

COPY

1 FAMILY COURT OF THE STATE OF NEW YORK  
2 COUNTY OF DUTCHESS

3 -----x  
4 TIMOTHY SHOCKOME,

5 Petitioner,

6 -against-

7 YEVGENIA SHOCKOME,

8 Respondent.  
9 -----x

10 HEARING

11 **May 5, 2005**

12 50 Market Street  
13 Poughkeepsie, New York

14  
15 BEFORE: HON. DAMIAN J. AMODEO,  
16 Family Court Judge

17 FOR PETITIONER: PHILIP W. KENNY, ESQ.  
18 99 Cannon Street  
19 Poughkeepsie, New York 12601

20 FOR RESPONDENT: YEVGENIA SHOCKOME  
21 (Pro Se)

22 LAW GUARDIAN: FRANK MAROCCO, ESQ.  
23 P.O. Box 238  
24 Carmel, New York 10512

25 *Proceedings electronically recorded.*

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COURT OFFICER: Your Honor, this is 69 through 71 on the afternoon calendar, File 29594.

Starting on my right, please state your appearance for the record.

MR. SHOCKOME: This is Timothy Shockome.

MR. KENNY: Philip Kenny, for Timothy Shockome.

MR. MAROCCO: Frank Marocco, law guardian.

COURT OFFICER: Ma'am?

MS. SHOCKOME: Yevgenia Shockome.

THE COURT: All right, now, there are two matters on the calendar today. The family offense application which Mr. Shockome filed, as well as the --

MS. SHOCKOME: Your Honor, I request to say a word before you start, because it's appropriate for me to say it before you start.

MR. KENNY: Your Honor, can we just proceed in the order that we ordinarily proceed? Allow the court to address the issues, and we'll go from there, instead of having another one of the grandstand applications.

MS. SHOCKOME: There is no application. I

2 don't know what today's proceedings are about.

3 MR. KENNY: I object to this application being  
4 made at this time, until the court has had a chance  
5 to address the issues that we're here to address.

6 THE COURT: There are two matters on the  
7 calendar. One is the family offense proceeding  
8 that Mr. Shockome filed, as well as the violation  
9 of custody and visitation order that he filed.

10 Now, Mrs. Shockome, what would you like to  
11 say?

12 MS. SHOCKOME: I want to address it before you  
13 start because I was not informed of the purpose of  
14 today's hearing and today's proceedings, and I  
15 protest to be here because I had no opportunity to  
16 be prepared. And also I protest to be here because  
17 I was not assigned a lawyer on this case, which I  
18 need and I would like to have assigned.

19 THE COURT: Okay. I'll take them one at a  
20 time.

21 When you were here last you were advised that  
22 this case was on for further proceedings today.  
23 That means that we're going to discuss how the case  
24 is progressing. When we were here last, I had  
25 given you a date by which you had to submit an

2 application for assigned counsel. As far as I  
3 know, no written application for assigned counsel  
4 has been made.

5 MS. SHOCKOME: Objection. I wrote two letters  
6 to the court. Actually, it was one letter on May  
7 2nd addressing both issues. I haven't received a  
8 response.

9 THE COURT: Mr. Shockome, please. I'm going  
10 to stop you because you were given a form to fill  
11 out. I have never had that form filled out. I had  
12 asked you several times to fill out a financial  
13 statement indicating what your financial condition  
14 is. This is what I do in every single case when  
15 someone asks for assigned counsel. You have not  
16 done that.

17 MS. SHOCKOME: In my --

18 THE COURT: I gave you a date -- I gave you a  
19 date, a specific date, by which that had to be  
20 filed. You have not done that.

