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PUBLISHED: NOVEMBER 27, 2009 1:15AM

Bulgaria won't extradite former Edinboro man in parental kidnapping case

Judge won't force ex-Edinboro man to return to U.S.

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The government of Bulgaria won't force a former Edinboro man to return to Erie to answer a charge of parental kidnapping.

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A Bulgarian judge this week refused to order the extradition of Chad Z. Hower, Assistant U.S. Attorney Christian Trabold said.

The basis for the judge's decision and what effect it could have on Hower's case could not immediately be determined.

Hower, a 35-year-old software engineer, was arrested in October in Sofia, Bulgaria, while attending a conference. The U.S. government accuses him of taking his son abroad over the past three years in violation of the boy's mother's parental rights. The child's mother, Nancy Oberlander, is a former Titusville resident.

Hower denies the charges and said he has legal custody of Aarys Oberlander-Hower, now 13. Trabold said he could not comment further on the ruling or on what prosecutors plan to do next.

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Hower, reached by the Erie Times-News via e-mail, confirmed the judge had ruled in his favor. He also said he could not comment further.

One of Hower's lawyers, Neil Saltzman of New York City, said in an e-mail that he has not yet reviewed the ruling, but that the "U.S. government's request apparently was found unjustified under Bulgarian law and the extradition treaty Bulgaria has with the United States."

He said that despite this court win, the arrest warrant for Hower remains in effect.

"If Mr. Hower travels through another country with which the United States has an extradition treaty, he may be stopped again, and the U.S. government might decide to submit a new extradition request, resulting in yet another court proceeding similar to the one Mr. Hower has just now gone through," Saltzman wrote.

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 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 was taken into custody at his hotel in Sofia, Bulgaria, where he was scheduled to speak at a conference on Microsoft Corp. technologies.

According to court records Hower has posted online, it appears that a Venango County judge awarded 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.

Hower has mounted an online campaign defending his actions.

On his Web site, kudzuworld.com, Hower describes in great detail a protracted custody dispute with Oberlander, his 13-day stay in a Bulgarian detention center after his Oct. 14 arrest and his claims that he was charged based on false information.

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

He said he has refused to return to the United States because he does not believe he will receive a fair trial.

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