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Bowen Greenwood  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

Case Number: DA 25-0712

IN THE SUPREME COURT OF THE STATE OF MONTANA

Case No. DA 25-0712

FILED

JAN 29 2026

Bowen Greenwood  
Clerk of Supreme Court  
State of Montana

Jonathan Edward Allen,

Petitioner/Appellant,

v.

APPELLANT'S REPLY BRIEF

Petronella Gerline (Van Oosterom) Allen,

Respondent/Appellee.

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On appeal from the Montana Nineteenth Judicial District Court

County of Lincoln

Cause No. DR-27-2025-137

Honorable Matthew J. Cuffe Presiding

---

Appearances:

Jonathan Edward Allen

623 Nutting Drive

Eureka, 59917

Telephone: (970) 209-8341

FAX: (406) 297-9315

jon@firstfruitsintl.com

Petitioner/Appellant

Pro Se

Bradley J. Jones

R. Spencer Bradford

BULMAN JONES & COOK PLLC

P.O. Box 19775

Missoula, MT 59808-6775

Telephone: (406) 721-7744

FAX: (406) 728-9362

staff@bulmanlaw.com

Attorneys for Appellee

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P.O. Box 19775

Missoula, MT 59808-6775

Telephone: (406) 721-7744

FAX: (406) 728-9362

staff@bulmanlaw.com

Attorneys for Appellee

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## I. INTRODUCTION

Jonathan appealed the District Court's September 12, 2025 order declining

jurisdiction under the Uniform Child Custody Jurisdiction and Enforcement Act

("UCCJEA"), and now motions the Court to Supplement the Record in light of

newly available evidence that Petronella's February 13, 2024 Petition for

Dissolution was not valid, and therefore the Dutch court denied jurisdiction of the

case. Petronella's Response Brief ("PRB") misrepresents material facts and

relevant information to the Montana Supreme Court ("MSC") regarding purported

Dutch jurisdiction; the submission of Jonathan to foreign jurisdiction, the habitual

residence of Rachael Anna Allen ("RAA") in the Netherlands, Jonathan's

acquiescence and approval of the parental abduction and resettlement of RAA, and

the purported intentions of Jonathan regarding his legal pleadings and involvement

as being merely of a vexatious and frivolous nature and without substantial or legal

grounds. Most of these allegations have significant evidentiary impact on this

matter before the Court, and form the basis of Petronella's Response Brief.

With direct relevance to the matter on appeal, the District Court of Middle

Netherlands has just rendered its Decision on January 20, 2026 regarding the

Dutch Petition for Dissolution of Marriage filed by Petronella on February 13,

2024. Jonathan is requesting the Court to take notice of the ruling, and to grant his

Motion to Supplement the Record with Newly Rendered Decision, as it confirms

his claim for the last two years that the Dutch court did not have jurisdiction to adjudicate Petronella's February 2024 divorce petition. This is the same foreign divorce petition that the District Court of Lincoln County used to rule that it could not take jurisdiction of any dissolution and custody matters. So, the new ruling explicitly contradicts the above claims made by Petronella to defend her position in this custody matter, and eliminates any obstacles to initial Lincoln County jurisdiction of the marriage and all associated custody matters.

Jonathan is aware that he will need to obtain a certified English translation of the ruling by a certified translator. Since the January 20, 2026 ruling just came out days ago, and since translations take some time, Jonathan is providing this Court with an unofficial translation of the ruling at this time, and will provide a certified copy once the official translation is complete.

## II. ARGUMENT

### II.1: Response to Appellee's Arguments regarding UCCJEA

#### Jurisdiction

Throughout the whole of Petronella's Response Brief, there are multiple references to UCCJEA statutes and timelines, and 'Home-State' language that she believes support her case for jurisdiction in the Netherlands. She presents all of her arguments using UCCJEA parameters as if this were a typical divorce scenario where one spouse moved to another state, causing a traditional jurisdictional

dispute that must be addressed by the normal regulations under UCCJEA. All such jurisdictional rationale is asserted without any mention of the “elephant in the room” --- the proven international kidnapping of RAA.

