

1 KYLE J. SIEMS, CFLS SBN 275072
SCOTT H. FINKBEINER, CFLS SBN 227852
2 WILKINSON & FINKBEINER, LLP
7676 HAZARD CENTER DRIVE, SUITE 625
3 SAN DIEGO, CALIFORNIA 92108
TELEPHONE: 619.284.4113
4 FACSIMILE: 619.284.4162

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5 ATTORNEYS FOR PABLITO & NOEMI TABALANZA

6 SUPERIOR COURT OF CALIFORNIA,
7 COUNTY OF SAN DIEGO
8 SOUTHBAY FAMILY LAW DIVISION
9

10 PABLITO TABALANZA & NOEMI
11 TABALANZA,
12 Petitioner,
13 and
14 LARRY MILLETE & MAYA MILLETE,
15 Respondent(s).

Case No. 21FL005040S

DECLARATION OF PABLITO
TABALANZA & NOEMI TABALANZA
IN SUPPORT OF REQUEST FOR ORDER

17 WE, PABLITO TABALANZA & NOEMI TABALANZA, hereby declare that if called
18 and sworn to testify we would competently and knowledgably testify as follows:

19 BACKGROUND

20 Moving Party:	Pablito Tabalanza & Noemi Tabalanza	Maternal-Grandparents
21 Responding Parties:	Larry Millete & Maya Millete	Father & Mother
22 Minor Children:		Children
23 Type of Case/Motion:	Grandparent Visitation	Pre-Trial

28 DECLARATION OF PABLITO & NOEMI TABALANZA IN SUPPORT OF REQUEST FOR ORDER

1 1. Maya Millete is our daughter. She has been missing since January 7, 2021.
2 Currently, no criminal charges have been filed and Maya's whereabouts remain unknown.

3 2. Larry Millete is our son-in-law. To our knowledge, he is providing the exclusive
4 care for our grandchildren. Larry has suspended communication between us and our grandchildren
5 since Maya's disappearance.

6 **OUR BOND AND RELATIONSHIP WITH OUR GRANDCHILDREN**

7 3. We, and our extended family, are very bonded with the Children. We have played
8 an integral part of each child's life since birth.

9 4. Throughout the Children's lives, we traditionally spend holidays and birthdays
10 together as a family. We typically spend Christmas Day together. (See picture from Christmas Day
11 2019 and Christmas Day 2020 as **Exhibit "1"**.)

12 5. Prior to Maya's disappearance, we saw the Children nearly every other weekend.
13 We live in Moreno Valley in Riverside County. At least once or twice per month, Maya and the
14 Children would come to Moreno Valley and spend the weekend with us. These visits often
15 included the Children's maternal-aunts/uncles and maternal-cousins.

16 6. We consistently spoke to the Children or had video chats during the week, when
17 we called to speak to Maya. Prior to Maya's disappearance, we never went more than one (1)
18 week without seeing or speaking to the Children in person, on the phone, or via video chat.

19 7. We have a large family. We have six (6) adult children and fifteen (15)
20 grandchildren. The Children are very bonded to their maternal-cousins.

21 8. All of the cousins have grown up together and are best friends. In addition to our
22 in-person gatherings, the cousins and the Children, would Facetime, have group text chats together,
23 and play an online game called Roblox together. The Children have not been allowed to maintain
24 that communication with their cousins since Maya's disappearance.

25 9. We often would go to Chula Vista and take care of Lara, Maylani and Lazarus for
26 the entire month, when their paternal grandparents vacationed in the Philippines or to Texas. If
27 Larry or Maya asked for help with the children, we were there. Prior to Maya's disappearance, we
28 understood that Larry's parents had planned to move to Texas around Christmas 2020. In

1 anticipation of their move, we expected to spend more time in San Diego to help Larry and Maya.
2 We do not know whether Larry's parents' move is still planned as we have had no real
3 communication with Larry or his parents since January 2021.

4 10. When our adult children would go camping, to the lake/beach, or any other
5 adventures, we would go with them to spend quality time with our whole family. Larry also
6 attended most of these events.

7 11. However, as of recently, we have been unable to make the long trips due to our age.
8 Despite this, we would still call them throughout their adventures to speak with them and they
9 would show us photos of their time together. We are also always present during local gatherings
10 with our adult children and grandchildren. These vacations and events include the following:

- 11 i. March 2020: Our family traveled to Glamis, California Spring Break
12 (See **Exhibit "2"**.)
- 13 ii. May 9, 2020: Our family traveled to Cerritos, California when the
14 Children's Uncle came to visit from Hawaii. (See **Exhibit "3"**.)
- 15 iii. May 25, 2020: Our family traveled to Lake Elsinore, CA. (See
16 **Exhibit "4"**.)
- 17 iv. June 9, 2020: Our family took a trip to Parker Dam, CA (See **Exhibit**
18 **"5"**.)
- 19 v. July 2, 2020: Our family went to Lake Havasu for the Fourth of July.
20 (See **Exhibit "6"**.)
- 21 vi. October 17, 2020: Our family again went to Lake Elsinore, CA. (see
22 **Exhibit "7"**.)
- 23 vii. November 10, 2020: Our family celebrated Thea and John Fetalvero's
24 birthday together in Cerritos, CA (the Children's maternal-cousins).
25 (See **Exhibit "8"**.)
- 26 viii. November 22, 2020: Our family went to visit a friend at Nuevo, CA
27 (See **Exhibit "9"**.)
28

1 ix. November 28, 2020: Our family went to Glamis Beach. (See Exhibit
2 "10".)

