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Attorney for Respondent,
 George Petroutsas

**IN THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA**

(San Jose Division)

DESPINA ASVESTA,

Petitioner,

v.

GEORGE PETROUTSAS,

Respondent.

Case No. C-07-05535 JF
CORRECTED¹
~~PROPOSED~~ ORDER RE:
RESPONDENT'S PETITION FOR
CONTEMPT

Respondent George Petroutsas has petitioned this Court to hold petitioner Despina Asvesta in contempt of court. The Court hereby GRANTS the petition based on the following findings:

1. On April 19, 2010, this Court issued an Order Determining Habitual Residence of Minor Child, determining that the habitual residence of the parties' minor child is the United States, and denying Ms. Asvesta's petition to return the child to Greece. A copy of the April 19 Order is attached.

¹ The Court issues this corrected order to remedy a clerical error in the original order filed on July 8, 2010; the Court neglected to strike out the word "PROPOSED" in the caption of the original order.

~~PROPOSED~~ ORDER RE:
 RESPONDENT'S PETITION
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2. On April 30, 2010, this Court issued an Order Amending Parental Access Order. The April 30 Order required Ms. Asvesta to return the parties' child to the United States by no later than June 19, 2010. Attached to the April 30 Order is an Affidavit of Despina Asvesta dated April 29, 2010, acknowledging her duty to return the child in accordance with the court's Order and waiving any entitlement she may have to keep the child in Greece beyond June 19, 2010. Copies of the April 30 Order and Ms. Asvesta's Affidavit are attached.

3. Ms. Asvesta subsequently canceled the plane tickets for the child to return to the United States, and she has not returned the child to the United States, as required by the April 30, 2010 Order. Additionally, Ms. Asvesta has admitted that she has the child in Greece and she has blatantly refused to bring the child to the United States, contrary to her sworn statements in her April 29 Affidavit and contrary to the terms of this Court's April 30 Order.

Therefore, the Court ORDERS as follows:

1. Based on the facts set forth above, Petitioner Despina Asvesta has willfully violated this Court's April 30, 2010 Order by refusing to bring the parties' minor child to the United States, and the Court finds her to be in contempt of court;
2. Ms. Asvesta is ordered to return the parties' minor child to the United States forthwith;
3. Ms. Asvesta's willful violation of this Court's Order and wrongful retention of the child in Greece shall be reported to the appropriate governmental and law enforcement authorities for possible criminal prosecution, including the

United States Department of State, the Federal Bureau of Investigation, Interpol, and any other appropriate law enforcement or governmental authorities;

4. Ms. Asvesta's willful violation of this Court's Order and wrongful retention of the child in Greece shall be reported to the National Center for Missing and Exploited Children, so that red Interpol notices will be issued for Ms. Asvesta and yellow Interpol notices will be issued for the parties' minor child;
5. All appropriate steps may be taken to enforce this Court's Orders and to promptly have the parties' minor child returned to the United States, including but not limited to criminal charges against Ms. Asvesta and extradition of Ms. Asvesta to the United States; and
6. Mr. Petroutsas shall be awarded \$ 1,950.00 in attorney fees and costs associated with this motion and efforts made to return the child to the United States.

IT IS SO ORDERED.

Dated: July 8, _____, 2010


HONORABLE JEREMY FOGEL
UNITED STATES DISTRICT JUDGE