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09.09.2009 № 26-30/390

На № \_\_\_\_\_

**Ministry of Justice of Italy**  
**Juvenile Department**  
(Central Authority for the  
Abduction Convention)

*Via Giulia, 131, Rome, Italy, 00186*

Referring to the case of the minor **Roberto Brunelli**, please, be informed of the following.

The executive document, issued by the Appeal court of the Dnipropetrovska oblast on the basis of the decision delivered on the 29<sup>th</sup> of July, 2009, was presented to the division of the State Executive Service on the 17<sup>th</sup> of August, 2009.

At the same day the state executor opened the executive proceeding. The state executor determined the term before the 20<sup>th</sup> of August, 2009, to Mrs. Ganna Levadna for voluntary enforcement of the court decision.

Furthermore, the state executor, Mr. Filippo Brunelli and his legal representatives on the 21<sup>st</sup> of August, 2009, were present at the address of residence of Mrs. Ganna Levadna and Roberto with the purpose to execute the court decision.

The debtor with the child were absent at this address.

In accordance to the Law of Ukraine "On the Enforcement Proceedings" the state executor on 21<sup>st</sup> of August, 2009, applied to the Amur-Nyzhniodniprovskiy district court of the city of Dnipropetrovsk with the applications:

- to put Roberto Brunelli to the wanted list;
- to accommodate temporary Roberto Brunelli (in case of location) to the child institution till the moment of Mr. Filippo Brunelli arrival to Ukraine.

At the present moment these applications are under the consideration of the Court.

At the debtor's workplace the state executor was informed about absence of Mrs. Levadna because of illness.

At the 1<sup>st</sup> of September, 2009, Mrs. Levadna informed the kindergarten that the child would not attend the kindergarten because of private reasons.

Mrs. Levadna applied to the state executor with a letter, in which she informed about desire to accompany the child to Italy with the purpose to execute the court decision. But, she stated that she had lost the external passport of Ukraine and the

passport of Italian citizen. As soon as the new passport is issued she and the child will return to Italy.

With the purpose to check the information about the lost of passport and request of Mrs. Levadna for the new travel document the state executor transmitted the relevant requests to the internal affairs authorities of Ukraine.

At the present moment the internal affair authorities continue to verify the abovementioned information.

The state executor also was informed by the city hospital for children of Dnipropetrovsk that Mrs. Levadna and Roberto were hospitalized from the 7<sup>th</sup> of August till the 31<sup>st</sup> of August, 2009.

Thus, at the present moment the whereabouts of the child and the mother is unknown. The state executor takes all appropriate measures to establish it.

In this regard the court decision could not be executed in the terms mentioned in it. That is why the state executor on the 4<sup>th</sup> of September, 2009, applied to the Amur-Nyzhniodniprovskiy district court of the city of Dnipropetrovsk with the application to suspend the execution of the decision till the moment of the child's location.

At the present moment this application is under the court consideration. As soon as we obtain new information it will be forwarded to your Office.

The Central Authority of Ukraine will keep your Office informed about any progress in this case.

**Deputy Head of Department  
of Private International Law  
and International Legal Assistance**



**Tetyana Shorstka**