21 MS. SHOCKOME: In my letter I explain why I  
22 did not do that.

23 THE COURT: And I don't accept that.

24 MS. SHOCKOME: And you did not answer my  
25 letter that you don't accept that.

2 THE COURT: I don't have to answer --

3 MS. SHOCKOME: I did not get your not-  
4 acceptance letter.

5 THE COURT: I do not have to answer letters.  
6 I tell you how the court proceeds, and if you don't  
7 wish to proceed that way, then I don't have to  
8 consider your application. If you want --

9 MS. SHOCKOME: I request to have a lawyer  
10 assigned on my case. The lawyer that would be fair  
11 lawyer, that --

12 THE COURT: Mrs. Shockome --

13 MS. SHOCKOME: -- after you recuse yourself.

14 THE COURT: -- I'm telling you for the last  
15 time. If you want to apply for an assigned  
16 counsel, fill out that form and attach to it all of  
17 your financial data.

18 MS. SHOCKOME: That violates my due process  
19 right.

20 THE COURT: It does not. I have a right, and  
21 the county who is going to be paying for the  
22 attorney, has a right to know what your financial  
23 situation is. If you don't file that form, I will  
24 not even consider assigning an attorney to  
25 represent you.

2 MS. SHOCKOME: Dutchess County is named in a  
3 federal lawsuit that I filed, and Dutchess County  
4 cannot provide a lawyer for me. On the same  
5 reason, you cannot be a judge on this case because  
6 you're part of this proceeding, and I refuse --

7 THE COURT: Mrs. Shockome, I have ruled on  
8 that application. I'm not going to hear anything  
9 more on that application.

10 MS. SHOCKOME: -- to be in this room in front  
11 of you. I'm here under duress.

12 COURT OFFICER: Just fill this out. I'm going  
13 to drop it down on the second floor.

14 THE COURT: I'm telling you, Mrs. Shockome,  
15 this case is on also in the Supreme Court on May  
16 18th. It's on for an inquest on the issue of child  
17 support and equitable distribution. You're  
18 directed to be here on that date, and if you fail  
19 to appear, the court is going to proceed in your  
20 absence.

21 MS. SHOCKOME: I received a notice, and I also  
22 protest to be there on May 18th for the same  
23 reasons.

24 THE COURT: If you're not there -- you can  
25 protest all you want, Mrs. Shockome. You can

2 protest all you want.

3 MS. SHOCKOME: I request [sic] all the abuse  
4 of power that you exhibit from this courtroom.

5 THE COURT: You think it's abuse of power, I'm  
6 exercising my authority in this court properly. I  
7 will be happy to have any court review what has  
8 happened in this matter, any court. And if they  
9 think I've abused my power, that's fine. I am not  
10 treating you differently from any other person who  
11 comes into this court. You're asking me to treat  
12 you differently. You want to play it by your rules  
13 and not by the rules that are commonly used. And  
14 that's what you've done throughout this matter, and  
15 I'm not going to tolerate that, Mrs. Shockome. And  
16 I don't care how many people you bring in here.

17 MS. SHOCKOME: Judge Amodeo, I filed for  
18 divorce in August 2000, and at that point I was a  
19 wonderful mother. The father had no custody, he  
20 had no -- he didn't not want to see the kids, he  
21 had no contact with the kids, and he got some  
22 limited contact. In five -- almost five years you  
23 fixed the case that now I have no contact with the  
24 children at all.

25 THE COURT: Mrs. Shockome --

2 MS. SHOCKOME: All I was asking you at that  
3 time when I filed for divorce, not to see this ugly  
4 face anymore. And for all this time you put me  
5 through these proceedings. Every two weeks I'm in  
6 courtroom, and I lost all the contact with my  
7 children because you fixed this case, and that's  
8 why I filed a federal lawsuit against you.

