

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

S.R.C., a minor child,)	
by her next friends,)	
John Cobbett-Walden and)	
Jennifer Lee Laurenza,)	
)	
Plaintiff,)	
v.)	Case No. _____
)	
)	
STAVERNE MILLER)	
in her official capacity as)	
Commissioner of the)	
MA Department of Children and Families)	
)	
)	
DR. KIAME MAHANIAH,)	
in his official)	
capacity as Secretary of the MA)	
Executive Office of Health)	
& Human Services)	
)	
Defendants.)	
_____)	

**COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF
PURSUANT TO 42 U.S.C. § 1983**

INTRODUCTION

1. This action arises under 42 U.S.C. § 1983, wherein Plaintiff seeks to redress deprivation under color of law of a right, privilege, or immunity secured to a minor child, S.R.C. under the 14th Amendment of the U.S. Constitution.
2. Plaintiff S.R.C. (hereinafter “the Child”), by her next friends pursuant to Fed. R. Civ. Pro. 17(c)(2) John Cobbett-Walden (hereinafter “Mr. Cobbett-Walden”) and Jennifer Lee Laurenza (hereinafter “Ms. Laurenza”), file this civil rights action challenging the constitutionality of recent actions of Staverne Miller, in her official capacity as Commissioner of the Department and Children and Families (hereinafter “the Commissioner”), and Dr. Kiame Mahaniah, in his

official capacity as Secretary of the Executive Office of Health and Human Services (hereinafter “Secretary”) in a matter concerning the Child, who is the subject of a care and custody proceeding within the Massachusetts Juvenile Court.

3. Specifically, the Commissioner, acting under the color of state authority, by or through her designees, is exiling the Child, a citizen of the United States, by arranging and scheduling a **September 25, 2025** airplane flight to indefinitely send her to Guatemala, thereby alienating her from her home country in the United States, and forcing her to naturalize into a foreign country.
4. DCF’s scheduled deportation of the Child is without proper legal authority and infringes upon the Child’s fundamental right as a citizen of this country to be free from involuntary exile from the land of her birth.
5. By way of background, the foster care system operated by DCF is responsible under federal and state law for investigating allegations of child abuse and neglect, for delivering in-home services to preserve families when safely possible, for providing temporary care and protection for children who cannot safely remain at home, for securing safe and stable families as soon as possible for children removed into state care, whether by reunification, adoption or legal guardianship, and for preparing those youths who will age out of foster care to live independently as adults.
6. As the custodian of children in foster care, DCF assumes obligations that include protecting children in state care from harm and preserving their constitutional rights as United States citizens. Children, even in state custody, are U.S. citizens and constitutional “persons”. They are entitled to the same fundamental rights as adults under the law such as substantive due process, liberty, as well as procedural due process and equal protection. Furthermore, because it receives federal funding under titles 4-B and 4-E of the Social Security Act, as administered by the United States Department of Health and Human Services, Massachusetts DCF must conform to federal laws and regulations concerning the care of children in their custody. The Defendants failed to meet these constitutional and statutory obligations to the Child.
7. When DCF intervenes in a child's life, it must balance the state “parens patriae” duty to protect from harm, with the child's constitutional rights. In other words, DCF has an affirmative obligation to preserve, not just to avoid violating, the child's inalienable rights as a United States citizen.

8. In this case, DCF has systematically failed the Child by violating her fundamental right to due process, by placing her with a biological parent who raped her mother, was deported from the United States, and never established a legal right to remain. Further, DCF is now actively arranging the Child's exile to a foreign country she has never been, with a person she has never known, to speak a language she doesn't understand. DCF has done so without conducting a trial on the merits, nor appointing a guardian ad litem to investigate and assist in determining the child's best interests.

JURISDICTION, VENUE AND ASSIGNMENT

7. The Court has jurisdiction pursuant to 28 U.S.C. § § 1331 and 1343(a)(3). This action is brought pursuant to 42 U.S.C. § 1983 to redress violations of the United States Constitution and federal statutes.
8. Venue is proper pursuant to 28 U.S.C. § 1391(b) as all claims arise in this District and all Parties to this case reside and/or operate here and the events occurred in the State of Massachusetts.
9. Assignment in the Eastern Division is proper pursuant to L.R. 40.1(D)(1)(b) because the Plaintiff, the Child, and the Child's current foster parents all reside in New Bedford, Massachusetts.

