

**ORDER FOR SERVICE BY**

3LICATION

Docket No.  
SU23A0566SJ

Commonwealth of Massachusetts  
The Trial Court  
Probate and Family Court

MAILING

**Carlos A. Caceres Carvajal**  
vs.  
**Yulibeth Carvajal Riobo**

Suffolk Probate and Family Court  
24 New Chardon Street  
Boston, MA 02114  
(617)788-8300

Upon motion of plaintiff(s)/petitioner(s) for an order directing the defendant(s)/respondent(s), to appear, plead, or answer, in accordance with Mass.R.Civ.P./Mass.R.Dom.Rel.P.Rule 4, it appearing to the court that this is an action for **Special Immigrant Juvenile Status** filed on **August 02, 2023**.

Defendant(s)/Respondent(s) cannot be found within the Commonwealth and defendant(s)/respondent(s) present whereabouts are unknown. Personal service on defendant is therefore not practicable, and defendant(s)/respondent(s) has/have not voluntarily appeared in this action.

It is **Ordered** that defendant(s)/respondent(s) is/are directed to appear, plead, answer, or otherwise move with respect to the complaint/petition herein on or before the return day of October 19, 2023.

If you fail to do so this Court will proceed to a hearing and adjudication of this matter.

It is further **Ordered** that the accompanying summons be published once in the

**Newspaper of General Circulation**  
(name of newspaper)

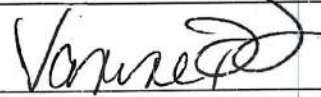
a newspaper published in:

**Augustin Codazzi, Cesar, Columbia**  
(include mailing address of newspaper)

the publication to be 20 days at least before said return day. It is further **Ordered** that a copy of the summons be mailed to the defendant(s)/respondent(s) at his/her/their last known address by registered or certified mail.

Date

9-8-23



JUSTICE OF PROBATE AND FAMILY COURT

**RETURN OF SERVICE**

I hereby certify under the penalties of perjury that:

I have complied with the order of notice by:

mailing  certified  registered a copy of the summons as ordered and,

causing the summons to be published in \_\_\_\_\_

Publication was on \_\_\_\_\_ which was at least \_\_\_\_\_  days  month(s) before said return day.

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

NOTE: Proof of service must be made in compliance with Mass.R.Civ.P./Mass.R.Dom.Rel.P.Rule 4 and may be made on this form. **This form may NOT be used for actions for divorce or separate support.**

<b>COMPLAINT FOR DEPENDENCY</b> <b>PURSUANT TO G. L. c. 119, § 39M</b>	Docket No.	Commonwealth of Massachusetts The Trial Court Probate and Family Court
<input checked="" type="checkbox"/> New <input type="checkbox"/> Amended		
<b>Carlos</b> <b>A</b> <b>Caceres Carvajal</b> , Plaintiff <small>First Name                      MI                      Last Name</small>		Suffolk <input type="checkbox"/> Division
v.		
<b>Anibal</b> <b>Caceres Valverde</b> , Defendant "Parent One" <small>First Name                      MI                      Last Name</small>		
<b>If applicable:</b> <b>Yuilbeth</b> <b>Carvajal Riobo</b> , Defendant "Parent Two" <small>First Name                      MI                      Last Name</small>		

1. Plaintiff, who resides at 32 Hartwell St Apt 1 Dorchester MA 02121 , is  
(Address) (Apt, Unit, No. etc.) (City/Town) (State) (Zip)

a child seeking court orders pursuant to G. L. c. 119, § 39M.

**OR**

the  parent  guardian  \_\_\_\_\_ of a child seeking court orders pursuant to G. L. c. 119, § 39M.

2. The child who is the subject of the Complaint ("Child") is:

Carlos                      Adrian                      Caceres Carvajal  
First Name                      M.I.                      Last Name

32 Hartwell St                      Apt 1                      Dorchester                      MA                      02121  
(Address) (Apt, Unit, No. etc.) (City/Town) (State) (Zip)

Child's date of birth is: 02/15/2003

3. Parent One, Anibal                      Caceres Valverde ,  
First Name                      M.I.                      Last Name

who resides at: Unknown                      Unknown                      San Antonio                      TX                      \_\_\_\_\_ is,  
(Address) (Apt, Unit, No. etc.) (City/Town) (State) (Zip)

the mother of Child who is the subject of the Complaint.

the father of Child who is the subject of the Complaint.

the deceased mother of Child who is the subject of the Complaint.

the deceased father of Child who is the subject of the Complaint.

Reunification with Parent One is not a viable option for Child due to:

abuse  neglect  abandonment or  a similar basis under state law, namely:

Reunification with Parent One is not a viable option due to abuse, neglect and abandonment or a similar basis under Massachusetts law, namely Mass Gen. Laws c.119 §39M and 110 C.M.R. §2 ("Neglect" is defined as :failure by a caretaker, either deliberately or through negligence or inability, to take those actions necessary to provide a child with minimally adequate food, clothing, shelter, medical care, supervision, emotional stability and growth, or other essential care." Parent One abandoned the Petitioner and left him in the sole care of his mother at his birth. Furthermore, Parent One hardly provided financially, was emotionally and physically neglectful, and left the child alone in a hotel room for 24 hours which subjected him to sexual abuse.

(set forth legal standard, statutory law and/or case law)



4. **If applicable:**

Parent Two, Yulibeth Carvajal Riobo  
First Name M.I. Last Name  
who resides at: Calle 13 #0-15 Agustin Codazzi, Cesar 202050 is,  
(Address) (Apt, Unit, No. etc.) (City/Town) (State) (Zip)

- the mother of Child who is the subject of the Complaint.
- the father of Child who is the subject of the Complaint.
- the deceased mother of Child who is the subject of the Complaint.
- the deceased father of Child who is the subject of the Complaint.