9 THE COURT: Mrs. Shockome, you are not seeing  
10 your children because you have failed to comply  
11 with virtually every decision, ruling and order  
12 that this court has entered to try to facilitate a  
13 resumption of your --

14 MS. SHOCKOME: You fixed the case, Judge  
15 Amodeo.

16 THE COURT: Mrs. Shockome --

17 MS. SHOCKOME: And you put impossible  
18 conditions --

19 THE COURT: Mrs. Shockome, I am warning you --

20 COURT OFFICER: Ma'am.

21 THE COURT: -- I am warning you today that if  
22 you interrupt me once more, I'm going to have you  
23 taken into custody and put in the Dutchess County  
24 Jail. I'm telling you that right now.

25 MS. SHOCKOME: I protest your intimidation



tactics.

THE COURT: If you -- if you interrupt me once more --

MS. SHOCKOME: Please don't come close to me with those.

THE COURT: You're going to be arrested. If you interrupt me once more.

MS. SHOCKOME: I protest three officers be around me and be only one-step distance around me with the handcuffs.

THE COURT: Mrs. Shockome, I have issued you an official warning. If you interrupt me once more, I'm going to have those officers take you into custody and you're going to be put in the Dutchess County Jail. That's --

MS. SHOCKOME: I won't interrupt you anymore. I will wait 'til my turn to respond. But I wanted to address those issues before anything started, and you did not let me talk for -- without interruption. That's all.

THE COURT: Do you have anything you want to say right now?

MS. SHOCKOME: Not before. But I would ask for the word after.

2 THE COURT: Okay. Does anyone else wish to be  
3 heard? Mr. Kenny?

4 MR. KENNY: Yes, Your Honor. I'd like the  
5 court to inquire of Mrs. Shockome when she stopped  
6 working and why.

7 THE COURT: You're not working, Mrs. Shockome?

8 MS. SHOCKOME: I protest to have any  
9 proceedings on this case. This is not an  
10 evidential hearing, and until I have a lawyer, I  
11 protest to answer any questions, because I have no  
12 lawyer and I have a right to be represented on this  
13 case.

14 THE COURT: You have no lawyer, Mrs.  
15 Shockome --

16 MS. SHOCKOME: And that's not an evidential  
17 hearing. I was not prepared. I need to prepare  
18 for this hearing.

19 THE COURT: You have no lawyer, Mrs. Shockome,  
20 because you have not made an application to this  
21 court in a proper form for an attorney. I have  
22 made offers to you for months, if you make an  
23 application, I will consider it. That doesn't mean  
24 I'm going to grant you the application, but I need  
25 to see what your financial circumstance is.

2 MS. SHOCKOME: Can I respond -- respond  
3 please?

4 THE COURT: Yes.

5 MS. SHOCKOME: I did not prepare for this  
6 proceedings because I did not know what would be  
7 today on the calendar, and I protest to have any  
8 hearing on this matter. And also I would like you  
9 to ask those court officers to step away a little  
10 bit from me because they intimidate me and harass  
11 me by, you know, being so close.

12 THE COURT: I'm not -- those police office --  
13 those officers are here --

14 MS. SHOCKOME: I'm not doing anything  
15 dangerous. Are you afraid of me?

16 THE COURT: Mrs. Shockome --

17 MS. SHOCKOME: Or using intimidating tactics  
18 to do this to me.

19 THE COURT: Mrs. Shockome, these officers are  
20 here as part of their job.

21 MS. SHOCKOME: I am not -- I am sitting up. I  
22 am not getting up. I'm not doing anything  
23 threatening. Why those court officers surrounding  
24 me? You're trying to intimidate me again.

25 COURT OFFICER: Mrs. Shockome, stop

2 interrupting the judge. Fill this form out and get  
3 your signature witnessed. You'll be considered for  
4 an attorney.

5 MS. SHOCKOME: There is a conflict of interest  
6 -- there are several conflicts of interest on this  
7 case, and I would like to ask that they're resolved  
8 before anything happens in this case.

9 THE COURT: I already discussed and issued a  
10 decision on your application to have me recused --

11 MS. SHOCKOME: I haven't seen the decision,  
12 Judge Amodeo. I would like to see it in writing so  
13 I can appeal it.

