

STATE OF INDIANA

)

IN THE

COUNTY OF

)

SS:

)

CAUSE NO:

[REDACTED]

)

**VERIFIED PETITION TO ESTABLISH DE FACTO CUSTODIAN STATUS AND/OR THIRD-PARTY CUSTODY**

Comes now Petitioner, [REDACTED] [REDACTED] in person and by Counsel, Bryan L. Ciyou, and hereby files his Verified Petition to Establish De Facto Custodian Status and/or Third Party Custody, pursuant to Ind. Code 31-14-13-2 and caselaw, and in support thereof, would show the Court as follows:

1. That there is one (1) Minor Child in this action, namely [REDACTED] [REDACTED], presently [REDACTED] [REDACTED] years of age.
2. That Respondent, [REDACTED] [REDACTED] (hereinafter "Biological Mother"), is the natural and biological mother of the Minor Child.
3. That the Minor Child's biological father is [REDACTED] [REDACTED], however he has not financially supported or cared for the Minor Child; [REDACTED] [REDACTED] saw the Minor Child for approximately a total of forty-five (45) minutes in the first three (3) months of [REDACTED]'s life.

4. That Petitioner and Respondent were in a relationship prior to the birth of the Minor Child, beginning in approximately [REDACTED] until [REDACTED]
5. That Petitioner was at the hospital for the Minor Child's birth and spent the night at the hospital.
6. That in early [REDACTED], Mother asked Petitioner to be the Minor Child's "Father" after they told Child's biological father that he has no responsibility to [REDACTED] because he had not financially contributed or seen the Minor Child for more than forty-five (45) minutes.
7. That the Minor Child has known Petitioner as and referred to Petitioner as "Dad", "Daddy", or "Father" throughout her entire life as he has been the Father figure in her life.
8. That Petitioner has been the primary caregiver and provider of the Minor Child and has served this role for the majority of her life since she was born in [REDACTED]
9. That Petitioner has been involved in the Minor Child's life since birth until approximately [REDACTED] when Mother began denying all contact between Petitioner and the Minor Child.
10. That Petitioner was allowed "50/50 custody" by Respondent during their break-up periods over the years, with Respondent allowing the Minor Child to be in the care of Petitioner half of the time, and sometimes more than half of the time.
11. That Petitioner financially supported and physically cared for the Minor Child for multiple weeks at a time while Mother was spending time with her significant others and/or was dealing with psychological issues.

12. That Petitioner and his family provided practically all financial support for the Minor Child, buying clothes, food, diapers, as well as any other item a child may need during his or her early years.
13. That Respondent has stated that she was at one point planning to legally change the Minor Child's last name to Father's last name, [REDACTED] See "Exhibit 1".
14. That, pursuant to Indiana Code 31-9-2-35.5(1), "'De facto custodian' . . . means a person who has been the primary caregiver for, and financial support of, a child who has resided with the person for at least: (1) six (6) months if the child is less than three (3) years of age."
15. That Petitioner is a De Facto Custodian of the Minor Child and third-party custodian pursuant to Indiana Law.
16. That Petitioner does not believe Respondent is able to financially support the Minor Child, as Petitioner's Mother was paying for the Minor's summer camp fees for months while Mother continued to deny all contact between the Minor Child and Petitioner and his family.
17. That it is detrimental and not in the best interests of the Minor Child to be deprived of contact and support of Petitioner, the only Father-figure she has known.
18. That Petitioner respectfully requests this Court recognize his status as De Facto Custodian and third-party custodian, and to set a hearing to determine custody of the Minor Child, pursuant to Indiana Code 31-14-13-2 and caselaw.

**WHEREFORE**, Petitioner, [REDACTED] [REDACTED] in person and by Counsel, respectfully requests this Court recognize his status as De Facto Custodian and third-party custodian of the

Minor Child, to set a hearing to determine custody of the Minor Child, and for all other relief just and proper in the premises.

Respectfully submitted,

**CIYOU & DIXON, P.C.**

/s/ Bryan L. Ciyou

Bryan L. Ciyou

**CIYOU & DIXON, P.C.**

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VERIFICATION

I, [REDACTED], swear and affirm under penalty of perjury the foregoing is true.

