

DOCKET NO: UWY-FA10402291-S : SUPERIOR COURT
GROHS, WILLIAM : JUDICIAL DISTRICT
 : OF WATERBURY
v. : AT WATERBURY, CONNECTICUT
GROHS, KELLY : September 3, 2021

BEFORE THE HONORABLE ANNA FICETO, JUDGE

A P P E A R A N C E S :

Representing the DEFENDANT: (Self-Representing Party)

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THE COURT: All right, so Grohs versus Grohs.

ATTY. LEVY: For the record, Your Honor, Attorney Steven Levy representing the intervener Vicki Frenzel, who is present at counsel table.

THE COURT: Good morning.

MS. GROHS: Kelly Grohs, pro se.

THE COURT: And you address, madam?

MS. GROHS: I'm sorry?

THE COURT: Your address?

MS. GROHS: 70 East Street, Litchfield, Connecticut.

THE COURT: All right, so, there are approximately 60 motions that have been filed since March of 2020. Would you like to go through those motions individually, madam?

MS. GROHS: Yes.

THE COURT: Okay. Well, actually before we start let me ask counsel, have you been served with anyone of those documents? Because as I reviewed there seems to be no return of service on any of the motions. This is a post judgment matter.

ATTY. LEVY: There's been no request for order for hearing and notice that I'm aware of. Ms. Grohs has sent--emailed me copies of pleadings. I'm not sure I have all of them. I was trying to figure that out this morning. But I received many pleadings.

THE COURT: Okay. And so are you willing to proceed today knowing that you actually haven't received service?

ATTY. LEVY: Yes, Your Honor.

THE COURT: Okay. So, I'm going to address that at a later date; but let's start. So, your first motion starts with number 368. The motion to vacate the order of Judge Coleman, dated March 2, 2020. Indicating that, "You improperly denied the opportunity to be heard due to an ADA accommodation request by the branch." You wish to address that, madam?

MS. GROHS: Your Honor, I had filed ---Ms. Frenxel, along with attorney at the time, had filed an ex parte emergency motion. And the court scheduled a date for Sept--I'm sorry; the mask-- February 14. Prior to that I asked for continuance. It was denied. I also asked for a remote hearing via telephone as I had just surgery, and was recovering from surgery. The Court denied that; and the hearing was held without me present, without Mr. Grohs present, who was also summoned to be at that court date. So, you held--a hearing was held without either parent at this hearing. I was denied--I was denied my right to appear telephonically, and at the same time Mary Brigham, who is the guardian ad litem, was allowed to appear

telephonically because she was on vacation. However, recovering from surgery, I was denied access to the court through the ADA.

THE COURT: Well, you know that the ADA accommodation is not something that this Court rules upon, right? ADA accommodations are handled specifically by the administration. The Court does not grant accommodations for ADA.

MS. GROHS: Your Honor, I filed the request to the court for telephonic appearance due to the fact that I was recovering from surgery; which is documented and could be provided by my doctor.

THE COURT: But, again, the motion to vacate, dated March 2, 2020, deals with the--specifically that you were denied ADA accommodations. And again, that was dealt with through the administration. That's not a matter which the Court addresses. So, do you wish to be heard on that matter, Attorney Levy?

ATTY. LEVY: No, Your Honor. I don't think that's necessary.

THE COURT: That motion's denied. And we'll move to motion number 369, motion for clarification. Asking questions such as "What Court made a determination of parental unfitness. What statute granted the family division?" That's not clarification.

MS. GROHS: I'm sorry? I'm having a hard time hearing you.

THE COURT: So, let's address your motion. Go ahead, number 369.

MS. GROHS: Your Honor, I think--well I'm asking the Court for clarification which I have not received.

THE COURT: Clarification is not--is within the Court's discretion. I think Judge Coleman's order speaks for itself. I don't think it's clarification. The questions cited here, is like-- For example, "What case law supported Coleman's decision in which he claims by obscure references." Those are not proper--a proper use of the motion for clarification, madam. Those are intended to annoy and harass the Court.

MS. GROHS: So, there's still no clarification as he made a claim about lack of contact. I mean, how did--there were no expert witnesses at--Who's an expert witness at this hearing?

THE COURT: You don't need an expert witness, madam.

MS. GROHS: You don't need an expert witness--

THE COURT: No.

MS. GROHS: --transfer custody--

THE COURT: That is correct, madam.

MS. GROHS: --to a third party?

THE COURT: That is correct. You can cite if you wish today the case law which specifically--the Connecticut case which specifically says the testimony of an expert witness is required in order for the Court to transfer custody? Do you have such a case, madam? Or statute?

MS. GROHS: Your Honor, I'm referring to, *and*. And it states--

THE COURT: That case is cited throughout your pleadings.

MS. GROHS: Yes.

THE COURT: It is an improper reference, madam.

MS. GROHS: It's an improper reference when--

THE COURT: It is indeed.

MS. GROHS: --when it's citing a constitutional right of a parent to transfer to a third party?

THE COURT: Motion 369 is denied. Motion to vacate based upon constitutional error. You can proceed madam.

MS. GROHS: Again, I'm referencing *Troxel v Granville*, and you're telling it--You're going to deny this motion as well, I'm sure. I think the motion speaks for itself. Motion to vacate based upon a constitutional error.

THE COURT: There is no constitutional error.

It's clearly--There is specifically a motion to intervene that is routinely heard in Family courts throughout the state of Connecticut. It is a right of party to file a motion to intervene. A motion to intervene was filed by Frenxel. It was heard, and it was granted. There's no--

MS. GROHS: I was heard--

THE COURT: --constitutional violation with regard to a motion intervene.

MS. GROHS: Your Honor, where was the due process in that hearing when a hearing--

THE COURT: Madam--

MS. GROHS: --when a hearing was held--

THE COURT: Madam, with all due respect, that hearing was held in your absence--

MS. GROHS: Because I was unable to get here due to my surgery.

THE COURT: As were many hearings prior to that date where you opted not to attend. Your lack of attendance at that court date was not the first occasion in which you decided voluntarily not to appear in court.

MS. GROHS: Your Honor--

THE COURT: It was a well-established on your behalf, madam.

MS. GROHS: Your Honor, again, I'll state for the record I was recovery from surgery; which I

request to the court to appear telephonically on that date due to the fact that I was recovering from surgery. And the hearing was held without me being present, and Mr. Grohs being present.

THE COURT: Madam, that is the most outlandish statement I have ever heard.

MS. GROHS: Your Honor--

THE COURT: You know full well that that gentleman was dying. He was in hospice. And to say to the Court that he wasn't in attendance is outlandish.

MS. GROHS: Well, Your Honor, I asked them why he was summoned to come to court on that date.

THE COURT: He was represented by counsel. And the circumstances were rather unique.

MS. GROHS: So, a hearing was held and the defendant, who could not appear because he was ill, dying--

THE COURT: And he was represented by counsel

MS. GROHS: --terminally ill on cancer. I understand he-- I understand that he was dying. But, how does even his counsel able to represent someone who's incapacitated.

THE COURT: Well, you don't know that, madam, because you weren't in attendance. And you certainly don't know whether counsel was able to communicate with the gentleman.

MS. GROHS: Your Honor, Mr. Grohs had been in the hospital since December 25 due to having a massive stroke; was in the ICU until January 11. He was then returned to his home on hospice on January 13. Someone who's dying--

THE COURT: Did you visit with him?

MS. GROHS: I'm sorry?

THE COURT: Did you visit with him?

MS. GROHS: I did not visit with him.

THE COURT: Did you know his ability--what his ability to communicate was?

MS. GROHS: I did not.

THE COURT: Do you know whether the gentleman had conversations with his attorney prior to his period of incapacitation?

MS. GROHS: I do not.

THE COURT: Okay.

MS. GROHS: I do not know that.

THE COURT: okay, then motion to vacate based upon constitutional error number 370 is denied. Request for production, March 20, 2020. Number 371.

MS. GROHS: Well, I don't see how that's even relevant anymore as the hearing was held and there was no accommodations, so.

THE COURT: Well, again, the Court specifically does not rule; and I believe that it's the judicial branch policy that judges do not get

involved with regards to accommodations so that there is no claim of favoritism or bias and so forth. So, we don't get involved with ADA accommodations. When you say produce copies of the ADA accommodations request, those are readily obtainable at the clerk's office if you need them. So, if you want a copy of the ADA I'm certainly not going to deny the motion, but I don't have that available myself. You can go certainly to the clerk's office and obtain a copy of that. So, it's--the motion's granted with a direction that the defendant can obtain those documents at the clerk's office. Number 372; I don't think that's a motion. It just simply says, "The Undersign provides the court notice of the death of the plaintiff." That's noted; so that really doesn't need a ruling.

We will proceed--Again, motion for clarification similar to one that's been ruled upon; it's dated March 9, 2020; number 375.

ATTY. LEVY: Your Honor, may I just say that now that we're beyond March 6, as far as the pleadings are concern, is beyond the appeal period. So, any motions that are now should have been or could have been raised by way of appeal should be denied because of that fact.

MS. GROHS: I'm sorry, I'm having a hard time

hearing.

THE COURT: All right. So what he's saying is if you took issue with Judge Coleman's order--tell me if you can't hear me--if you took issue with Judge Coleman's order after you certainly were able to file the motions for clarification. Motion for reconsideration, and the like. After a certain date those --the order becomes final. And therefore you have to file an appeal; which you did not. The appeal period has transpired. It's a final judgment. So, any of the motions, what counsel is saying, that you filed after March 6, 2020, it's after the appeal period. And really-- For example, the motion for clarification after March 9 is really a moot point. So, the motion for clarification 376 is denied. Now, there's a claim, number 377, motion for clarification with regard to insurance. And it references a beneficiary policy and so forth. You know, Ms. Grohs, this Court did not deal with any issue of insurance or insurance policies or the like.

ATTY. LEVY: That issue, Your Honor, is presently before the Southbury Probate Court; and Ms. Grohs has been participating in those hearings.

THE COURT: Okay. So, that's not an issue. SO, when you're asking for clarification with regard to this--I don't know. Is it a life

insurance policy? Some kind of policy. The Court doesn't have--didn't not enter any order with regard to the policy, so it can't clarify an order with regard to a policy when there is no such order.

THE COURT: The clerk tells me I missed--All right 375 is a motion for clarification; that's denied as well.