PARTIES

Plaintiff

10. S.R.C. is an eight-year-old girl, born of a mother whom at the age of 15 was raped by the Child's father (a non-citizen) who was 29. S.R.C. was born on U.S. soil and has been living in the foster care custody of DCF for over four years. She was removed from her mother's care when she was four years old. Throughout this traumatic period, S.R.C. has been through three foster homes.
11. S.R.C. suffers from behavioral and developmental deficits requiring oversight through an individualized education plan (hereinafter "IEP") as well as a prescription medication regimen.
12. S.R.C. has resided with her current foster parents, Mr. Cobbett- Walden and Catherine Cobbett-Walden (hereinafter "Mrs. Cobbett-Walden"), collectively the "Foster Parents," since February 7, 2022. At the time of her placement with her Foster Parents, S.R.C.'s status with

DCF was pre-adoptive. The Foster Parents were licensed as adoptive parents on February 7, 2023, by direction of DCF.

13. The Child considers her current placement to be her home and has had an atmosphere to thrive while in her current foster parent's care. S.R.C. refers to her Foster Parents as "mama" and "daddy."
14. Her current Foster Parents have provided the security, attention, and time necessary to support S.R.C. as she copes with the trauma she endured during the first years of her life.

Next Friends

15. Mr. Cobbett-Walden serves as next friend of the Plaintiff, minor child, S.R.C., pursuant to Fed. Rule. Civ. Pro. R. 17(c).
16. Mr. Cobbett-Walden and Mrs. Cobbett-Walden are married and reside in New Bedford, Massachusetts. The Child has resided with them since February 7, 2022.
17. Mr. and Mrs. Cobbett-Walden are the Child's Foster Parents and have been licensed by Boy's Town to provide Comprehensive Foster Care since about December 2021. No other foster children have resided with Mr. and Mrs. Cobbett-Walden before.
18. Mr. Cobbett-Walden is a middle school teacher at The Rashi School in Dedham, Massachusetts. Mr. Cobbett-Walden and the Child drive together to school every morning.
19. Mr. Cobbett-Walden has personal knowledge of the Child's daily routines, behavioral challenges, and opinions with respect to her pending exile from the United States.
20. Jennifer Lee Laurenza (hereinafter "Ms. Laurenza"), also serves as next friend of the Plaintiff, minor child, S.R.C.
21. Ms. Laurenza is a Licensed Mental Health Counselor (LMHC) and Licensed Marriage and Family Therapist in Massachusetts, and a Licensed Professional Counselor (LPC) in Virginia, with over twenty (20) years of clinical experience. She is the owner and CEO of Center for Creative Life Solutions, LLC, a counseling practice based in Middleboro, Massachusetts. She holds dual Master's degrees in both Science in Marriage and Family Therapy, as well as within Fine Arts in Creative Nonfiction Writing. She has served as a college professor at Northeastern University and Curry College. She is an approved caregiver through the Department of Children and Families (DCF) and has provided direct care to the Plaintiff, on at least one occasion.

22. Ms. Laurenza and the Child's Foster Parents have been friends for several years. Ms. Laurenza sees the Child on a regular basis, including but not limited to, the Child's birthday parties, Ms. Laurenza's children's birthday parties, Christmas Eve at Ms. Laurenza's home, informal dinners, game nights, and picnics.
23. Ms. Laurenza is a mother of five, including three adult biological children, and two adopted minor children from DCF. She understands and recognizes the behavioral and emotional challenges of children that stem from the trauma of being within the state's care for the majority of their lives.
24. Ms. Laurenza has observed the Child's connection and attachment to her Foster Parents. She reports that she interacts with them as they are her parents, refers to them as her parents, and clearly feels safe and happy living with them.

