

IN THE COMMON PLEAS COURT OF HURON COUNTY, OHIO
JUVENILE DIVISION

FILED-JOURNALIZED
HURON CO. OHIO

NOV -4 2024

COMMON PLEAS COURT
JUVENILE DIVISION

Huron County PCSA

CASE NO. PA 2001 00025

Plaintiff

SETS NO: 7089758465

vs.

JUDGE TIMOTHY L. CARDWELL

Jennifer Capelle

PRAECIPE FOR SERVICE
BY POSTING

Defendant

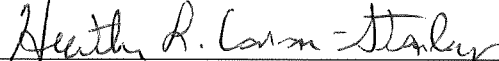
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PURSUANT TO LOCAL RULE 69 AND JUVENILE RULE 16(A)

TO THE CLERK: Please cause service upon Jennifer Capelle by posting and mail pursuant to Local Rule 69 and Juvenile Rule 16(A) by:

1. Directing this party, Huron County CSEA, by and through the Title IV-D Attorney, to post the notice (a copy of which is attached) in a conspicuous space for a period of a minimum 7-day consecutive period at each of the following locations:
 - a) The Juvenile Court of Huron County, Ohio located at 2 East Main Street, 1st Floor, Norwalk, Ohio 44857.
 - b) The Huron County Department of Job and Family Services located at 185 Shady Lane Dr., Norwalk, OH 44857.
 - c) The Huron County Office Building located at 12 East Main Street, Norwalk, Ohio 44857.
 - d) The Huron County Juvenile and Probate Court Website, www.hcjpc.com.
2. Causing a Summons and the attached pleadings to be mailed by regular U.S. Mail, address correction requested, to Jennifer Capelle, 5157 Tod Ave Sw, Warren, OH 44481-9744.
3. Obtaining a certificate of mailing from the United State Postal Service. If the Clerk is then notified of a corrected or forwarding address within the seven-day period that the notice is posted, then the Clerk shall cause the Summons and accompanying pleadings to be mailed to the corrected or forwarding address; and
4. After the seven days of posting:
 - a) Note the name and address and date of each mailing on the docket; and
 - b) Note on the docket where and when the notice was sent.

In accordance with Local Rule 69 and Juvenile Rule 16(A), the required affidavit is attached.

Respectfully submitted,



Heather L. Carman-Stanley (0072107)

Title IV-D Attorney

Huron County CSEA

185 Shady Lane Dr.

Norwalk, OH 44857

(419) 668-8126

CERTIFICATE OF SERVICE

I certify that a true and accurate copy of the foregoing Motion for Service by Posting was sent to Mary.Valentine@jfs.ohio.gov and Lindsay.Clouse@jfs.ohio.gov, Plaintiff, via email, this 31st day of October, 2024.



Heather L. Carman-Stanley (0072107)

IN THE COMMON PLEAS COURT OF HURON COUNTY, OHIO
JUVENILE DIVISION

FILED-JOURNALIZED
HURON CO. OHIO

NOV -4 2024

COMMON PLEAS COURT
JUVENILE DIVISION

Huron County PCSA

CASE NO. PA 2001 00025

Plaintiff

SETS NO: 7089758465

vs.

Jennifer Capelle

JUDGE TIMOTHY L. CARDWELL

Defendant

AFFIDAVIT FOR POSTING

.....
STATE OF OHIO) SS:
COUNTY OF HURON)

I, Rhonda Vanscyoc, do hereby swear and affirm as follows:

1. A Motion to Show Cause was filed with this Court on September 10, 2024.
2. Defendant, Jennifer Capelle, is a necessary party to this case and as such needs to be served with notice of said action.
3. Attempts have been made to perfect service upon Defendant via Certified Mail followed up with regular mail but have not been successful even though USPS reports the address as correct and belonging to Defendant.
4. By reason of the foregoing, service of summons upon Defendant cannot be made by means of certified and regular mail.
5. Affiant further states that this affidavit is made to obtain Service by posting as required by Civil Rule 4.4(A)(2).

Further affiant sayeth naught.



Huron County CSEA Caseworker

Sworn to before me and subscribed in my presence this 30 day of October, 2024.



