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PUBLISHED: NOVEMBER 16, 2009 1:15AM

Former Edinboro man fights extradition in child kidnapping case

By LISA THOMPSON lisa.thompson@timesnews.com

A former Edinboro man indicted on a charge of international parental kidnapping is refusing to leave Bulgaria to answer the allegations against him.

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Instead, Chad Z. Hower is mounting his defense online and 5,000 miles away from U.S. District Court in Erie.

On his Web site, kudzuworld.com, Hower, 35, has created an entry called "Arrested in Bulgaria on False Charges." In it, he describes in great detail a protracted custody dispute with Nancy Oberlander, the mother of his son, Aarys; his wretched 13-day stay in a Bulgarian detention center after his Oct. 14 arrest; and his claims that he was charged based on false information.

He asks readers to spread news of his situation to others and the media, and send money to help with his legal fees. He said defense of the case is expected to cost him \$100,000.

"Because of their false evidence and the intimidation that has followed, is why I am now approaching various media outlets," Hower wrote in an e-mail to the Erie Times-News.

Hower, according to his Web site, was held in a Bulgarian detention center for about two weeks after his arrest in Sofia. He was released Oct. 27 and was awaiting another extradition hearing when, on Thursday, he was taken into custody again for reasons that were not immediately clear, according to messages on Facebook, where friends are rallying around his "cause," called "Free Chad From False Bulgarian Arrest."

In the e-mail to the Erie Times-News, which was sent before his most recent arrest, Hower said he planned to fight extradition.

"If I return to the U.S., they will put me in prison while we sort this out, and they told us it will take six-plus months. I'm also not confident that I will receive a fair trial given the situation and the history," Hower wrote.

"We have tried to work it out with them, before and after, so that Aarys can spend time with both his parents. But the FBI's priorities do not concern this."

The U.S. Attorney's Office on Oct. 14 unsealed a one-count indictment accusing Hower of international parental kidnapping, which is punishable by up to three years in federal prison and a \$250,000 fine.

The indictment charges that beginning in November 2006, Hower removed his then-10-year-old son, Aarys Oberlander-Hower, from the United States and retained him to obstruct the lawful exercise of parental rights.

The indictment and a warrant for Hower's arrest were filed under seal in May. The documents were unsealed after Hower, a self-described "eccentric software engineer," was taken into custody at his hotel in Sofia, Bulgaria, where he was scheduled to speak at a conference on Microsoft technologies.

The grand jury indictment contains scant information about circumstances leading to the charge, which is typical of federal indictments. Assistant U.S. Attorney Christian Trabold has declined to comment on the case because it is pending.

Records do not state where the child is now.

However, from the court records Hower has posted online, it appears that a Venango County judge awarded the child's mother, Oberlander, custody of the boy in December 2006, and that she has not seen the child since September 2006, when she turned him over to Hower after a summer visit to Titusville. Attempts to reach her for comment have been unsuccessful.

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Hower disputes the Venango County custody order. He believes an earlier order from a court in Knox County, Tenn., gives him custody of Aarys and permission to travel abroad.

Even that order, however, directs that the boy's mother should have time to visit with the child.

Hower faults the indictment for saying the kidnapping occurred in November 2006, which appears to relate to a key custody hearing in Venango County, when Hower failed to appear. Hower claims he could not have kidnapped the child in November 2006 because he was not in the United States then. He said he took the child abroad in September 2006 lawfully and in accordance with the Tennessee custody order in place at that time.

"They have severely misrepresented the situation," he wrote in the e-mail to the Erie Times-News.

According to Hower's postings, he and Oberlander, a former Erie resident, moved to Tennessee in 1995, where Aarys was born the following year. The couple divorced in 2002.

The documents posted by Hower show that a court in Tennessee awarded him custody in August 2005 after it said Oberlander repeatedly refused to comply with orders that she make Aarys available to Hower.

Oberlander moved to Titusville in 2004 and eventually sought the aid of the Venango County courts, which at first refused to intervene.

In 2006, however, then-President Judge H. William White assumed jurisdiction of the case because Oberlander had not lived in Tennessee since 2004 and Hower lived abroad. Aarys' grandparents also lived in Pennsylvania.

White first said that Hower could retain custody of Aarys under the Tennessee order until a hearing could be held in Venango County to determine what was in the child's best interests. But when Hower refused to appear or produce Aarys for hearings on Nov. 6, 2006, and Dec. 27, 2006, White transferred custody to Oberlander and held Hower in contempt.

It appears from Hower's filings that Aarys has not seen his mother since September 2006, when Hower's parents took the boy to Cleveland and placed him on a plane to join Hower in Cyprus.

Hower maintains that Oberlander has refused to provide contact information.

"My goal has never been exclusive control of Aarys," he wrote.

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