Defendants

25. Defendant, Staverne Miller, is Commissioner of the Department of Children and Families ("DCF") and is sued solely in her official capacity. DCF is created under M.G.L. c. 18 B § 1 and is vested with the duty to administer a "comprehensive child welfare program for children and families." Pursuant to M.G.L.c. 18B § 6, the Commissioner is the executive and administrative head of DCF and is appointed by the Secretary of the Executive Office of Health and Human Services, with the approval of the Governor. Commissioner Staverne Miller currently maintains her office at One Ashburton Place, 11th Floor, Boston, MA, 02108.
26. DCF maintains four regional offices that oversee day-to-day operations at 29 Area Offices located throughout the state. Leadership and administrative duties for DCF are guided by its Central Office, located in Boston.
27. Defendant, Dr. Kiame Mahaniah is the Secretary of Executive Office of Human Services and is sued solely in his official capacity. The Executive Office of Human Services is created under M.G.L. c. 6A § 2 and under M.G.L. c. 6A § 16 and is vested with the duty to administer the Commonwealth's human services programs, including the child welfare operations of DCF. Pursuant to M.G.L.c. 6A § 3, the Secretary is the head of the Executive Office of Human Services and is appointed by the Governor. Secretary Dr. Kiame Mahaniah currently maintains his principal office at One Ashburton Place, 11th Floor, Boston, MA 02108.

GENERAL ALLEGATIONS

28. The minor child was born on May 3, 2017, in Massachusetts, and is a U.S. citizen by virtue of the 14th Amendment.
29. The minor child's biological mother, Alexsa Ramirez (hereinafter "Ms. Ramirez") bore the child as a result of statutory rape by Esvin Cabrera (hereinafter "Mr. Cabrera"). At the time of the Child's birth, Ms. Ramirez was fifteen years old (15), and Mr. Cabrera was twenty-nine years old (29).
30. Shortly after the minor child was born, Mr. Cabrera departed to Guatemala when his Work Visa expired. The minor child was in Ramirez's sole care and custody from the time Mr. Cabrera was deported until May 2, 2021. Mr. Cabrera was never prosecuted for the rape of Ramirez.
31. Upon information and belief, between 2017 and 2021 Mr. Cabrera was arrested in Guatemala for operating a motor vehicle under the influence of alcohol, and for colliding with a law enforcement vehicle.
32. On May 2, 2021, DCF removed the child from Ms. Ramirez's care due to her ongoing mental health and substance abuse history. Ms. Ramirez's parental rights were officially terminated in January 2024. The Child has not spoken to Ms. Ramirez since May of 2021.
33. In September 2021, Mr. Cabrera returned to Massachusetts from Guatemala, but he did not contact DCF until January 2022. Mr. Cabrera made no attempt to become involved in the Child's life for at least four months.
34. The Child was placed in a DCF Hotline home for one (1) day until a more permanent home was identified. Thereafter, the Child briefly lived in two DCF unrestricted foster homes before moving in with her current Foster Parents in February 2022. The first placement was for about two (2) months, and the second was for seven (7) months. In both cases, the Child was removed from the foster homes due to the physically disruptive nature of her behavior. In February 2022, the Child was referred to Comprehensive Foster Care.
35. Since February 7, 2022, the Child has lived with Mr. and Mrs. Cobbett-Walden, her Foster Parents. Child's Foster Parents are licensed by Boy's Town to provide Comprehensive Foster Care.
36. By February 7, 2022, the Child's status for placement by DCF was pre-adoptive. In January of 2023, the Foster Parents were told by DCF that by May 1, 2023, they were planning on

terminating Mr. Cabrera's parental rights, due to his frequent failures to attend visitation with the Child. On February 7, 2023, the Foster Parents became licensed as adoptive parents. By May 1, 2023, the Foster Parents had not heard from DCF as to whether Mr. Cabrera's parental rights were going to be terminated. In the fall of 2023, the Foster Parents were informed that termination of Mr. Cabrera's parental rights was unlikely. Upon information and belief, this change in efforts toward permanency was brought about in anticipation of Mr. Cabrera's efforts, though minimal, to attend "visits" with the Child, and the then pending termination of Ms. Ramirez's parental rights. On May 24, 2024, DCF changed the permanency plan with the Child's current Foster Parents from pre-adoption to placement with Mr. Cabrera.

