

HAMILTON COUNTY JUVENILE COURT

Case No. F/06/002497 Z

IN RE:
THE HIGGINS CHILD.
REGARDING
ZYVAUNTAE HIGGINS
ONLY

Decision of Magistrate

CERTIFIED COPY

I hereby certify that this document is a true copy of the original on file in the Hamilton County Juvenile Court
Date 1/29/15

Judge Juvenile Court

By [Signature]
Deputy Clerk

On May 8, 2014, a DISPOSITION hearing was conducted.

THE MAGISTRATE FINDS:

The following parties appeared before the Court:

MICHAEL D HIGGINS (PETITIONER of ZYVAUNTAE HIGGINS) was properly served
JAMES MOORE MOHAMMED (CUSTODIAN of ZYVAUNTAE HIGGINS) was properly served
TAMIKA MOORE (PETITIONER of ZYVAUNTAE HIGGINS) was properly served by PS

The following parties did not appear before the Court:

PAULETTA HIGGINS (MOTHER - BIOLOGICAL of ZYVAUNTAE HIGGINS) was properly served
EDWARD MARTIN (FATHER - BIOLOGICAL of ZYVAUNTAE HIGGINS) was properly served

The following attorneys and parties also appeared:

Ernest Lee, Jr. (Attorney representing Hamilton County Prosecutor's Office for Brittanie Dudley)
Alex Patsfall (Supervisor representing Hamilton County Job and Family Services for ZYVAUNTAE HIGGINS)
Brittanie Dudley (Ongoing Case Worker representing Hamilton County Job and Family Services for ZYVAUNTAE HIGGINS)
Erika Dority (GAL/Attorney for PAULETTA HIGGINS)
Kacy Eaves (GAL/Attorney for ZYVAUNTAE HIGGINS)
Gloria Campbell (Previous Case Worker representing Hamilton County Job and Family Services for ZYVAUNTAE HIGGINS)

FINDINGS OF FACT ON ADJUDICATION:

Clear and convincing evidence established the following:
Zyvauntae was previously adjudicated dependent on 10-1-13.

FINDINGS OF FACT ON DISPOSITION:

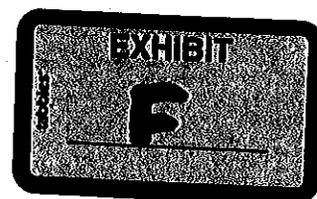
Evidence was presented to establish the following:
The Court concluded the Dispositional trial. The Agency and all parties rested. The Agency and GAL entered Co-Exhibits 1-3; the Agency entered Exhibits 1-10. All parties rested. The Court has not yet reviewed the evidence; however mother is incarcerated in the Butler County Jail with no bond and a stated release date of October 2014. Father's whereabouts are unknown and he has never been involved in the matter. The Court places Zyvauntae in the Temporary Custody of HCJFS at this time. Temporary Custody is due to expire by operation of law on 6-27-14. The Court set an Annual Review hearing. Ms. Moore and Mr. Higgins' Custody Investigations/Home Studies have been completed and distributed to the parties. Mr. Muhammad's Custody Investigation/Home Study shall be completed by the Annual Review date. At that time the Custody Petitioners will decide whether they wish to proceed on their Custody Petitions.

THEREFORE, THE DECISION OF THE MAGISTRATE IS AS FOLLOWS:

Based upon the clear and convincing evidence presented and the stipulations entered, ZYVAUNTAE HIGGINS is adjudicated dependent.

Interim custody of ZYVAUNTAE HIGGINS to Hamilton County Job and Family Services is terminated.

Pursuant to O.R.C. section 2151.353 and in the best interest of the child, ZYVAUNTAE HIGGINS is committed to the Temporary Custody of Hamilton County Job and Family Services. The child's continued residence in or return to the home would be contrary to the child's best interest and welfare. The Temporary Custody will terminate by operation of law on 06/27/2014.



May 8, 2014

THE MAGISTRATE FURTHER DECIDES:

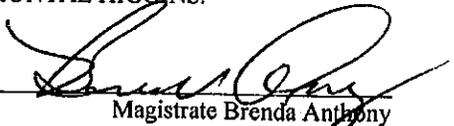
In accordance with 42 U.S.C. Section 11431, the above-referenced child is entitled to immediate enrollment in school as defined by O.R.C. section 3313.64. The enrollment of a child in a school district under this division shall not be denied due to a delay in the school district's receipt of any records required under section 3313.672 of the Ohio Revised Code or any other records required for enrollment. Winton Woods School District shall bear the costs of education, pursuant to O.R.C. sections 2151.35(B)(3) and 2152.362. Such determination is subject to re-determination by the department of education pursuant to ORC 2151.362.