This fact is, of course, always ignored and missing from any communications from Petronella or her attorneys. They move hastily forward in their jurisdictional arguments and quote standard UCCJEA statutes with ease in regard to initial jurisdiction, home-state status, continuing jurisdiction, etc. But in their reading of UCCJEA legislation, they seem to have overlooked Section 208 of the UCCJEA code adopted by Montana in MCA 40-7-109. Let us review what it says below:

**Section 208. Jurisdiction Declined by Reason of Conduct.**

(a) Except as otherwise provided in Section 204 [or by other law of this State], if a court of this State has jurisdiction under this [Act] because a person seeking to invoke its jurisdiction has engaged in unjustifiable conduct, the court shall decline to exercise its jurisdiction...”

International law also confirms that unjustifiable conduct must not be rewarded or allowed to shift jurisdiction of custody matters. In 3.11 of the January 20, 2026 ruling, the Dutch court points to intra-European legislation to ground jurisdiction in the Netherlands: “In matters of parental responsibility, Article 7(1) of Brüssel IIb provides that the courts of the Member State in which the child is

habitually resident at the time the court is seized have jurisdiction.” Under this European Article, the United States would be the equivalent Member State “in which the child is habitually resident at the time the court is seized” (February 13, 2024). The Montana courts would clearly have jurisdiction under this Article, except for the fact that the U.S. is not an official signatory to this European legislation. Technically, this would be applicable law were the case solely a European matter without a proven international parental abduction. Brussels II-ter (Regulation (EU) 2019/1111) governs EU Member State vs EU Member State cases.

Because RAA’s habitual residence before the abduction was the United States, as decreed in Exhibit A of the Record (See Exhibit A, page 5, § 5.8), this is not a pure EU–EU case. When a third state (like the U.S.) is involved, Dutch courts must apply the 1996 Hague Child Protection Convention, to which both the Netherlands and the United States are parties.

Custody jurisdiction under the 1996 Hague Child Protection Convention is governed by Articles 5 and 7. Under Article 5(1) of the 1996 Hague Convention, it states that “The judicial or administrative authorities of the Contracting State of the habitual residence of the child have jurisdiction to take measures directed to the protection of the child’s person and property.” So, the threshold question is: Had

the child's habitual residence shifted from the U.S. to the Netherlands by 13 February 2024? The answer, legally, is no.

Furthermore, Article 7, in keeping with UCCJEA Section 208, highlights that wrongful removal blocks a change in habitual residence, and explicitly prevents abducting parents from manufacturing foreign jurisdiction. Article 7 (1) states: "In case of wrongful removal or retention of the child, the authorities of the Contracting State in which the child was habitually resident immediately before the removal or retention keep their jurisdiction until the child has acquired a habitual residence in another State..." At the time of filing, the habitual residence of RAA was the United States. The original habitual residence state of Montana retains exclusive jurisdiction until another jurisdiction is obtained through proper and legal means.

A proven international parental abduction determined by an official international Hague Court constitutes "unjustifiable conduct" under UCCJEA Section 208 and "wrongful removal" under Article 7 of the 1996 Hague Convention treaty. Both laws mandate that the Dutch court cannot seize and "must decline to exercise its jurisdiction" as worded in UCCJEA Section 208 above. From an American perspective, the UCCJEA treats foreign countries like other States for purposes of UCCJEA custody enforcement. However, there is a major problem when dealing with foreign nations. The Dutch courts may choose to

ignore unjustifiable conduct as well as the American UCCJEA mandate, and take unilateral action in spite of the sound legal philosophy and requirement not to reward “unjustifiable conduct” with jurisdiction. Yet this is precisely what the

Dutch court did the last two years until it was forced to decline jurisdiction for

other reasons. By international law and UCCJEA statutes, the Dutch courts should

never attempt to exercise jurisdiction when a confirmed international kidnapping

provides the basis for forum shopping to Dutch jurisdiction. The Dutch court has

completely ignored the UCCJEA statute and Jonathan’s pleas that the Montana

courts are the only appropriate forum for addressing this horrible kidnapping

situation. The Dutch court has not honored its commitment to international law

and comity, which should embolden the Dutch Court to decline jurisdiction of a

matter of this criminal nature.