Notary Public



RACHEL SOTORA
Notary Public
State of Ohio
My Comm. Expires
November 1, 2027

Commission Expiration Date

FILED JOURNALIZED
HURON CO. OHIO
SEP 10 2024

COMMON PLEAS COURT
JUVENILE DIVISION

IN THE COURT OF COMMON PLEAS
JUVENILE DIVISION
HURON COUNTY, OHIO

Huron County PCSA

Plaintiff

vs.

Jennifer Capelle

Defendant

CASE NO.: PA 2001 00025

SETS NO: 7089758465

JUDGE: TIMOTHY L. CARDWELL

MOTION TO SHOW CAUSE

(First Contempt)

Now comes Heather L. Carman-Stanley, Title IV-D Attorney for Huron County Child Support Enforcement Agency and respectfully requests this Honorable Court for an order citing the Defendant, **Jennifer Capelle**, for contempt for her failure to make payments upon the accrued child support arrearages at an amount previously ordered.

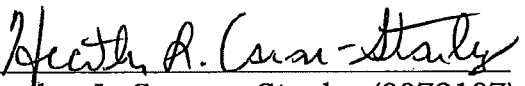
Additionally, the Title IV-D Attorney respectfully requests this Court to issue an order citing Defendant for contempt for failing to notify the Huron County CSEA of any changes in her address, employment, and financial information.

Additionally, the Title IV-D Attorney respectfully requests this Court to issue an order requiring Defendant to appear and to show cause why she should not be held in contempt.

Additionally, Obligor should be advised that her ability to pay constitutes a critical question in a civil contempt action.

A Memorandum in support is attached hereto and made part hereof.

Respectfully submitted,


Heather L. Carman-Stanley (0072107)
Title IV-D Attorney
Huron County CSEA
185 Shady Lane Drive
Norwalk, Ohio 44857
(419) 668-9152

MEMORANDUM

The Plaintiff, **Huron County PCSA**, is a recipient of services from the Huron County Child Support Enforcement Agency (HCCSEA) in accordance with Title IV-D of the "Social Security Act", 42 U.S.C. 651 (1975), as amended.

In a **Judgment Entry** dated **June 28, 2012**, this Court ordered Defendant to pay upon her current child support for parties' child at a rate of **\$0.00** per month, plus **\$0.00** for cash medical support per month, plus **\$25.00** per month for payment on arrears, plus **\$.50** per month for administrative fees, to Plaintiff through Huron County CSEA until the accrued arrearage is paid in full.

It is the finding of the Title IV-D Attorney that Defendant has failed to make timely payments on her accrued child support arrearage. See, Affidavit of Huron County Child Support Agency Investigator, attached as Exhibit A.

The Title IV-D Attorney further states that as a result of nonpayment, Defendant has accrued an arrearage on the instant case of **\$486.33** as of **September 6, 2024**, of this total, **\$404.25** is owing to obligee, **\$0.00** is owing to the State of Ohio and **\$82.08** is owing to Huron County CSEA for administrative fees. See, Exhibit A.

The Title IV-D Attorney further states that Defendant has failed to notify Huron County CSEA of any changes in her address, employment, and financial information.

WHEREFORE, the Title IV-D Attorney respectfully requests this Honorable Court to find Defendant in contempt of court pursuant to O.R.C. §2705.02(A) and 3113.06, for her failure to make timely payments on the accrued child support arrearage.

It is further requested that this Honorable Court find Defendant in contempt of court for failing to immediately notify HCCSEA, in writing of her employment status as required by O.R.C. §3121.

It is requested that this Court, pursuant to O.R.C. §3121.03(D)(1) issue an order requiring the Defendant, when not gainfully employed for any length of time, to report to the Huron County Ohio Means Jobs Program, apply for services and fully participate in said program. Should Defendant not be eligible for such services, require Defendant to seek work at no less than ten (10) employers per week and report her efforts weekly to HCCSEA on the forms they provide.

