Carli Michelle Heller

Plaintiff, in propria persona

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SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF MENDOCINO

CARLI MICHELLE HELLER, Plaintiff, v. VINCENT MICHAEL HYLER; JUDY HYLER; and DOES 1 through 10, Defendants.	**Case No. _____** **UNLIMITED CIVIL CASE** (Amount demanded exceeds $35,000) **COMPLAINT FOR DAMAGES** Abduction and withholding of a child from a parent entitled to custody (Civ. Code, § 49, subd. (a)) Verified

Plaintiff Carli Michelle Heller alleges:

THE PARTIES

1. Plaintiff Carli Michelle Heller is the mother of J.J.H., born September 6, 2024 ("JJ"). She lives in Lee County, Florida.

2. Defendant Vincent Michael Hyler is JJ's father. He lives in Redwood Valley, Mendocino County, California.

3. Defendant Judy Hyler is Vincent Hyler's mother. She lives on the same property in Redwood Valley, Mendocino County, California.

4. Plaintiff does not know the true names of the defendants sued as Does 1 through 10 and sues them by those names under Code of Civil Procedure section 474. Each of them took part in, assisted, or knowingly benefited from the conduct alleged below. Plaintiff will amend this complaint to state their true names when she learns them.

JURISDICTION AND VENUE

5. This Court has jurisdiction over this action, in which the amount demanded exceeds $35,000. Venue is proper in Mendocino County because the defendants live here and because JJ is being withheld from Plaintiff here. (Code Civ. Proc., § 395, subd. (a).)

PLAINTIFF'S CUSTODY OF JJ

6. On February 11, 2026, in *Hyler v. Heller*, Mendocino County Superior Court Case No. 25FL01030 (consolidated with No. 25FL01032), this Court entered Findings and Order After Hearing awarding Plaintiff sole physical custody of JJ and permitting JJ to live with her in Florida. That order has never been vacated, stayed, or modified by any written order of any court.

7. On September 22, 2026, that order was registered in the Circuit Court for Lee County, Florida, Case No. 26-DR-006457. On September 26, 2026, Defendant Vincent Hyler and Defendant Judy Hyler each signed for delivery of written notice of that registration.

THE TEMPORARY ORDER, AND ITS EXPIRATION

8. On August 12, 2026, Defendant Vincent Hyler applied ex parte in Case No. 25FL01030 and obtained a temporary emergency order (form FL-305). By its printed terms, that order expired at the hearing of September 2, 2026. The certified minutes of the September 2, 2026 hearing record no extension. Defendant Vincent Hyler appeared at that hearing through his counsel.

9. On September 15, 2026, Defendant Vincent Hyler's counsel stated on the record that the temporary order had been "extended to December 9, 2026," and the court assented orally, with no motion before it and over Plaintiff's objection. No written order extending the temporary order has been issued or served since.

THE REMOVAL OF JJ FROM FLORIDA

10. On August 19, 2026, Defendant Vincent Hyler took JJ from Plaintiff's home in Lee County, Florida, under a warrant issued that day by the Lee County Circuit Court in Case No. 26-DR-005826.

11. That warrant did not authorize JJ's removal from Florida. On August 21, 2026, Defendant Vincent Hyler's Florida counsel filed in that case a proposed order asking that he be "AUTHORIZED to leave Florida and travel to California with the Child" (Lee County Filing No. 255441316, ¶ 3). The Lee County order permitting travel to California was signed on August 27, 2026, at 1:11 p.m. Eastern time.

12. Before that order was signed, Defendant Vincent Hyler had already taken JJ to California. His own declaration executed August 28, 2026 (¶¶ 9–10, and its Exhibit B) shows JJ at a clinic visit in Ukiah, California, on August 26, 2026, at 1:00 p.m.

THE WITHHOLDING OF JJ

13. Since August 2026, Defendants have kept JJ from Plaintiff in California. Defendant Vincent Hyler's own filings place JJ in his and Defendant Judy Hyler's care in Mendocino County.

14. Defendants have kept JJ from Plaintiff after the temporary order expired on September 2, 2026, and after each of them received written notice of the registration of Plaintiff's custody order on September 26, 2026. They have not returned him.

