

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

HECTOR ALFONSO FAJARDO GARZON,

Petitioner,

v.

Case No. 2:21-cv-10340

Hon. Linda V. Parker

GLORY ANDREA CASTRILLON  
DE HOFFMAN,

Respondent.

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**OPINION AND ORDER DENYING WITHOUT PREJUDICE PETITIONER'S  
MOTION TO ENFORCE SETTLEMENT**

On February 17, 2021, Petitioner initiated this action against Respondent, alleging that Respondent abducted their two minor children from Columbia to the United States in contravention of the Convention on the Civil Aspects of International Child Abduction (“Hague Convention”) and its implementing statutes, the International Child Abduction Remedies Act. On July 21, 2021, the parties reached a settlement agreement, leading to the dismissal of this action without prejudice. (ECF No. 30.) In late June 2022, the Court received a letter from Petitioner in which he claims that Respondent is not complying with the terms of the settlement agreement. (ECF No. 33.) The Court construes the letter as a motion to enforce the settlement agreement.

Respondent has not filed a response to the motion. Nevertheless, pursuant to

the terms of the settlement agreement, which was incorporated and merged into a Judgment of Custody, Parenting Time and Support in the Circuit Court for Washtenaw County, Michigan, jurisdiction to enforce the parties' agreement falls within the state court's jurisdiction. (ECF No. 30 at Pg ID 543-44.) As such, Petitioner must file a motion with the state court to the extent he believes Respondent is violating the terms of the settlement agreement.

Accordingly,

**IT IS ORDERED** that Petitioner's motion to enforce the settlement agreement is **DENIED WITHOUT PREJUDICE**.

**IT IS SO ORDERED.**

s/ Linda V. Parker  
LINDA V. PARKER  
U.S. DISTRICT JUDGE

Dated: September 30, 2022

I hereby certify that a copy of the foregoing document was mailed to counsel of record and/or pro se parties on this date, September 30, 2022, by electronic and/or U.S. First Class mail.

s/Aaron Flanigan  
Case Manager