The motion for clarification with regard to insurance 377 is denied.

All right, motion for stay, number 378. And again, I think 378--and again, Ms. Grohs, feel free to articulate if you wish. But it says,--

MS. GROHS: Again, Your Honor, yes thank you. Again, I go back to the fact that I was denied access to the court based on the fact that I was--I was recovering from surgery and could not attend court. My request to appear telephonically was denied.

THE COURT: I understand what you're saying. But motion for stay says, "The Court is moved to stay Coleman's order a matter of practice pending appeal." And if in fact you truly believed that you were denied due process, you were not permitted to attend that hearing telephonically due to your medical condition, so forth, you should have filed an appeal, right. And that's what 378 is saying.

MS. GROHS: Yup.

THE COURT: Its saying put this order on hold until I file my appeal. You never filed an appeal. And that would have been the proper venue at that point. The proper thing to do was to file an appeal, but you did not. And, so that motion is moot because no appeal was filed. And the time period to file an appeal has lapsed. So that motion's denied.

Again, another motion to vacate; number 379. Indicating that Judge Coleman improperly granted the motion to intervene. The motion to intervene, the time period for which to file an appeal has lapsed.

MS. GROHS: Your Honor, maybe you can clarify for me then. This motion was--I mean, was not heard.

THE COURT: The motion to intervene was certainly heard. Ms. Frenzel--

MS. GROHS: The motion to vacate; the motion to vacate.

THE COURT: But the motion to vacate was filed March 9, right.

MS. GROHS: Yes. But, to my understanding the motion was filed but was never heard. So,--

THE COURT: Your motion?

MS. GROHS: Correct.

THE COURT: Yeah. So, I'm hearing it now.
But the motion to vacate--

MS. GROHS: Right. So, in order to file an appeal the motion would have had to of been heard denied or not. I was never heard.

THE COURT: Not necessarily. But again the basis for this motion says, "Judge Coleman improperly granted Vicki Frenxel's intervener status absent a custody dispute before the court."

MS. GROHS: Yes.

THE COURT: Clearly--

MS. GROHS: Third parties can't--

THE COURT: --the very basis of this case is a custody dispute, right.

MS. GROHS: As a third party intervener. There has to be a dispute. There was no dispute before the Court between Mr. Grohs and myself for a third party to intervene. And only based on her filing on January 8, when in the hospital, in ICU, did she file an intervener status; filed as an intervener.

THE COURT: So I read this differently. Again, I don't have *Fish v Fish* before me, it states third parties cannot initiate custody proceedings. Ms. Frenxel didn't initiate a custody proceeding. She moved to intervene; which is what this says; unlike third parties who are permitted

to initiate proceeding a visitation cast to intervene in a custody matter; which is what she did. She didn't initiate her own custody application as a third party. She moved to intervene in an existing case; which is permitted.

MS. GROHS: Your Honor, and so I question again as to her being allowed --Vicki Frenxel being allowed to be intervener as there was no ongoing dispute. There had been nothing before the court for a year and a half; any dispute whatsoever between Mr. Grohs and myself. There would have to be an ongoing dispute before the court--

THE COURT: That's not what case law says.

MS. GROHS: --for a third party to intervene.

THE COURT: That's not what the case law or the statute says. It does not say that there must be an ongoing dispute between the parents in order for a third party to intervene. And in fact, unfortunately, the case would show that the dispute between you and Mr. Grohs was continuous. I don't think it ever stopped.

ATTY. LEVY: And just again, Your Honor, regardless of the substance of the argument, it was filed too late. So, the substance of the argument could very well be appropriate, but it wasn't appealed and therefore it's being filed after the 20 day appeal period. Therefore any attack--any

attempt at a collateral attack on the order is moot.

THE COURT: Well I don't think this motion's is moot because it was filed in 2020, right. So these aren't the recent ones are they?

MS. GROHS: No.

THE COURT: This was filed in March--yeah.

ATTY. LEVY: I'm sorry; you're right. I apologize.

THE COURT: Yeah. So, some of these are repetitive. This one was timely filed. But, I don't believe that there's a basis to vacate on what's cited in the motion. So that motion's denied.

ATTY. LEVY: Again, the order that we're talking about was entered on February 14, 2020.

THE COURT: Yes.

ATTY. LEVY: So, this was filed on March 9, 2020, beyond the 20 day appeal period.

THE COURT: Understood. Then motion 380 is, let's see, request to the clerk. So, again, I don't believe that's a motion before the Court. If it's a request for the clerk it should be directed to the clerk. It shouldn't be filed in the pleadings.

MS. GROHS: Your Honor, I believe this has already been addressed the firm of Duffy and Fasano

does not appear any longer as Will Grohs is deceased.

THE COURT: All right; so that matter is moot. So, I'm going to proceed to, again, March 10, 2020--I'm sorry March 10, 2020 number--What number is that--384.

MS. GROHS: And that is--I'm sorry, I might have that numbered wrong--

THE COURT: It's a--

MS. GROHS: Motion to strike?

THE COURT: No, no; it's a motion for clarification. It starts out, "Coleman J's move to clarify his findings number 3 on page 2 of memo." And again, I'm not going to--I mean, the motion's denied. So, essentially Judge Coleman about you visitation with the children and you state--

MS. GROHS: Yeah, I'm trying to--

THE COURT: --"How can I be in violation of the July 26, 2011 when it hasn't been modified." That's obviously inaccurate. That motion--the orders entered in July 26, 2011 had been modified several times prior to Judge Coleman's hearing.

MS. GROHS: I'm trying--

THE COURT: So that was not the operative order at the time of Judge Coleman's hearing.

MS. GROHS: I apologize. I'm--I can't locate that. I may have it improperly--

ATTY. LEVY: Ms. Grohs.

MS. GROHS: Thank you. Well, I asking for clarification. It states here, and it states,--I believe this going to the ex parte motion that was filed by Vicki Frenxel stating that I had not had and meaningful contact with mu children in the last two and a half years. This is the motion that we're talking about, correct?

THE COURT: Correct.

MS. GROHS: And that's 384. So, in that how does anybody define meaningful? What is meaningful by the Court's standard?

THE COURT: Well, I know that I suspended your visitation and you had no visitation.

MS. GROHS: Exactly.

THE COURT: So, no visitation cannot be meaningful visitation, right?

MS. GROHS: Correct, Your Honor. So, why don't I--Why was--but this is Coleman--I'm sorry-- Vicki Frenxel saying I had not had any meaningful visitation. I have not even been allowed to have FaceTime for no reason known whatsoever. FaceTime calls--

THE COURT: That's a separate issue. The point is during that hearing with Judge Coleman you did not have visitation with your children. I know for a fact that I suspended you visitation, and

there was not visitation in place. So,--

MS. GROHS: But how is--It states in here that it's my own violation. How is it my own violation of visitation when I --even on trial with Judge Gould, not granted anything; not offered any form of visitation with my children whatsoever.

THE COURT: During Judge Gould, which went on for well over a year, you did not appear, again, on numerous occasions during that trial. You elected not to attend.

MS. GROHS: Your Honor, I--

THE COURT: You were represented.

MS. GROHS: Your Honor, I don't recall not appearing except for one time--

THE COURT: You did not appear.

MS. GROHS: --where I was every ill. I was at every hearing in Middletown with Judge Gould.

THE COURT: Motion 384 is denied, madam. A motion to strike dated March 10, 2020, number 385. So, what are we moving to strike? The timeliness of a motion to strike after a hearing is improper. So, a motion to strike should be filed when a motion is filed. So, if Attorney Levy or someone else files a motion to intervene or some motion and you believe it's improper at that time it should be--you should file your motion to strike, your motion to amend, your motion to dismiss. Motions

to strike don't get filed after the entry of judgment. So, the timeliness is improper.

ATTY. LEVY: It's also addressed--It's a motion to strike a pleading.

MS. GROHS: It is.

ATTY. LEVY: It's not a motion to strike an action. It's a motion to strike the two objects that I had filed previously. So, that in and of itself is not in accordance with our rules of practice.

THE COURT: Right. You can't strike someone's motion. You certainly can object to it because you think it's improper, but you can't strike a motion. So, motion number 385 is denied. There's a similar motion to strike, number 386 dated March 10 as well. For the same reasons that motion to strike is denied.

March 11, 2020, there's a document number 387. It's just entitled notice. So, Court doesn't rule on that.

Motion to vacate, March 12, 2020, number 388.

ATTY. LEVY: Again, Your Honor, these are attempts at collateral attacks on the Court's order beyond the appeal period.

THE COURT: I would agree. The motion to vacate it's not timely, and certainly, again, if you took issue with Judge Coleman's ruling the

proper vehicle was to file a--

MS. GROHS: Again, Your Honor, excuse me; sorry, I don't want to interrupt you. Were you finished?

THE COURT: No; go ahead.

MS. GROHS: Again, this is a motion that was never heard, never addressed, there was no court scheduled, nothing for this. So,--

THE COURT: That's accurate, you know, you know, I'll also note for the record during March-- in March of 2020 the courts were operating simply on an emergency basis at that time. So these motions would not have been heard nor calendared at that time, right. In March 2020, I believe this courthouse was closed, all our operations were at 400 Grand Street; based strictly on priority one matters; motion for restraining orders, ex parte custody matter. So, you're correct, it wasn't heard, it wasn't calendared. But there's a reason for that. But the motion itself is improper. Again, you raised constitutional issues. "Judge Coleman's decision is null and void on constitutional due process grounds." So, you essentially filed the same motions numerous times alleging similar matters. So, that March 12th 388 is denied.

Then again, another motion for articulation

dated March 12, 2020. "State the name and docket number of the post judgment pleading pending before the Court on which the Court found a custody dispute." The Court doesn't answer questions like this, Ms. Grohs. If you want a motion for articulation you certainly can file one, but this isn't proper.

MS. GROHS: And, again, Your Honor, this is the same time--

THE COURT: You're accusing the Court --

MS. GROHS: I'm sorry.

THE COURT: Go ahead.

MS. GROHS: I didn't hear you.

THE COURT: I don't even know who Attorney Melissa Antonio is. Who is that?

ATTY. LEVY: That's my associate, Your Honor

THE COURT: Okay. "Why did not the Court order an evaluation?" That's not a motion for articulation.

