

United States Court of Appeals
For the Eighth Circuit

No. 22-2972

Fabrizio Guzzo

Petitioner - Appellee

v.

Erica Anne Hansen

Respondent - Appellant

Appeal from United States District Court
for the Eastern District of Missouri - St. Louis

Submitted: November 7, 2023

Filed: December 5, 2023

[Unpublished]

Before BENTON, MELLOY, and GRASZ, Circuit Judges.

PER CURIAM.

In this matter under the Hague Convention on the Civil Aspects of International Child Abduction,¹ Erica Hansen, a United States citizen, appeals the

¹Pub. L. 100-300 Sec. 2(a)(4), codified as the International Child Abduction Remedies Act, 22 U.S.C. § 9001(a)(4).

district court's² order that her son with Fabrizio Guzzo be returned to Spain. Having jurisdiction under 28 U.S.C. § 1291, this court affirms.

Hansen argues that the district court erred in determining the record did not support her defenses to returning her son to Spain. This court discerns no error in the district court's conclusion that Hansen failed to establish her son would face a grave risk of harm if returned to Spain. *See Acosta v. Acosta*, 725 F.3d 868, 874 (8th Cir. 2013) (standard of review); *see also Nunez-Escudero v. Tice-Menley*, 58 F.3d 374, 377 (8th Cir. 1995) (grave-risk inquiry only requires assessment of whether child will face immediate and substantial risk of an intolerable situation if he is returned to habitual residence). This court discerns no error in the district court's finding that, even if her son had attained sufficient maturity to consider his views, he did not express a particularized objection to living in Spain. *See Custodio v. Samillan*, 842 F.3d 1084, 1089 (8th Cir. 2016) (standard of review); *see also Dubikovskyy v. Goun*, 54 F.4th 1042, 1048 (8th Cir. 2022) (child's preference or generalized desire to remain in United States is insufficient, as child's testimony must include particularized objections to returning to former country).

The judgment is affirmed. *See* 8th Cir. R. 47B.

²The Honorable Patricia L. Cohen, United States Magistrate Judge for the Eastern District of Missouri, to whom the case was referred for final disposition by consent of the parties pursuant to 28 U.S.C. § 636(c).