37. Mr. Cobbett-Walden is a teacher at Rashi Middle School in Dedham, Massachusetts.
38. Mrs. Cobbett-Walden works at First Parish Church in Taunton, Massachusetts as a director of lifespan faith formation, and provides educational support within the Edward J. O'Donnoghue Middle School in Bridgewater, Massachusetts.
39. The Child's Foster Parents do not have children of their own. This was their first experience as Foster Parents.
40. During the time the Child has spent with the Foster Parents, she has responded well to the consistent structures and routines the Foster Parents have created for her.
41. In February 2022, Cabrera began supervised visits with the Child.
42. There is a language barrier present between Mr. Cabrera and the Child as Mr. Cabrera exclusively speaks Spanish, and the Child does not communicate in Spanish.
43. From February 2022 through November 2024, the Child has expressed to Foster Parents on multiple occasions that she does not want to go visit Mr. Cabrera.
44. The Child's behavior reportedly regressed from the time she began seeing Mr. Cabrera for supervised visits. For instance, in November 2022, she hit Mrs. Cobbett-Walden, left the home, and ran down the street.
45. In December 2022, the Foster Parents initiated therapy services for the Child with New Bedford Child and Family Services. The Child has been consistently attending therapy sessions since that time and continues to do so.
46. The Child's challenges stem from the trauma she has endured throughout her lifetime. In January 2023, the Child was diagnosed by her primary care physician with Attention Deficit Hyperactivity Disorder (hereinafter "ADHD"). In March 2023, the Child was placed into a

CBAT program, where she was subsequently diagnosed with unspecified Post-Traumatic Stress Disorder (hereinafter “PTSD”). Subsequently, the Child’s therapist diagnosed her with Reactive Attachment Disorder (“RAD”). In May 2025, the Child underwent a neuropsychological examination, where examiners confirmed her ADHD diagnosis.

47. The Child is currently prescribed medications to manage her mental health including Concerta, Clonidine, and Melatonin.
48. Prior to the 2025-2026 school year, the Child attended Casimir Pulaski Elementary School in New Bedford, Massachusetts, where she was on an IEP. The Child has a history of emotional and behavioral challenges that include but are not limited to punching, pinching, spitting, kicking, throwing toys, biting, pouring liquid in inappropriate places, running from the home, and stabbing her Foster Parents with sharp objects.
49. Although the Child sometimes exhibits behaviors consistent with a history of trauma and disrupted attachment, the Foster Parents have taken a gentle parenting approach that both embraces the Child’s independence while also ensuring her safety and well-being. The Child has thrived in their care for the past three years.
50. On August 18, 2025, a DCF social worker, named Abigail J. Ranger, emailed the Child’s Foster Parents, and recommended that the Child not be enrolled in the 2025-2026 school year in Massachusetts.
51. The Foster Parents nonetheless enrolled the Child in third grade at a private school, The Rashi School, in Dedham, Massachusetts.
52. On June 28, 2024, Mr. Cabrera began unsupervised visits with the Child. This occurred about twice a month since that time, ceasing in late October 2024 when DCF notified Foster Parents Mr. Cabrera was in the custody of the U.S. Immigration and Customs Enforcement Agency (hereinafter “ICE”) and a deportation effort was underway.
53. According to the Foster Parents, the impact that unsupervised parenting time with Mr. Cabrera has had on the Child is very concerning. Since unsupervised visitation with the Child began they have noticed an increase in the Child’s dysregulated behavior including, but not limited to the following events:
 - a. When the Foster Parents were informed the Child that she would be having her first unsupervised visit with Mr. Cabrera, the Child had a violent tantrum, requiring a call to the crisis center.