This presents a real problem for Jonathan and RAA. As long as Petronella

argues normal jurisdictional timelines under UCCJEA (i.e., last 6 months residence

of the child, independent of whether it was legal residence or unlawful residence

obtained by criminal action), she will be able to say that the child has been resident

in another State that now has obtained jurisdiction. An incomplete application of

UCCJEA statutes allows Petronella to criminally kidnap RAA and then “forum

shop” and shift jurisdiction to the Netherlands due exclusively to her successful

manipulation of law to grant her immunity from any consequences of her criminal

kidnapping. This is an extremely abusive application of UCCJEA law, and one that runs totally contrary to the whole spirit of proper and just adjudication of custody matters. But Petronella can only avoid accountability if the Montana District Court allows her criminal behavior to go unnoticed without consequence, or applies UCCJEA statutes without Section 208 in full view.

There is, however, a very simple solution to prevent this type of abusive manipulation of proper custody law. The Lincoln County District Court, which is bound to UCCJEA statutes including Section 208, must intervene and not allow the non-compliant Dutch court to exercise jurisdiction that is not permitted under UCCJEA and Montana law. No matter how long Petronella has been able to avoid Montana jurisdiction as a confirmed kidnapper of a Montana child, the Lincoln County District Court has a legal obligation to RAA, Jonathan, and all Montana citizens to prevent “unjustifiable conduct” to be rewarded by sanctioning Dutch jurisdiction. The Lincoln County District Court must strongly assert its jurisdiction to maintain justice and proper legal jurisdiction of this egregious situation where criminal unjustifiable conduct has been willingly committed.

## **II: 2. Response to Appellee’s Argument for Dutch Jurisdiction**

Petronella argues that the Netherlands now is the “home-state” of RAA post-abduction according to UCCJEA rules, and that the Netherlands has jurisdiction due to the fact that an existing dissolution and child custody action has been

ongoing since its filing in February 2024. She further argues that since the Netherlands has initial jurisdiction that continues with Jonathan's willing submission to that jurisdiction, there is no ground for Montana to assert jurisdiction. She concludes that Jonathan is merely upset with Dutch jurisdiction and is "forum shopping" to get a more favorable ruling in Montana.

The January 20, 2026 Decision of the District Court of Middle Netherlands abolishes Petronella's claim of Dutch jurisdiction, and therefore also her whole legal argument for lack of Montana jurisdiction. In 3.3 of this ruling, the Dutch Court states that "the court does not have jurisdiction to decide on the wife's divorce petition." Later in 3.8 it gives the reason for the lack of jurisdiction to adjudicate: "In the opinion of the court, it has not been established that the wife had her habitual residence in the Netherlands for at least six months prior to the date of filing the divorce petition on 13 February 2024." "Case dismissed," in every legal and practical way.

The Court dismissed the case on grounds of insufficient habitual residence to ground jurisdiction, thereby:

1. Nullifying Dutch jurisdiction and therefore also the Dutch Dissolution of Marriage Petition;

2. Dismissing any purported jurisdiction of the Dutch Court that the Lincoln County District Court assumed was in effect and relied upon as a basis for its denial of Montana jurisdiction;

3. Validating Jonathan's claim from the beginning that the Dutch Court did not have jurisdiction;

4. Shattering Petronella's false statement that "Jonathan has consistently submitted to the jurisdiction of the Dutch courts since initiation of the divorce and custody proceedings on February 13, 2024" (PRB, Page 2, ¶ 1);

5. Disproving the allegation that "the child has lived, attended school, and been fully integrated in the Netherlands since 2022 **with the knowledge and consent/acquiescence of both parents**" (PRB, Page 1, ¶ 4);

6. Dismissing Petronella's disingenuous claims that "Jonathan's conduct (i.e., submitting to Dutch jurisdiction, repeatedly delaying the Dutch proceedings, and simultaneously initiating and appealing foreign rulings) constitutes classic forum shopping and undermines the proper administration of justice" (PRB, Page 2, ¶ 2);