14 THE COURT: I issued a decision from the  
15 bench.

16 MS. SHOCKOME: I need to see it in writing so  
17 I can appeal it. I cannot afford to -- a search of  
18 the transcript.

19 THE COURT: I have issued the decision --

20 MS. SHOCKOME: I request to have a written  
21 decision. There are two motions, and I request to  
22 have a written decision.

23

24 (Brief break in the proceeding)

25

2 THE COURT: As I've indicated, I issued an  
3 oral decision at great length the last time I was  
4 here with respect to the motion you made to recuse  
5 because there's a federal lawsuit pending. That is  
6 not a basis for me to recuse myself.

7 MS. SHOCKOME: There are several reasons,  
8 though, Judge Amodeo.

9 THE COURT: Oh, what are the other reasons?

10 MS. SHOCKOME: They are in a motion. There  
11 were two motions, and both motions have to be  
12 answered. There was several reasons, there was not  
13 just one.

14 THE COURT: I have ruled on the other  
15 application that you made.

16 MS. SHOCKOME: You did not explain it. It  
17 needs to be explained to I can appeal it properly.

18 THE COURT: I explained it as clearly as I  
19 could.

20 MS. SHOCKOME: I did not understand. I'm  
21 Russian speaking -- native Russian, and I don't  
22 understand things that you say here in the court.  
23 It's very hard for me to appeal things like that.

24 THE COURT: Mrs. Shock --

25 MS. SHOCKOME: It violates my due process

rights.

THE COURT: Mrs. --

MS. SHOCKOME: I need it in writing so I can put it clear in appeals court.

THE COURT: Mrs. Shockome, I have ruled in writing with respect to your earlier application which alleged various types of prejudice on my part, on various types of incompetence on my part, and other reasons that you and your prior attorney, Mr. Goldstein, made. When I made my ruling the last time, I said it was for the exact same reasons that were in the written orders which I previously issued.

MS. SHOCKOME: They're different reasons from the two latest motions --

THE COURT: They're the same reasons, Mrs. Shockome, and I'm not going to go over it again. I have made my ruling. If you want to appeal it, get a copy of the transcript and I'll so-order the transcript, and that will be the record.

Does anyone else wish to be heard?

MR. SHOCKOME: I do.

THE COURT: Yes.

MR. SHOCKOME: Your Honor, I made a call to

the Support Collections Unit which, as you know, is the only way I receive support from the mother after she had refused to voluntarily pay support. Support Collections is pretty much like time -- it's like clockwork. The mother used to get paid twice a month, I'd get the money direct-deposited within two days usually. When it didn't come, I called a lady -- I didn't bring her name or phone number -- today is Thursday, I called her two days ago on Tuesday. And the woman told me -- initially she couldn't understand why, and then she looked into it and said, oh, we have a letter here from IBM that we received on April the 25th, and that letter says that Yevgenia Shockome took a one-year leave of absence from her work on April -- beginning April 16th of 2005, which means her last day of work was April 15th, which means it was the same day we were all here in court and she sat over there knowing very well it was her last day. Didn't say anything, knowing very well that, for better or for worse, that support is needed.

And as a result of that, my lease has been terminated, I have about \$70 to my name, and I'm supposed to move out of my apartment this weekend.

2 I'm asking that Your Honor, today, if possible -- I  
3 don't know what else to do -- I'm asking that you  
4 rule in the affirmative for my request to relocate.  
5 This woman will sit here and engage in these kind  
6 of games until hell freezes over. We'll be here  
7 another ten years. I have two kids to worry about,  
8 and I'm not getting any help from her, and I never  
9 will, and the situation is critical. It isn't just  
10 a little critical, I have to get out of that  
11 apartment within a few days. I have no way -- my  
12 parents can't get me \$950 for rent. I -- you know,  
13 the mother knew very well what she was doing. She,  
14 for whatever reason, decided to quit her job. When  
15 our roles were reversed, I'd like to remind the  
16 court, when I had the kids a few years ago 40  
17 percent of the time, she had them 60 percent of the  
18 time, nobody ever had to ask me -- nobody ever had  
19 to have a wage garnishment. I paid my money on  
20 time. She even attested to it on the stand --

