

**SUPERIOR COURT FOR THE DISTRICT OF COLUMBIA  
FAMILY DIVISION  
DOMESTIC RELATIONS BRANCH**

<b>FELICIA M. OTABIL,</b>	:	
	:	
<b>Plaintiff,</b>	:	Case No. 2022 DRB 001734
	:	Judge Lloyd U. Nolan, Jr.
<b>v.</b>	:	On behalf of Judge Kelly Higashi
	:	Next Event: Status Hearing
<b>HAYFORD ACHEAMPONG OTABIL,</b>	:	Date: November 1, 2022 at 9:00 AM
	:	
<b>Defendant.</b>	:	

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**ORDER GRANTING PLAINTIFF’S MOTION FOR ALTERNATIVE SERVICE  
AND ORDERING CLERK’S OFFICE TO POST**

This matter came before the Court on August 16, 2022 for an initial hearing on Plaintiff Felicia M. Otabil’s *Complaint for Absolute Divorce*, filed June 3, 2022. Plaintiff was present *pro se*.<sup>1</sup> Defendant Hayford Acheampong Otabil failed to appear.

Pending before the Court was Plaintiff’s *Motion for Alternative Service* and Plaintiff’s *Motion to Proceed with Divorce*, both filed on June 3, 2022. Defendant has not filed an opposition to the motion or answer in this matter. For the following reasons, the Court grants Plaintiff’s motion for alternative service in the form of posting.

Before an order allowing service by publication or posting may be issued, the Plaintiff must demonstrate that they made a diligent but futile effort to locate the Defendant, and must furnish the Court with the following:

(1) the time and place at which the parties last resided together; (2) the last time the parties were in contact with each other; (3) the name and address of the last employer of the Defendant either during the time the parties resided together or at a later time if known to the Plaintiff; (4) the names and addresses of those relatives known to be close to the Defendant; and (5) any other information which could furnish a fruitful basis for further inquiry by one truly bent on learning the present

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<sup>1</sup> All parties representing themselves are encouraged to contact the Family Court Self-Help Center located at Moultrie Courthouse, 500 Indiana Ave. NW, Room JM-570, Washington, D.C. 20001, telephone 202-879-0096.

whereabouts of the Defendant. From such basic information, the Plaintiff should then detail for the Court the particular efforts which have been made in the effort to ascertain the Defendant's present address.

*Bearstop v. Bearstop*, 377 A.2d 405, 408 (D.C. 1977).

In the case at hand, the Court finds that Plaintiff has performed a diligent search for Defendant. According to Plaintiff's *Motion to Proceed with Divorce*, Plaintiff and Defendant have not seen each other since on or about June 2018 and have not had communication of any kind since 2020. Plaintiff additionally represents that Defendant resides in Accra, Ghana and has moved from his previous address in Ghana. Plaintiff states that Defendant has cut off ties with his previous church affiliation and that she has tried several various methods to contact Defendant, all to no avail.

During the hearing on August 16, 2022, the Court asked when Plaintiff's last known contact with Defendant occurred. Plaintiff testified under oath that she had not seen or spoken with Defendant during the last four years and tried to contact Defendant through telephone, email, Facebook, and WhatsApp. Plaintiff further stated that, when she attempted to contact Defendant's friends and family, she could not reach them at of their previous numbers.

Based on the foregoing, the Court finds that Plaintiff has made diligent efforts to locate Defendant. The Court next considers Plaintiff's request for service by posting, rather than publication. Pursuant to the Rules Governing Domestic Relations Proceedings, Rule 4(f), the Court may authorize service by posting notice in the Clerk's Office of the Family Court for a period of twenty-one (21) days if the cost of publication would impose a substantial financial hardship. *See* D.C. CODE § 13-340(a). On June 3, 2022, the Court granted Plaintiff's *Application to Proceed Without Prepayment of Costs, Fees, or Security* based on Plaintiff's demonstrated financial hardship, and Plaintiff indicated during the hearing that she would be substantially impacted by

the economic hardship of serving via publication. Thus, the Court finds that publication would pose a financial hardship and authorizes service by posting of the below notice for a period of twenty-one (21) days in the Clerk's Office, and, given the Coronavirus pandemic, on the Court's website. If Defendant fails to file a responsive pleading within the time allowed after he has been served, the Court may enter a default and convert the next hearing into a default/*ex parte* hearing to take testimony from Plaintiff and proceed to final judgment without Defendant's participation. Further, the Court will set a status hearing on **November 1, 2022 at 9:00 AM** to allow an adequate time both for posting and for Defendant to respond.