7. Obliterating Petronella's rationale for the request for attorney's fees and costs "in responding to his [Jonathan's] Supreme Court appeal given his appeal was taken without substantial or reasonable grounds, filed for purposes of harassment, vexatious, and frivolous..." (PRB, Page 25, ¶ 1)

The Dutch court confirmed that it does not have jurisdiction to adjudicate, as Jonathan has been stating for the last 2 years, and therefore the court did not have jurisdiction to grant the divorce. However, the legal implications of the dismissal of the Dutch dissolution case are profound, and extremely relevant to the key jurisdictional issue of this appellate case.

### **II. 3. Response to Appellee's Statement of Facts**

Petronella states that RAA has never attended public school in the United States (See PRB, Page 3, ¶ 5) as a pivotal basis for jurisdiction in the Netherlands. She omits the facts that she registered RAA in the Netherlands without Jonathan's knowledge or permission so that she could then enroll Rachael in a Dutch school without Jonathan's knowledge or permission. Petronella was a certified homeschooling tutor in the United States the whole time before the abduction, and homeschooling was the last long-term educational agreement that the parents had before the kidnapping. Rachael has stated many times that she wants to be homeschooled again in Montana, which was the only type of education she ever knew in America prior to her abduction and illegal enrollment in the Dutch school.

Petronella states (See PRB, Page 3, ¶ 5) that on August 11, 2023 she returned to the Netherlands with RAA. The Record shows that she did not merely "return" to the Netherlands but rather illegally abducted Rachael and unilaterally went to the Netherlands without Jonathan's knowledge or consent, a fact that

established the grounds for the determination of “wrongful removal” by the Hague Court of Appeals (See Exhibit A, Pages 5 and 6, ¶ 5.9 to 5.12.).

Petronella alleges Jonathan participated in numerous legal hearings and

~~proceedings~~ proceedings regarding parenting disputes, and that he submitted to Dutch

~~jurisdiction~~ jurisdiction and conceded that Montana lacks jurisdiction to adjudicate the parties’

~~dissolution~~ dissolution (See PRB, Page 4, ¶ 2 and 3). Jonathan participated in Hague

~~Convention~~ Convention on the Civil Aspects of International Child Abduction (“CCAICA”)

~~proceedings~~ proceedings regarding international parental abduction, but never participated in a

~~dissolution~~ dissolution or custody hearing until November 25, 2025. Jonathan never submitted

~~to Dutch jurisdiction~~ to Dutch jurisdiction nor conceded that Montana lacks jurisdiction. He only

~~notified the District Court~~ notified the District Court that a Dutch dissolution proceeding was pending, as

~~required by law~~ required by law, and that he has been challenging Dutch jurisdiction since February

~~2024~~ 2024. Jonathan then moved the District Court to grant Emergency Custody of

~~RAA~~ RAA and establish a parenting plan because he believed that Montana, not the

~~Netherlands~~ Netherlands, had initial custody jurisdiction due to UCCJEA Section 208’s clear

~~statutory language~~ statutory language that alternative jurisdiction cannot be obtained through

~~“unjustifiable conduct,”~~ “unjustifiable conduct,” parental abduction being a prime example.

~~Petronella alleges that Jonathan filed a petition under the CCAICA in an~~ Petronella alleges that Jonathan filed a petition under the CCAICA in an

~~attempt to merely influence the Netherlands family court in its dissolution and~~ attempt to merely influence the Netherlands family court in its dissolution and

~~custody proceedings~~ custody proceedings (See PRB, Page 4, ¶ 4). Quite the contrary, Jonathan filed the

CCAICA petition because Petronella was denying that she ever kidnapped RAA, and was unwilling to share parenting with Jonathan or return RAA to Montana.

RAA expressed many times to her parents, the Dutch curator, mediators, and judges that she considers Montana her "home," and that she wants to return to the U.S. if she was forced to choose (See Exhibit C, Pages 4, 5 and 7). Jonathan filed this to get his daughter back, not because he was trying to avoid a Dutch dissolution and custody hearing that he knew did not have jurisdiction to hold the hearing.