MS. GROHS: So would I--

THE COURT: "Cite the expert witness to testified." Those are, essentially, interrogatories directed to the Court, not an articulation. And on that basis, it's improper and it's denied. The Court is under no obligation to answer specific questions. You certainly can ask for an articulation under certain grounds. This

asking the Court, "State the exact nature of the claimed parent-like relationship." The Court's under no obligation to do that, madam.

MS. GROHS: Your Honor, if I may ask then if the Court is under no obligation to state what a parent/child relationship is, how is it that they--

THE COURT: The parent-like relationship is defined by statute. It's very specifically defined by statute and case law.

MS. GROHS: And what is that statute?

THE COURT: Look at the motion to intervene, madam.

MS. GROHS: I actually don't have--I think I numbered--I apologized, but according to the case detail I may have them, like, the numbered incorrectly, because not all the motions match what is stated on the case detailed. So, did my best to number them properly. Apparently--

THE COURT: So, 389 motion to articulation is denied. And 390, motion for immediate hearing; that's somewhat moot; all right.

MS. GROHS: Again, Your Honor, this was a motion that was filed in March, on March 11. And as you just stated a few moments ago that only motions that were being heard in the court were emergency motions. So, this was another motion that was not calendar, not heard obviously because

it calendared. So, I'm requesting a hearing to resolve the issues. And if filing a motion for articulation is improper or--

THE COURT: The one I just denied. As I explained to you, that's not a request for an articulation. Those under the guise of a motion entitled motion for articulation are specifically almost interrogatories directed to the Court. It's improper; and then on that basis it's denied.

MS. GROHS: So, 390 is denied as well?

THE COURT: I believe --390 was a motion for immediate hearing. So it doesn't really require a ruling.

MS. GROHS: But, again, I would like to state for the record that this motion was filed with the court, was never calendared, therefore it was never heard as well.

THE COURT: There's no bias to you with regard to this motion--these motions, madam. Because when Judge Coleman entered his order if you took issue with his order you immediately file--and you seemed to be well verse with the filing of motions. You filed numerous documents of late with the Appellate Court and the Supreme Court. So, you're very well versed in court procedure. So, you should have known that when you failed to attend that hearing with Judge Coleman, and he entered an order, which

you found objectionable your remedy was to preserve your right with the Appellate Court. And if the Appellate Court, as they have done in the past, felt it was appropriate for the Court, for the trial Court, to articulate its reason, its order, they themselves would issue an order asking the Court, your judgment is unclear, Judge Coleman; articulate the reason why you stated X, Y or Z. The Appellate Court is clearly within its right to do so. So, again, I will state, someone as well versed as you in filing motions on all levels of the court would obviously know to preserve your right with regard to Judge Coleman's ruling by filing an appeal; and you chose not to.

MS. GROHS: Your Honor, again, I will state for the record, that I was not able to attend the hearing on February 14--

THE COURT: Okay.

MS. GROHS: --due to having surgery.

THE COURT: So, if that's your claim, madam, and you believe that that is an appealable issue you should have preserved your right with the Appellate Court.

MS. GROHS: So, filing this motion, motion for immediate hearing, on March 11, 2020, again, was not calendared. So, how can I file an appeal if wasn't calendared?

THE COURT: You can always preserved your right for appeal. And again, I will state that your knowledge of the court system, of case law, of statutes, of your ability to file with the Supreme Court and the Appellate is remarkable. You are well versed, madam. And you would have known that in spite of the fact that there are pending motions you should have preserved your right with the Appellate Court.

ATTY. LEVY: And I want to point out, Your Honor, that none of the motions that has preceded this motion that's been heard thus far had any timeliness of associate with it. In other words, it would have been denied had the Court heard it then because it was beyond the appeal period then if it heard it today.

THE COURT: Okay.

ATTY. LEVY: There's no prejudice to the defendant.

THE COURT: So, to Attorney Levey's point, is you can't file motion for articulation six months after the fact, 3 months after the fact. There are specific time frames within--when such motions need to be filed.

(PASSED 10:21 to 10:55)

THE COURT: All right; back on the matter with Grohs v Grohs. We're on motion number 391; motion

for articulation dated March 16, 2020. Again, entirely improper question here. "Does a federal deprivation of rights under the color of state intervention statutes occur when a civil court feigns an interest to rob a mother of her children absent state appearance?" Absolutely inappropriate. This would have been denied on its face hundred times over.

MS. GROHS: Your Honor, are you just going to deny--

THE COURT: It's just a mockery of a motion.

MS. GROHS: --all my motions.

THE COURT: It is--It is simply inappropriate.

MS. GROHS: So, I'm asking, are you just going to deny all my motions? They're either inappropriate--I mean, obviously I'm here because I want to see my children. I want my children.

THE COURT: Okay. None of these motions--

MS. GROHS: So, you're just going to deny all--

THE COURT: --address wanting to see your children, okay.

MS. GROHS: I'm sorry?

THE COURT: None of the motions that you filed that I have reviewed to date here in court have asked for visitation with your children?

MS. GROHS: Well, isn't obvious why I'm here

to the Court?

THE COURT: No it's not obvious. What is obvious is instead of filing 60 motions, filing numerous pleadings with the Appellate Court, and with the Supreme Court, some of which were absolutely inappropriate in tone, disrespectful. What you should do is one simple motion is all that's required. A motion for modification seeking visitation with your children; not all this.

MS. GROHS: I have filed that. Then we will get to it, madam. Because these numerous motions-- as you recalled because you filed these things with the Appellate Court, correct.

MS. GROHS: Mm-hmm; mm-hmm.

THE COURT: These are your filings, correct, Ms. Grohs?

MS. GROHS: Yes; yes, they are, Your Honor.

THE COURT: You filed them.

MS. GROHS: Yes.

THE COURT: Right. And one of your motions to the Appellate Court--some random motion with no appeal filing--is, "I have not been heard on all my pending motions." Well, so here we are.

MS. GROHS: Okay.

THE COURT: Okay. And when we get to that motion that allegedly request visitation for your children we will address that. But in the interim

we will address all these motions; which up to this point have been untimely filed or inappropriate and should be denied. So, in the future keep that in mind. If you have a goal--I want to see my kids-- file a motion, I want to see my kids. And we can cut to the chase immediately and address what should have probably a long time ago. A long time ago when I denied you visitation. Instead of not asking the Court to re-visit the issue you should have come to court and say, I want to see my children, and we could have addressed that, not in 2020, not in 2019, but perhaps in 2018.

MS. GROHS: Well, my abuser is dead now. So, I'm here.

THE COURT: That has nothing to do with anything.

MS. GROHS: Yes, it does.

THE COURT: No, it doesn't, madam. No, it doesn't. Two thousand and twenty, March 16, 2020; motion for articulation. As I indicated an absolutely inappropriate motion to the Court. It denied with prejudice.

Motion for order, number 392, dated March 17, of 2020. See attachment from AIG Life. Intervener Vicki Frenzel somehow became the beneficiary on a policy, on February 21, undisclosed means. There's nothing pending before this court with regard to

insurance. I don't know with this motion for order is. "The Court holding a duty to enforce its judgment."

MS. GROHS: Because there was a --there was a--per the divorce agreement there was a life insurance policy naming my children as beneficiaries, and someone else would be the trustee. I at the time, because I was their--am their mother, but during the divorce--after the divorce, part of our agreement in the divorce agreement was I was the trustee to set up a--for my children's account. I'm sorry, Your Honor. I'm not represented by counsel. I'm here. She has an attorney. This is not equal and --for you to just keep telling me all my motions are inappropriate or improper. I'm not an attorney. While I might be versed, I don't have the same advantage as having an attorney.

THE COURT: So,--

MS. GROHS: So, I need a break. I just need to collect myself at the moment because this is extremely emotional, it's very difficult, and I need to take a break.

THE COURT: We're not going to take a break. I don't have all day to deal with your motions. We're here scheduled for you, madam, because you insisted that your matters--and again, I will

reiterate the fact, and talk about the numerous motions that you filed with the Appellate and Supreme Court.

MS. GROHS: So, I'll go--go head.

THE COURT: So--

MS. GROHS: So, this motion--I'm sorry. We are on 392.

THE COURT: You know what, motion 392, it's to be paid into a trust to the benefit of the children.

MS. GROHS: I'm curious as to know why my children on this policy were removed as contingent beneficiaries on February 21, nine days before William Grohs died naming only Vicki Frenxel as a beneficiary? Why are my children removed from this policy?

THE COURT: Attorney Levy, is that the matter that is currently before the probate court?

ATTY. LEVY: Yes, Your Honor.

THE COURT: With regard to this policy?

ATTY. LEVY: Yes, Your Honor. There are two policies. But only one--The defendant only challenged one. And because its--its left to children the probate court needs to approve it and appoint a guardian of the estate. And I'm not involved in that matter. I peripherally have information. But I know Ms. Grohs is participating

those hearings.

THE COURT: All right. So, with regard to motion for order with regard 392--

ATTY. LEVY: I stand corrected, Your Honor. My client--because I'm not involved in that matter--my client just corrected me. Ms. Grohs failed to appear, she was defaulted. So that matter has now been concluded.

MS. GROHS: Appear for what? Excuse me, Your Honor, I'm going to state for the record I don't-- I'm not even aware that I failed to appear for hearing in the probate court. When was a hearing held, Attorney Levy?

THE COURT: All right; we're not discussing that here at this court. So the March 17, 2020--

MS. GROHS: How convenient--How convenient for Ms. Frenxel when--

THE COURT: March 17, 2020 motion--

MS. GROHS: --her husband died 9 days after she forged signature.

THE COURT: --392, I'm denying without prejudice, all right. It may be appropriate for the Court to review that at some point.

Motion to disqualify the GAL. That motion has been heard previously.

MS. GROHS: She's--She's--Attorney Brigham is not the guardian ad litem currently on this--

THE COURT: Correct, there is no current. So, number--

MS. GROHS: And in order for a guardian ad litem to be appointed, let alone re-appointed, there is a process I believe with the court. It has to Family Relations; financial affidavits need to be filled out, etcetera, etcetera.

THE COURT: Okay.

MS. GROHS: For any guardian ad litem.

THE COURT: So, motion number 393 is denied as it is moot.