Reunification with Parent Two is not a viable option for Child due to:

- abuse  neglect  abandonment or  a similar basis under state law, namely:

**Parent Two has failed to "take those actions necessary to provide a child with minimally adequate food, clothing, shelter, medical care, supervision, emotional stability and growth, or other essential care," since the Child was harassed by Parent Two's partner, and forced the Child to move out and start working to send money to his family**

(set forth legal standard, statutory law and/or case law)

- 5. Child is unmarried and under 21 years of age.
- 6. Child is dependent on the Court for his/her protection, well-being, health, and safety.
- 7. It is not in Child's best interest to return to Colombia, the country of his/her and/or his/her  
Country  
parents' nationality or last habitual residence.
- 8. It is in the best interest of Child to continue in the care of:

\_\_\_\_\_  
First Name M.I. Last Name

- 9. Affidavit(s) and/or other evidence regarding the facts alleged is/are attached in support of this Complaint.

**WHEREFORE**, Plaintiff/Child requests that the Court:

- find that Child is dependent on the Court
- find that Child is under age 21
- find that Child is unmarried
- find that reunification of Child with Parent One is not a viable option due to:  
 abuse  neglect  abandonment or  a similar basis under state law, namely:

**Reunification with Parent One is not a viable option due to abuse, neglect and abandonment or a similar basis under Massachusetts law, namely Mass Gen. Laws c.119 §39M and 110 C.M.R. §2 ("Neglect" is defined as :failure by a caretaker, either deliberately or through negligence or inability, to take those actions necessary to provide a child with minimally adequate food, clothing, shelter, medical care, supervision, emotional stability and growth, or other essential care." Parent One abandoned the Petitioner and left him in the sole care of his mother at his birth. Furthermore, Parent One hardly provided financially, was emotionally and physically neglectful, and left the child alone in a hotel room for 24 hours which subjected him to sexual abuse.**

by Parent One.

**If applicable:** find that reunification of Child with Parent Two is not a viable option due to:  
 abuse  neglect  abandonment or  a similar basis under state law, namely:

shelter, medical care, supervision, emotional stability and growth, or other essential care," since the Child was harassed by Parent Two's partner, and forced the Child to move out and start working to send money to his family

by Parent Two.

find that it is not in Child's best interest to return to, Colombia, the country of his/her and/or his/her parents' nationality of last habitual residence.

find that it is in the best interest of Child to continue in the care of:

\_\_\_\_\_  
First Name M.I. Last Name

enter a Judgment pursuant to G. L. c. 119, § 39M

order that Child be referred to the Probation Service for the following services:

educational  occupational  medical  dental  counseling  social  domestic violence  
 anti-trafficking  and/or

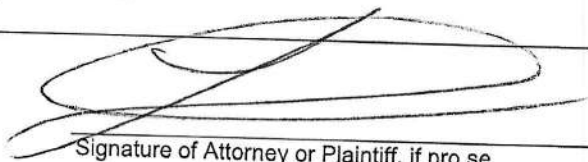
\_\_\_\_\_  
services as needed.

enter any other orders the Court deems necessary for the protection from abuse, abandonment, and neglect, and for the well-being, care, support, health and safety, and best interest of Child.

enter an order for relief requested below, namely:

(1) Plaintiff is an unmarried minor under the age of 21, dependent upon the State Court for his care and protection; (2) Plaintiff has been abandoned, abused and neglected, by both parents; (3) Reunification with his parents is not viable due to their abandonment, abuse and neglect; (4) It is not in the Plaintiff's best interest to be returned to Colombia; (5) enter this order to allow Plaintiff to establish residency and healthcare and to enable him to seek and suitable redress allowable by law and to protect him from any future harm pursuant to the laws of the Commonwealth; (6) order the Plaintiff be referred to the Probation Service for educational, occupational, social, domestic violence, and counseling resources.

Date: 2-17-2013



Signature of Attorney or Plaintiff, if pro se

**Lidice D. Samper**

(Print name)

**PO Box 1992**

(Address)

(Apt, Unit, No. etc.)

**Andover**

(City/Town)

**MA**

(State)

**01810**

(Zip)

Primary Phone #: **781-321-3700**

B.B.O. # **698202**

Email: **Idsamper@samperlaw.com**



## Affidavit of Carlos Adrian Caceres Carvajal

My name is Carlos Adrian Caceres Carvajal. I was born in Colombia on February 3<sup>rd</sup>, 2003, and to the best of my knowledge, my father, Anibal Caceres Valverde, abandoned my mother, Yulibeth Carvajal Riobo, during her pregnancy, leaving her to bear the responsibility of raising me alone with very little financial help. I lived with my mother and her partner as a child. He would humiliate, threaten, and beat me.

I had minimal contact with my father. When I was 7 years old, he offered to take me on a vacation, which turned out to be a work trip in Barranquilla, Colombia. He left me alone in a hotel room for a whole day where I was sexually abused by a stranger. My father ignored the whole situation and completely cut contact with me after that.

Despite my father's legal obligations to support me, he has never contributed to my upbringing or provided enough financial assistance for my well-being, education, or basic needs. This lack of financial support has been a significant burden on my family. Due to the financial strain and responsibilities my mother faced, she compelled me to leave school and move out at 15 and start working to contribute to the family's income. This decision deprived me of my right to an education and the opportunities it could have provided for my future.

Throughout my adolescence and into adulthood, I have faced numerous challenges and hardships resulting from the absence of my father, the unstable environment at my mother's house and my early withdrawal from formal education. As a result, I have had limited career opportunities, earning potential, and personal growth prospects. I worked on cattle farms in El Catatumbo North Santander, where I suffered from labor exploitation and was constantly threatened by guerrillas.

The emotional toll of growing up without a father's presence and support has been profound. As well as the fear I experienced being forced out of my home by my mother. I have experienced feelings of abandonment, low self-esteem, and a constant yearning for a father figure in my life, which has affected my emotional well-being and relationships.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 07 / 20 / 2023.