21 MS. SHOCKOME: Objection.

22 MR. SHOCKOME: There appears to be one set of  
23 rules for myself and another set of rules for that  
24 woman sitting over there, and I'm asking that the  
25 court, A) allow me to relocate, as I've already



2 requested, and allow me to do that immediately.  
3 And, B) hold this woman accountable for what she's  
4 done. I think, in my own opinion -- I'm not  
5 speaking for anybody else -- we're way past the  
6 point where it's, give her enough rope to hang  
7 herself. She simply plays by her own rules, she  
8 always has, and nothing you can do, with all  
9 respect, Your Honor, is going to change it. That's  
10 all I have to say.

11 THE COURT: Mr. Kenny?

12 MR. KENNY: Your Honor, to address the issue  
13 of what to do in the event of Ms. Shockome's  
14 willful termination of employment, I'm preparing a  
15 motion as I sit here today to address that issue.

16 With respect to Mr. Shockome's relocation, Mr.  
17 Shockome has to now relocate. The question is,  
18 does he go into a homeless shelter or does he go to  
19 his family? Those are the only issues before the  
20 court that require immediate attention.

21 THE COURT: Mr. Marocco, do you have any  
22 comments on behalf of the children?

23 MR. MAROCCO: If, in fact, Ms. Shockome has  
24 voluntarily left her job and has voluntarily  
25 therefore supported [sic] the child support, for my

clients, it put them in a -- it puts their safety and health at risk. I do not want to see these kids go into a shelter, but I have not heard anything to the contrary from Ms. Shockome that she has not voluntarily left her job. I haven't heard that she was fired or that she has another job or anything like that, I'm hearing that she voluntarily left.

With that, these kids deserve to be supported, and if that support means that Mr. Shockome needs to go to Texas, then that's what it means.

THE COURT: Do you wish to comment on this, Mrs. Shockome?

MS. SHOCKOME: Yeah. Sure. Thank you.

It's pretty hypocritical to even have a conversation here about my inability to work while we have a healthy father who is sitting right there who is not working for more than two months, and nobody is saying a word about it. And Mr. Marocco calls it, my clients need this and this, I don't understand why Mr. Marocco does not go to the father and say, father, why don't you work, you're the one who has those children, who has to provide for those children in the first place. No, all the

burden gets put on me. You know, I have medical reasons why I cannot work, and I refuse to put -- you know, that you put all the burden on me and keep my children hostages for money. And, you know, I protest to be a cash cow for -- you know, for Dutchess County, for Mr. Marocco, for Philip Kenny, because they all dependants of you. I mean, I've seen there is no people in the courtroom today, you know, you don't have so many cases, you try to keep up this case going so you can, you know, feed all the dependents you have. And I protest to do this.

In regard to the child support, I can tell you and put it on the record that I paid over \$35,000 to the father, you know, over the time that he has the children for two years. And for all this time that I had the children, which would be more than seven years, I received no -- I received only a fraction of this money from the father to support these children. I never received any medical reimbursement, I never received the arrears that actually you put in your order, Your Honor, dated 2001, because I never applied for it, I thought it was going to be resolved at the divorce proceeding.

I never got child care expenses for a long time from this man. I got fractional with later on. Nobody is talking about this. I provided for these children in two years more than he provided for those children in seven years, and for some reason, all the burden is on me.