Number 394, motion for clarification for GAL filing. "Why is Attorney Brigham is expending billable hours and charging \$375 for filing frivolous opposition pleadings in court in which she is not appointed?" So as of March 19, 2020 there was nothing pending. Attorney Brigham was no longer acting as the GAL. She was properly appointed prior to that time, up to the time of the hearing before Judge Coleman. And her rates of \$375 was approved by the Court previously, so.

MS. GROHS: Okay. So, this motion--I'm sorry, Your Honor. This is motion number what?

THE COURT: Three ninety four.

MS. GROHS: And that is motion for clarification for the GAL filing. Is that --

THE COURT: Correct. So, it's untimely, she

wasn't a GAL. Her appointment prior to Judge Coleman--or up to Judge Coleman's hearing was appropriate. She was appointed by the Court. Her rate of \$375 was approved. And certainly any filings that she may have--any motions or such proposed order that she filed were within her parameter as the GAL.

MS. GROHS: No, that's incorrect, Your Honor. Because a GAL is not allowed to file a motion, let alone in Superior Court.

THE COURT: They can file with permission of the Court. So, they cannot file motions to modify, they cannot file motions for contempt. But upon the Court--They can certainly file proposed orders; that's their--

MS. GROHS: So,--

THE COURT: They can request motions--status conferences; that's certainly within their purview.

MS. GROHS: Well, ironically enough Mary Brigham withdrew with the Superior Court afterwards.

THE COURT: Well then the issue's moot.

So, ex parte motion to dismiss, number 395. So, essentially you're asking the Court to dismiss this matter.

MS. GROHS: Right.

THE COURT: "Wherefore the Court no longer

holding jurisdiction incidentals to dissolution of marriage is moved to dismiss the matter. So if we dismiss, which I don't believe appropriate to dismiss the matter that means that your motion to, if it is in fact pending as say, a motion to have access to your children wouldn't be heard by this court.

MS. GROHS: Your Honor, this is appropriate. I don't think it's inappropriate whatsoever due to the Connecticut law. When one parent dies the other parent is then--the other parent becomes the custodian and guardian of their children; not a third party intervener.

THE COURT: That is true under operation of law, absent exigent circumstances.

MS. GROHS: So, again, this was not heard or calendared.

THE COURT: So, it's being heard today, it's calendar for today. Your motion to dismiss the matter because Mr. Grohs is deceased under ordinary circumstances we wouldn't dismiss the file, it simply gets closed. But that would be inappropriate because we do have an intervener who was granted intervener status, who actually has physical custody of the minor children. So to dismiss the case would be inappropriate and would actually lend and give reason for Ms. Frenzel to

file her own appeal on the basis that the case was improperly dismissed. And again, you can't dismiss a case when there's active orders in them; that doesn't happen. So that motion denied.

MS. GROHS: You're dismissing this motion?

THE COURT: I am dismissing this motion. I just explained the reason why. We have an active intervener who has physical custody of the children. So, yes, under operation of law if one party is deceased one parent, the other parent, has, essentially, sole legal and physical custody absent other circumstances; and this is one of those cases where there are other circumstances.

MS. GROHS: Your Honor, going back to the hearing, which I was not present, again, because I had surgery on February 14. There would have to be, as it says here, "The Court cannot adjudicate a dispute involving only one party. There is no person holding standing as an intervener does the case is to be dismissed as the plaintiff father had died on March 2. I mean, if the judicial as stated by Ms. Frenxel in her affidavit truly believe that there is an allegation of harm, abuse, detriment, etcetera, involving the children, that matter can be investigated by DCF under the child abuse status."

I mean, where was any witness--expert witness

testimony stating that there would be detriment to the children if they were with their mother? There was no expert testimony.

THE COURT: And none was required, madam.

MS. GROHS: In order for an intervener to take place of a natural parent, there has to be.

THE COURT: No there does not. The fact were actually fairly straight forward. We have a mom who hasn't had visitation with her children for approximately two years, maybe longer; no contact. That these children were living exclusively with their father and their step mother Ms. Frenxel. Father is gravely ill. There intervener files a motion to intervene saying I need to take physical custody of these children because mom has no contact. Hearing is scheduled. Ms. Grohs doesn't show. Is that surprising? No it's not. Ms. Grohs often doesn't appear to court dates.

MS. GROHS: Your Honor, I'm here.

THE COURT: Ms. Frenxel has her hearing; and there we are, madam.

MS. GROHS: Your Honor, I have issues with the fact that she--

THE COURT: And the standard--if you want to talk about law--the standard is does the intervener in that case have parent-like relationship with the child. And that to deprive the children from that

parent -like relationship would cause real and significant harm to the children. ANd, yes, that's what happened. She has a parent-like relationship. She, through no fault of her own, has acted as the mother of these children for over two years. She has a parent-like relationship, and to deny her that visitation--or to deny the children rather, would cause real and significant harm.

MS. GROHS: Your Honor,

THE COURT: No expert testimony needed.

MS. GROHS: I disagree with the--

THE COURT: Yeah, I know you disagree, madam.

MS. GROHS: Yes.

THE COURT: I know you disagree.

MS. GROHS: Because if you're considering Ms. Frenxel as their mother or mother-like--

THE COURT: I'm not considering [them] her mother. She has a parent-like relationship; and that's what the statute speaks of.

MS. GROHS: So, she--She has custody of my children.

THE COURT: Yes.

MS. GROHS: Any person who has a parent-like would not have left for an extended period of time, left two minor children with a dying father for weeks on end.

THE COURT: You know, madam--

MS. GROHS: She left. She left her dying husband and two minor children.

THE COURT: --where in this situation today for a very simple reason.

MS. GROHS: It's the truth. She left.

THE COURT: You know why you were denied custody of those children, madam?

MS. GROHS: Why.

THE COURT: It was a very order that was entered. Go on vacation with your children, enjoy vacation with your children.

MS. GROHS: I did.

THE COURT: Do not expose these children to an individual by the name of Paul Boyne.

MS. GROHS: In the order it says Paul Boyd--

THE COURT: He's not to be present with them. He's not to speak with them. Have fun, come back, end of story. Do you know what Ms. Grohs wasn't able to do? She wasn't able to follow that very simple order.

MS. GROHS: Your Honor, that's not correct.

THE COURT: Your children disclosed to the-- and on the date of the hearing to discuss that very issue, whether that had occurred or not, because the GAL testified that your children did in fact disclose that it occurred. Guess who didn't come to the court date? Guess who didn't come to that

court date when the custody of her children was at stake?

MS. GROHS: Your Honor, I--

THE COURT: You know didn't come?

MS. GROHS: --was present in this court.

THE COURT: You didn't come.

MS. GROHS: I was present in this courthouse.

THE COURT: You did not come.

MS. GROHS: I was present in this courthouse.

THE COURT: Okay. You weren't present. You know, you can be present in the courtroom, upstairs in the jury room; that does you no good. You could be in the clerk's office that does you no good. You need to be in the courtroom when the matter is heard, madam.

MS. GROHS: The court also--

THE COURT: I don't want to hear it. I'm done with that.

MS. GROHS: The court also ignored--

THE COURT: Motion for subpoena number 396, April 10, 2020, which you subpoena the documentation. The court does not subpoena documentation. If you want to file a subpoena, madam, there are forms downstairs. You file your request for a subpoena. It gets directed to a judge. If a judge believes it's appropriate the judge grant your motion for a subpoena. That

motion's denied.

Motion for child support order. That motion is denied. You don't have physical custody, you should not be--In fact, perhaps you should be paying child support, madam. But you certainly are not entitled; that's denied with prejudice.

Motion for a psych eval, dated June 20--or June 18, 2020, motion number 398. Again, no motion pending before the Court. There's no motion up to this date of June 18, 2020; there's no motion for contempt, there's motion for modification. We don't just unilaterally just decide have a psych eval. Where's your motion pending that would give bases for a psych eval?

MS. GROHS: Why would I need a motion pending before this for this?

THE COURT: So, unilaterally we're just going to say, hey you, you need a psych eval, get a psych eval. You too, you need a psych eval. You know what go get a psych eval, because Ms. Grohs says get a psych eval. There has to be a motion pending which would give rise for the Court to order a psych eval. There is nothing pending. What do we do with the result of a psych eval when there's no underlying motion pending, madam? It surprises me that you would file this; again, knowing your extensive history of case law--

MS. GROHS: Your Honor, --

THE COURT: --of statutory law, your involvement with the Supreme Court and the Appellate Court, and your knowledge just of court procedure in general. Motion for psych eval, June 18, 2020, number 398 is denied.

Motion to compel the Catholic faith, June 25, 2021.

MS. GROHS: Yes, Your Honor, my children were baptized Catholic. They made their first holy communions as Catholics. Their father was Catholic, had a Catholic burial--funeral, funeral mass, and was buried in a Catholic cemetery. Ms. Frenxel is taking my children, as she stated in probate court, to entirely different religion. These children do not have access to their Catholic faith. She's not addressing the needs of these children in the way that they were born, and that their father was raising them, and they wish to be raised. They should be able to have access. My daughter Sophia, who is 14 right now, should be enrolled in catechism classes for her confirmation. She is not to my knowledge. Instead, they are going to another church. These children should be in Catholic based instructions, religious education, and they are not.

ATTY. LEVY: Judge Coleman order granted sole

legal and physical custody of the children to the intervener, Your Honor. Those decisions are hers and hers alone.

MS. GROHS: Your Honor, I beg to differ. My children were baptized. It was their father's wishes, both our wishes for the children in a Catholic faith. They are not being raised in the Catholic faith. They were baptized Catholic. They had made their first holy communions. Sophia should be making--Sophia should be in classes right so she's preparing for her confirmation. She is not. This is against what is best for the children. The children should be able to establish and continue with their faith. They are not.

THE COURT: Al right. I'm going to--

MS. GROHS: Vicki Frenxel is not--

THE COURT: I'm going to deny your motion without prejudice on the basis as things stand today Ms. Frenxel has sole legal and physical custody of the children.

MS. GROHS: SO, --

THE COURT: If that changes--and again, I'm denying it without prejudice--should that change it can be address. But at this time because she has sole legal and physical the Court cannot impose upon her to raise the children within a certain faith. All right, so, 399--

MS. GROHS: That's just disgusting.

(PASSED 11:18 to 11:32)

THE COURT: All right, Grohs. Okay, so, I think we are motion 400, motion to dismiss date June 25, 2021. Again, it's a motion to dismiss the petition. It is untimely. I've ruled on it before.

