

Nos. N23N-CR23-0250215-S
N23N-CR23-0250216-S
N23N-CR23-0250217-S

Judicial District of New Haven.
SUPERIOR COURT
FILED

SUPERIOR COURT

STATE OF CONNECTICUT

OCT 3 2025

JUDICIAL DISTRICT OF NEW HAVEN

v.

AT NEW HAVEN

PAUL BOYNE

CHIEF CLERK'S OFFICE

OCTOBER 3, 2025

**STATE OF CONNECTICUT'S
MEMORANDUM OF LAW RE: VENUE**

The state of Connecticut, through the undersigned prosecuting authority, hereby submits this memorandum in response to the court's interim order from August 15, 2025, requesting the state's position on the issue of venue, as challenged by the defendant in his objection to the state's motion for joinder.

The defendant has waived his right to challenge venue for docket no. N23N-CR23-0250215-S for the following reasons. First, the defendant failed to raise his venue objection within the timeframe prescribed by Practice Book §§ 41-4, 41-5, and 41-24. *See also State v. Orsini*, 187 Conn. 264, 269 (1982); *State v. Davis*, 186 Conn. App. 385, 391-92 (2018) (denoting that venue determines the geographic location where a matter may be tried). Second, the defendant consented to the New Haven JD venue through nearly two years of sustained participation in proceedings without objection. Third, even assuming a belated objection were permissible, the defendant cannot establish good cause for relief from waiver under Practice Book § 41-4. Thus, the defendant's right to request a venue change was waived.

I. RELEVANT FACTS

The following facts are limited to the issue of improper venue, as raised by the defendant in his objection to the state's motion for joinder.

On July 21, 2023, the defendant was arrested in the Commonwealth of Virginia (“Virginia”) based on three outstanding arrest warrants.¹ The warrants were issued following a multi-year investigation into threats made against Connecticut residents on the website *thefamilycourtcircus.com*. The state charged the defendant with four counts of Stalking in the First Degree, in violation of General Statutes § 53a-181c (a) (4), and two counts of Electronic Stalking, in violation of General Statutes § 53a-181f (a), against three specific and identified complainants, in three separate arrest warrants.

Following the defendant’s extradition to Connecticut, he was arraigned in the New Haven Judicial District on October 20, 2023, in three matters: N23N-CR23-0250215-S, N23N-CR23-0250216-S, and N23N-CR23-0250217-S. One case, N23N-CR23-0250215-S, involved conduct requiring venue in the New London Judicial District, while the remaining two, Docket Nos. N23N-CR23-0250216-S and N23N-CR23-0250217-S, involve conduct that requires venue in the New Haven Judicial District. Although the state concedes that under CGS § 51-352 (a) the proper venue for N23N-CR23-0250215-S would have been the New London Judicial District, based on the alleged offense taking place in Groton, the defendant has waived his right to object to any other venue than the New Haven Judicial District.

II. ARGUMENT

The defendant cannot raise an improper venue defense because the defendant (i) exceeded the prescribed timeframe under the Connecticut Practice Book rules, (ii) assented to the venue after nearly two years of proceedings in the New Haven JD, and (iii) cannot establish good cause for relief from waiver.

A. The defendant failed to raise an improper venue defense in a timely manner.

The defendant had sufficient time to object to the designated venue for docket case N23N-CR23-0250215-S but chose not to do so, thus waiving his right to contest it at this stage of his case. Under §

¹ As in its objection to the defendant’s first motion to dismiss, the state assumes the court’s familiarity with the three arrest warrants issued in the above-captioned matters.

41-4 of the Practice Book, “[f]ailure by a party, at or within the time provided by these rules, to raise defenses or objections . . . that must be made prior to trial shall constitute a waiver thereof.” The window of time provided by the rules for a defendant to file a motion challenging improper venue is “no later than ten days after the first pretrial conference in the court where the case will be tried, or, with permission of the judicial authority, at such later time as the judicial authority may fix.” Practice Book § 41-5; *see also* Practice Book § 41-24 (defining that “[a] motion for transfer of prosecution shall be made within the time prescribed by PB § 41-5 for making pretrial motions”). Here, the defendant raised the issue of improper venue almost two years after his arraignment. The defendant thus waived his right to object to the venue for docket case N23N-CR23-0250215-S because his objection fell outside the ten-day window prescribed by § 41-5 of the Practice Book.