Petronella states that the Hague District Court rejected Jonathan's petition on March 18, 2025 (See PRB, Page 4, ¶ 5). Actually, the Hague District Court confirmed Jonathan's claim of parental abduction by Petronella and ruled that there was clearly a "wrongful removal" of RAA from her "habitual residence" in the United States at the time of abduction (See Exhibit A, Page 5, ¶ 5.8). The Hague Court ruled that it would not order the return of RAA, but would leave the custody of Rachael up to the family courts to decide in future dissolution and custody hearings.

Petronella states that "Jonathan requested the Court of Appeal set aside the decision" (See Exhibit, Page 5, ¶ 1). Actually, at RAA's request, Jonathan appealed the no-return part of the decree, since RAA had made very clear to the Court in the hearings that she wanted to return to the U.S. if she had to choose

between her two parents. (See Exhibit C, Pages 4, 5 and 7) Petronella, under Cross-Appeal, asked the Court of Appeal to set aside the determination that she had wrongfully removed RAA, which the Court of Appeal rejected in affirmation of the lower court's decree of parental abduction.

Petronella further quotes from the September 12, 2025 opinion of the District Court that "he [Jonathan] has had parenting time with RAA in the Netherlands since Petronella's and RAA's move" (See PRB, Page 6, ¶ 4) and that "the child was settled in her new habitual residence in the Netherlands..." (See PRB, Page 7, ¶ 1) and that "this Court must recognize and enforce a child custody determination made in a foreign country." (See PRB, Page 7, ¶ 2). The above statements made by the District Court are based upon understandable but not completely accurate assumptions of various legal aspects of the CCAICA's decree. The CCAICA Court is an international court deriving its legal authority from an international treaty regarding international parental abduction and protection of left-behind parents' custodial rights. The Hague Court decree cannot and did not make a "custody determination" regarding RAA, nor did it reset the habitual residence of RAA. It merely grants additional physical presence, not custody or habitual residence, to allow the abducted child to remain in the country of abduction until such time as the appropriate family court makes an initial custody determination. Jonathan's time with his daughter in the Netherlands does not

constitute “parenting time” resulting from a custodial decision, but rather time with his daughter as a joint legal custodian of RAA while awaiting a court with legal jurisdiction to adjudicate a dissolution petition with an associated custody determination. Proper legal jurisdiction is the pivotal legal issue under review in this appellate matter.

Jonathan claims that Section 208 of the UCCJEA and Article 7 of the 1996 Hague Convention do not allow jurisdiction to shift due to illegal or unjustifiable conduct, like international parental abduction. Furthermore, a foreign dissolution proceeding that is dismissed due to not having jurisdiction does not in any way prevent Montana courts from making an initial custody determination of a Montana child whose last habitual residence before being kidnapped was Montana.

Petronella states that “Dutch courts are a convenient forum because, other than Jonathan’s desire for homeschooling the child, all other facts regarding the child’s upbringing over the last three years are primarily in the Netherlands. The claim that Dutch courts “cannot evaluate homeschooling” is irrelevant and legally inaccurate. The child was not “homeschooled all her life.” She has attended Dutch primary school since 2022. Regardless, educational preferences do not determine UCCJEA jurisdiction. Furthermore, Jonathan provides no support to his contention that there is or was an agreement to homeschool or that the Dutch courts cannot

accommodate homeschooling, if homeschooling is found to be in RAA's best interest." (PRB, Page 21, ¶ 1).

The above statements are empty rhetoric with distorted intent. RAA has told the Courts in the Netherlands multiple times that she wants to return to Montana to continue with the homeschooling program that was all that she knew and loved prior to being kidnapped. And this was the last educational program that both parents fully agreed upon prior to the abduction. Of course, the Dutch courts could theoretically rule on the merits of homeschooling though they have absolutely no experience or institutional knowledge about it, and their ruling would only come through an epic bias of Dutch society that homeschooling is a joke and Dutch socialized education is the best. So, any evaluation by the Dutch courts about homeschooling is way outside of their competence. But homeschooling is very well known and understood by Montana courts, thus establishing without dispute that Montana is a far more convenient forum to address homeschooling.