- b. On the day before the Child's first overnight visit with Mr. Cabrera, she refused to go to school.
 - c. The Child was more defiant and dysregulated throughout July 2024.
 - d. The Child frequently exhibits defiant and/or emotionally dysregulated behaviors in the hours following visits with Mr. Cabrera.
 - e. On September 11, 2024, the Child had a two-hour tantrum at bedtime that included screaming, hitting, spitting, and throwing things.
 - f. On September 14, 2024, the Child had difficulty relaxing at bedtime. She exhibited behaviors including pushing, hitting, and hair pulling, followed by half an hour of screaming "I hate you", "I want you to die", and "You hate me."
 - g. On September 20, 2024, after discussing the change in permanency plan with the Child's therapist, the Child could not sleep. She kept Foster Parents awake from 12-1:30 a.m., crying and refusing to go back to bed.
 - h. On September 22, 2024, the Child went to sleep but woke up Foster Parents at 11 p.m., screaming, grabbing Mrs. Cobbett-Walden's leg, and crying for the next thirty minutes.
 - i. On September 25, 2024, the Child refused to get out of bed. When she finally did, she whipped her pants around several times, hitting Mrs. Cobbett-Walden. That night, the Child became dysregulated at bedtime, crying, yelling, giving the middle finger, hitting Mr. Cobbett-Walden with a plastic hamper, kicking his shin, and spitting in his face.
 - j. On September 28, 2024, the Child cried for half an hour in the evening, was unable to calm for bedtime, and then screamed and kicked Mrs. Cobbett-Walden for another fifteen minutes.
 - k. On October 16, 2024, the Child refused to go to school, stripping off her clothes to preclude being forced to attend.
54. There have only been approximately eight (8) unsupervised visits between Mr. Cabrera and the Child, including only one overnight visit between June 2024 and October of 2024. The single overnight visit occurred in October 2024.
55. DCF is aware of certain troubling incidents that have occurred during Mr. Cabrera's unsupervised parenting time including:

- a. Following the first unsupervised evening visit, the Child reported that Mr. Cabrera did not feed her dinner.
 - b. After another unsupervised visit, the Child reported that Mr. Cabrera had a “machete” in his car.
56. During Mr. Cabrera’s only overnight visit with the Child, Mr. Cabrera failed to administer the Child’s medication before bed.
57. On November 14, 2024, the Foster Parents were notified by the ongoing worker that Mr. Cabrera would be deported in 48 hours. Since then, Mr. Cabrera has been deported and currently resides in Guatemala and has not seen the Child since October 2024.
58. On November 14, 2024, the Foster Parents were notified by the ongoing worker that Mr. Cabrera would be deported in 48 hours. Since then, Mr. Cabrera has been deported and currently resides in Guatemala and has not seen the Child since October 2024.
59. The Child and Mr. Cabrera have been participating in calls via Zoom since his deportation in November 2024, which have all gone extremely poorly. The Child was reported to not have any interest in attending the Zoom calls and sometimes refused to do so. Moreover, with Mr. Cabrera speaking in Spanish and the Child speaking in English, there was zero dialogue between them. A DCF translator appears for the Zoom calls to translate, but each conversation lasts only a matter of moments. To characterize these calls as a building block for placement is a gross misrepresentation. There is no meaningful communication, no relationship, and no foundation for placement between Mr. Cabrera and the Child.
60. On August 29, 2025, DCF social worker Lesley Santos (hereinafter “Ms. Santos”) took the Child from the Foster Parents’ home on various occasions to facilitate getting a passport for the Child.
61. On September 17, 2025, the Foster Parents were told by Ms. Santos of DCF that a flight will be booked for the Child from Massachusetts to Guatemala on September 25, 2025 at 10:41 a.m. The Foster Parents also received confirmation that Lesley Santos would be accompanying the Child for her trip. The Child has little familiarity with Ms. Santos.
62. Foster Parents further understand that Ms. Santos intends to “hand off” the Child to Mr. Cabrera in Guatemala.
63. The minor child still resides with the Foster Parents and does not wish to be removed from the United States.

64. The minor child has not waived or forfeited her right to remain in the United States.
65. Mr. Cabrera, who is deported, will not be accompanying the Child on the flight from the U.S. to Guatemala.

COUNT I

(Citizenship Clause Violation under the 14th Amendment of the U.S. Constitution)

66. Each of the foregoing allegations is incorporated as if fully set forth herein.
67. As a result of the foregoing actions and inactions by of Defendants Staverne Miller and Dr. Kiame Mahaniah in their official capacities, the Defendants are engaging in a policy, pattern, practice or custom of depriving the Child of the rights conferred upon her by the citizenship clause of the U.S. Constitution amend. XIV, § 1; i.e. “All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside...” U.S. citizens have the right to remain in this country and live here as U.S. citizens.
68. Defendants’ exile of an eight-year-old U.S. citizen to live in Guatemala with Mr. Cabrera, who has recently been deported and has no reasonable prospect of legally returning to this country, deprives the Child of her right to live in this country as a U.S. citizen.