Carlos Caceres

Date: 07/20/2023

Carlos Adrian Caceres Carvajal



REPÚBLICA DE COLOMBIA



ORGANIZACIÓN ELECTORAL  
REGISTRADURÍA NACIONAL DEL ESTADO CIVIL  
DIRECCIÓN NACIONAL DE REGISTRO CIVIL



NUIP **N8N0302820**

**REGISTRO CIVIL DE NACIMIENTO**

Indicativo Serial **3 4164907**

Datos de la oficina de registro - Clase de oficina

Registraduría  Notaría  Número  Consulado  Corregimiento  Inspección de Policía  Código **N 8 N**

País - Departamento - Municipio - Corregimiento e/o Inspección de Policía

**REGISTRADURIA DE LOS PATIOS COLOMBIA NORTE DE SANTANDER LOS PATIOS\*\***

Datos del inscrito

Primer Apellido **CACERES\*\*\*\*\*** Segunda Apellido **CARVAJAL\*\*\*\*\***

Nombre(s) **CARLOS ADRIAN\*\*\*\*\***

Fecha de nacimiento Año **2 0 0 3** Mes **F E B** Día **1 5** Sexo (en letras) **MASCULINO\*\*\*\*\*** Grupo sanguíneo **\*\*\*\*\*** Factor RH **\*\*\*\*\***

Lugar de nacimiento (País - Departamento - Municipio - Corregimiento e/o Inspección) **COLOMBIA NORTE DE SANTANDER CUCUTA\*\*\*\*\***

Tipo de documento antecedente o Declaración de testigos **CERTIFICADO MEDICO O DE NACIDO VIVO\*\*\*\*\*** Número certificado de nacido vivo **A 4656559\*\*\*\*\***

Datos de la madre

Apellidos y nombres completos **CARVAJAL RIOBO YULIBETH\*\*\*\*\***

Documento de identificación (Clase y número) **CEDULA DE CIUDADANIA 0060445335\*\*\*\*\*** Nacionalidad **COLOMBIA\*\*\*\*\***

Datos del padre

Apellidos y nombres completos **CACERES VALVERDE ANIBAL\*\*\*\*\***

Documento de identificación (Clase y número) **CEDULA DE CIUDADANIA 0088310842\*\*\*\*\*** Nacionalidad **COLOMBIA\*\*\*\*\***

Datos del declarante

Apellidos y nombres completos **CACERES VALVERDE ANIBAL\*\*\*\*\***

Documento de identificación (Clase y número) **CEDULA DE CIUDADANIA 0088310842\*\*\*\*\*** Firma **Anibal Caceres V**

Datos primer testigo

Apellidos y nombres completos **\*\*\*\*\***

Documento de identificación (Clase y número) **\*\*\*\*\*** Firma **\*\*\*\*\***

Datos segundo testigo

Apellidos y nombres completos **\*\*\*\*\***

Documento de identificación (Clase y número) **\*\*\*\*\*** Firma **\*\*\*\*\***

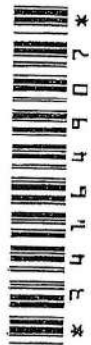
Fecha de inscripción Año **2 0 0 3** Mes **M A R** Día **3 1** Nombre y firma del funcionario que autoriza **CARMEN ALICIA RAMIREZ AYALA\*\*\*\*\***

Reconocimiento paterno Firma **Anibal Caceres V** Nombre y firma del funcionario ante quien se hace el reconocimiento **[Firma]**

ESPACIO PARA NOTAS

AREA METROPOLITANA RESIDENTE EN LOS PATIOS 12 OCTUBRE

**[Firma]**



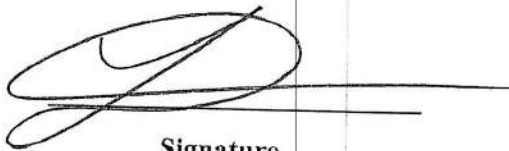
- ORIGINAL PARA LA OFICINA DE REGISTRO -

01 FEB 2023

ENGLISH TRANSLATION OF BIRTH CERTIFICATE

NAME OF REGISTERED CHILD: Carlos Adrian Caceres Carvajal  
DATE OF BIRTH: February 15 2003  
PLACE OF BIRTH: Colombia Norte De Santander Cucuta  
Father of Child: Anibal Caceres Valverde  
Age of Father:  
Nationality of Father: Colombian  
Mother of Child: Yulibeth Carvajal Riobo  
Age of Mother:  
Nationality of Mother: Colombain  
Paternal Grandparents:  
Maternal Grandparents:  
PLACE AND DATE OF REGISTERED: March 31 2003 Registry Office of Los Patios Colombia North of Santander Los Patios  
Book, Volume, and Number: N8N  
Name of Judge (if delayed registration): Carmen Alicia Ramirez Ayala

I, Gerardo D. Sampin ATTEST TO MY COMPETENCY TO TRANSLATE FROM SPANISH TO ENGLISH, AND I CERTIFY THAT THIS IS A CORRECT ENGLISH TRANSLATION OF ALL PERTINENT INFORMATION FROM THE SPANISH ORIGINAL.

  
Signature

7/25/2005  
Date



**COMMONWEALTH OF MASSACHUSETTS  
THE TRIAL COURT  
PROBATE AND FAMILY COURT DEPARTMENT**

Suffolk, ss.

Docket No.