MS. GROHS: Your Honor, this is dated June 28, 2021.

THE COURT: I'm sorry. What did I say? I said something; I don't know what I said. But it's June 25, 2021, motion to dismiss. And it's motion to dismiss the petition brought by Vicki Frenzel with regard to Sophia and Genevieve. It's just-- it's not timely. This is a Family Relations matter.

MS. GROHS: What would be timely?

THE COURT: Pardon?

MS. GROHS: What would be timely, Your Honor.

THE COURT: The motion to dismiss should have been filed when Ms. Frenzel filed her motion to intervene back--I mean, I don't know when it was filed.

ATTY. LEVY: In January, Your Honor.

THE COURT: In January 2020?

ATTY. LEVY: Yes, Your Honor.

THE COURT: Yeah. So, you can't file a motion

to dismiss it.

ATTY. LEVY: It started as an ex parte application, number 347; motion to intervene.

THE COURT: So, the motion's denied--and this case is denied based on the fact that it's untimely.

There's a June 28, 2021 motion number 401, motion to dismiss. And again, this is similar to--you know, it's a motion to dismiss based on a based upon the fact that Mr. Grohs is deceased. It's a similar motion that we've already ruled upon that would be improper because we have an intervener so we cannot--and I assume this is a motion to dismiss the action in its entirety. It would be inappropriate.

MS. GROHS: But, again, Your Honor, she's no longer the intervener if the plaintiff--if the father is dead.

THE COURT: She's a party; she's an intervening party. She's a party to the litigation. So, we can't dismiss, whether it's dismiss her petition; that would be untimely. And if it's to dismiss the action it would be inappropriate. So the motion is denied.

Number 402, motion to compel, June 28, 2021. And again, this has to do with a motion to compel with regard to the insurance proceeds.

MS. GROHS: Yes. As stated in the divorce decree I was named as the trustee for this insurance policy. And, I believe according to state law, and because it was court document, there would have to have been--a motion would have been filed with the court to have transfer of beneficiary because it was a court order.

ATTY. LEVY: I don't think we're talking about the same--the right motion, Your Honor. I mean, it was difficult for me to try to figure it out. But, I think this one is dated June 28, and deals with--starts off with, "The Court is moved to immediately comply with state law 46b-56b." Because I don't have another on.

THE COURT: Maybe I missed one. I have--So, I just dealt with the motion to dismiss--motion to dismiss suggestion of death.

ATTY. LEVY: Right.

THE COURT: That's 401.

ATTY. LEVY: This is 402; motion to compel.

THE COURT: And motion 402 is motion to compel; and underneath it is says 400k trust.

ATTY. LEVY: Oh, all right.

THE COURT: Dated June 28.

ATTY. LEVY: I don't have that one. I have a different one.

THE COURT: And it simply says, "The Court is

moved to compel compliance with the parties' stipulation that 400,000 of life insurance proceeds be placed in trust for the benefit of the children with the mother Kelly Grohs named trustee." Again, because there are probate matter proceeding I'm going to deny this without prejudice so that if it needs to be heard by this court at some point--

MS. GROHS: Your Honor, it states that it is in the July 26, 2011 court stipulation that is address in this court not Superior Court. The transfer of a beneficiary on a document is one thing, but when it's--prior to that is a court order, it would have to come before the court. A motion would have to have been before the court to change the beneficiary as it states in a court order from this court.

THE COURT: So, as a said, I'm denying it outright, I'm just denying it without prejudice so it could be heard if need be here. But because there are probate matters proceeding I am not going to deal with that right now.

Number 403, motion for compliance. "The Court's moved to immediately comply with state law regarding the presumption that in a dispute over custody of a minor between the mother, the presumption is vest in the custody of the mother. The Court grossly erred and must immediately have a

hearing to remedy the violation of statute." So, that motion for compliance--although it's entitled motion for compliance--appears to be another motion to reconsider. And again, it states the fact that there is--it's the same motion--

MS. GROHS: Again, Your Honor--

THE COURT: --entitled something else.

MS. GROHS: Yes, this is going back to the February 14 decision by Judge Coleman. And it states, you-- the Court has failed to comply with the statutory obligation, failing to make finding on the record of the required detriment to the children; no witnesses were called, no representation of the children. Definitely willful deprivation of right for myself and my children. The Court has committed due process error of grave constitutional trespass in awarding custody to Vicki Frenxel.

ATTY. LEVY: Again, Your Honor, that would be subject of an appeal.

MS. GROHS: There was no expert witness; no one was appointed. There was no attorney for minor children.

THE COURT: Mary Brigham was the attorney for children at the time.

MS. GROHS: She the guardian ad litem, she not an attorney for the minor children.

THE COURT: Oh, yeah. We would never an attorney for minor child, never; not at that age. That's not something that the Court would generally do. Not out of the ordinary, it's possible. But at that point Attorney Brigham was guardian for the minor children. And so, the motion's denied. I mean, we can entitle it the caption whatever we want to call it, motion to reconsideration, motion to compel, motion to vacate, but the substance of these motions is the same. And there's case law that says it's not the caption that matter it's the substance of it. And this is basically a motion to reconsider the Court's order; which would be untimely to say the least. The motion's denied.

Motion for finding of error, fair preponderance, dated June 28, 2021, number 404. AND again, so this finding--motion for finding of error is essentially the exact same motion that we just dealt with called motion for compliance where you're saying there was no witness, there was no AMC, there was no--whatever.

MS. GROHS: There is an opinion--an opinion of the guardian ad litem, not an expert witness. An opinion to the Court was made by Mary Brigham, stating that it would detrimental to the children. There's no definition of--What is detrimental? How could children being with their mother be

detrimental? What harm? What harm--what was presented to the Court as exact reasons other than an opinion of Mary Brigham as a guardian ad litem? What facts were presented to the Court?

THE COURT: Again, if you took it--

ATTY. LEVY: Again, Your Honor, every time you attack the February 14 order there's an appeal period that's involved. So anything beyond--filed after May 6 is moot. You can't--It's a collateral--attempt at a collateral attack on an order.

MS. GROHS: But, I'm asking here. Practice Book 52-231, "Facts in which judgments found to appear on record. Each Court shall keep a record of its proceedings and cause the facts of which it found its final judgments and decrees to appear on the record. And any such finding if requested by a party shall specifically set forth such facts. So, I requesting those facts.

THE COURT: Those facts are clearly enumerated in Judge Coleman's decision of February. And if I can find the memorandum I certainly will read it to you.

ATTY. LEVY: I have it in my hand, Your Honor.

THE COURT: So, I assumed you read that.

ATTY. LEVY: There is a factual finding.

MS. GROHS: There is a statute, it provides

that Court of equity shall cause the facts on which they found their decrees to appear on the record. A requirement--

THE COURT: But, again, madam--Madam, the motion is so untimely--

MS. GROHS: A requirement that the proceeding--A requirement that the proceeding shall conclude with a judgment in such form accompany by a finding of facts in such manner as to afford opportunity to the defeated party to review.

THE COURT: And if you believe--

MS. GROHS: No disposition of a cause which denies this can be accepted as a judgment with error. The memorandum of the judge is the expression of his intention to perform thereby his final act in reference to the cause to embody there in his ultimate conclusion as to the law and to bear thereafter to it the relation which at the end of a dares to judgment rendering during continuance. As it states Judge Coleman has failed to place his necessary facts in his memorandum and failed to render the proper judgments. So, such facts now requested under statute to be rendered due process violation notwithstanding the Court has failed to notice in its memorandum that there was no existing dispute before the Court between the plaintiff and the defendant. For how many months,

Mr. Grohs didn't have anything before this court.
There was nothing pending before this court.

THE COURT: There clearly were motions pending before the court when Judge Coleman had his hearing. If again, you believed that the decision of Judge Coleman was such plain error that it was contrary to case, contrary to statutory provisions, your remedy was to file an appeal. And again, your knowledge of appellate procedure and trial court procedure is remarkable. You should have known that you could have filed an appeal. You should have in fact filed an appeal. You cannot well over a year after Judge Coleman order file a motion and say reconsider it, it's plain error. It's untimely, and quite frankly I believe it's substantiated by Judge Coleman's order. There are facts in there.

Are we on 504--405; I'm sorry. So, the motion's denied. We're moving on to motion number 5--I'm sorry--405, motion--notification of guardianship. Apparently this is just a notification. It doesn't require a Court order.

MS. GROHS: Its stating law; 46a-606.

THE COURT: Stating law doesn't make it a motion. It's a notification.

MS. GROHS: The father and mother of every--

THE COURT: The father is deceased. We know

that.

MS. GROHS: The father and mother of every minor child are the joint guardian of the person of the minor and the power, rights and duties of the father and the mother in regards to the minor shall be equal. If either father or mother dies, is removed as guardian, the other parent of the minor child shall become the sole guardian of the person of the minor.

THE COURT: What are you reading from?

MS. GROHS: This is what is 45a-606. I don't have a Practice Book. So, I take the information and I wrote it down.

ATTY. LEVY: That's a probate court statute, Your Honor.

THE COURT: And again, on operation of law those facts are true. Parent passes away the other parent, by operation of law, as I said repeatedly, becomes the sole legal and physical of the minor child absent exigent circumstances; and that's what exist today. So, we can--

MS. GROHS: I don't believe it says other--

THE COURT: It doesn't say that there; no it does not.

MS. GROHS: No it doesn't; that's not what it says in this.

THE COURT: Right. But, we don't read statute

in a vacuum, all right. So, you can't point to a statute because there are many statute that in conjunction need to be read together. So, you notification of guardianship to the extent that it is a motion, it's denied.

Motion for mistrial. Again, absolutely untimely and inappropriate. Motion number 406, dated June 28, 2021 is denied. You're asking for a mistrial and that the judgment become void. The appeal period has well expired. I mean, you know-- you know, madam, just because you filed these motion doesn't make them appropriate. It doesn't make--there are set time schedules. And you know that. You know that there's a time to file an appeal, madam. You're well aware of that. So, you can't, a year, two year--If someone obtains a judgment in car accident two years ago, you don't get to wonder in to court and say motion to a mistrial. The time has come. The Courts believe in finality of judgments; finality of judgment. ANd that is why there are very specific timeframes in which motion need to be filed. You cannot file a motion for a mistrial a year and a half after the fact. It is inappropriate, and it warrants a denial. Al right, and again, it's the same motion filed over and over and over again with different headings; doesn't make it a new motion.

