

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
WASHINGTON

Ruben Paz Gomez v. Yanisleidy Reyes Gonzalez

No. C24-5645-KKE, United States District Court for the Western District of Washington (January 27, 2026)

SUMMARY

The United States District Court for the Western District of Washington denied the petitioner’s post-judgment motions for sanctions, transfer of physical custody, assistance from the U.S. Marshals, and appointment of counsel. The court held that the motions were not properly served, that the court lacked continuing jurisdiction to grant the requested custody, access, and return-related relief after judgment in the ICARA action, and that the petitioner had not established entitlement to requested costs. The court also denied appointment of counsel because the motion failed to demonstrate exceptional circumstances.

CASE DETAILS

COURT	United States District Court for the Western District of Washington
WRITING FOR THE COURT	Kymberly K. Evanson
JURISDICTION	United States District Court for the Western District of Washington
DECIDED	January 27, 2026
DOCKET	C24-5645-KKE
DISPOSITION	denied
PROCEDURAL POSTURE	Petitioner filed post-judgment motions for sanctions, transfer of physical custody, and appointment of counsel after the underlying ICARA petition was resolved and the child was returned to Mexico.
PRECEDENTIAL VALUE	unpublished

TOPICS

- child custody
- family law
- civil procedure
- motions to dismiss

PRACTICE AREAS

- family law
- international law
- civil procedure

QUESTIONS PRESENTED

1. Whether the court could grant ex parte relief on Petitioner's motions without service on Respondent.
2. Whether the court retained jurisdiction to grant custody and access-related remedies after final judgment and the child's return.
3. Whether Petitioner was entitled to costs for bringing the post-judgment motion.
4. Whether the court should appoint counsel for Petitioner.

HOLDINGS

1. Petitioner's motions are denied because he failed to serve them on Respondent and did not show entitlement to ex parte relief.
2. The court lacks jurisdiction to grant custody or access-related remedies under ICARA after final judgment has been entered and the child has been returned.
3. Petitioner is not entitled to costs because ICARA shifts costs only for expenses incurred during the action, and this action ended when judgment was entered.
4. The motion to appoint counsel is denied because there are no exceptional circumstances, and the merits of the underlying motion fail.

KEY QUOTATIONS

“once judgment has been entered in an ICARA case, the court “no longer exercis[es] jurisdiction of an action brought under section [9003(b)],” and its previous authority “to fashion provisional remedies ... no longer exists.”” (at 5-6)

““It is the Convention’s core premise that the interests of children in matters relating to their custody are best served when custody decisions are made in the child’s country of habitual residence.”” (at 9)

““With a few narrow exceptions, the court must return the abducted child to [their] country of habitual residence so that the courts of that country can determine custody.”” (at 9-10)

FACTUAL BACKGROUND

The case involved a petition under the International Child Abduction Remedies Act (ICARA) regarding a minor child, ACPR. After a four-day bench trial, the court entered judgment for the father, Petitioner Ruben Paz Gomez, in March 2025 and ordered the child's return to Mexico. The child was returned. Judgment was entered in June 2025. Seven months later, Petitioner filed motions alleging the mother had again wrongfully removed the child from Mexico to Washington state.

PROCEDURAL HISTORY

The court entered judgment for Petitioner in an ICARA case in June 2025 and ordered the return of a child to Mexico. The child was returned. Seven months later, Petitioner filed post-judgment motions seeking sanctions, custody transfer, and other relief, which the court denied.

DISPOSITION

denied

CASES CITED

- Ly v. Heu, 296 F. Supp. 2d 1009 (D. Minn. 2003)
- Monasky v. Taglieri, 589 U.S. 68 (2020)
- Cuellar v. Joyce, 596 F.3d 505 (9th Cir. 2010)
- Storseth v. Spellman, 654 F.2d 1349 (9th Cir. 1981)
- Palmer v. Valdez, 560 F.3d 965 (9th Cir. 2009)
- Wilborn v. Escalderon, 789 F.2d 1328 (9th Cir. 1986)

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