And after all, the "more convenient forum" is about everything involving the

most relevant factors of the situation: Rachael's natural born American citizenship

in the U.S., both parents are United States citizens, Rachael has been a habitual

resident of the U.S. her whole life and was physically present in the U.S. until she

was kidnapped, she has told the Court she wants to return "home" to Montana,

Rachael's beautiful "home" on 5 acres in rural Montana, all her American family

and friends that haven't seen her for the last few kidnapped years, etc. For Petronella to argue that Jonathan is asserting that Montana is the more appropriate forum solely because of homeschooling is baseless. To argue that Netherlands is the more appropriate forum requires one to ignore all the facts concerning the life and kidnapping of RAA.

And all of this doesn't even include the fact that there is a pending U.S. criminal case of proven abduction being investigated by the Montana U.S. Attorney's Office, a legal matter that is fully vested in U.S. jurisdiction in regard to the criminal kidnapping of an innocent American child. Montana is the only legitimate jurisdiction in this case for many moral, legal, and practical reasons and is clearly the most convenient forum.

#### **II. 4. Response to Appellee's Argument for Award of Legal Fees**

Petronella argues (See PRB, Page 24, ¶ 8) that "Jonathan should be sanctioned because his emergency order and subsequent appeal were vexatious and filed for the improper purpose of taxing Petronella's resources in now a third jurisdiction concurrently with preparation for the final Netherlands custody hearing." Such a request by Petronella is absurd and contradicts all facts surrounding the case.

Jonathan filed his emergency custody order because it was the only way a pro se father could hope to get his kidnapped daughter back while the U.S.

criminal kidnapping case was being investigated, and until the Dutch court acknowledged it didn't have jurisdiction. Just last week the Dutch court finally confirmed Jonathan's claim that it lacked jurisdiction. The U.S. criminal case is still active pending U.S. Attorney review, based upon a confirmed, international final decree of "wrongful removal" by the Hague Court of Appeals. If ever there were "substantive or reasonable grounds" for legal action, it would be Jonathan's multiple cases to get his proven kidnapped daughter back home. Such a request for award of attorney fees in this case is not only ludicrous and hollow, but it represents a total mockery of the sound legal basis for legitimate claims to reimbursement of legal fees and costs. An appropriate application of a request for legal fees would be Jonathan's request for reimbursement of over \$ 100,000 in legal fees, translation costs, international travel and lodging expenses for months, mediation charges, etc., that Jonathan has had to borrow to try to get his unlawfully kidnapped daughter back "home" to Montana where she has repeatedly pled to return.

Furthermore, the award of legal fees is built upon an equity and fairness doctrine that includes 1) remuneration of expenses that were incurred to rectify a wrong committed by the other party; and/or 2) an equalization of resources to allow both parties to be on an equal legal footing in their legal dispute.

Petronella's parents have been providing unlimited financial resources to

Petronella from their multi-million Euro asset base, while Jonathan has been borrowing heavily from creditors and friends to continue the justified fight for his daughter. It was for precisely this reason that Jonathan was unable to obtain legal counsel in Montana to pursue the just return of his daughter, because his financial resources have been decimated the last two years in legal battles in the Netherlands, which requires engagement of Dutch attorneys without the option of pro se representation to save money. Since Petronella was the confirmed kidnapper with unlimited financial resources to exhaust Jonathan's lack of financial resources, she has a completely unfair advantage and access to legal representation that is not available to Jonathan. For all reasons of morality, truth, justice, financial inequality of Jonathan and Petronella, and rectification of the exhaustive injustices of an international crime, this Court must hastily deny Petronella's request for legal fees.

### III. CONCLUSION

In the September 12, 2025 Order of the District Court denying custody jurisdiction, the District Court stated the following in the last paragraph of its ruling: "Finally, as a dissolution is currently pending in the Netherlands, the Court will dismiss Jonathan's Petition for Permanent Parenting Plan on the assumption the dissolution will also address parenting. His Petition is dismissed without prejudice and can be renewed if the assumption is incorrect."

