

FAMILY COURT OF THE STATE OF NEW YORK
COUNTY OF ULSTER

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PAUL D. GILLIS,

Petitioner,

-against-

HELEN R. GARBER,

Respondent.
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EMERGENCY PETITION TO MODIFY
AN ORDER OF CUSTODY ON
CONSENT

Family File No.:
Docket No.: V-

TO THE FAMILY COURT:

The undersigned Petitioner respectfully shows that:

1. Petitioner, an individual, is the Father of the subject child, EVELYN GILLIS, born July 18, 2015, and resides at 819 1st Avenue, Apartment #1, Kingston, New York 12401.
2. Respondent is the mother of the subject child and resides at 183 Horton Lane, Port Ewen, New York 12466.
3. On October 31, 2024 an Order of Custody on Consent, signed by Hon. David Gandin, J.S.C. was entered in the Office of the Ulster County Clerk. Annexed hereto as "EXHIBIT 1" is a copy of this Order on Consent.
4. Since the entry of the Order of Custody on Consent entered in the Office of the Ulster County Clerk on October 31, 2024 and signed by Hon. David Gandin, J.S.C there has been a substantial change in circumstances warranting an immediate, emergent, modification of custody, to wit:
 - a. The Respondent has consistently and repeatedly engaged in behaviors which are cause for great concern regarding her mental health, for example:
 - i. The Petitioner has repeatedly alleged that I, the Court, the Attorney for the Child, and various other members of the bench and bar have engaged in collusive conduct to alter evidence and court records for the purpose of my securing custody of Evelyn. The Petitioner's continued, unfounded, assertions that multiple people, including attorneys and judges, have conspired against her and committed acts of misconduct and criminal wrongdoing cause me great concern as these accusations are baseless and distorted from reality. The Respondent is delusional and lying pathologically causing me to have concern that she cannot distinguish between fact and fiction. Nobody forced, threatened, or coerced Ms. Garber into

agreeing to my having primary physical custody of Evelyn. She consented to this as a settlement on the record in open court on August 30, 2024. Attached hereto as "EXHIBIT 2" is a copy of the transcript from that date in court when Ms. Garber agreed to the Order she now claims Judge Gandin forced her into accepting. Attached hereto as "EXHIBIT 3" is a copy of the Adoption of Oral Stipulation signed by the Respondent acknowledging she agreed to this settlement on custody.

ii. Despite having no basis in reality for these claims, the Respondent has engaged the assistance of the members of a Facebook group entitled Family Court Fraud Warrior Project. The members of this group and its administrator, David Weigel, now consistently reiterates the Respondent's claims, publicly on Facebook, without cause and without evidence to support their claims of fraud and other criminal activity of multiple judges and attorneys. While Ms. Garber's supporters on this social media platform claim they are posting about this matter without Ms. Garber requesting that they do this, the documents being posted on Facebook by members of this group could only be obtained by Ms. Garber providing them in violation of the Court Order placed on the record by Your Honor on October 3, 2025, including posts which publicly disclosed our daughter's confidential mental health records.

iii. The herein Respondent filed a "Statement in Support of Permanent Order of Protection" dated July 15, 2025 in which she states that "In reviewing court records, I discovered 17 false exhibits created using stolen, expired, legally prescribed medications (dated 2011-2021). One photo clearly appears to show Elizabeth Faulkner holding my expired Oxycodone prescription, taken inside her office. These items were used to fabricate a substance abuse narrative". The photo referred to by the Respondent was submitted as evidence prior to a hearing on custody during our divorce. The accusation that this bottle was stolen by myself or my attorney is false and utterly absurd. Annexed hereto as "EXHIBIT 4" is a copy of the "Statement in Support of Permanent Order of Protection" dated July 15, 2025 and, upon information and belief, filed with the Court. The prescription bottle she references in this document was photographed by me in the former marital residence when I still lived with Ms. Garber and had free access to her prescription bottles as they were stored in our shared bathroom. I did not steal anything and nobody committed any crimes to obtain this photograph. Ms. Garber is reckless in her allegations of criminal conduct against multiple people which lends even more weight to my concern about her irrational acts.

iv. In her petition filed on July 29, 2025 the Respondent alleges "The court's failure to intervene has emboldened Paul. His behavior is escalating." and then compares my actions to those that lead to "...tragedies in recent months—Travis Decker in Washington, Melina Frattolin in New York, Montrell Williams in the Bronx—children harmed or killed by fathers in the midst of custody disputes; while warning signs went ignored." These statements refer to when I was traveling to New Jersey with Evelyn and the Petitioner was aware of the address at which Evelyn and I were staying and our anticipated return date. I notified the Respondent before my departure, as required, and that I would be visiting my sister's home in New Jersey with Evelyn. Annexed hereto as "EXHIBIT 5" is a copy of the OurFamilyWizard message transcript in which we discuss this trip. Not once before my departure did the Respondent ask me for my sister's address which she could have done if she did not know it. Given that the Respondent had visited my sister's home multiple times during our marriage and that my sister has not moved since the Respondent last visited my sister's residence, I reasonably assumed my sister's address did not need to be specifically provided. Upon information and belief, the Respondent also reported that Evelyn was missing to law enforcement and made statements to this effect in this Court before Your Honor, despite knowing where Evelyn was. This repeated pattern of making false allegations of criminal conduct is outrageous and must not be ignored. Our daughter is suffering as her mother's mental illness has spiraled out of control. Evelyn routinely begs me not to have to spend time with her Mother because of her mood swings, erratic behaviors, and her ongoing badmouthing of me. According to Evelyn, Ms. Garber has even discussed my lawyer, by name, with Evelyn as Evelyn asked me one day about my attorney and whether she is "evil like mom says she is". How can the Court in good conscience allow my daughter to me exposed to this lunacy?

