

DOC. NO. UWY-FA10-4022991-5

WILLIAM GROHS

V

KELLY GROHS

STATE OF CONNECTICUT  
SUPERIOR COURT

JAN 11 11:09 AM '20

WATERBURY DISTRICT  
COURT

SUPERIOR COURT

WATERBURY J. D.

AT WATERBURY

FEBRUARY 14, 2020

MEMORANDUM OF DECISION

This matter comes before the court by way of a third party's Emergency Ex Parte Motion to Intervene (#347) filed January 8, 2020. The third party, Vicki Frenzel, who is the step-mother of two minor children involved, seeks intervener status for the purpose of obtaining custody of those minor children. The ex parte aspect of the motion was denied by Judge Ficeto on January 8, 2020, and an order for hearing and notice was issued. A hearing on the motion was held on February 14, 2020. The plaintiff, who is terminally ill, was not present at the hearing. However, he was represented at the hearing by Attorney Ed Duffy, and the third party, Vicki Frenzel, was present and represented by Attorney Melissa Antonio. The guardian ad litem, Attorney Mary Brigham, participated telephonically at this hearing. The self-represented defendant, Kelly Grohs, was not present at this hearing.

A number of the defendant's motions were also scheduled to be considered by the court at this hearing. Those motions all dated January 13, 2020 included, a Motion for Hearing (#349), a Motion to Discharge GAL (#350); a Motion for Discovery (#351); a Motion to Strike (#352), a Motion to Strike & Sanctions (#353); a Motion to Dismiss (#354); a Motion to Seal (#355); a Motion for Sanctions (#356); a Motion to Appointment of AMC (#357); and, a Motion to Vacate (#358) Upon motion of counsel, the court reviewed and denied all of these motions, primarily and technically because of the defendant's failure to appear and prosecute them.

Based upon the testimony of the parties, the testimony and recommendations of Attorney Brigham and other evidence presented, by a fair preponderance of the evidence, the court made the following findings:

- 1) There are two minor children, Sophia M. Grohs, born 8/22/2007 and Genevieve T. Grohs, born 7/6/2009, who are the children of the parties and the subject of the third party's motion;
- 2) The plaintiff, William Grohs, the biological father of the two minor children, is currently incapacitated because of a terminal illness, and his death is imminent;
- 3) The defendant, Kelly Grohs, the biological mother of the two minor children, by her own volition, has not had any meaningful contact with the two minor children within the past 2½ years;
- 4) Vicki Frenzel, the current wife of the plaintiff and the step-mother of the two minor children, has a relationship with the two minor children which is akin to that of a parent;
- 5) award of parental custody to the defendant would be detrimental to the children;
- 6) an award of custody to the third party, Vicki Frenzel, would be in the best interest of the two minor children.

All pertinent criteria outlined in Chapter 815 of the General Statutes as well as applicable case law were considered by the court in the entry of the following orders.

- 1) The third party's motion to intervene is granted. Vicki Frenzel is granted intervener status in the matter of Grohs v. Grohs, DOC. NO. UWY-FA10-4022991-S.
- 2) Sole legal and physical custody of Sophia M. Grohs, born 8/22/2007 and Genevieve T. Grohs born 7/6/2009 is awarded to Vicki Frenzel.

Order issued on 2-14-2020.  
Reduced to writing on 2-27-2020.  
Copies mailed this date, 2-27-2020  
to: Atty. Ed. Duffy, Atty. Melissa  
Antonio, Atty. Mary Brigham,  
and Kelly Grohs (self-rep.),  
and Reporter of Judicial Decisions.  
Laurie Dean  
Assist. Clerk  
2-27-2020

THE COURT

COLEMAN