The report(s) of the Guardian ad Litem filed 04/20/2014 is received and incorporated by reference herein.
The report(s) of the Guardian ad Litem filed 01/03/2014 is received and incorporated by reference herein.
The report(s) of the Guardian ad Litem filed 11/06/2013 is received and incorporated by reference herein.
The report(s) of the Guardian ad Litem filed 08/15/2013 is received and incorporated by reference herein.

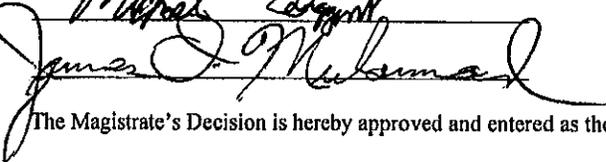
The case plan filed for ZYVAUNTAE HIGGINS on 08/19/2013 is approved and incorporated by reference herein.
The case plan filed for ZYVAUNTAE HIGGINS on 09/06/2013 is approved and incorporated by reference herein.
The case plan filed for ZYVAUNTAE HIGGINS on 01/13/2014 is approved and incorporated by reference herein.
The case plan filed for ZYVAUNTAE HIGGINS on 02/21/2014 is approved and incorporated by reference herein.
The case plan filed for ZYVAUNTAE HIGGINS on 03/19/2014 is approved and incorporated by reference herein.
The case plan filed for ZYVAUNTAE HIGGINS on 03/19/2014 is approved and incorporated by reference herein.
The case plan filed for ZYVAUNTAE HIGGINS on 04/07/2014 is approved and incorporated by reference herein.

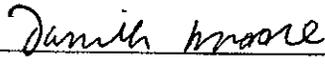
Continue for Annual Review to 06/12/2014 at 09:00 AM Magistrate Brenda Anthony for ZYVAUNTAE HIGGINS.

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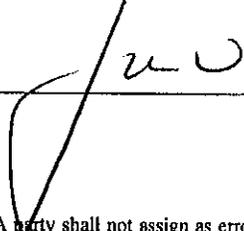

Magistrate Brenda Anthony
May 8, 2014

I have received a copy of the Decision of Magistrate and therefore waive service by the Clerk.



The Magistrate's Decision is hereby approved and entered as the judgment of the Court.



Judge

Objection of Magistrate's Decision

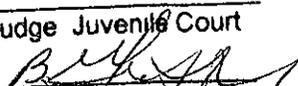
Any party may file written objections to a Magistrate's Decision within 14 days of the filing of the decision. A party shall not assign as error on appeal the Court's adoption of any factual finding or legal conclusion, whether or not specifically designated as a finding of fact or conclusion of law under Juv. R. 40 (D)(3)(a)(ii), unless the party timely and specifically objects to that factual finding or legal conclusion as required by Juv. R. 40(D)(3)(b).



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Date 1/22/15

Judge Juvenile Court
By 
Deputy Clerk

HAMILTON COUNTY JUVENILE COURT

Case No. F/06/002497

IN RE:
THE HIGGINS CHILD.

Decision of Magistrate Awarding Custody

Based upon the Decision of the Magistrate dated 05/08/2014, Pursuant to O.R.C. section 2151.353 and in the best interest of the child, ZYVAUNTAE HIGGINS is committed to the Temporary Custody of Hamilton County Job and Family Services. The child's continued residence in or return to the home would be contrary to the child's best interest and welfare. The Temporary Custody will terminate by operation of law on 06/27/2014.

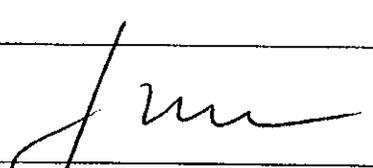
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Magistrate Brenda Anthony
05/08/2014

I have received a copy of the Decision of Magistrate and therefore waive service by the Clerk.

The Magistrate's Decision is hereby approved and entered as the judgment of the Court.



Judge

Objection of Magistrate's Decision

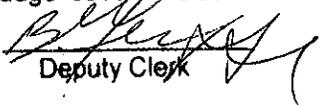
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