When I filed for divorce in 2000, in August, like you said yourself and, you know, people in the courtroom and teachers and psychologist and all the -- you know, all the witnesses who testified for me. And I need to point out, there was no witnesses for the father, ever. Okay. The teachers came from school, everybody said I'm a wonderful mother and loving and nurturing mother, and you yourself said the same thing. It was long time ago though. Maybe at that time you didn't plan to fix the case. I don't know. But only four people in New York State, I would say even United States, you, Philip Kenny, Mr. Marocco and Mr. Shockome say that I am not a good mother, that I'm a bad mother. And it's only because you're a team. You know, you're conspiring to fix this case. And everybody else who knows me, they said it on the stand, they said it to me, they said it to -- you

2 know, everybody who knows me said I'm wonderful,  
3 loving, nurturing mother, and very responsible,  
4 very reliable, very smart, honest and admirable  
5 person. And it's only you who think about me bad,  
6 and it's only in this courtroom.

7 My children love me, and they cannot live  
8 without me. And you're trying to break this bond  
9 very seriously. You know you are trying to  
10 interfere with my relationship, you know, all this  
11 time. You're trying to break the bond. You can't  
12 break it. You can try, but you can't because this  
13 bond was developed over more than seven years. You  
14 know, I breast fed those kids, I changed diapers on  
15 them. This man never changed a diaper, never. He  
16 said he's not going to change Victoria because  
17 she's a girl, he's going to get excited about her  
18 genitals, he's not going to touch her. That's  
19 true. He never fed them in the past, like for last  
20 two years, okay, he feeds them, but that's all.  
21 You know, I took them to the places, took them to  
22 the museums, I took them to the parks, I signed  
23 them up for classes, signed them up for gymnastics,  
24 swimming, ice skating lessons. My children don't  
25 go to any of these places anymore, although they

get \$35,000 from me. Okay. And I've seen how they look like when they come to see me -- whenever I saw them. They have bruises, they're upset, they have dirty clothes with holes.

THE COURT: I have a question for you.

MS. SHOCKOME: And --

THE COURT: I have a question for you.

MS. SHOCKOME: -- you know, Viola Stroud --

THE COURT: I have a question -- I have a question -- I have a question for you.

MS. SHOCKOME: I didn't finish, Judge Amodeo. I want to finish.

THE COURT: Well, I have a question -- I have a question I need to ask at this point. If you love them as much as you claim that you do, I cannot for the life of me -- I cannot for the life of me -- understand why you would cut off their only means of support, the only means of perhaps putting food on the table, by leaving your job. I cannot understand that. To me, that kind of conduct is outrageous.

MS. SHOCKOME: That's -- I'll get to this.

THE COURT: That kind of conduct -- that kind of conduct shows that you -- you are trying to make

2 a point.

3 MS. SHOCKOME: That's a lie.

4 THE COURT: -- and you're trying to make a  
5 point at the disadvantage and at the harm to your  
6 children. You're trying to get back at the court,  
7 you're trying to get back at Mr. Kenny, Mr. Marocco  
8 and Mr. Shockome by cutting your children off from  
9 support.

10 MS. SHOCKOME: I did not finish what I was  
11 saying.

12 THE COURT: That's outrageous. Outrageous.

13 MS. SHOCKOME: I object to what you said,  
14 because that's not point.

15 THE COURT: You can object. It's the truth.

16 MS. SHOCKOME: First of all -- first of all, I  
17 object to you putting any judgmental statements in  
18 this case before you have a full trial and a  
19 hearing of this case, because you don't know  
20 exactly, you know -- you're just trying to pre-  
21 judge this case again like you've done -- again,  
22 like you've done a lot of times before --

