

DOCKET NO. FA 09-4010792 S

COLLEEN M. BUSHEY,

Plaintiff

vs.

LEO C. BUSHEY, III,

Defendant

SUPERIOR COURT

JUDICIAL DISTRICT OF TOLLAND

AT ROCKVILLE

October 18, 2013

AMENDED MOTION FOR CLARIFICATION

The plaintiff asks the court to clarify its oral orders of August 15, 2013 by Wetstone, J.

The judge is asked to clarify her bias and prejudice against the concerns of the mother over the historical behavior of the father. As the court is aware of the past behavior of the father with regard to driving while intoxicated, arrests in other jurisdictions, sexual assault matters; is the court now deciding that such history is unwarranted concern for the mother?

The judge is asked to clarify that if “Mr. Bushey may have been...even a drunk during their marriage, that he is not actively drinking.” How does the judge find that there is no drinking or related issues to drinking solely on the fact that there are no recent DUI’s, no police reports? The court needs to clearly explain how it establishes that there is no active drinking by the father after he perjured himself on the stand in 7/2011 stating he was not drinking but in contrast a private investigator showed evidence that he was drinking on two separate occasions, and the father admitted to a third occurrence? There is no standard of evidence applied by the judge to make such conclusion, nor is there a legal ground to claim mother’s concerns are unwarranted or be held against her by a prejudicial judge. The father has never attended a licensed alcohol therapist even with his own admissions of being an alcoholic; this was mom’s current concern. Confusion abounds, clarity is required.

The judge is asked to clearly explain her reference to pendente lite matters in the post judgment motions. Why was leaving family home pendente lite a most important factor in a post judgment issue?

The judge is asked to clearly explain the finding that mother’s concerns are “unjustified and unwarranted”. What standard applies to a personal belief and opinion of one divorced parent to the other? The judge is asked to clearly explain what concerns would be justified and warranted, given the past history of the father.

The judge is asked to clearly explain the AFCC relationship between the psychological evaluator Stein-Leite and the judge's director position in the AFCC organization. The judge is asked to clearly explain why such relationship was not disclosed to all parties; appearance of impropriety notwithstanding.

The judge is asked to clearly explain why 'waiving the red flag' is not a duty of a parent in protection of her children. Does the mother need court's permission to exercise her concern for the well being of her own children?

The judge is asked to clearly state the reason for modification of custody in the decision making authority of school programs, religion and medical issues.

The judge is asked to clearly state the statutory foundation for ordering the payment for use of 'proper.com'. With the exception of orders for child support and alimony, post judgment modifications of financial orders have no basis in law.

The judge is asked to clarify the contradiction in finding the parents suitable, but giving sole medical decision making to the mother, at the same time delegating court authority to Janet Schragger with orders of treatment. If the mother has medical decision authority then the court's delegation to Dr. Schragger is not moot? The confusion by contradiction defies logic and is unintelligible requiring clarification.

The judge is asked to clearly explain the authority in which she limits free speech and contact with DCF to the control of a guardian ad litem who has no legal standing to exist post judgment. If the GAL does not exist, then the order is mere manifestation of prejudice? The order is moot by contradiction of construction? Clarification required.

The judge is asked to clearly explain how she threatens litigants with sanctions for future acts involving parties' subordination to a guardian ad litem whose appointment terminates upon the decision of the matter before the court for which the guardian appointment was made.

The judge is asked to explain the use of the children as instruments of punishment by judicial threat of sanction where the judge states: "Failure to do so will result in sanctions against them, which can include fines and loss of time with the children".

The judge is asked to clearly state why she employs the children as weapons of retribution, punishment and sanctions. The judge is asked to clearly explain how manipulating the parent-child

relationship wielded as a weapon of the bench is not child trafficking, child abuse, child maltreatment, intentional infliction of emotional abuse or other maltreatment of a child.

The judge is asked to explain in view of the court threatened child abuse noted above, why the judge should not recuse herself from this matter and vacate her orders as they are a violation of federal and state law.

The judge is asked to clearly explain the characterization of private papers and dissemination of such, when said papers are in the public domain are public records and are documents issued by a public agency.

The judge is asked to clearly explain why dissemination of a denial letter issued by Manchester Police for a gun permit is considered by the court to be inappropriate. Said letter is a public document and is available to any person under the state freedom of information laws, yet the court finds “to be vile and interfering”.

