

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
INDIANA, INDIANAPOLIS DIVISION

Bojan Pap v. Lauren Lawson

Pap · No. 1:25-cv-02025-TWP-MJD · Decided April 22, 2026

SUMMARY

The United States District Court for the Southern District of Indiana denied Respondent Lauren Lawson's motion for abstention and a stay of federal proceedings in Bojan Pap's Hague Convention child-abduction petition. The court held that the Hague issues had not been litigated in the parallel state custody proceeding before Pap filed in federal court, and that abstention was therefore inappropriate under *Younger* or *Colorado River*. The court also noted that ICARA permits the left-behind parent to choose between state and federal court and that the state court had stayed its own proceedings pending resolution of the federal petition.

CASE DETAILS

COURT	United States District Court for the Southern District of Indiana, Indianapolis Division
WRITING FOR THE COURT	Magistrate Judge Mark J. Dinsmore
JURISDICTION	United States District Court for the Southern District of Indiana
DECIDED	April 22, 2026
DOCKET	1:25-cv-02025-TWP-MJD
DISPOSITION	other
PROCEDURAL POSTURE	Respondent moved for abstention and a stay of the federal Hague Convention proceedings based on <i>Younger</i> and <i>Colorado River</i> abstention. The district court denied the motion.
STANDARD OF REVIEW	A district court's ultimate abstention decision is reviewed for abuse of discretion, while legal questions underlying the decision are reviewed de novo.
PRECEDENTIAL VALUE	unknown

TOPICS

- interstate disputes
- federalism
- foreign affairs
- civil procedure
- child custody

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether Younger abstention required the federal court to abstain from deciding Pap's Hague Convention petition because of the pending Indiana paternity and custody proceeding.
2. Whether Colorado River abstention warranted a stay because the state and federal proceedings were parallel and exceptional circumstances favored abstention.
3. Whether ICARA permitted Pap, as the left-behind parent, to choose a federal forum despite the pending state custody proceeding and the state court's deadline for filing a Hague petition.

HOLDINGS

1. Younger abstention does not apply to require a federal stay of an ICARA Hague petition where the Hague claim was not actually litigated in the state custody proceeding before the federal petition was filed.
2. Colorado River abstention did not warrant a stay because the Hague petition was not being litigated in parallel in state court, and the state court had voluntarily stayed its own proceedings.
3. ICARA gives a left-behind parent the right to choose whether to file a Hague petition in state or federal court, and a state court's deadline for filing a Hague petition does not eliminate that choice.

KEY QUOTATIONS

“When there is no serious threat of interference with state proceedings, federal courts have a “virtually unflagging obligation” to resolve the questions before them over which they have jurisdiction.” (Section II)

“In sum, the Court finds that a Hague petition was not being litigated in state court when Pap filed his federal Hague petition.” (Section III)

“As the left-behind parent, Pap can choose whether to file a Hague petition in either state or federal court.” (Section III)

FACTUAL BACKGROUND

Pap alleged that Lawson abducted their minor child from the family's home in Ireland in March 2025 and brought the child to the United States. Lawson initiated paternity and custody proceedings in Indiana, but Pap was not formally served under the applicable Hague Service Convention procedures and was not permitted to fully present his Hague claim during the initial state-court hearings. Before Pap filed in federal court, no written Hague petition had been filed or litigated in state court, and the state court had not issued substantive rulings on the Hague or custody issues. The state court later stayed its proceedings pending resolution of Pap's federal Hague petition.

PROCEDURAL HISTORY

Bojan Pap filed a petition under the Hague Convention on the Civil Aspects of International Child Abduction and ICARA after Lauren Lawson brought their child from Ireland to the United States and initiated paternity and

custody proceedings in Indiana state court. Pap had attempted to raise Hague issues in the state proceeding but had not filed a written Hague petition there, and the Hague issues had not been litigated. Pap filed his federal petition on October 3, 2025, after the state court granted him leave to amend an oral petition; the state court later stayed its own proceedings pending resolution of the federal case. Lawson then moved for federal abstention and a stay, which the court denied.

DISPOSITION

other

CASES CITED

- Vega v. Chicago Board of Education, 109 F.4th 948, 957 (7th Cir. 2024)
- Younger v. Harris, 401 U.S. 37 (1971)
- Colorado River Water Conservation District v. United States, 424 U.S. 800 (1976)
- Quackenbush v. Allstate Insurance Co., 517 U.S. 706, 723 (1996)
- Courthouse News Service v. Brown, 908 F.3d 1063, 1068 (7th Cir. 2018)
- Green v. Benden, 281 F.3d 661, 666 (7th Cir. 2002)
- Mulholland v. Marion County Election Board, 746 F.3d 811, 815 (7th Cir. 2014)
- GeLab Cosmetics LLC v. Zhuhai Aobo Cosmetics Co., Ltd., 99 F.4th 424, 428, 430-31 (7th Cir. 2024)
- Walker v. Walker, 701 F.3d 1110, 1116 (7th Cir. 2012)
- Abbott v. Abbott, 560 U.S. 1, 8 (2010)
- Yang v. Tsui, 416 F.3d 199, 202 (3d Cir. 2005)
- Barzilay v. Barzilay, 536 F.3d 844, 852 (8th Cir. 2008)
- Bordelais v. Bordelais, 2017 U.S. Dist. LEXIS 208615 (N.D. Ill. Dec. 19, 2017)
- Cerit v. Cerit, 188 F. Supp. 2d 1239 (D. Haw. 2002)
- Arizona v. San Carlos Apache Tribe of Arizona, 463 U.S. 545, 569 (1983)

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