Carlos Adrian Caceres Carvajal	)
Plaintiff	)
	)
Vs.	)
Anibal Caceres Valverde	)
Yulibeth Carvajal Riobo	)
Defendants	)

**Judgment for Dependency Pursuant to G.L. c. 119, § 39M**

Upon the Complaint for Dependency Pursuant to G.L. c. 119, § 39M filed on \_\_\_\_\_,  
after hearing on \_\_\_\_\_, The Court FINDS and ORDERS:

1. The Court finds that the Plaintiff, Carlos Adrian Caceres Carvajal ("the Child") is under 21 years old and was born on February 3, 2003, in the city of Norte De Santander Cucuta, Columbia. The Child is unmarried.
2. The Child's father is Anibal Caceres Valverde ("Parent One"), whose place of last known residence is somewhere in San Antonio, Texas.
3. The Child's mother is Yulibeth Carvajal Riobo ("Parent Two"), whose place of last known residence is Calle 13 #0-15 Agustin Codazzi, Cesar, Colombia.
4. Plaintiff resides in Dorchester, Massachusetts. Venue is proper as ordered.
5. The Court further finds that this Court has jurisdiction under Massachusetts law "to make judicial determinations about the custody and care of juveniles" within the meaning of Section 101(a)(27)(J) of the Immigration and Nationality Act ("INA"), 8 U.S.C. §204.11 (a). Alejandra Sanchez Gomez remains under this Court's jurisdiction. The Probate and Family Court has jurisdiction in this matter in accordance with G.L. c. 119, § 39M and is sitting as a juvenile court in this matter.
6. The following facts in support of this Judgement:
  - a. The Child is unmarried and under the age of 21.
  - b. The Child is dependent on the court since Parent One and Parent Two are unwilling to provide for his support.

- c. The Child has been abused, abandoned and neglected by Parent One and Parent Two.
- d. Parent One abused the Child by intentionally leaving him by himself in a hotel room for prolonged period of time and consequentially causing him to be sexually abused by a stranger.
- e. Parent One abandoned and neglected the Child by failing to provide for the child emotionally and financially since he last had contact with the Child when the Child was 7 years old.
- f. Parent Two abused the Child by allowing him to be beaten and threatened by Parent Two's then spouse.
- g. Parent Two neglected and abandoned the child by kicking him out of the house when he was merely 15 years old and consequently forced him to leave school and work immediately.
- h. Parent Two has not provided financially for the Child since she kicked him out of the house when he was 15.
- i. Parent Two abused the Child by kicking him out of the house and stopping to provide financially for him, which consequently caused him to face many dangers by crossing the Mexico-US border.

It is therefore adjudged that:

7. The Child is dependent on this Court for his protection, well-being, care and custody, findings, rulings, and orders or referrals to support the health, safety, and welfare of the Child and to remedy the effects of abuse, neglect, abandonment, or similar circumstances.
8. The reunification of the Child with Parent One and Parent Two is not a viable option due to abuse, abandonment, and neglect, or a similar basis under Massachusetts law, namely: Mass Gen. Laws c. 119 §39M, 110 C.M.R. §2 ("abuse" is defined as "the non-accidental commission of any act by a caretaker upon a child under age 18 which causes, or creates a substantial risk of physical or emotional injury") ("neglect" is defined as "failure by a caretaker, either deliberately or through negligence or inability, to take those actions necessary to provide a child with minimally adequate food, clothing, shelter, medical care, supervision, emotional stability, and growth, or other essential care.")
9. It is not in the Child's best interest to return to his country of nationality or last habitual residence of Colombia.



10. The Court's finding regarding abuse, neglect, abandonment or similar circumstance, reunification with the Child's parents, and the child's best interest, are in accordance with the following standards, statutory law, and case law: Mass Gen. Laws c. 119 §39M, 110 C.M.R. §2, and supporting case law.
11. The Court finds that it is not in the best interest of the Child to return to his country of nationality because he would not be able to be reunified with Parent One and Parent Two for the following reasons:
  - a. Parent One and Parent Two have failed to undertake actions necessary to provide the Child adequate food, clothing, shelter, medical care, supervision, emotional stability and growth, or other essential care.
  - b. The Child has not had contact with Parent One since he was 7. Parent One has not shown any interest in the Child or the Child's life and well-being.
  - c. Parent One has not assisted the Child financially, nor has Parent One provided the Child with any emotional support since he abandoned the Child in a hotel room for 24 hours where the Child was sexually abused by a stranger.
  - d. Parent One never took responsibility for the Child's educational, medical, or religious decisions, since at least the time he left the Child with his mother before he was born.
  - e. Parent One's failure to contact the Child, after he left the family, to check on the Child's well-being constitutes abandonment and neglect since he failed to take reasonably adequate efforts to provide for the Child's well-being, including emotional stability, growth, and supervision.
  - f. Parent Two neglected and abandoned the child by kicking him out of the house when he was merely 15 years old and consequently forced him to leave school and work immediately.
  - g. Parent Two has not provided financially for the Child since she kicked him out of the house when he was 15.
  - h. Parent Two abused the Child by kicking him out of the house and stopping to provide financially for him, which consequently caused him to face many dangers by crossing the Mexico-US border.
12. The Child feels that he can create a life here in the United States, by enrolling in school and completing his education and begin a healing process.
13. The Court further finds that the Child, Carlos Adrian Caceres Carvajal, under the attached court order/decreed is found to be dependent upon the Court or has been legally committed to, or placed under the custody of:

- a. An agency or department of a State: \_\_\_\_\_ OR
- b. An individual or entity appointed by a State or juvenile court located in the United States within the meaning of INA Section 101(a)(27)(J), 8 U.S.C. § 1101(a)(27)(J): \_\_\_\_\_

14. The Court also orders:

15. This judgement is issued for the protection from abuse, abandonment, and neglect, or similar circumstances under state law, and for the health, safety, and well-being of the Child, and shall remain in effect. This order shall also serve as a basis for the Child to establish residency and healthcare as well as enable him to seek any suitable redress allowable by law and to protect him from any future harm pursuant to the laws of the Commonwealth of Massachusetts.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Justice of the Probate and Family Court



**COMMONWEALTH OF MASSACHUSETTS  
THE TRIAL COURT  
PROBATE AND FAMILY COURT DEPARTMENT**

Suffolk, ss.

Docket No.