The judge is asked to clearly state on what authority or ethical standard the GAL can suggest an unlicensed person to be a court appointed counselor in direct violation of state licensing laws?

The judge is asked to clearly explain the contradiction in using the children as weapons of sanctions noted above and the judge’s statement: “Children do not belong in court or in the middle of their parents’ conflict. End of discussion. There is nothing that would justify that. Nothing.” The contradiction is quite alarming and questions the judge herself. Based on this alone, will the judge clearly state why she should not vacate all her orders and recuse herself?

The judge is asked to clearly state the purpose of appointing Andrew Hechtman for undefined post judgment mediation. The judge is asked to clearly state the state licenses held by this AFCC affiliated person to perform counseling.

The judge is asked to clearly state the AFCC relationships between the Children’s Law Center (CLC), Andrew Hechtman and the judge herself, as the judge is an AFCC director. There is a conflict of interest and appearance of impropriety that was not disclosed to the parties.

The judge is asked to clearly explain the statement: “Didn’t say she couldn’t keep a photocopy, which is what she did, which is why she’s losing the children. So I think that’s punishment enough.” Noting that the paper was a public document, why did the judge punish the mother by the loss of the

kids? Why did the judge use the kids to punish the mother? Is such use of children in inflicting punishment not a form of child trafficking?

The judge is asked to clearly explain why the court is trafficking these children, using them as punishment, employing them as instruments in the conflict of the parents. Further, clearly state how such court action is not violation of federal and state law.

The judge is asked to clearly explain the statutory authority for the appointment of a guardian ad litem post judgment where there is no question of custody or visitation remaining before the court. Clearly explain how GAL appointed intrusion into the private lives of citizens is not a violation of civil rights. Judge is asked to clearly explain the compelling cause of the state to monitor this family after the court has issued its final ruling on the motions.

The judge is asked to clearly explain the if the court has even provided final judgment on the motions filed if the matter is to be ‘monitored’ by the state for another six months.

The judge is asked to clearly explain if the time for appeal of the court orders of August 15, 2013 is extended by ‘monitoring’ to plus six months and twenty days past end of monitoring or past ‘updates’.

The judge is asked to clearly explain why the court requires post judgment financial affidavits and why those affidavits will “determine who the next guardian will be”. If the motions have been decided, then there is no authority to appoint a GAL.

The judge is asked to clearly explain the legal authority to ‘monitor this case very closely as it’s a high conflict case’; post judgment status notwithstanding.

The judge is asked to clearly explain the lack of equal protection applied in making a class of civil action of ‘high conflict’. The judge is asked to clearly define how the litigants in the instant case have been classified separately from the general populace of litigants and how that classification is not prejudicial or discriminatory.

The judge is asked to clearly explain the reason for the search ordered that the GAL invade such post judgment privacy of “mental health counseling” of the adults. Is the search and report order a deprivation of citizen’s rights under the color of state law?

The judge is asked to clearly explain the deprivation of First Amendment protections by application of ‘propercom.com’. There was no motion, notice, summons, call of witnesses or criminal complaint for which the parents could defend in deprivation of such liberty interest.

The judge is asked to clarify her decision to deprive the children the opportunity to attend a better school district and enjoy a higher quality of education.

The judge is asked to cite to the specific behaviors and/or actions of the mother that factored into her decision to dramatically alter the access schedule and reduce mother's parenting time to six days a month, from her previous access with the children of 21-24 days a month.

The judge is asked to explain how the disruption and drastic change to the children's lives was in the best interest of the children. It is further requested that the judge clarify how such change minimizes or reduces the "effects of being in a high conflict divorce". Did the court consider the harm, destruction or emotional damage endured by the children as a result of the court's ruling?

THE PLAINTIFF
COLLEEN BUSHEY

BY: _____

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NO ORAL ARGUMENT IS REQUESTED
NO TESTIMONY IS REQUIRED

ORDER

The foregoing Motion to Clarify, having been duly heard by this Court, it is hereby Ordered:
GRANTED/DENIED.

BY THE COURT

Dated: _____

JUDGE/ASSISTANT CLERK

CERTIFICATION

I hereby certify that a copy of the foregoing was hand delivered to all counsel and self represented parties of record this 21st day of October, 2013:

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