COUNT II

(Procedural Due Process Violation under the 14th Amendment of the U.S. Constitution)

69. Each of the foregoing allegations is incorporated as if fully set forth herein.
70. Under U.S. Const. amend. XIV, § 1, a State shall not “deprive any person of life, liberty, or property, without due process of law...”
71. A state cannot summarily exile a citizen child. In fact, even for illegal aliens a formal federal proceeding by an immigration judge must occur for deportation to proceed. See 8 U.S. Code § 1229(a)(1).
72. The foregoing actions and inactions of Defendants Staverne Miller and Dr. Kiame Mahaniah in their official capacities, have resulted in, and are continuing to result in the deprivation of the Child’s right to a federal adjudication of her fundamental right to remain in the United States, and her state law entitlements under Mass. Const. pt. 1, art. XII, to which the Child has a constitutionally protected interest, without offering the Child an adequate and meaningful opportunity to be heard. There has been no trial on the merits or other adjudicatory hearing to consider whether the Child wants to live in Guatemala and whether that is in her best interests.

COUNT III

(Equal Protection Clause Violation under the 14th Amendment U.S. Constitution)

73. Each of the foregoing allegations is incorporated as if fully set forth herein.
74. Under U.S. Const. amend. XIV, § 1, a State shall not “deny to any person within its jurisdiction the equal protection of the laws.”
75. The foregoing actions and inactions of Defendants, Staverne Miller and Dr. Kiame Mahaniah in their official capacities, constitute a violation of the Child’s right to equal protection of the laws by discriminating against the Child on the basis of her biological parent’s status as a foreign citizen. A similarly situated child whose biological parents are U.S. citizens would not be subject to exile out of the United States under color of state law in the same manner as the Child.

COUNT IV

(Substantive Due Process Violation under the 14th Amendment of the U.S. Constitution)

76. Each of the foregoing allegations is incorporated as if fully set forth herein.
77. A state assumes an affirmative duty under the 14th Amendment to the U.S. Constitution to protect a child from harm when it takes that child into its foster care custody.
78. The foregoing actions and inactions of Defendants, Staverne Miller and Dr. Kiame Mahaniah, in their official capacities, constitute a violation of their affirmative duty to protect the Plaintiff child from harm, and were both a substantial factor in and a proximate cause of, the violation of the child’s constitutionally protected liberty and privacy interests, including the fundamental right to be free from harm; this is exemplified by DCF’s facilitation of the Child’s exile to Guatemala, without parental supervision, despite clear and documented evidence that the Child was endangered while in Mr. Cabrera’s care.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs respectfully requests that this Court:

1. Assert jurisdiction over this action;
2. Declare unconstitutional and unlawful pursuant to Fed. Civ. Pro. R. 57:
 - a. Defendants’ violation of the Child’s right to citizenship under the Fourteenth Amendment;
 - b. Defendants’ actions to exile Child out of the United States;

- c. Defendants' violation of the Child's right to procedural due process under the Fourteenth Amendment;
 - d. Defendants' violation of the Plaintiff Child's right to equal protection of the laws under the Fourteenth Amendment;
 - e. Defendants' violation of the Plaintiff Child's fundamental right to remain in the nation of her citizenship and to be free from involuntary exile out of the United States under the Due Process Clause of the of the Fourteenth Amendment;
3. Order a temporary, and ultimately permanent, injunction halting all transfer proceedings of the Child, to Guatemala;
 4. Appoint a guardian ad litem to investigate the child's best interests;
 5. Prohibit the relocation of the Child from her current foster placement to another placement between the present and September 25, 2025; and
 6. Grant such other relief as this Court deems just and proper.

S.R.C., a minor child,
by her next friends,
John Cobbett-Walden and
Jennifer Lee Laurenza,
by her attorney,

A handwritten signature in black ink, appearing to be 'K. Zwicker', with a long horizontal stroke extending to the right.