Carlos Adrian Caceres Carvajal	)
Plaintiff	)
	)
Vs.	)
Anibal Caceres Valverde	)
Yulibeth Carvajal Riobo	)
Defendants	)

**Special Findings of Fact**

Upon the Complaint for Dependency Pursuant to G.L. c. 119, § 39M filed on \_\_\_\_\_,  
after hearing on \_\_\_\_\_, The Court FINDS the following facts:

1. The Court finds that the Plaintiff, Carlos Adrian Caceres Carvajal ("the Child") is under 21 years old and was born on February 3, 2003 in the city of Norte De Santander Cucuta, Columbia. The Child is unmarried.
2. The Child's father is Anibal Caceres Valverde ("Parent One"), whose place of last known residence is somewhere in San Antonio, Texas.
3. The Child's mother is Yulibeth Carvajal Riobo ("Parent Two"), whose place of last known residence is Calle 13 #0-15 Agustin Codazzi, Cesar, Colombia.
4. The Court further finds that this Court has jurisdiction under Massachusetts law "to make judicial determinations about the custody and care of juveniles" within the meaning of Section 101(a)(27)(J) of the Immigration and Nationality Act ("INA"), 8 U.S.C. § 204.11(a). Alejandra Sanchez Gomez remains under this Court's jurisdiction. The Probate and Family Court has jurisdiction in this matter in accordance with G.L. c. 119, § 39M and is sitting as a juvenile court in this matter.
5. Plaintiff resides in Dorchester, Massachusetts. Venue is proper as ordered.
6. The Child is unmarried and under the age of 21.
7. The Child is dependent on the court since Parents One and Parent Two are unwilling to provide for his support.
8. The Child has been abused, abandoned and neglected by Parent One and Parent Two.

9. Parent One abused the Child by intentionally leaving him by himself in a hotel room for prolonged period of time and consequentially causing him to be sexually abused by a stranger.
10. Parent One abandoned and neglected the Child by failing to provide for the child emotionally and financially since he last had contact with the Child when the Child was 7 years old.
11. Parent Two abused the Child by allowing him to be beaten and threatened by Parent Two's then spouse.
12. Parent Two neglected and abandoned the child by kicking him out of the house when he was merely 15 years old and consequently forced him to leave school and work immediately.
13. Parent Two has not provided financially for the Child since she kicked him out of the house when he was 15.
14. Parent Two abused the Child by kicking him out of the house and stopping to provide financially for him, which consequently caused him to face many dangers by crossing the Mexico-US border.
15. The Child feels that he can create a life here in the United States, by enrolling in school and completing his education and begin a healing process.
16. The Court finds that it is not in the best interest of the Child to return to his country of nationality because he would not be able to be reunified with Parent One and/or Parent Two for the aforementioned reasons.
17. This judgement is issued for the protection from abuse, abandonment, and neglect, or similar circumstances under state law, and for the health, safety, and well-being of the Child, and shall remain in effect. This order shall also serve as a basis for the Child to establish residency and healthcare as well as enable her to seek any suitable redress allowable by law and to protect her from any future harm pursuant to the laws of the Commonwealth of Massachusetts.
18. The Court also finds:



Dated: \_\_\_\_\_

\_\_\_\_\_  
Justice of the Probate and Family Court

**AFFIDAVIT DISCLOSING CARE OR CUSTODY PROCEEDING Pursuant to Trial Court Rule IV**

**TRIAL COURT OF MASSACHUSETTS**

DOCKET NUMBER

Name of Case Carlos Adrian Caceres Carvajal v. Anibal Cac

BMC	District Court	Juvenile Court	Prob & Family Court	Superior Court
Division	Division	Division	Suffolk	Division
			Division	Division

**Section 1** I, Carlos Adrian Caceres Carvajal hereby declare, to the best of my knowledge, information, and belief that all information on this form is true and complete:

**Section 2** The name(s) of the child(ren) whose care or custody is at issue in this case are:  
 A. Caceres Carvajal, Carlos Adrian B. \_\_\_\_\_ C. \_\_\_\_\_  
 (LAST, FIRST) (LAST, FIRST) (LAST, FIRST)  
 Use only the letter appearing in front of the child's name above when referring to the child in completing the remaining sections.

**Section 3** The party filing this affidavit may request certain addresses to be kept confidential if the address is a shelter for battered persons and their dependent child(ren), or the party filing this affidavit believes that he/she or the child(ren) are in danger of physical or emotional abuse, or the party is filing an action under G.L. c. 209A. **If you believe that this provision applies to you, check the box at right, complete sections 10 and 11 on the reverse side of this page and DO NOT complete sections 4 and 5 below.**

**Section 4** The address(es) of the above-named child(ren) whose care and custody is at issue in this case is/are:  
 Address(es):  
 CHILD A Carlos Adrian Caceres Carvajal Address(es) During the Last 2 Years, if Different  
Calle 7#0-15 Barrio Motilones, Cautata, N. Santander, Colomb  
 CHILD B \_\_\_\_\_  
 CHILD C \_\_\_\_\_

**Section 5** My address is: 32 Hartwell St Apt 1, Dorchester, MA 02121

**Section 6** I  have  have not participated in and I  know  do not know of other care or custody proceedings involving the above-named child(ren) in Massachusetts or in any state or country.

Certified copies of any pleadings or determinations in care or custody proceeding outside of Massachusetts listed in Sections 7 and 8 must be filed with this affidavit unless already filed with this court or an extension for filing these documents has been granted by this court.

**Section 7** The following is a list of all pending or concluded proceedings I have participated in or know of involving the care or custody of the above-named child(ren):

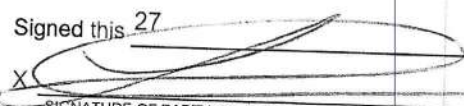
Letter of Child	Court	Docket No.	Status	[W]itness [P]arty [O]ther [N]one
CHILD _____	_____	_____	_____	[ ]
CHILD _____	_____	_____	_____	[ ]
CHILD _____	_____	_____	_____	[ ]

**Section 8** The names and addresses of parties to care or custody proceedings involving any of the above-named child(ren) or those claiming a legal right to these child(ren) during the last two years (not including myself) are:

Letter of Child	Name of Party/Claimant	Current (or last known) Address of Party/Claimant
CHILD _____	_____	_____
CHILD _____	_____	_____
CHILD _____	_____	_____

**Section 9** If the box at the right is checked, this affidavit discloses the adoption of one or more of the above-named child(ren) and I am requesting the court to impound this affidavit. See instructions.