23 THE COURT: I'm giving you an opportunity  
24 right now to tell me --

25 MS. SHOCKOME: -- and you haven't heard from

2 me --

3 THE COURT: I'm giving you an opportunity  
4 right now to tell me why you left your work.

5 MS. SHOCKOME: This is not testimony. That's  
6 not a trial.

7 THE COURT: Mrs. Shockome --

8 MS. SHOCKOME: I have no lawyer.

9 THE COURT: Mrs. Shockome, I can make a  
10 temporary order right now --

11 MS. SHOCKOME: I know you can. You can put me  
12 in jail. You have all the power to do that.

13 THE COURT: And I can make a temporary order  
14 right now --

15 MS. SHOCKOME: You can't break the bond  
16 between me and my children.

17 COURT OFFICER: Ma'am, can you let him finish  
18 speaking?

19 THE COURT: I can make a temporary order right  
20 now allowing Mr. Shockome to go to Texas, and I'm  
21 inclined to do that. I'm giving you an opportunity  
22 to give me a reason why I should not do that. He  
23 has no place to live, there's no prospect that he  
24 has anyone here to support him or the children.  
25 And that's my concern. Right now your children --



MS. SHOCKOME: Okay, can I answer it please at length?

THE COURT: Pardon me?

MS. SHOCKOME: Can I answer this at length before you interrupt me?

THE COURT: Go ahead.

MS. SHOCKOME: Okay. As I said, I'm not working for medical reasons. And he -- and nobody says why he's not working. And I object you to put all the burden on me. Why you not making him work? And he's not able to provide for the kids, he's not able to support the kids, he's not able to raise the kids while he has the kids.

And I also request, if you make a determination on his move to Texas -- and, by the way, I don't even understand the whole process here, you know, why you not saying that -- who is going to care, who is going to support this Mr. Shockome? Oh, poor, pity Mr. Shockome, who is going to support him? He needs to support himself and the children that he born. And he calls these children as hostages, and you need to understand this. And you can say -- I didn't finish yet. Please, I want to finish this.

2                   And you need to understand this. If you don't  
3 understand, then maybe federal court will, okay,  
4 how that works, because I'm going to put all the  
5 numbers right there so that they can see how this  
6 works, okay. This man is 40 years of age, he's  
7 healthy, he is -- just doesn't want to work, and I  
8 protest you put the burden on me. Why don't you  
9 tell him, Mr. Shockome, go work, go work in  
10 McDonald's, the children are in school. You know,  
11 he has so much time on his hands. No, he's walking  
12 around my neighborhood harassing and insulting me  
13 and stalking me, instead of being at work. And  
14 nobody says a word to him. I'm afraid to come out  
15 of my driveway because he was in my driveway when I  
16 took pictures. You won't issue order of  
17 protection. What do you want me to do? I said,  
18 give me helicopter, I'll go to work. I cannot come  
19 out of my driveway due to your order.

20                   THE COURT: You have --

21                   MS. SHOCKOME: I know you want to say  
22 something, but you said you don't understand,  
23 right?

24                   THE COURT: Go ahead.

25                   MS. SHOCKOME: So if you do issue the

2 relocation order -- again, I request you give me  
3 advance notice, because I plan to appeal it. It  
4 has to be in writing so I can take it to appeals  
5 court immediately, and not to prevent appeals court  
6 and justice to prevail in this case by just sending  
7 him to Texas. I request at least two weeks notice  
8 before he can actually leave so I have ability to  
9 make a motion to appeals court --

10 THE COURT: No.

11 MS. SHOCKOME: -- and appeal this outrageous  
12 decision.

13 THE COURT: No. No. Mrs. Shockome --

14 MS. SHOCKOME: I also request immediate --

15 THE COURT: Mrs. Shockome, you're finished for  
16 now. You're finished.

17 MS. SHOCKOME: I didn't say yet what I wanted  
18 to say.

19 THE COURT: You're finished. You're finished.  
20 I have a right to act in an emergency situation,  
21 and I have a right to act without issuing a written  
22 order. I reserve my write to issue a written  
23 order, but in this particular case, you have put  
24 Mr. Shockome now, and the children, in a position  
25 where I have to take some emergency steps.