15. Defendants have never told Plaintiff where JJ is living. On August 22, 2026, Plaintiff demanded in writing that Defendant Vincent Hyler's counsel tell her where JJ was and whether he was to be removed from Florida. She has never received an answer.

16. Plaintiff has not consented, at any time, to JJ being taken from her or kept from her.

DEFENDANTS' EARLIER TAKINGS OF JJ

17. This is not the first time Defendants have taken JJ from Plaintiff against her will. As Plaintiff stated under penalty of perjury in her declaration for the April 10, 2025 hearing in Case No. 25FL01032: on March 15, 2025, Defendant Vincent Hyler took JJ and blocked Plaintiff's attempts to reach him, and she could not learn where JJ was until 3:00 a.m. the next day; on March 17, 2025, he took JJ from his crib at night without telling her, and Defendant Judy Hyler, when Plaintiff asked, confirmed that JJ was at her residence and declined to return him; and on March 20, 2025, Defendant Judy Hyler

came to Plaintiff's home and, on camera, removed JJ despite Plaintiff's repeated requests that she not.

HARM TO PLAINTIFF

18. Before August 19, 2026, Plaintiff cared for JJ every day, including his occupational therapy three times a week and his early-intervention services. Defendants' conduct has taken from Plaintiff JJ's care, custody, and companionship, and her ability to give him that care.

19. As a direct result of Defendants' conduct, Plaintiff has suffered and continues to suffer severe mental anguish, and has incurred and continues to incur expenses in vindicating her rights in the courts of California and Florida, in amounts to be proved at trial.

CAUSE OF ACTION

Abduction and Withholding of a Child from a Parent Entitled to Custody (Civ. Code, § 49, subd. (a)) — Against All Defendants

20. Plaintiff incorporates each paragraph above.

21. Civil Code section 49, subdivision (a), forbids "[t]he abduction or enticement of a child from a parent ... entitled to its custody." A parent entitled to custody has an action for damages against anyone who unlawfully takes or withholds the child from her, including the child's other parent. (*Surina v. Lucey* (1985) 168 Cal.App.3d 539, 542–543; *Rosefield v. Rosefield* (1963) 221 Cal.App.2d 431.)

22. At all relevant times Plaintiff was entitled to JJ's custody under the order of February 11, 2026.

23. Defendant Vincent Hyler unlawfully took JJ from Plaintiff by removing him from Florida before any order permitted it, and has unlawfully withheld JJ from Plaintiff since, including after the temporary order expired and after written notice of the registered custody order.

24. Defendant Judy Hyler, and Does 1 through 10, with knowledge that JJ was being kept from Plaintiff against her will, have unlawfully withheld JJ from Plaintiff

and assisted in keeping him from her, including after September 26, 2026, when Defendant Judy Hyler received written notice of the registered custody order.

25. Defendants agreed with each other to keep JJ from Plaintiff and acted together to do it. Each Defendant is liable for the acts of the others done in carrying out that agreement. (*Rosefield v. Rosefield*, *supra*, 221 Cal.App.2d 431.)

26. Defendants' conduct was a substantial factor in causing the harm to Plaintiff alleged above, including the loss of JJ's care, custody, and companionship; severe mental anguish; and the expenses of vindicating her rights.

27. Defendants acted with malice and oppression within the meaning of Civil Code section 3294. They kept a child not yet two years old from the parent who held the only custody order in force, with knowledge of that order, and concealed where he was, in conscious disregard of Plaintiff's rights. Plaintiff is entitled to punitive damages in an amount to be determined at trial.

PRAYER

Plaintiff asks for judgment against each Defendant as follows:

1. Compensatory damages, including for the loss of JJ's care, custody, and companionship and for Plaintiff's mental anguish, according to proof;

2. The expenses Plaintiff has incurred and will incur in vindicating her rights, according to proof;

3. Punitive damages under Civil Code section 3294;

4. Costs of suit; and

5. Any other relief the Court finds just.

Dated: October 14, 2026

Carli Michelle Heller, Plaintiff, in propria persona

VERIFICATION

I, Carli Michelle Heller, am the Plaintiff in this action. I have read this Complaint for Damages. The facts stated in it are true of my own knowledge, except those stated on information and belief, and as to those I believe them to be true.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on October 14, 2026, at Bonita Springs, Florida.



Carli Michelle Heller