This affidavit must be personally signed by the party listed in section 1 above, unless he/she is under 18 years of age or has been adjudged incompetent in which case the attorney of record must sign. A revised affidavit must be filed with the court if new information is discovered subsequent to this filing.

Signed this 27 day of July, 2023 under the penalties of perjury.  
  
 \_\_\_\_\_  
 SIGNATURE OF PARTY OR ATTORNEY OF RECORD FOR JUVENILE/INCOMPETENT  
 po Box 50, Malden MA 02148  
 \_\_\_\_\_  
 PRINTED NAME OF PERSON SIGNING

ADDRESS OF ATTORNEY OF RECORD FOR JUVENILE/INCOMPETENT  
 \_\_\_\_\_  
**THE PARTY FILING THIS AFFIDAVIT MUST FURNISH A COPY OF IT TO ALL OTHER PARTIES TO THIS ACTION.**



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The party filing this affidavit may request certain address(es) to be kept confidential if the address is a shelter for battered persons and their dependent child(ren), or the party filing this affidavit believes that he/she or the child(ren) are in danger of physical or emotional abuse, or the party is filing an action under G.L. c. 209A. If you checked the box in section 3 indicating that you believe the above provision applies to you, complete sections 10 and 11 below, and DO NOT complete sections 4 and 5.

The address(es) of the child(ren) listed in section 2 whose care or custody is at issue in this case are:

Child(ren)	Address(es)	Address(es) During Last 2 Years, If Different
Child A.	Street Address _____	Street Address _____
	City, State, Zip Code _____	City, State, Zip Code _____
Child B.	Street Address _____	Street Address _____
	City, State, Zip Code _____	City, State, Zip Code _____
Child C.	Street Address _____	Street Address _____
	City, State, Zip Code _____	City, State, Zip Code _____

**Section 11** My address is: \_\_\_\_\_  
Street Address, City, State, Zip Code

**LIST OF ATTORNEYS AND GUARDIANS AD LITEM/INVESTIGATORS**

Please list the names of all attorneys and guardians ad litem involved in the pending proceedings listed in section 7.

**Section 12**

- \_\_\_\_\_  
Attorney(s) for child(ren). (Please specify if each child is represented by a different attorney.)
- \_\_\_\_\_  
GAL(s)/Investigator(s) (Please indicate if a GAL has been appointed to represent a specific child.)
- \_\_\_\_\_  
Attorney(s) for mother
- \_\_\_\_\_  
Attorney(s) for father

(Fill Out Below If Applicable)

I, \_\_\_\_\_, attorney for D.C.F. or its agent have ascertained from the above checked off attorney(s) and guardian(s) ad litem/investigators a willingness to accept an appointment from the court to represent the same party should the court elect to make such appointment.

\_\_\_\_\_  
(Signature)



**READ BEFORE COMPLETING THE AFFIDAVIT**

**A. WHAT IS AN "AFFIDAVIT DISCLOSING CARE OR CUSTODY PROCEEDING"?**

It is a document signed under the penalties of perjury which lists information required by Trial Court Rule IV concerning children involved in a care or custody proceeding.

**B. WHO MUST FILE THIS AFFIDAVIT?**

The party to a petition (including a modification petition) or complaint involving the care, custody, visitation, or change of name of a child pursuant to G.L. c. 119 (except delinquency actions under G.L. c. 201, G.L. c. 207, G.L. c. 208, G.L. c. 209, G.L. c. 209A, G.L. c. 209C, G.L. c. 210, or any other provision of law concerning the care or custody of a child must file this affidavit.

This affidavit **must be signed by the party** unless the party is under 18 years of age or has been adjudged incompetent in which case the attorney of record must sign this affidavit on behalf of the juvenile or incompetent party.

**C. WHEN MUST THIS AFFIDAVIT BE FILED?**

The person filing the petition or complaint must file this affidavit at the time of filing and the other party must file this affidavit with the first pleading.

This affidavit should be submitted upon the filing of an application for a Child Requiring Assistance (CRA) pursuant to G.L. c. 119. This affidavit need not be filed if the petition or complaint is for **support only**.

**D. WHERE MUST THIS AFFIDAVIT BE FILED?**

The completed affidavit must be filed, in person or by mail, with the Clerk-Magistrate or Register of Probate in the court in which this action is being brought.

**E. WHEN MUST A REVISED AFFIDAVIT BE FILED?**

A revised affidavit must be filed with the Clerk-Magistrate or Register of Probate if new information is discovered subsequent to the filing of this affidavit.

**F. WHAT MUST BE FILED AS PART OF THIS AFFIDAVIT?**

Certified copies of each pleading and of any determination entered in a foreign country or in a state other than Massachusetts must be filed with this affidavit unless these documents are on file with the court in this case, or an extension has been granted by the court for filing these documents.

**INSTRUCTIONS FOR COMPLETING AFFIDAVIT**

When completing this affidavit if additional space is needed for any of the sections, attach a separate sheet which includes your name (printed), the docket number and the sections to which you are referring. You must also sign and date the sheet.

The party filing this affidavit must complete the section entitled "Name of Case" and indicate the Court Department and Division in which the case is being brought. The docket number should also be listed, if known.

