant to 23 Pa.C.S. §5324(2) as a person who stands in loco parentis to the child, you must plead facts establishing standing.


N/A

10. I have attached the Criminal Record/Abuse History Verification form required pursuant to Pa.R.C.P. No. 1915.3-2.

WHEREFORE, the Plaintiff respectfully requests that this Honorable Court grant (shared legal custody) ~~(sole legal custody)~~ (partial physical custody) (primary physical custody) (shared physical custody) ~~(sole physical custody)~~ (supervised physical custody) of the child(ren).

4/4/2023
Date

Respectfully submitted


Petitioner

MC Law Group
1214 Callowhill St, 1st Fl, Phila PA 19130
(print your address)

I verify that the statements made in this Complaint are true and correct as to my personal knowledge, information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. §4904, relating to unsworn falsification to authorities.

4/4/2023
Date


Petitioner

8/27/13