Here's another one, motion for clarification, number 408, post mortem jurisdiction. Where to state with precision the authority on which the Court claims post mortem jurisdiction. And I've said this, again, we have an intervener. The intervener, her status has been granted. It is an active case. That is the precision and the authority. There is a specific statute which allows people to intervene in family matters. "The Court must sight the authority must cite to exercise its continuing jurisdiction." The Court doesn't have to. ANd again, when this motion is filed on June 29, 2021 there is no actual pending motion that requires--there's no motion, very centrally speaking, no motion for contempt, there's no motion for modification. These are all frivolous motions; every single one of them having to do with a judgment that entered in February 2020.

Motion number 409, ex parte motion for declaratory judgment, post mortem jurisdiction. "We have to declare that there is no post jurisdiction for the mother can recover the children from their present kidnapper Vicki Frenxel. Okay, besides the fact that it's unnecessarily inflammatory and inappropriate, we have stated over and over again why the Court has

continuing jurisdiction over this matter. So, same motion, different heading, another day. Denied; that was July 1. Let's move on to July 6.

Motion for visitation. This motion I'm going to hold in abeyance to the end. We'll discuss that one last because that one does have some merit, so I will deal with that when appropriate.

Demand return, motion 411, dated July 6. "The mother of the two minor girls being unlawfully held by one Vicki Frenxel, hereby demands the return of her children immediately." And you cite the Child Abuse Prevention and Treatment Act.

MS. GROHS: Yes.

THE COURT: Yes. But there has been no child abuse.

MS. GROHS: It is consider abuse to not allow a child to have communication, a relationship--to withhold a child from having any relationship with their natural mother is abuse, and it is categorized as abuse.

THE COURT: It is not abuse, madam. This court routinely, where appropriate, has denied parental visitation to either a father or a mother.

MS. GROHS: There's no communication.

THE COURT: And, again, the motion was filed, I would say, --your visitation terminated in 2018. From 2018 to the present, this is the first time

that you filed a motion for visitation. You have routinely failed to attend court proceedings having to deal with your children.

MS. GROHS: Your Honor, my abuser is dead, so I'm here now.

THE COURT: We're not talking about abusers. We're talking about 2 minor children, okay.

MS. GROHS: Well, my abuser is dead. So, it prevented so much from happening when you have a person who's that abusive, who would stop at nothing to hurt you. There also-- there was an order that you wrote for my children to be able to have communication with me FaceTime; FaceTime only exactly is what you said. That order should have been standing and should still be in effect.

THE COURT: Where's your motion for contempt? So, if Ms. Frenxel was--

MS. GROHS: Your Honor, this was before Mr. Grohs died. He just stopped it.

THE COURT: It doesn't matter to me. It doesn't matter.

MS. GROHS: I did file a motion for contempt.

THE COURT: At some point--

MS. GROHS: It was denied.

THE COURT: At some point if someone's violating a Court order you file a motion for contempt.

MS. GROHS: I did file a motion of contempt way back, and it was denied.

THE COURT: Did you appear? Did you appear on the court date?

MS. GROHS: I don't have the date in front of me, Your Honor.

THE COURT: Yeah, okay.

MS. GROHS: I don't have the date in front of me.

THE COURT: I just-- I know--

MS. GROHS: But it was denied.

THE COURT: --I know. I know that on numerous occasions, numerous occasions, we had court hearings and you chose not to attend.

MS. GROHS: Your Honor, there were numerous times that I was unable to attend due to surgery. And some of my motions even stated that. And sometimes they granted that, sometimes granted a continuance. Then my case was transferred to Middletown; which just went in a circle; and now we're back here.

THE COURT: It went in a circle because often times you didn't show to your court date.

MS. GROHS: I was in court in Middletown every time except for one time, and my attorney was there present for me. I was not present because I was ill; and my attorney was present.

ATTY. LEVY: Her attorney was present to pursue his motion to withdraw, Your Honor; which was--

MS. GROHS: No that's incorrect.

ATTY. LEVY: --granted on that day.

THE COURT: That is correct.

ATTY. LEVY: And the defendant was defaulted.

THE COURT: That is correct.

MS. GROHS: It is incorrect. I have family members that was there that day. I have an attorney that was there that day.

THE COURT: What happens in the court is what counts.

MS. GROHS: I'm sorry?

THE COURT: What transpires in court is what counts, madam.

MS. GROHS: There was one time I was not in court in Middletown, and that was because I was sick. My attorney was there to represent me. ANd Attorney Levy is incorrect because--Attorney Levy, were you there in Middletown?

ATTY. LEVY: No, I have the transcript.

MS. GROHS: Oh. So, maybe you're incorrect.

THE COURT: I'm not going to talk about what happened. So this demand return dated July 6, 411, is denied.

Motion to remove Attorney Brigham. As we

stated Attorney Brigham is not the GAL presently.
The motion is moot.

Motion for immediate hearing that's dated July
dated 7. September 3, we're having a hearing.
That motion is moot.

Motion for a finding of custodial
interference, 414, dated July 12. Custodial
interference. Again, how could there be custodial
interference when there is absolutely no order that
gives you custody of these children. In fact, it's
quite the opposite. Ms. Frenxel has an order of
sole legal and physical. There can be no finding
of custodial interference given the orders that
exist in the file.

MS. GROHS: Your Honor, the United States
Supreme Court recognizes that parents have a
constitutional right to their children under the
14th Amendment, and also along with their
fundamental rights. The children also have those
rights to have an established relationship with
their parent as well. So, the Supreme Court
recognizes that, however the Superior Court does
not? In *Troxel v Granville*, "Constitutional rights
of a parent to direct the upbringing of their
children versus a third party petitioner for child
visitation rights come-- I'm sorry. Parental
rights comes over parental rights--I'm sorry.

Parental rights comes over a third party. And I am their mother.

THE COURT: Under ordinary circumstances that's absolutely true.

MS. GROHS: So, you're denying my children and myself due process, and my rights under the 14th Amendment?

THE COURT: I am denying your motion number 414; which is a motion for a finding of custodial interference.

ATTY. LEVY: Number 415 is my motion, Your Honor. We can pass that when the Court addresses 410.

THE COURT: Correct. So, we'll address that. So just remind me that it's number 414--

ATTY. LEVY: Yes, Your Honor.

THE COURT: Because I'm running out of stickies. I skip what? 407? Well, 407 was a motion for facts pursuant to 52--Again, it's untimely. It's denied. It's basically a motion for articulation called a motion for facts. SO that's denied. Attorney Levy's motion.

All right, 416, motion to move to federal court. There's no basis to remove this federal court. Federal court does not hear family matters.

MS. GROHS: When the Court denying civil rights and--

THE COURT: You can file a civil action in federal court if you want. But the file remains here, and the federal courts on occasions where litigants have attempted to remove cases state court to federal court they've rejected the request and sent the file back to the state court. Family matters are not heard in federal court. So, that motion, 416, is denied.

Four sixteen point two five (416.25) dated July 14, 2021, motion to review. "The Appellate Court is move to address--So, I believe that is a matter that was filed before the Appellate Court, so I will not address that.

Motion to--"The Appellate Court is moved--So that is number--It's whited out. Why is it that it doesn't have number? So I think that these don't have numbers on them because they're Appellate Court motions. And I'll just state what they are for the record.

So, there's a motion dated July 14, 2021 motion to review; that's addressed to the Appellate Court.

There is a motion dated July 14, 2021 entitled motion to review addressed to the Appellate Court; which does require a ruling from this court.

Motion dated July 14, 2021, motion to suspend the rules; again, addressed to the Appellate Court;

which does not require a ruling from this court.

Motion to suspend the rules, again, dated July 14, 2021 addressed to the Appellate Court; which will not require a ruling from this court.

Motion-- again, no motion here. But Motion dated July 15, 2021, motion for supervision addressed to the Appellate Court; which does not require a ruling.

Motion dated July 20, 2021, motion for supervision again, addressed to the Appellate Court; which does not require a ruling from this court.

And of course there is a ruling from the Appellate Court, number 416.26, dismissing all those motions.

Another one--actually there's several. I think each one of them was independently dismissed by the Appellate Court.

Motion dated July 14, 2021, number 417, motion to strike as the Court does not have jurisdiction over a corpse on a family matter under 46b-1. And this Court does not in any way, shape or form alleging or stating in any order that it has jurisdiction over a corpse. Our jurisdiction is over the two minor children, so.

MS. GROHS: It's involving a custody dispute where one parent is dead.

THE COURT: You're saying that the Court does not have jurisdiction over a corpse.

MS. GROHS: And again, Your Honor, it goes back to--

THE COURT: And we "need to strike the meritless motion by Attorney Levy."

ATTY. LEVY: That was my motion to appoint the guardian ad litem.

MS. GROHS: Yeah, so, the father is dead. There should be no custody dispute because under law the children should be with me the natural mother. So, there is no custody dispute technically--there should be no custody dispute technically before the Court because the father is dead, and I'm the natural mother. So, appointing a guardian ad litem in this case would make no sense because there should be no custody dispute.

ATTY. LEVY: We were going to hold that in abeyance until the Court addressed 410, Your Honor.

THE COURT: I mean, I'm not sure what this motion even seeks. It a motion to strike your motion, but based upon--not because she's not seeking the appointment of a GAL, but because the Court lacks subject matter jurisdiction.

ATTY. LEVY: Right.

THE COURT: ANd because we don't have jurisdiction over a corpse.

ATTY. LEVY: Right.

THE COURT: So, although the request would be appropriate not to appoint the rational in this motion to strike is faulty. So, I'm going to deny the motion to strike. If you wish to file an objection to the appointment of a GAL you're certainly free to do that; that would be an appropriate motion.

Motion for facts. This is a motion for me to place facts on the record for order number 286. Now I have not issued an order well before--I mean, I haven't issued any orders since Judge Coleman, in February 2020. So, again, if this is motion for articulation it is untimely. So, that motion is denied; and that would be number 418.

Motion for a change of venue. "Change of venue or to refer the matter to a JTR."

MS. GROHS: [indiscernible] Yes.

THE COURT: "Assigned the case to a JTR for immediate resolution." So, the motion for a change of venue. Certainly appointing to hear the motions would not be a change of venue. A change of venue is when we're asking the matter to be transferred to another court.