**DO NOT COMPLETE SECTIONS 2, 3, 4, 8 AND 10 IF THIS AFFIDAVIT IS BEING FILED WITH A PETITION FOR ADOPTION.**

- Section 1 You must print your first and last name. If this affidavit is filed by an attorney on behalf of an incompetent person or a juvenile, the name of the party on which behalf this affidavit is being completed must be listed.
- Section 2 List the names of all child(ren) involved in this care or custody proceeding. All future references to the child(ren) listed in this section should be with the letter in front of the child's name (e.g. If John Smith is listed next to the letter A, all references to John Smith will be as Child A).
- Section 3 Check the box if this section applies to you. If this box is checked, do not complete Sections 4 and 5. You must complete Sections 10 and 11 on the reverse side of page 1.
- Sections 4 & 5 List the present and all prior addresses during the last two years of the above-named child(ren) and your present address. If legal custody of a child has been awarded to a social service agency, list the name and address of the agency with legal custody.
- Section 6 Check the appropriate box.
- Section 7 List all pending or concluded proceedings which you have participated in or know of involving the care or custody of the child(ren) named in this affidavit. Indicate the letter of the child; the court in which the case was heard, the docket number, the person(s) to whom custody was awarded, and the date of the award, and the nature of your participation in the proceeding by listing "W" for witness, "P" for party, "O" for other or "N" for none. If specific information required in this section is not known, you or your attorney should contact the court where the case was heard to obtain such information. **In the case of a petition for adoption, list all information except the person(s) to whom custody was awarded, the date of the award and the nature of your participation. Under the heading "Status of Case", indicate type of case.**
- Section 8 List the name(s) and current residential address(es), if known, otherwise the last known address(es) of parties to care or custody proceedings or persons claiming a legal right to the above-named child(ren) during the last two years. Do not include yourself.
- Section 9 Check this box if this affidavit discloses the adoption of a child and you are requesting the court to impound this affidavit. If this provision is applicable, you should contact the Clerk-Magistrate or Register of Probate for assistance concerning the appropriate motion to be filed.
- Sections 10 & 11 **COMPLETE ONLY IF YOU CHECKED THE BOX IN SECTION 3.** List the present and all prior addresses during the last two years of the child(ren) listed in Section 2 of this affidavit and your present address. If legal custody of a child has been awarded to a social service agency, list the name and address of the agency with legal custody.
- Section 12 List the attorneys and guardians ad litem/investigators previously appointed in Section 7.
- Signature The party listed in Section 1 must date and sign this affidavit except for an incompetent or juvenile, in which case the attorney of record on behalf of the juvenile or incompetent party must date and sign this affidavit and print his/her name and address.

**THIS AFFIDAVIT MUST BE FILED WITH THE COURT AND A COPY FURNISHED BY THE PARTY FILING IT TO ALL OTHER PARTIES TO THIS ACTION.**



**MOTION FOR SERVICE  
BY ALTERNATE MEANS AND  
AFFIDAVIT OF DILIGENT SEARCH**

Docket No.

**Commonwealth of Massachusetts  
The Trial Court  
Probate and Family Court**

**Carlos Adrian Caceres Carvajal**  
Case Name

**Suffolk**

Division

I am requesting the court to allow me to (*check only ONE option*):

- Provide service **by publication only** in a newspaper of general circulation in the location that will most reasonably provide actual notice of this case.
- Provide service by publication in a newspaper of general circulation in the location that will most reasonably provide actual notice of this case **AND** by mailing a copy of the notice by registered or certified mail to the person's last known address.
- Provide service by another means not prohibited by law  Please specify: **OR**  instruct me how to provide notice.

**GENERAL INFORMATION**

The undersigned hereby swears or affirms that the following information is true:

1. I am required to serve notice on **Anibal Caceres Valverde** and I cannot do so after a diligent search. To the best of my knowledge, this person is not a minor or an incapacitated or protected person. The last known address that I have for this person is:

*Unknown*  
Last Known Street Address

OR  Unknown

**San Antonio, Texas**  
City, State, Zip Code

The person last lived at this address on or about **July 25, 2023** . I do not know any other address for this person.  
(Date)

The last time I saw, heard from, or had contact with the person to be served was on **June 26, 2023** .  
(Date)

**ATTEMPTS TO LOCATE**

2. I have made the following efforts to find this person (*check all that apply*):

Phone/Text. I called and/or texted this person at their last known phone number of: \_\_\_\_\_  
I received the following response back (*explain what, if any, response you received*): \_\_\_\_\_  
(Phone Number)

Email. I emailed the person at their last known e-mail address of: \_\_\_\_\_  
I received the following response back (*explain what, if any, response you received*): \_\_\_\_\_  
(Email Address)



Carlos Adrian Caceres Carvajal

Case Name

Docket No.

Social Media. I looked for the person on these social media sites (please list and explain what, if any, response you received):

Social Media Site	Date	Response
Facebook	07/26/2023	None
Instagram	07/26/2023	None

Internet searches. I completed a search on these websites (please list and explain what, if any, response you received):

Website	Date	Response
Google	07/26/2023	None

Child Support. I have a child support case with this person. I contacted the Department of Revenue, Child Support Enforcement Division and they will not release any information to me.

Friends/Family/Employer/Landlord/Neighbors. I contacted the following people who told me:

Name of Person Contacted	Relationship	Date	What They Told Me

Military. I went to the Defense of Manpower Data Center (DMDC) website, <https://scra.dmdc.osd.mil>, and submitted a "Single Record Request" to obtain a report certifying the active duty status of the person, a copy of which is attached.

Other. I made the following other efforts to locate the person (describe anything else you did to try to find the person):

**ATTEMPTS TO SERVE, if applicable**

3. I have made the following efforts to serve this person:

**PETITION TO CHANGE NAME OF MINOR ONLY:**

I mailed a copy of the petition and citation by certified or registered mail on \_\_\_\_\_ to \_\_\_\_\_ the last known home address listed above, return receipt requested (attach proof of certified or registered mailing, including proof of any delivery, attempted delivery or non delivery).

The Sheriff's Department, a constable, or other disinterested person authorized by law attempted to serve the person but was not able to do so. I have been provided with an affidavit concerning attempts made to serve the person, a copy of which is attached.

