

The following people are **ORDERED TO APPEAR** at a hearing in:

**MONTGOMERY COUNTY JUVENILE COURT
380 W SECOND ST, DAYTON, OH**

This information will remain online for 7 days, and you are considered served once posted.

If you are ordered to appear in a case involving Children Services, or a Motion to Show Cause / Contempt, please read the **ADDITIONAL NOTICES REGARDING ALL HEARINGS** that follow.

**IF YOU ARE NAMED IN A HEARING ON THE FOLLOWING PAGE
AND FAIL TO APPEAR FOR THIS HEARING,
YOUR RIGHTS AND RESPONSIBILITIES COULD BE AFFECTED.**

Montgomery County Juvenile Court

Hearing Notice & Service by Publication via ONLINE POSTING

<i>First & Last Names</i>	<i>Last Known Address</i>	<i>Ordered to Appear (Hearing Date & Time)</i>	<i>Hearing Officer</i>	<i>Case Type</i>	<i>Party that Filed Case</i>	<i>Case #</i>	<i>Date Posted</i>
DEMARCO BOTTS FOR: Tayvianna A Toler	10833 Wayne Tr Rd Somerville, OH 45064	<u>September 26, 2017 @ 130pm</u>	COX	Custody	Lois Toler	11-1274	09/21/17
TABITHA SCHIESSLER FOR: TN & JS Caucasian male children	134 S Hedges St Dayton, OH 45403	<u>October 3, 2017 @9am</u>	LENSKI	Legal Custody to Relative	Prosecutor and Children Services	16-7171 15-283	09/19/17
TONY W NOBLE SR FOR: TN Caucasian male child TO: Tabitha Schiessler	1043 Pritz Ave Dayton, OH 45410	<u>October 3, 2017 @9am</u>	LENSKI	Legal Custody to Relative	Prosecutor and Children Services	16-7171	09/19/17
DANIEL F PHIPPS SR FOR: JS Caucasian male child TO: Tabitha Schiessler	612 N Pleasant Valley Ave Dayton, OH 45404	<u>October 3, 2017 @9am</u>	LENSKI	Legal Custody to Relative	Prosecutor and Children Services	15-283	09/19/17
BRANDON SMALLWOOD FOR: Zavannah Smallwood	860 S Dixie Dr Apt 75 Vandalia, OH 45377	<u>October 20, 2017 @ 1030am</u>	XARHOU- LACOS	Legal Custody	Tyler Starline, Atty	10-10472 10-10471 10-10469	09/19/17
JAMES A MCMILLAN FOR: Ansley B McMillan	102 Houser Dr Choctaw, OK 73020	<u>October 31, 2017 @ 1030am</u>	COX	Custody	Ashley a Davis	13-588	09/19/17
NORMAN D FERGUSON JR FOR: PF Bi-racial female child TO: Laura Plummer	5580 Burkhardt Rd Apt 313 Dayton, OH 45431	<u>September 26, 2017 @ 11am</u>	LENSKI	Legal Custody to Non-Relatives or Alt TC to MCCA	Prosecutor and Children Services	14-6276	09/19/17
RYAN SANTONE FOR: WS Caucasian male child TO: Deirdre Nichols	2170 Harshman Rd 9 Dayton, OH 45424	<u>October 2, 2017 @ 130pm</u>	LENSKI	Legal Custody to Relatives	Prosecutor and Children Services	16-1483	09/19/17

THESE ARE ALSO LOCATED ONLINE AT: <http://mcjcoho.org>

NOTICE REGARDING ALL HEARINGS:

ABUSE, NEGLECT, DEPENDENT CHILDREN - *See next page*

PERSON ACCUSED OF CONTEMPT OF A COURT ORDER – *See last two pages of this document*

NOTICE REGARDING ALL HEARINGS – ABUSE, NEGLECT, DEPENDENT CHILDREN

If a complaint has been filed and the child(ren) is/are adjudicated abused, neglected, and/or dependent, or if a motion has been filed, an order of protective supervision, temporary custody, legal custody, planned permanent living arrangement, or permanent custody may result.

An order of **protective supervision** permits the child(ren) to remain with the parent, guardian, or custodian.

An order of **temporary custody** will cause the removal of the child(ren) from the legal and physical custody of the non-custodial parent, guardian, or custodian until the Court terminates the order, grants an alternative disposition, or, at another hearing, permanently divests the parents of their parental rights.

An order of **legal custody** will cause the removal of the child(ren) from the legal and physical custody of the non-custodial parent, guardian, or custodian for an indefinite time.

An order placing the child(ren) in a **planned permanent living arrangement** will cause the removal of the child(ren) from the legal and physical custody of the parent, guardian, or custodian for an indefinite time if the Court finds any of the conditions listed in Section 2151.353(A)(5)(a) to (c) of the Ohio Revised Code to exist.

An order of **permanent custody** permanently divests all parents, guardians, and legal or temporary custodians of all of their parental rights, privileges, and obligations with respect to the child(ren).