v. On or about September 22, 2025 the Respondent posted an approximately seven-minute video to her public Facebook page and to the Family Court Fraud Warrior Project's public Facebook group page in which she makes the following statements. A copy of this video is my attorney's possession and is available for production to the Court upon request:

- That her case "...also involved falsified evidence, including false prescriptions, my old, expired, prescriptions were stolen by Mr. Gillis and Ms. Faulkner and photographed to present me as a drug addict..."

- That a "...two-hundred page transcript that was removed from the record..." and "...forty-eight exhibits have been removed from the court record, it has been verified that they exists yet my ex-husband's attorney, Elizabeth Faulkner, the Attorney for the Child, Heather Harp, who has recently been re-appointed as my Guardian Ad Litem, my own attorney at trial, George Redder, Judge David Gandin and his court clerk all refuse to turn over these exhibits and are trying to starve my appellate record."

- That "...Ms. Faulkner and Ms. Harp, on the record, both presented this order as 50-50 and forced me to sign a stipulation agreeing to this in open court as the judge threatened me with further custodial loss if I did not sign."

vi. Beginning on or about September 22, 2025, with the posting of the video described herein to a public Facebook page entitled Family Court Fraud Warrior Project, the Respondent began a course of conduct in which she sought to make public her false and baseless accusations of fraud and abuse against myself, the court and others. The Petitioner engaged in video recorded interviews with group administrator David Weigel in which she continued to make demonstrably false and unsubstantiated accusations of misconduct. The Respondent has also caused to be publicly posted or otherwise released information, including E-Mail communication purported to be between the Respondent and her attorney, that could only have been obtained by this group from the Respondent. A copy of these videos and other relevant posts to social media are in the possession of my attorney and can be produced to the Court at the time of the eventual hearing in this matter.

b. On or about September 29, 2025 at 10:03 A.M. I received a text message from Evelyn stating, in sum and substance, that the Respondent was showing her videos me "drinking". Annexed hereto as "EXHIBIT 6" is a copy of my text message exchange in which she advises me of this. Subsequently, I learned that Evelyn had recorded the Respondent while she showed her one of the video's. In this recording the Respondent can be heard saying things such as "I would never speak to you that way", "that's the first time he tried to have me arrested" and "it's been about six times". This audio recording is my attorney's possession and can be produced to the Court at the time of the eventual hearing in this matter.

5. The Respondent's repeated, public, unsubstantiated and in most cases demonstrably false claims of collusion, corruption and misconduct by myself, my attorney, the Court and others demonstrate that she unreasonably feels paranoid and persecuted as there is no

evidence or cause to support these feelings. The Respondent's public displays of paranoia cause me to be concerned for Evelyn's wellbeing while she is in the care of the Respondent. Evelyn has expressed significant distress before having to go visit with her mother and she routinely shares with me inappropriate things her mother says to her about me, my attorney, and other adult matters that she should be completely unaware of. I cannot sit idly by while my daughter is emotionally destroyed by her mother to allow the Court process to "work". This is not a case that can wait a year or more for a trial to be completed. In this case, justice delayed will be justice denied to our daughter who needs protection right now.

6. The Respondent's repeated violations of the Order of Custody on Consent entered by the Office of the Ulster County Clerk on October 31, 2024 and signed by Hon. David Gandin, J.S.C, as outlined in the violation petition filed simultaneously herewith, along with her baseless accusations of misconduct by the Court, her paranoid behavior and her engagement with Family Court Fraud Warrior Project all demonstrate that the Respondent has no regard for this Court's authority or its orders. The Respondent's unwillingness to productively co-parent and unwillingness to abide by orders of the Court coupled with her paranoid, baseless accusations of persecution warrant an immediate change in custody as these behaviors are harmful to Evelyn's physical, mental and emotional wellbeing.

7. While I do work full-time, I work remotely from my home and my schedule is flexible, allowing me to be available for Evelyn as needed.

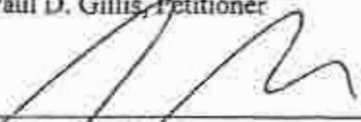
WHEREFORE, the Petitioner now moves for an Order:

- 1) Awarding the Petitioner-Father sole legal and primary physical custody of the parties' minor child EVELYN GILLIS, born July 18, 2015 subject to the Respondent-Mother's supervised or therapeutic custodial time; and
- 2) Scheduling an emergency hearing on this matter at the Court's earliest opportunity; and
- 3) For such other and further relief as this court may deem just and proper.

Dated: October 29, 2025
Kingston, New York



Paul D. Gillis, Petitioner



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