I have not attempted service because I do not know the person's whereabouts, current address, last known address, or their last known address is my current address.

Carlos Adrian Caceres Carvajal  
Case Name

Docket No.

## SIGNED UNDER THE PENALTIES OF PERJURY

I certify under the penalties of perjury that the foregoing statements are true to the best of my knowledge and belief.

Date: 7/27/2022

[Signature]  
Signature

Information on Attorney, if any

Lidice D. Samper  
(Print name)

PO Box 1992  
(Address)

(Apt, Unit, No. etc.)

Andover  
(City/Town)

MA  
(State)

01810  
(Zip)

Primary Phone #: 781-321-3700

B.B.O. # 698202

Email: Idsamper@samperlaw.com

↓ ↓ **FOR COURT USE ONLY** ↓ ↓

The within motion is hereby

**Allowed.**

Service to be completed by publication only in a newspaper of general circulation in the location that will most reasonably provide actual notice of this case.

Service to be completed by publication in a newspaper of general circulation in the location that will most reasonably provide actual notice of this case **AND** by mailing a copy of the notice by registered or certified mail to the person's last known address.

Service is accepted as rendered.

Other:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Denied.**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date \_\_\_\_\_

\_\_\_\_\_  
Judge of the Probate and Family Court

**MOTION FOR SERVICE  
BY ALTERNATE MEANS AND  
AFFIDAVIT OF DILIGENT SEARCH**

Docket No.

**Commonwealth of Massachusetts  
The Trial Court  
Probate and Family Court**

**Carlos Adrian Caceres Carvajal**

Case Name

**Suffolk**

Division

I am requesting the court to allow me to (check only **ONE** option):

- Provide service **by publication only** in a newspaper of general circulation in the location that will most reasonably provide actual notice of this case.
- Provide service by publication in a newspaper of general circulation in the location that will most reasonably provide actual notice of this case **AND** by mailing a copy of the notice by registered or certified mail to the person's last known address.
- Provide service by another means not prohibited by law  Please specify: **OR**  instruct me how to provide notice.  
**Mail to last known address**

**GENERAL INFORMATION**

The undersigned hereby swears or affirms that the following information is true:

1. I am required to serve notice on Yulibeth Carvajal Riobo and I cannot do so after a diligent search. To the best of my knowledge, this person is not a minor or an incapacitated or protected person. The last known address that I have for this person is:

Calle 13 #0-15  
Last Known Street Address

OR  Unknown

Agustin Codazzi, Cesar, Colombia 202050  
City, State, Zip Code

The person last lived at this address on or about June 26, 2023. I do not know any other address for this person.  
(Date)

The last time I saw, heard from, or had contact with the person to be served was on June 26, 2023.  
(Date)

**ATTEMPTS TO LOCATE**

2. I have made the following efforts to find this person (check all that apply):

Phone/Text. I called and/or texted this person at their last known phone number of: \_\_\_\_\_  
I received the following response back (explain what, if any, response you received): \_\_\_\_\_  
(Phone Number)

Email. I emailed the person at their last known e-mail address of: \_\_\_\_\_  
I received the following response back (explain what, if any, response you received): \_\_\_\_\_  
(Email Address)



Carlos Adrian Caceres Carvajal

Case Name

Docket No.

Social Media. I looked for the person on these social media sites (please list and explain what, if any, response you received):

Social Media Site	Date	Response
Facebook	07/26/2023	None
Instagram	07/26/2023	None

Internet searches. I completed a search on these websites (please list and explain what, if any, response you received):

Website	Date	Response
Google	07/26/2023	None

Child Support. I have a child support case with this person. I contacted the Department of Revenue, Child Support Enforcement Division and they will not release any information to me.

Friends/Family/Employer/Landlord/Neighbors. I contacted the following people who told me:

Name of Person Contacted	Relationship	Date	What They Told Me

Military. I went to the Defense of Manpower Data Center (DMDC) website, <https://scra.dmdc.osd.mil>, and submitted a "Single Record Request" to obtain a report certifying the active duty status of the person, a copy of which is attached.

Other. I made the following other efforts to locate the person (describe anything else you did to try to find the person):

**ATTEMPTS TO SERVE, if applicable**

3. I have made the following efforts to serve this person:

**PETITION TO CHANGE NAME OF MINOR ONLY:**

I mailed a copy of the petition and citation by certified or registered mail on July 27, 2023 to the last known home address listed above, return receipt requested (attach proof of certified or registered mailing, including proof of any delivery, attempted delivery or non delivery).

The Sheriff's Department, a constable, or other disinterested person authorized by law attempted to serve the person but was not able to do so. I have been provided with an affidavit concerning attempts made to serve the person, a copy of which is attached.

I have not attempted service because I do not know the person's whereabouts, current address, last known address, or their last known address is my current address.

Carlos Adrian Caceres Carvajal  
Case Name

Docket No.

### SIGNED UNDER THE PENALTIES OF PERJURY

I certify under the penalties of perjury that the foregoing statements are true to the best of my knowledge and belief.

Date: 7-27-2023

[Signature]  
Signature

Information on Attorney, if any

Lidice D. Samper  
(Print name)

PO Box 1992  
(Address)

(Apt, Unit, No. etc.)

Andover  
(City/Town)

MA  
(State)

01810  
(Zip)

Primary Phone #: 781-321-3700

B.B.O. # 698202

Email: ldsamper@samperlaw.com

↓ ↓ **FOR COURT USE ONLY** ↓ ↓

The within motion is hereby

**Allowed.**

Service to be completed by publication only in a newspaper of general circulation in the location that will most reasonably provide actual notice of this case.

Service to be completed by publication in a newspaper of general circulation in the location that will most reasonably provide actual notice of this case **AND** by mailing a copy of the notice by registered or certified mail to the person's last known address.

Service is accepted as rendered.

Other:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Denied.**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date \_\_\_\_\_

\_\_\_\_\_  
Judge of the Probate and Family Court