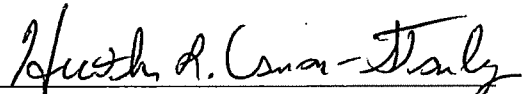
It is requested that this Court, pursuant to O.R.C. §3121.03(D)(1), issue an order requiring Defendant to notify HCCSEA upon obtaining employment, obtaining any income, or obtaining ownership of any asset with a value of five hundred dollars (\$500.00) or more.

It is further requested that this Court, pursuant to O.R.C. §3121.05, order Defendant to establish a bank account at a financial institution of her choice that child support funds may be deducted from monthly; keep on account funds equal to two (2) months full child support obligation, inclusive of payment on arrears and administrative

fees; and notify HCCSEA within 24 hours of the routing and account number and location of said account.

It is further requested that this Honorable Court find Defendant in contempt of court for failing to abide by previous orders and sentence Defendant to **30** days of incarceration in the Huron County Jail and require Defendant to pay all costs incurred to bring this action.

Respectfully submitted,



Heather Carman-Stanley (0072107)
Title IV-D Attorney
Huron County CSEA
185 Shady Lane Drive
Norwalk, Ohio 44857
(419)668-9152

PRAECIPE

TO THE CLERK OF COURT:

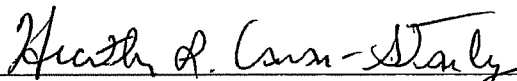
Please cause service of a true copy of the forgoing Motion to Show Cause to be served upon **Jennifer Capelle**, Defendant, located at **5157 Tod Ave. SW, Warren, OH 44481-9744** by **Certified US Mail**, pursuant to Rule 4.6 of the Ohio Rules of Civil Procedure.



Heather L. Carman-Stanley (0072107)
Title IV-D Attorney
Huron County CSEA

CERTIFICATE OF SERVICE

I certify that a true and accurate copy of the forgoing Motion to Show Cause was sent via email to **Huron County PCSA**, Plaintiff, located at **Mary.Valentine@jfs.ohio.gov** and **Lindsay.Clouse@jfs.ohio.gov**, this 6th day of September, 2024.



Heather L. Carman-Stanley (0072107)
Title IV-D Attorney
Huron County CSEA

EXHIBIT A

STATE OF OHIO) SS:
COUNTY OF HURON)

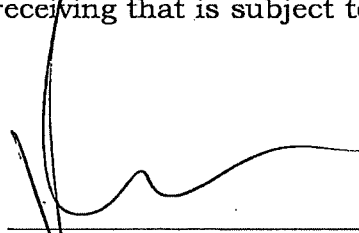
AFFIDAVIT

Now comes the undersigned, **Rhonda Vanscyoc**, for the Huron County Child Support Enforcement Agency (CSEA) and, after first being duly sworn and cautioned according to law, hereby deposes and states as follows:

1. That the records of the Huron County CSEA indicate that Defendant, **Jennifer Capelle** has failed to comply with this Court's orders requiring Defendant to:

 make ordered payment upon current child support;
 make ordered payment upon accrued child support arrears; and
 notify Huron County CSEA of changes in her address and employment.
2. That the records of the Huron County CSEA further indicate that Defendant has failed to timely remit child support payments; and therefore has an arrearage in her support obligations of **\$486.33** as of **September 6, 2024**.
3. That Huron County CSEA conducted a review regarding Obligor's ability to pay and determined that a final and enforceable determination of default has been made against Obligor, that Obligor does not have a pending personal bankruptcy action, that Obligor is not receiving any protected benefits pursuant to OAC 5101:12-50-10. Further, Huron County CSEA conducted research into any and all income Obligor may or may not be receiving that is subject to a withholding or deduction.

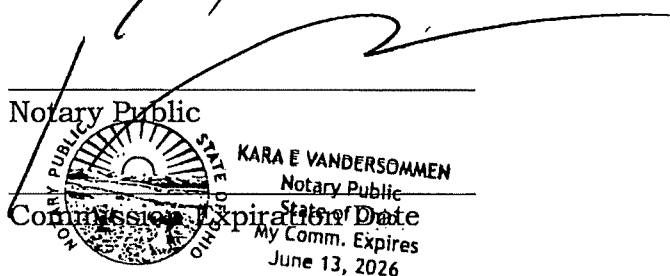
Further Affiant sayeth naught.



