

PREPARED BY THE COURT

AUG 16 2013

A. H. ...
...

Margaret Wallace,

Plaintiff,

V.

Derek Syphrett,

Defendant.

SUE REGAN
DEPUTY CLERK OF SUPERIOR COURT
SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION
FAMILY PART
MERCER COUNTY

DOCKET NO. FM-11-97-11 K

CIVIL ACTION

ORDER


. **THIS MATTER** having come before the Court on August 16, 2103, the Honorable Catherine Fitzpatrick, P.J.F.P., presiding, on the application of the petitioner, Stuart H. Weiner, Esq. of the Community Health Law Project, court appointed counsel for the defendant, Derek Syphrett, seeking an order to be relieved as counsel; John Rittley, Esquire , appearing as court appointed Guardian ad Litem for the defendant and the plaintiff, Margaret Wallace, represented by Eliana Baer, Esq. of Fox Rothschild, LLP , having filed written opposition; and the Court having considered the parties' submissions; and the Court having oral argument and for the reasons stated on the record on August 16, 2013; and for good cause shown;

IT IS on this 16th day of August, 2013:

- 1) **ORDERED** that the petitioner's request to be relieved as Court appointed counsel for the defendant, Derek Syphrett, is granted. Stuart H. Weiner, Esq., attorney with the Community Health Law Project is hereby relieved from his appointment as counsel for the defendant and excused from any further participation in the matrimonial case under the above docket number as well as under the Domestic Violence matter under FV-11- 625-13 ; and it is

- 2) **FURTHER ORDERED** that, sua sponte, John Rittley, Esq., is hereby relieved from his appointment as guardian ad litem for the defendant and excused from any further participation in the above two dockets as well; and it is
- 3) **FURTHER ORDERED** that default shall be entered against the defendant in the matrimonial matter as well as the domestic violence matter entitled Wallace v. Syphrett under FV-11-625-13 which is scheduled for the final hearing on Monday, August 19, 2013 at 1:30 p.m. Same shall remain on the Court calendar; and it is
- 4) **FURTHER ORDERED** that the defendant is no longer permitted to contact the staff of the Mercer County Superior Court, to include but not limited to, secretaries, law clerks, court clerks or any other personnel by way of phone calls, emails, or faxes. Defendant is to communicate with the Court via written correspondence only sent via US Mail, hand delivery, courier, FEDEX or UPS. All violations will be considered contempt of court and sanctions will be imposed; and it is
- 5) **FURTHER ORDERED** that the FV trial will continue as scheduled on Monday, August 19, 2013 at 1:30 p.m.; and it is

- 6) **FURTHER ORDERED** that the Court will schedule the resumption of the matrimonial trial following the conclusion of the FV trial; and it is
- 7) **FURTHER ORDERED** that Mr. Weiner is to provide a copy of the within order to the defendant via email on today's date as well as mailing same to the defendant at his current address.


CATHERINE FITZPATRICK, F.J.F.P.

PREPARED BY THE COURT

Margaret Wallace,	
	Plaintiff,
V.	
Derek Syphrett,	
	Defendant.

A TRUE COPY
New Regan
 CLERK OF SUPERIOR COURT
 SUPERIOR COURT OF N.J.
 MERCER COUNTY
 RECEIVED FILED

SUBREGAN
 AUG 16 2013
 SUPERIOR COURT OF NEW JERSEY
 CHANCERY DIVISION
 FAMILY PART
 MERCER COUNTY
 DEPUTY CLERK OF SUPERIOR COURT

DOCKET NO. FM-11-97-11 K

CIVIL ACTION

AMENDED ORDER

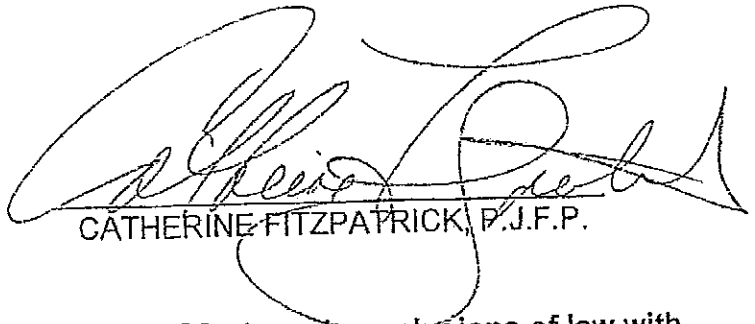
THIS MATTER having come before the Court on August 16, 2103, the Honorable Catherine Fitzpatrick, P.J.F.P., presiding, on the application of the petitioner, Stuart H. Weiner, Esq. of the Community Health Law Project, court appointed counsel for the defendant, Derek Syphrett, seeking an order to be relieved as counsel; John Rittley, Esquire , appearing as court appointed Guardian ad Litem for the defendant and the plaintiff, Margaret Wallace, represented by Eliana Baer, Esq. of Fox Rothschild, LLP , having filed written opposition; and the Court having considered the parties' submissions; and the Court having oral argument and for the reasons stated on the record on August 16, 2013; and for good cause shown;

IT IS on this 16th day of August, 2013:

- 1) **ORDERED** that the petitioner's request to be relieved as Court appointed counsel for the defendant, Derek Syphrett, is granted. Stuart H. Weiner, Esq., attorney with the Community Health Law Project is hereby relieved from his appointment as counsel for the defendant and excused from any further participation in the matrimonial case under the above docket number as well as under the Domestic Violence matter under FV-11- 625-13 ; and it is

- 2) **FURTHER ORDERED** that, sua sponte, John Rittley, Esq., is hereby relieved from his appointment as guardian ad litem for the defendant and excused from any further participation in the above two dockets as well; and it is
- 3) **FURTHER ORDERED** that default shall be entered against the defendant in the matrimonial matter. The Court hereby amends its prior order dated August 16, 2013 to remove that provision whereby the Court entered default against the defendant in the domestic violence matter ; and it is
- 4) **FURTHER ORDERED** that the defendant is no longer permitted to contact the staff of the Mercer County Superior Court, to include but not limited to, secretaries, law clerks, court clerks or any other personnel by way of phone calls, emails, or faxes. Defendant is to communicate with the Court via written correspondence only sent via US Mail, hand delivery, courier, FEDEX or UPS. All violations will be considered contempt of court and sanctions will be imposed. The Court hereby amends its prior order of August 16, 2013 to include that this provision applies to all dockets; and it is
- 5) **FURTHER ORDERED** that the domestic violence trial will continue as scheduled on Monday, August 19, 2013 at 1:30 p.m.; and it is

- 6) **FURTHER ORDERED** that the Court will schedule the resumption of the matrimonial trial following the conclusion of the domestic violence trial; and it is
- 7) **FURTHER ORDERED** that Mr. Weiner is to provide a copy of the within order to the defendant via email on today's date as well as mailing same to the defendant at his current address.



CATHERINE FITZPATRICK, P.J.F.P.

The Court provides the following statements of facts and conclusions of law with regard to the amended order.

The Court hereby amends its prior order of August 16, 2013 whereby default was entered against the defendant in both the matrimonial matter as well as the domestic violence matter.

The Court intended to enter default against the defendant only in the matrimonial matter and not the domestic violence matter.

In addition, the Court has added that the communication provisions in paragraph four applies to all dockets.