A case plan may be prepared for the child(ren)/family. The case plan may require you to participate in certain supportive services in order to assist you in meeting the goals and objectives of the case plan. You may be held in contempt of court and subject yourself to a fine, incarceration, removal from the child(ren)'s home, or another appropriate sanction for failure to comply with the terms of the court ordered case plan.

You may be subject to a child support obligation. Failure to appear may result in the loss of valuable rights, may subject you to a court sanction, may result in a judgment against your interests, may affect your parental rights, and may result in the temporary or permanent loss of legal and physical custody of the child(ren).

You have the right to be represented by an attorney in these proceedings and you have the right to have counsel appointed if you are indigent. You may request the prompt appointment of an attorney by contacting the Case Coordinator at (937) 496-3158.

NOTICE REGARDING ALL HEARINGS – PERSON ACCUSED OF CONTEMPT OF A COURT ORDER

- (1) A notice of a hearing date is attached. **Your failure to appear at this hearing may result in the issuance of an order for your arrest.** If this case involves alleged failure to pay support, the court may also issue an order for the payment of support by withholding an amount from your personal earnings or by withholding or deducting an amount from some other asset of yours.
- (2) You have a right to be represented by legal counsel in this matter. If you believe that you are indigent, you must apply for a public defender or court appointed counsel within three (3) business days after receipt of the attached summons. THE ADDRESS OF THE MONTGOMERY COUNTY PUBLIC DEFENDER'S OFFICE IS 117 S. MAIN STREET, SUITE 400, DAYTON, OHIO 45422 THIS IS LOCATED IN THE REIBOLD BUILDING.
- (3) The court may refuse to grant you a continuance at the time of the hearing for the purpose of obtaining counsel, if you fail to make a good faith effort to retain counsel or to obtain a public defender.

STATUTORY PENALTIES: FOR A FIRST OFFENSE, YOU MAY BE FINED NOT MORE THAN \$250.00 AND IMPRISONED NOT MORE THAN THIRTY DAYS OR BOTH. FOR A SECOND OFFENSE, YOU MAY BE FINED NOT MORE THAN \$500.00 AND IMPRISONED NOT MORE THAN SIXTY DAYS, OR BOTH. FOR A THIRD OFFENSE, YOU MAY BE FINED NOT MORE THAN \$1,000.00 AND IMPRISONED NOT MORE THAN 90 DAYS, OR BOTH (R.C. §2705.05)

IMPRISONMENT UNTIL COMPLIANCE: IF YOUR CONTEMPT CONSISTS OF THE OMISSION TO DO AN ACT WHICH THE COURT FINDS YOU CAN YET PERFORM, YOU MAY BE IMPRISONED UNTIL YOU PERFORM IT. (R.C. §2705.06)

SUPPORT CONTEMPT: IF YOU ARE FOUND IN CONTEMPT FOR FAILURE TO MAKE CHILD SUPPORT OR SPOUSAL SUPPORT PAYMENTS, AS ORDERED, IN ADDITION TO ALL OTHER PENALTIES, THE COURT MUST ORDER YOU TO PAY COURT COSTS AND REASONABLE ATTORNEY FEES TO THE OTHER PARTY. (R.C. §3105.21; §3113.31(K); & §3105.18(G)). IN ADDITION, IF THE COURT FINDS YOUR FAILURE TO PAY CHILD SUPPORT WAS WILLFUL, IT MUST REQUIRE YOU TO PAY INTEREST ON YOUR CHILD SUPPORT ARREARAGES. (R.C. §3123.17)

HEALTH INSURANCE CONTEMPT: IF YOU ARE FOUND IN CONTEMPT FOR FAILURE TO COMPLY WITH HEALTH INSURANCE ORDERS RELATING TO MINOR CHILDREN, YOU ARE LIABLE FOR ANY MEDICAL EXPENSES INCURRED AS A RESULT OF YOUR FAILURE, AND UPON A SECOND OFFENSE, YOUR CHILD SUPPORT OBLIGATION MAY BE INCREASED (R.C. §3119.56)

VISITATION CONTEMPT: IF YOU ARE FOUND IN CONTEMPT FOR FAILURE TO COMPLY WITH OR INTERFERENCE WITH ANY COMPANIONSHIP OR VISITATION RIGHTS, IN ADDITION TO ALL OTHER PENALTIES, THE COURT MUST ORDER YOU TO PAY ALL COURT COSTS AND REASONABLE ATTORNEY FEES TO THE OTHER PARTY, AND MAY ALSO AWARD COMPENSATORY VISITATION TIME: (R.C. §2705.031).

ADDITIONAL PENALTIES: IN ADDITION TO ALL PENALTIES IMPOSED BY STATUTE, THE COURT HAS THE INHERENT POWER TO IMPOSE ADDITIONAL SANCTIONS FOR CONTEMPT OF COURT. (Hale v. State, 55 Ohio St. 210 (1896); Zakany v. Zakany, 9 Ohio St. 3d 192 (1984)).