3 12. The Children have never gone this long without communicating with us or their
4 cousins. We fear that the Children feel abandoned by us because they have not had any contact
5 with any of Maya's family since she disappeared.

6 13. With the total lack of communication, we worry how the Children are enduring the
7 loss of their mother as well as the loss of communication with our family.

8 14. If this Court grants us visitation with the Children, we would be able to facilitate
9 the Children's continued bond with not only us, but with their entire family, especially their
10 cousins.

11 **OTHER FACTORS TO SUPPORT OUR REQUEST FOR VISITATION**

12 15. Maya has now been missing for over five (5) months. Since that time, no one has
13 seen nor heard from her. Her whereabouts are completely unknown and an investigation into her
14 disappearance continues.

15 16. We acknowledge that due to the current circumstances, Larry is essentially serving
16 as the Children's sole parent. Our intent is not to deprive Larry of his right to exercise his parental
17 authority. However, under Larry's sole care, the Children have not seen us nor anyone from their
18 maternal side of the family since Maya's January disappearance.

19 17. Since Maya's disappearance, our family has made several attempts to contact Larry
20 and to and communicate with the Children. For the most part, Larry has ignored all requests to
21 contact the Children. If he did respond, it was to reject the invitation to spend time together.

22 18. We did not want to go this route and open a formal case to visit our grandchildren.
23 Certainly, there is already an extraordinary amount of emotion regarding the present circumstance.
24 However, it does not appear that Larry will allow for any sort of contact with our family unless it
25 is by order of the court.

26 19. Larry has been, and we expect he will continue to be, defensive about our visitation
27 time with our grandchildren, as well as the uncertainty surrounding Maya's disappearance. Our
28

1 intention is only to reconnect the Children with us and their maternal family. Continuing to deprive
2 the Children this connection, during such an already traumatic time, is not in their interest.

3 20. On May 17, 2021, my attorney spoke to Larry's attorney via phone regarding the
4 issue of our visitation request. At that time, it appeared that Larry was open to us having contact
5 with the Children.

6 21. That same day, my attorney sent an email to Larry's attorney with our proposal for
7 visitation with the Children. (See Exhibit "11".) We have received no further communication
8 from Larry or his attorney.

9 22. We have had zero contact with the Children for more than five (5) months.
10 Throughout that time, Larry has ignored our requests and offered no line of communication to
11 connect the Children with their maternal family. We have no other avenue to connect with our
12 grandchildren besides through this court process.

13 **CONCLUSIONS AND REQUESTS**

14 23. We respect Larry's role as the Children's father. We simply want to resume our
15 relationship with the Children as we had prior to their mother's disappearance. Prior to Maya's
16 disappearance, Larry had no issue with our family being a part of the Children's lives.

17 24. We have no intent on discussing anything with the Children regarding the
18 circumstances of their mother's disappearance. We just want to spend time with the Children and
19 want to ensure that they know their family on their maternal side loves them.

20 25. As previously noted in our initial petition, we suspect that the Children are going
21 through significant trauma with the disappearance of their mother. They need all the sources of
22 stability, love and support they can get.

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1 26. Based on the foregoing, we respectfully request the Court make the following
2 orders:

- 3 i. Order that the Children shall be in our care alternating weekends each
4 month from Friday after school or 3 p.m. if there is no school, until
5 Monday return to school or 8 a.m., if there is no school;
6 ii. The Children shall have FaceTime or some other form of virtual
7 visitation once per week.
8

9 We hereby declare that the foregoing is true and correct under penalty of perjury under
10 the laws of the State of California.

11 Dated: _____

PABLITO TABALANZA

12
13
14 Dated: Jun 29, 2021

Noemi Tabalanza

Noemi Tabalanza (Jun 25, 2021 12:18 PDT)
NOEMI TABALANZA

1 26. Based on the foregoing, we respectfully request the Court make the following
2 orders:

- 3 i. Order that the Children shall be in our care alternating weekends each
4 month from Friday after school or 3 p.m. if there is no school, until
5 Monday return to school or 8 a.m., if there is no school;
6 ii. The Children shall have FaceTime or some other form of virtual
7 visitation once per week.

8
9 We hereby declare that the foregoing is true and correct under penalty of perjury under
10 the laws of the State of California.

11 Dated: Jun 29, 2021

Pablito Tabalanza
Pablito Tabalanza (Jun 29, 2021 12:21 PDT)
PABLITO TABALANZA

12
13
14 Dated: _____

SEE ELECTRONIC SIGNATURE

NOEMI TABALANZA

1 8. We request that this Court grant us reasonable visitation with the above-named
2 children and such other relief as the Court may deem appropriate pursuant to Family Code §3100
3 through §3104.

4
5 We declare under penalty of perjury under the laws of the State of California that the
6 foregoing is true and correct.

7
8 Dated: _____

PABLITO TABALANZA

9
10 Dated: Jun 29, 2021

Noemi Tabalanza
Noemi Tabalanza (Jun 29, 2021 12:15 PDT)

NOEMI TABALANZA