Connecticut case law also supports the position. Courts have held that venue can be waived when defendants fail to “assert the statutory privilege in timely fashion.” *Orsini*, 187 Conn. at 269 (citation omitted). Venue constitutes a procedural question that “simply concerns the location where the matter may be tried.” *Davis*, 186 Conn. App. at 391. Courts, therefore, do not dismiss criminal cases based solely on improper venue. *Orsini*, 187 Conn. at 271. In this case, the defendant failed to act “in timely fashion,” as denoted in the previous paragraph. He only raised the issue when challenging the state’s request for joinder of all three matters. This reactive—rather than affirmative—approach further undermines his position. And permitting such a delayed challenge would encourage tactical manipulation of venue rules. As a consequence, the court should deny the defendant’s request for a venue change.

B. The defendant acceded to the New Haven JD venue.

The defendant acceded to the Judicial District of New Haven venue without objection through his sustained participation in court proceedings. A defendant accedes to venue by actively participating in his case without raising a timely venue objection. Under Practice Book § 41-4, venue objections not raised within prescribed timeframes are waived absent good cause. The defendant participated in New Haven JD proceedings for nearly two years. His counsel filed numerous motions, including a

motion for bill of particulars (January 31, 2024), a First Amendment-based motion to dismiss (March 12, 2024), a speedy trial motion (April 5, 2024), a suppression motion (April 8, 2024), a second motion to dismiss (August 2, 2024), and another suppression motion (September 5, 2024). Each filing demonstrating active engagement with this venue while allowing this court to rule on his substantive claims. Thus, the defendant's sustained participation over the span of almost two years constitutes accession to the venue of the New Haven Judicial District.


C. The defendant cannot establish good cause for relief from venue waiver.

The court should deny any request by the defendant for relief from venue waiver because he has failed to demonstrate the requisite good cause. Courts may grant an exception to a waiver of venue if a defendant demonstrates good cause for failing to raise the issue within the prescribed timeframe. Practice Book § 41-4 provides that courts may grant relief from any waiver "for good cause shown." Good cause requires that a defendant show that there were circumstances beyond his or her control that prevented a timely objection to venue. Here, the defendant offers no justification for his two-year silence on venue. No emergency, life-altering circumstance, or incapacity could have prevented the defendant from taking action. What is more, his counsel filed six substantive motions during the relevant period, demonstrating his counsel's capacity to identify and raise procedural challenges. Furthermore, the defendant's belated objection to venue should be denied because it does not satisfy the good cause standard.

III. CONCLUSION

For the reasons outlined above, the court should deny the defendant's claim to improper venue and permit the joinder of all three matters to ensure judicial efficiency.

Respectfully Submitted,
THE STATE OF CONNECTICUT

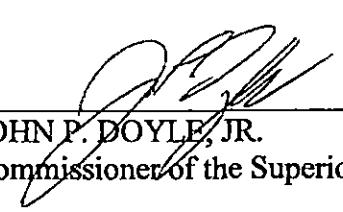
By: 
JOHN P. DOYLE, JR.
State's Attorney
Judicial District of New Haven

CERTIFICATION

I certify that, pursuant to Practice Book § 41-6, a copy of the above objection was or will immediately be mailed or delivered electronically or nonelectronically on October 3, 2025, to all counsel and self-represented parties of record.

Todd Bussert, Esq.,
Director of Complex Litigation
Office of the Chief Public Defender
55 Farmington Ave, 8th floor
Hartford, CT 06105
Tel: 860.509.6400
Email: Todd.Bussert@pds.ct.gov

Kelly Billings, Esq.
Assistant Public Defender
1061 Main Street
Bridgeport, CT 06604
Phone: (203) 535-7775
Fax: (203) 579-6974
Email: kelly.billings@pds.ct.gov



JOHN P. DOYLE, JR.
Commissioner of the Superior Court