MS. GROHS: I understand that, Your Honor. My point in this I have filed numerous motions over 17 month which were not heard, not heard, not

calendar; due to Covid, due to this only for emergency reasons. So, on one hand the Court, you, Your Honor, has only just recently scheduled a hearing. It was supposed to be August 20; however, Attorney Levy filed a continuance due to his vacation. That for 17 months at least I have been requesting a hearing, filing motions; which were--

THE COURT: You actually didn't request any hearing until you started filing. I mean, granted you filed the motions, but there was no request for an imminent--immediate hearing until you started filing appeals with the --

MS. GROHS: It was a year ago. And it was last March; which is--

THE COURT: All right, so, but anyway--

MS. GROHS: So, last March I've been asking -- last March 2020, I was filing, and I filed for a hearing; which was not calendared, as I stated that.

THE COURT: Okay, filed motions. I understand that, madam. I understand.

MS. GROHS: So, to say that I haven't had contact with my children in this timeframe filing an emergency hearing in 2020 that was not calendared--

THE COURT: You did not ask for an emergency hearing in 2020. You filed motions for

reconsideration. And I told you the proper menu after 20 days was to file a motion--an appeal to the Appellate Court.

MS. GROHS: I believe there was a motion for --

THE COURT: I've gone through every single motion.

MS. GROHS: Okay, even if it was this past March, it's now September.

THE COURT: Yes.

MS. GROHS: So, trying to get a court date to have any motion heard, let alone a motion for a hearing so that I can address seeing my children has been months and months and months. So while the Court and Vicki Frenxel loves to keep stating that it's been how long that I haven't been with my children. Look at the time that has been lost. More time that has been lose because--

THE COURT: Okay. Let's continue with these motions.

MS. GROHS: --nothing was calendared for so long?

THE COURT: Motion for clarification dated July 19 of 2021. Again, untimely. You're asking for clarification on an ex parte that was granted in January of 2020.

MS. GROHS: Yes, you scheduled a hearing

ordering myself and Bill to be present.

THE COURT: I'm not sure what you're saying. I'm talking about your motion for clarification dated July 19, 2021, number 420.

MS. GROHS: Summons. "The person move to clarify the purpose of summons issued by Ficeto, J on January 8, 2020 ordering William Grohs to appear in court for a hearing scheduled for January-- I'm sorry for 22 of January based on ex parte motion filed by Attorney Karen Fischer which recited that the individual is dying of brain cancer and had been hospitalized since Christmas, and only had days to live." How does a Court summon a dying litigant from his death bed for matter that was not pending before the court not brought by either litigant. And you had summoned.

THE COURT: Madam, I know what you're looking at. I'm looking at motion number 420, dated July 19, 2021, motion for clarification. "The Court is moved to clarify its cause of due process violation and departure from statutes in entering number 347, emergency ex parte motion to intervene filed with the court on January 8, 2020 by Attorney Karen Fischer on behalf of Vicki Frenxel."

MS. GROHS: Maybe I number it wrong.

THE COURT: Again, it's a motion for clarification. It's untimely. The motion--the ex

parte motion was simply a temporary order until the final hearing. The final hearing was held by Judge Coleman; that's the final judgment. The motion for clarification is denied.

ATTY. LEVY: Actually, Your Honor, just to remind you, you denied the ex parte.

THE COURT: Okay, so there was nothing in place to even clarify if it was denied.

July 19, 2021, motion number 421, motion to act impropriety. "The Court is moved to act to remedy the impropriety of its own actions in kidnapping the minor children on false pleadings of Vicki Frenxel." And again, I assume that--and it's asking for Court to vacate its improper orders and dismiss to the case. Again, similar motion to what's been previously filed. You're asking the Court to vacate an act--an order of the Court that became final judgment, and the judgment entered in February 2020. So, it's untimely, and it's improper.

Number 422, motion for clarification, summons. "The Court's moved to clarify purpose of summons issued by Ficeto to William Grohs based on an ex parte number 374 filed by--since he was in ICU." So, again, you know what, I'm not--What is that, motion for clarification? So, really there is no need to clarify. Until Mr. Grohs is deceased he

and his attorney are required by statute to receive notification from the court. So, whether he is in ICU, whether he's in hospice is irrelevant. He's a party. He's entitled to receive notice. Your motion for clarification is denied. And I'm not quite sure what this motion, regardless, has to do with the substantive merit of the case, of whether Mr. Grohs, back in January 2020 received notice or didn't receive notice. That has no bearing on the merits of this case. They're such frivolous motions. Tell me how that changes anything, whether he received notice for a hearing in January of February of 2020? Substantively how does it change any of the merits of this case?

MS. GROHS: Obviously it doesn't because it-- everything's denied anyways.

THE COURT: Well, tells me how it does? So, if the court did not issue notice to Mr. Grohs because he was in ICU--

MS. GROHS: Because he's a parent.

THE COURT: --how would you be better off today?

MS. GROHS: I'm sorry?

THE COURT: You want to know, correct--

MS. GROHS: Yes, I do.

THE COURT: You wish to know why the court issued notice.

MS. GROHS: Yes, I do.

THE COURT: Okay. And why would you ask that question?

MS. GROHS: I'm asking.

THE COURT: Huh.

MS. GROHS: I don't--I just want to know.

THE COURT: Why does the court issue notice to you?

MS. GROHS: Well, I--

THE COURT: Are you a party?

MS. GROHS: I am.

THE COURT: You are. And back in February--

MS. GROHS: I was not incapacitated.

THE COURT: --2020 Mr. Grohs was--

MS. GROHS: I was not incapacitated.

THE COURT: --was a party as well.

MS. GROHS: I was not incapacitated.

THE COURT: And that's why he was noticed.

Again, a frivolous--

MS. GROHS: I was not incapacitated.

THE COURT: --notice, denied with prejudice.

Why did he receive notice?

MS. GROHS: He was incapacitated, Your Honor. It's a valid question.

THE COURT: You know what, nobody comes to me and reports personally or to the clerk's office, that issues these notices, because I personally

don't issue notices, the Mr. Grohs is incapacitated. And even if he's incapacitated, he's is entitled to have notice.

Motion for sanctions, July 19, 2021, number 423. We are asking--Let's see, "Sanction for misconduct for Attorney Levy for knowingly perjury by his client. Displacement and referral to disciplinary action of Karen Fischer. Displacement and referral for Attorney. All because of their blatant lies and misrepresentations.

MS. GROHS: Your Honor, again, this goes back to her emergency ex parte motion; which has no expert witnesses other than--there's no expert witnesses. There's no--there's no testimony from a therapist that states any of this. It's her opinion. It's Vicki Frenxel's opinion.

THE COURT: Vicki Frenxel is not an expert.

MS. GROHS: I know that.

THE COURT: All she can testify to is her opinion or the fact as she believes them to be. She cannot, and in fact is prohibited from giving expert witness because she hasn't been noticed as expert.

MS. GROHS: Again,--again, there no expert witness--

THE COURT: And none is required as I explained to you.

MS. GROHS: in the ex parte motion, nor was there any witness testimony on February 14 at Judge Coleman's--at the hearing.

THE COURT: Correct; and none was required. Your motion's denied.

MS. GROHS: There is a requirement. There is a requirement under state--

THE COURT: There's no requirement, madam.

MS. GROHS: To have testimony to transfer guardian to a third party?

THE COURT: No expert testimony.

MS. GROHS: So, anybody--nobody needs a reason? Anybody can just come to court and file--anybody can just become an intervener? Anyone? Without any expert testimony?

THE COURT: I don't know if you've heard that said by me or Attorney Ley during these proceedings. If you had you must have misheard, madam, because no one has said such an outlandish statement.

MS. GROHS: I did say I was having a hard time hearing.

THE COURT: Motion to disqualify. I believe there have been previous motions to disqualify me.

MS. GROHS: Because of your--

THE COURT: I will not hear that motion today. If you want it pursued I will have it specially

assigned.

Motion in limine for a JTR, and that is again to appoint a JTR because of Coleman and Ficeto's summoning a near dear litigant.

MS. GROHS: Your Honor, I question the Court as to how you, Your Honor, or Judge Coleman can hear a hearing on either of these. How can you hear your own hearing? I mean that would be completely biased.

THE COURT: I'm not sure what you're talking about, madam. I haven't ruled on the motion to recuse me. AND I'll just state again, that it's not the first time that you filed a motion to recuse myself, and it's been denied before. There's been nothing that has transpired since the last motion to eliminate me to the present time.

Memo of law of your motion to in limine, so that 428; because it's a memorandum of law it doesn't require a ruling.

MS. GROHS: Excuse me, what was 427? What was your ruling?

THE COURT: It's denied. Motion for finding unfitness of Vicki Frenxel.

MS. GROHS: I'm sorry. I didn't hear 428.

THE COURT: 428 is a memorandum of law, so it doesn't require a ruling. Four twenty three--I'm sorry, 42, dated July 23, 2021, motion for finding

of unfitness. "She's unstable." I mean, I don't know what this is. I don't know if it's a motion for--for--"She's acted maliciously in forceful isolation." Again, Ms. Frenxel has sole legal and physical of the children.

MS. GROHS: Intentionally, intentionally withholding gifts from myself, any member of my family, friends; birthday gifts, Christmas gifts. That is--How is a parent and child supposed to have any form of relationship if they can't even receive a simple from their family; a card in the mail. She testified in probate court that she withhold any contact whatsoever. And I believe Ms. Frenxel's having quite--Is not--I'm not sure capable at the moment of being a parent-like figure to my children. And if we have a continuance on that matter--I request a continuance on that. I would like a continuance on this motion, Your Honor. And I would like to be able to--

THE COURT: So, I'm--

MS. GROHS: I'm sorry?

THE COURT: You would like to what?

MS. GROHS: I would like to continue this. I would like a hearing on this motion for fitness.

THE COURT: So,--

MS. GROHS: I'm sorry; motion for finding of unfitness. I would like a continuance, and I would

like to elaborate on that with witnesses. And I would like to take Ms. Frenxel's deposition. I'm requesting a continuance on this motion.

ATTY. LEVY: Your Honor, there is--again, we're guided and required to follow the rules of practice. There is no such motion. Or if you read the relief there's no such relief that's available by the Court as in the context of this case.