Huron County CSEA

Sworn to before me and subscribed in my presence this 9 day
of September, 2024.

Notary Public


KARA E VANDERSOMMEN
Notary Public
Commission Expires
My Comm. Expires
June 13, 2026

OCT 31 2024

COMMON PLEAS COURT
JUVENILE DIVISION

**HURON COUNTY COMMON PLEAS COURT
JUVENILE DIVISION
NORWALK, OHIO**

PCSA

Plaintiff

Case Number: PA 2001 00025

Date: October 31, 2024

vs

Sets No: 7089758465

Jennifer Capelle

Defendant

Defendant-unknown

Email: plaintiff/CSEA

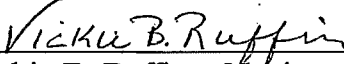
MAGISTRATE'S ORDER

This cause came to be heard on October 31, 2024, upon the motion to continue the trial scheduled on November 5, 2024, filed by Ms. Heather Carman-Stanley, Title IV-D Attorney, Huron County Child Support Enforcement Agency.

Thereupon, the Court found the motion to continue the trial on November 5, 2024, to allow time to perfect service on Jennifer Capelle to be well taken and granted the same.

It is hereby ordered, adjudged and decreed that the hearing on November 5, 2024, be, and hereby is, continued **Tuesday, January 7, 2025, at 8:30 am** for a trial before the Court on the motion to show cause filed against Jennifer Capelle, on September 10, 2024.

It is further ordered that the Huron County Child Support Enforcement Agency shall provide a new praecipe for service to the Court within fourteen (14) days.



Vickie B. Ruffing, Magistrate

Huron County Common Pleas Court
Juvenile Division
Norwalk, Ohio

Huron County PCSA

Plaintiff

vs.

Jennifer Lynn Capelle

Defendant

cc: plaintiff/defendant/CSEA

FILED-JOURNALIZED
HURON CO. OHIO

September 10, 2024

COMMON PLEAS
COURT
JUVENILE DIVISION

Case Number: PA 2001 00025

Date: 10 September 2024

SETS No. 7089758465

JUDGMENT / NOTIFICATION

This cause came to be heard on September 10, 2024, upon the Motion To Show Cause (First Contempt) filed by Ms. Heather Carman-Stanley, Title IV-D Attorney, Huron County CSEA requesting that **JENNIFER LYNN CAPELLE** be required to appear personally before this Court to show cause why he/she should not be punished for failure to comply with the former orders of this Court.

The Court finding said motion well-taken, it is hereby ordered, adjudged and decreed that **JENNIFER LYNN CAPELLE** appear in person before the Huron County Juvenile Court, 2 East Main St., Room 101, Norwalk, OH 44857 on **TUESDAY, NOVEMBER 05, 2024, AT 8:30 AM** for a **TRIAL BEFORE THE COURT** to show cause why she should not be punished for contempt of Court for failure to comply with the former orders of this Court.

You are further notified that:

1. Failure to appear may result in the issuance of an order for your arrest.
2. You have a right to counsel and 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 summons.
3. The court may refuse to grant 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.
4. If you are found guilty of contempt for failure to pay support, or comply with a court order of visitation, the court may impose any of the following penalties:
 - a. **FIRST OFFENSE:** a fine of not more than \$250.00, a definite term of imprisonment of not more than 30 days in jail, or both.
 - b. **SECOND OFFENSE:** a fine of not more than \$500.00, a definite term of imprisonment of not more than 60 days in jail, or both.
 - c. **THIRD OFFENSE:** a fine of not more than \$1,000.00, a definite term of imprisonment of not more than 90 days in jail, or both.
5. If you are found guilty of contempt on other grounds, the Court may impose a term of imprisonment, fine, or both.
6. If your driver's license has been administratively suspended by a child support enforcement agency, you may request the Court to grant you limited driving privileges. When making this request you must also submit a recent copy of your driver's abstract from the registrar of motor vehicles.



Timothy L. Cardwell, Judge