Kirsten A. Zwicker, BBO #637834
Andrew R. Dennington, BBO #666892
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(617) 482-8200
kzwicker@connkavanaugh.com
adennington@connkavanaugh.com

Dated: September 19, 2025

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

S.R.C., a minor child, by her next friends, John Cobbett-Walden and Jennifer Lee Laurenza

(b) County of Residence of First Listed Plaintiff Bristol
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Kristen A. Zwicker, Esq., Conn Kavanaugh, One Federal Street, 15th Fl., Boston, MA 02110

DEFENDANTS

Staverne Miller, in her official capacity as Commissioner of the Massachusetts Department of Children and Families et al.

County of Residence of First Listed Defendant Suffolk
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|---------------------------------------|---------------------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input checked="" type="checkbox"/> 1 | <input checked="" type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <input type="checkbox"/> 880 Defend Trade Secrets Act of 2016 SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692) <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input checked="" type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District (specify) ☐ 6 Multidistrict Litigation - Transfer ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
42 U.S.C. 1983

Brief description of cause:

Request for Injunctive Relief to Prevent Unlawful Removal of A Minor American Citizen from the United States

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. **DEMAND \$** CHECK YES only if demanded in complaint:
JURY DEMAND: ☐ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE _____ DOCKET NUMBER _____

DATE

SIGNATURE OF ATTORNEY OF RECORD

9/18/25

/s/ Kirsten A. Zwicker

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

1. **Title of case (name of first party on each side only)** S.R.C., a minor child, by her next friends, John Cobbett-Walden and Jennifer Lee Laurenza v. Staverne Miller, in her officer capacity as Commissioner of the MA Department of Children and Families, et al.
2. **Category in which the case belongs based upon the numbered nature of suit code listed on the civil cover sheet. (See local rule 40.1(a)(1)).**
- ☐ I. 160, 400, 410, 441, 535, 830*, 835*, 850, 880, 891, 893, R.23, REGARDLESS OF NATURE OF SUIT.
- ☒ II. 110, 130, 190, 196, 370, 375, 376, 440, 442, 443, 445, 446, 448, 470, 751, 820*, 840*, 895, 896, 899.
- ☐ III. 120, 140, 150, 151, 152, 153, 195, 210, 220, 230, 240, 245, 290, 310, 315, 320, 330, 340, 345, 350, 355, 360, 362, 365, 367, 368, 371, 380, 385, 422, 423, 430, 450, 460, 462, 463, 465, 480, 485, 490, 510, 530, 540, 550, 555, 560, 625, 690, 710, 720, 740, 790, 791, 861-865, 870, 871, 890, 950.
- *Also complete AO 120 or AO 121. for patent, trademark or copyright cases.
3. **Title and number, if any, of related cases. (See local rule 40.1(g)). If more than one prior related case has been filed in this district please indicate the title and number of the first filed case in this court.**
-
4. **Has a prior action between the same parties and based on the same claim ever been filed in this court?**
- YES ☐ NO ☒
5. **Does the complaint in this case question the constitutionality of an act of congress affecting the public interest? (See 28 USC §2403)**
- YES ☐ NO ☒
- If so, is the U.S.A. or an officer, agent or employee of the U.S. a party?
- YES ☐ NO ☐
6. **Is this case required to be heard and determined by a district court of three judges pursuant to title 28 USC §2284?**
- YES ☐ NO ☒
7. **Do all of the parties in this action, excluding governmental agencies of the United States and the Commonwealth of Massachusetts ("governmental agencies"), residing in Massachusetts reside in the same division? - (See Local Rule 40.1(d)).**
- YES ☒ NO ☐
- A. **If yes, in which division do all of the non-governmental parties reside?**
- Eastern Division ☒ Central Division ☐ Western Division ☐
- B. **If no, in which division do the majority of the plaintiffs or the only parties, excluding governmental agencies, residing in Massachusetts reside?**
- Eastern Division ☐ Central Division ☐ Western Division ☐
8. **If filing a Notice of Removal - are there any motions pending in the state court requiring the attention of this Court? (If yes, submit a separate sheet identifying the motions)**
- YES ☐ NO ☒

(PLEASE TYPE OR PRINT)

ATTORNEY'S NAME Kirsten A. Zwicker, Esq.ADDRESS Conn Kavanaugh Rosenthal Peisch & Ford LLP, One Federal Street, Floor 15, Boston, MA 02110TELEPHONE NO. 617-482-8200