THE COURT: So, I'm going to deny this motion simply because you're certainly free to make that claim but it can't be made in isolation. So, we have your motion for visitation. There's either going to be an objection or some sort of agreement or not. But during the context of that you certainly are free to bring up this issue of unfitness. So, I'm denying the motion, but I'm not denying your ability to raise it at the appropriate time. But it can't be through this motion.

Motion for facts on the record, number 430. "Judge Coleman's moved to comply--"Again, it's--"with regard to why he denied certain motions." It's untimely. Yeah, those are all motions to vacate and so forth from January 13 when Judge Coleman issued his order, so. If that a motion for reconsideration or motion for articulation it's denied as untimely.

MS. GROHS: Your Honor, you're on 431, motion

to vacate?

THE COURT: I'm on 431 now. Motion to vacate continuance.

MS. GROHS: So, Attorney Levy is completely untruthful in his statement saying that he contacted me and did not connect with me. There was no email until--Oh, my gosh, where is it--the date that you even emailed it. You said I didn't--You said I didn't respond. And the fact that the hearing was scheduled for a remote hearing anybody, again, as your associate appeared in the pass for, she could have appeared in this as well. There was no reason to file a continuance based on the facts that it was a remote hearing; which you could have had anywhere, even if you were on vacation. Mary Brigham--

THE COURT: This was never a remote hearing. I was always supposed to be in person.

MS. GROHS: No, it was--I believe is says on there that it was--

ATTY. LEVY: What occurred, Your Honor--and I think that this what the motion is addressing--I had asked my--one of the secretaries in my office to request a via email, because that's how the defendant and I have been communicating--whether she had any objection to my motion for continuance. I did not receive a timely response. I then filed

the motion and indicated that I did not get a response.

MS. GROHS: Your Honor, there was less than 24 hours; less than 24 hours.

ATTY. LEVY: It was 24 hours. As it turns out my secretary sent it to the wrong email address. She mistyped in the email address. And as soon as the defendant called that to my attention the following day I sent her a copy of the email. So, she is correct that when I--that on my motion for continuance, and I checked off that there was no response the defendant could not have responded because we had sent it to the wrong email address.

THE COURT: But the remedy sought is somewhat moot at this point, right.

ATTY. LEVY: We're here today.

THE COURT: You're asking me to vacate--

MS. GROHS: Okay, but we're here today. So, it's still on the record; and I did file it because as Attorney Levy even agreed and stated that he had sent it to the wrong email. So I did not receive it, and he checked the box stating that he had not heard from the defendant; which it true because he sent it to the wrong email.

THE COURT: So, motion 431 is moot. The Court doesn't enter ruling on that.

So, motion number 431.50.

(Clerk speaking; inaudible)

THE COURT: A motion for what; 430?

ATTY. LEVY: My notes say you denied it.

(Clerk speaking; inaudible)

THE COURT: Yeah, yeah; that a motion for reconsideration. It's denied.

[Number] 431.50 doesn't require an oral ruling from this Court. It's addressed to the Appellate Court.

Motion---again, there's no number on this one, but its 427--I'm sorry, July 27 of 2020. Motion for supervision pursuant to Practice Book 60-2 is addressed to the Appellate Court; doesn't require a ruling.

Another motion for supervision pursuant to the same statute addressed to the Appellate Court does not require a ruling from this Court.

Motion for supervision dated July 30, 2021; again addressed to the Appellate Court; doesn't require a ruling from the Court.

Motion for supervision dated July 30, 2021, pursuant to Practice Book section 60-1 and 60-2, addressed to the Appellate Court, does not require a ruling from this Court.

July 29, 2021 direct appeal to the state Supreme Court; does not require a ruling from this Court. I believe that's about 14 pages.

Motion for AG appearance. I'm not going to order the AG to file an appearance in this case. I don't believe it would be appropriate. But, certainly I'll deny this in terms of the court ordering an Attorney General to file an appearance. But, you're certainly free to petition the court-- rather, petition the Office of the Attorney General and have them file.

MS. GROHS: Your Honor, so you're going to deny this. And I'm asking --Judge Coleman states that there's finding of harm to the children by the mother. For a judge to state that, where's the evidence in that? That is an opinion. There's no evidence in that. So, if there was evidence of some abuse reported and the judge is stating this that --you know, that it would be detrimental or abusive or harmful to the children, such being a form of child abuse, it should have been--Why isn't anybody--Why isn't Family Relation--anybody concerned about of abuse what type of abuse is that, what harm is that?

THE COURT: So, I don't believe there was a finding of child abuse.

MS. GROHS: He states it in his order.

THE COURT: It's the statutory--It's the standard that he's reciting.

MS. GROHS: A statutory standard? What statute

is it?

THE COURT: And the standard is--You know, I don't have my book in front of me. But, the statute's on the motion to intervene. It's set forth the standard.

MS. GROHS: So, it's standard to say that--he made a finding of harm to the children by the mother? That's a standard?

THE COURT: Your motion dated July 28, 2021 for an AG appearance is denied.

MS. GROHS: There's not statute that's says anything that he's stating.

THE COURT: Motion for articulation. Again, going back to why Judge Coleman entered his orders dated August 2, 2021 number 433 is denied as being untimely. And again--

MS. GROHS: It's untimely, however, I believe we go back to one of many motions that you denied already. You're denying this entire thing, but did you even read--the Courts--asking--I'm asking for articulation to the practice rule or case law. Where is it that states--which provides due process for an intervener to obtain an immediate hearing within 14 days of filing an emergency ex parte motion to intervene. I could not--I mean this whole thing is denied without being read. And if I may read it out loud I'd like to.

THE COURT: Your motion?

MS. GROHS: Motion to articulate; what I'm asking for that you just denied.

THE COURT: I read your motion for articulation. I don't need it read into the record. I have a copy of it. You have a copy of it. Attorney Levy has a copy of it. And again, it's not the content, it's the timeliness. It is untimely. You cannot file a motion for articulation on a judgment that entered in February 2020 and your motion was filed in July 2021. It's untimely. SO, regardless of the contents the matter--It's untimely.

Motion to vacate, motion number 434. Again, you're seeing to vacate the order--Actually, you're seeking to vacate Judge Coleman's order based upon an affidavit concerning children that was procedurally defective, apparently. But again, the motion's untimely. The motion to vacate an order from February of 2020 is untimely. So, your motion 434 is denied.

Motion for a trial management; that is motion 434. All, so, that concludes all these matters. What's left is Ms. Grohs' motion for visitation, your appointment--Somebody asked for a GAL.

ATTY. LEVY: I did, Your Honor.

THE COURT: And there's an--I believe an

objection.

ATTY. LEVY: I ask that Attorney Brigham--I the Court was going entertain the--It's not a motion to modify. It should be a motion to modify, and there should be a \$180 filing fee. But if the Court is going to entertain the motion for visitation then I'm requesting that the Court re-appoint the guardian ad litem Attorney Mary Brigham. I've spoken to her, she's willing to accept the appointment.

MS. GROHS: I completely object; completely object.

THE COURT: Hold on, listen to me. I'm going to enter some orders right now. All right so what's pending is the motion for visitation; which is appropriate. But it should be entitle motion for modification. And whether or not we're going to appoint a GAL in the matter. So, I'm not dealing with those today. I want within one week, I want updated financial affidavits filed with the court. I want either an objection if you object to the appointment of a GAL, I want to know that, and the reason why. And then more specifically if you don't have an objection to a GAL but you're objecting to Mary Brigham I want to know that as well. We will reconvene in a week. Actually, is that enough time? I'm asking you to do financial

affidavits in a week. So, today's Friday. So if we can--the 14?

MS. GROHS: Your Honor, I believe--I don't have my calendar with me--but, I believe on the 14th I'm not available; if it can be the following some time I'll make that work.

THE COURT: The week after the 14th?

MS. GROHS: Yes.

THE COURT: The 21st; which is a Tuesday. We only have our live matters Tuesdays and--I mean, I could squeeze it in somewhere else. Does the 21st work, Attorney Levy?

ATTY. LEVY: I have a probate hearing, Your Honor, but I can try to have another lawyer in my office--

THE COURT: When's the probate hearing?

ATTY. LEVY: I'm sorry, where?

THE COURT: In the morning? No when, morning or afternoon?

ATTY. LEVY: It's at 9AM, in Torrington.

THE COURT: We can do this at-- probably at 12. I can schedule you schedule--You can be here at 12?

ATTY. LEVY: Certainly.

MS. GROHS: Your Honor, regards to the motion for visitation, while I don't want that to delay whatsoever, I believe that if we are going to have

a hearing that I may need a little a bit more time because--

THE COURT: So, I don't envision a hearing on that day, right. The motion is appropriate, right. You are the children's mother. Prima facie, you should have visitation with your children, okay. The question becomes, what does that look like going forward, okay.

MS. GROHS: Right.

THE COURT: And that's where we need the involvement of either a GAL or Family Services to figure out. So, I don't expect to have evidence. It's too premature for that, okay. So, the question on that day is going to be do we proceed forward on that motion for visitation, and the financial affidavits are important in the event that we decide to appoint a GAL. So, I don't want testimony. I want to be very clear about that. I don't expect--That's not what I expect on that day, okay.

ATTY. LEVY: And the financial affidavits also required my client?

THE COURT: Yes.

ATTY. LEVY: It's a strange--

THE COURT: It is.

ATTY. LEVY: But I understand, Your Honor.

THE COURT: So, we're all set.

ATTY. LEVY: So, that's the 21st at noon?

THE COURT: Yeah; yes. Right, 21st at noon.
So, you'll get notice.

ATTY. LEVY: Thank you, Your Honor.

DOCKET NO: UWY-FA104022991-S : SUPERIOR COURT
GROHS, WILLIAM : JUDICIAL DISTRICT
 : OF WATERBURY
v. : AT WATERBURY, CONNECTICUT
GROHS, KELLY : September 3, 2021

C E R T I F I C A T I O N

I hereby certify the foregoing pages are a true and correct transcription of the audio recording of the above-referenced case, heard in Superior Court, Judicial District of Waterbury, at Waterbury, Connecticut, before the Honorable Anna Ficeto, on the 3rd day of September, 2021.

Dated this 17th day of September, 2021, in Waterbury, Connecticut.

Juanita Gibson
Court Recording Monitor

A photocopy of this transcript is not a certified copy.

The certifying signature is written in blue ink.