In addition, the Court directed Plaintiff to file a form titled "Affidavit in Support of Default and Compliance with Servicemembers Civil Relief Act of 2003" attesting that the Defendant Hayford Acheampong Otabil is not an active service member. This form is required in order to proceed if Defendant is found in default at the next hearing. This form is specific to the Family Court Division of the D.C. Superior Court and can be located by going to [www.dccourts.gov](http://www.dccourts.gov), finding the "Forms" link on the bottom of the page, and then narrowing the search by selecting "Family" from the "Category" drop-down list. The form is listed under the title "Affidavit in Support of Default." Furthermore, the Court informed Plaintiff that she could visit the "Servicemembers Civil Relief Act (SCRA) Website" at <https://scra-e.dmdc.osd.mil/scra/#/home> and receive a printout regarding Defendant Price's active service status if Plaintiff knows Defendant's date of birth and social security number. If Plaintiff does not have Defendant's social security number, she may still mail the form to the mailing address provided on the website. Plaintiff was also encouraged to contact the Family Court's Self-Help Center at (202) 879-1212 or the Family Law Assistance Network ("FLAN") at (202) 844-5428 for assistance in completing the

required form. Plaintiff can also go online to [www.lawhelp.org/dc](http://www.lawhelp.org/dc) for legal information and resources.

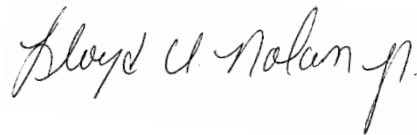
**WHEREFORE**, it is on this **16th** day of **August 2022**, hereby

**ORDERED** that Plaintiff's *Motion for Alternative Service*, filed June 3, 2022, is **GRANTED**; and it is further

**ORDERED** that the attached notice shall be posted in the Clerk's Office of the Family Court of the Superior Court of the District of Columbia and on the Superior Court's website for a period of twenty-one (21) calendar days in order to serve Defendant and notify him of the present action in which he is a party; and it is further

**ORDERED** that the parties shall appear for a status hearing on **November 1, 2022 at 9:00 AM** in Courtroom 104 (500 Indiana Ave NW, Washington, DC 20001). Failure to appear may result in a default judgment, sanctions, or dismissal.

**SO ORDERED.**



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**Lloyd U. Nolan, Jr.**  
Magistrate Judge  
On behalf of Judge Higashi

**COPIES TO:**

Felicia M. Otabil  
[FeliciaOtabil0@gmail.com](mailto:FeliciaOtabil0@gmail.com); [FELICIAEDELIN91@GMAIL.COM](mailto:FELICIAEDELIN91@GMAIL.COM)  
*Via Email*  
*Plaintiff*

Hayford Acheampong Otabil  
*No Contact Information*  
*Defendant*

**SUPERIOR COURT FOR THE DISTRICT OF COLUMBIA  
FAMILY DIVISION  
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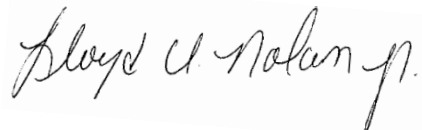
**NOTICE OF DIVORCE PROCEEDING**

**HAYFORD ACHEAMPONG OTABIL**, YOU ARE HEREBY NOTIFIED THAT a complaint for divorce has been filed in the above-captioned matter.

IF YOU WANT TO CHALLENGE THIS COMPLAINT, you must file a written objection with the Court within 21 days and appear for the status hearing scheduled for November 1, 2022 at 9:00 a.m. in Courtroom 104. If you do not file a written objection within 21 days or appear at the hearing, default may be entered against you and the status hearing may be converted to a default/ex parte proof hearing, and judgment entered without further proceedings. Your objection should be emailed to [FamilyCourtCIC@dcsc.gov](mailto:FamilyCourtCIC@dcsc.gov), and directed to the Domestic Relations Branch Clerk, Family Court, Superior Court of the District of Columbia, 500 Indiana Avenue NW, Washington, DC 20001.

IF YOU DO NOT WANT TO CHALLENGE THIS COMPLAINT, you may consent to the relief sought prior to the status hearing scheduled for November 1, 2022 at 9:00 a.m. in Courtroom 104. For more information on how to file a Consent Answer, please contact the Family Court Self-Help Center by telephone number (202) 879-0096.

FAILURE TO RESPOND IN THIS MATTER MAY RESULT IN THE ENTRANCE OF A PERMANENT DIVORCE ORDER WITHOUT YOUR PARTICIPATION.



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**Lloyd U. Nolan, Jr.**  
Magistrate Judge  
On behalf of Judge Higashi