

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
ROCK HILL DIVISION

Julian Elijah Dean,

Plaintiff,

v.

Jueneville Shawnteke Dean,

Defendant.

C/A No. 0:24-3306-PJG

**ORDER TO RETURN CHILDREN TO  
THEIR HABITUAL RESIDENCE  
PURSUANT TO  
THE HAGUE CONVENTION**

This case, brought pursuant to The Hague Convention on Civil Aspects of International Child Abduction, is before the court pursuant to 28 U.S.C. § 636(c) and Local Civil Rule 73.02(B)(1) (D.S.C.) with the consent of the parties for final adjudication. At issue is the return of the parties’ two children, J.V.D. and J.E.D., to their habitual residence as defined by The Hague Convention. By order filed December 13, 2024, the court granted summary judgment to the petitioner. Having reviewed the parties’ requests as to the contents of an Order to Return the Children, the court hereby orders as follows:

1. The parties shall cooperate in taking whatever reasonable action is needed to renew or obtain passports for the children and comply with all U.S. State Department requirements to effectuate this process as promptly as State Department requirements allow. See, e.g., <https://travel.state.gov/content/travel/en/passports/need-passport/under-16.html> (last visited Dec. 16, 2024).
2. The parties shall cooperate to effect the children’s return to Mexico as expeditiously as reasonably possible.
3. The parties shall cooperate to ensure the children’s care and well-being during the children’s travel to Mexico and after their return there, including but not limited to adult

supervision, housing/shelter, food, clothing, health care, and education appropriate for their ages, pending an order of the Mexican court (or other court of competent jurisdiction) determining custody terms.

4. The party with physical custody shall allow the other parent visitation with the children, whether in person or virtual, for at least thirty minutes per day until a Mexican court (or other court of competent jurisdiction) issues an order determining the terms of custody and visitation.

5. The parties shall jointly or separately file with this court a verification of compliance with this order no later than 48 hours after the children's return to Mexico. They shall also provide each other with valid contact information and the address where the children shall reside until an order determining custody is entered by a court of competent jurisdiction.

6. The plaintiff/petitioner is permitted fourteen days to file an application for any attorneys' fees and expenses. The defendant/respondent shall have fourteen days to respond.

7. The parties, and any person acting on their behalf, are hereby restrained and enjoined from removing the children who are the subjects of this action from the District of South Carolina except as specifically permitted by the terms of this order. As contemplated by paragraphs 1 and 2 above, out-of-district travel is expressly permitted to (1) comply with U.S. State Department requirements to obtain passports for the children, or (2) effectuate their return to Mexico.

8. Unless otherwise agreed to by the parties, the children's return to Mexico shall take place no later than seven days after the issuance of passports for the children by the U.S. State Department.

9. Nothing in this order shall be construed as a determination as to custody of the children.

10. This court retains jurisdiction to issue additional orders as may be necessary to implement and enforce the provisions herein.<sup>1</sup>

**IT IS SO ORDERED.**



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Paige J. Gossett  
UNITED STATES MAGISTRATE JUDGE

December 16, 2024  
Columbia, South Carolina

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<sup>1</sup> The court construes the respondent's filing (ECF No. 60) as requesting a stay of the instant order pending appeal. Having considered the appropriate stay factors, the court denies this request. See Chafin v. Chafin, 568 U.S. 165, 179 (2013) ("Courts should apply the four traditional stay factors in considering whether to stay a return order: '(1) whether the stay applicant has made a strong showing that he is likely to succeed on the merits; (2) whether the applicant will be irreparably injured absent a stay; (3) whether issuance of the stay will substantially injure the other parties interested in the proceeding; and (4) where the public interest lies.' ") (quoting Nken v. Holder, 556 U.S. 418, 434 (2009)). Nothing herein constrains the respondent from exercising any right to appeal and to seek a stay of this order in the circuit court in accordance with applicable law.