In keeping with the above ruling, Jonathan is now renewing his Petition for Permanent Parenting Plan, since the assumption that the foreign dissolution case will address parenting is no longer valid. The Dutch Petition for Dissolution has been dismissed on grounds that it lacked jurisdiction. Foreign jurisdiction cannot be obtained by “unjustifiable conduct” under UCCJEA Section 208 and Article 7 of the 1996 Hague Convention. Therefore, there is no longer any jurisdictional obstruction to the Lincoln County District Court exercising jurisdiction over the Dissolution of Marriage, and exercising initial jurisdiction over all related custodial matters relating to RAA.

In light of the new evidence being supplemented to the Record, Appellant affirms his position delineated in his Opening Brief that the District Court erred by:

1. Treating a CCAICA Article 12 ruling as a custody order;
2. Assuming that “habitual residence” had necessarily transferred to the Netherlands due to the Hague Court’s decision to not return RAA. as a treaty remedy;
3. Determining that Montana was no longer the “home” state for RAA.;
4. Minimizing the significance of Appellee’s dual citizenship and a pending U.S. criminal proceeding in its analysis of significant connections supporting Montana jurisdiction;

5. Underestimating the Special Curator Report, particularly RAA.'s strong views that Montana was her home state with strong proof of her continuing significant connections to Montana;

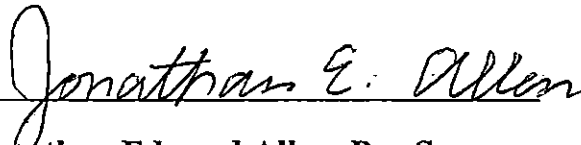
6. Assuming incorrectly that the Dutch court already had jurisdiction to decide custody;

7. Failing to address the Netherlands' inability to address the homeschooling choice of Appellant and the child's continuing educational needs under this education path; and

8. Failing to recognize that Montana remains the "better placed" and only appropriate forum for protecting and defending the best interests of RAA.

Appellant respectfully requests that this Court supplement the Record with the January 20, 2026 Decision of the District Court of Middle Netherlands, and remand the matter for full custody proceedings under Montana law.

**Respectfully submitted,**



**Jonathan Edward Allen, Pro Se**  
623 Nutting Drive, Eureka MT 59917  
(970) 209-8341  
jon@firstfruitsintl.com  
Dated:

**CERTIFICATE OF SERVICE**

I certify that I filed this Reply Brief and also a Motion to Supplement the Record with Newly Rendered Decision with the Clerk of the Montana Supreme Court, and that I have mailed a copy to each attorney of record as follows:

Bradley J. Jones

R. Spencer Bradford

BULMAN JONES & COOK PLLC

P.O. Box 19775

Missoula, MT 59808-6775

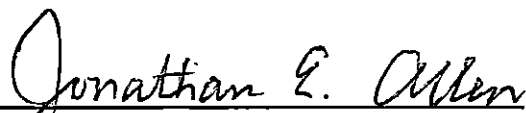
Telephone: (406) 721-7744

FAX: (406) 728-9362

staff@bulmanlaw.com

Counsel for Petronella Gerline (van Oosterom) Allen

DATED this 28<sup>th</sup> day of January, 2026.

  
Jonathan Edward Allen  
Pro Se

## CERTIFICATE OF COMPLIANCE

I hereby certify that the foregoing brief is proportionally spaced typeface of 14 point and does not exceed 5,000 words.

Pursuant to the Montana Rules of Appellate Procedure 11 (3) and 11 (4), I hereby certify that the Appellant's Reply Brief is printed with proportionately-spaced Times New Roman typeface of 14 points; is double spaced; and does not exceed 5,000 words. The exact words count is 4,440 words as calculated by Microsoft Word excluding the Table of Contents, Table of Authorities, Certificate of Service, and Certificate of Compliance.

Dated this 28<sup>th</sup> day of January, 2026.

---

*Jonathan E. Allen*  
**Jonathan Edward Allen**  
Pro Se