2 MS. SHOCKOME: Objection. I want to respond  
3 to this.

4 THE COURT: No. I'm going to make my  
5 statement, and that's going to be the end of it.  
6 I've given you an opportunity to say all --

7 MS. SHOCKOME: No, you did not. I did not  
8 finish my sayings. I was supporting these kids for  
9 all this time --

10 THE COURT: Mrs. Shockome --

11 MS. SHOCKOME: -- and you did not say a word.  
12 You did not say where I can go. You put a  
13 limitation on me, I have to stay in Dutchess  
14 County. Not even New York State, you said Dutchess  
15 County is the farthest I can go while he is not  
16 paying me anything. I have to support my kids all  
17 the time by myself. I brought money from Russia.  
18 I brought \$40,000, that I supported my kids on. I  
19 bought a house. This man did not work. He sat at  
20 the house, he abused me, sexual perversion. You  
21 know, he abused me sexually, he abused the kids,  
22 and you did not say a word about this. And now you  
23 putting all the pressure on me. And, again, I know  
24 -- you know, who David Posner is. He's the husband  
25 of your law clerk, Joan Posner. And it's a deep

conflict of interest for you even to preside on my case.

THE COURT: It is not.

MS. SHOCKOME: It is.

THE COURT: That's your belief. It is not. It is not.

MS. SHOCKOME: He has an intimate knowledge of all this case and he should not be because it's a conflict of interest to be in a --

THE COURT: That is a completely different --

MS. SHOCKOME: -- and I request to have a fair lawyer in this case.

THE COURT: It's a completely different case, Mrs. Shockome. It's a completely different case. Completely different case.

MS. SHOCKOME: And I'm really surprised that you support this sexual pervert, really. I wonder where it comes from.

THE COURT: Again, that's your position, and it hasn't been supported by any of the independent witnesses who testified. None of the independent witnesses.

MS. SHOCKOME: It's supported by me, and I'm a truthful person. I never lied in this court.

2 THE COURT: Well, that's something that I have  
3 found not to be so.

4 MS. SHOCKOME: It's easy. It's how  
5 convenient, how you like to say.

6 THE COURT: Well...

7 MS. SHOCKOME: But you can look at the facts,  
8 Mr. Amodeo, if you wanted to. I have brought you  
9 all the evidence that I was the one who supported  
10 the kids, I was the one who brought \$40,000 from  
11 Russia while this man did not work --

12 THE COURT: All right.

13 MS. SHOCKOME: -- and only abuse me. He said,  
14 you my property, you going to stay with me.

15 THE COURT: All right, Mrs. Shockome --

16 MS. SHOCKOME: -- I brought you from Russia,  
17 there's no way out.

18 THE COURT: -- now you're just repeating  
19 yourself, and I'm going to direct that you be quiet  
20 while I put a decision on the record.

21 MS. SHOCKOME: I protest any decision you put  
22 on. I have no lawyer, I have no right, ability or  
23 notice to prepare for today's hearing, and I  
24 request a free -- an assigned attorney on this case  
25 before you issue any decisions on this case.

THE COURT: Mrs. Shockome, I have given you every opportunity to ask for an assigned counsel. I have given you the same opportunity I give every person who comes into this court to supply me with the appropriate papers upon which I can make an intelligent and informed decision as to whether or not you qualify.

MS. SHOCKOME: That would not be fair decision because of conflict of interest.

THE COURT: Mrs. Shockome, I'm ordering you to be quiet. If you open your mouth once more, you are going to jail.

MS. SHOCKOME: Already heard that before.

THE COURT: This time it's going to happen. This time it's going to happen. I'm going to put my decision on the record, and you're going to listen to it.

MS. SHOCKOME: I have to.

THE COURT: This court conducted a hearing and heard the testimony of Mr. Shockome, Mrs. Shockome, and also considered the information which was provided by the expert who testified earlier in the first case on behalf of Mrs. Shockome. Much of the information contained in that statement which was

2 provided, was a repeat of what occurred during the  
3 course of the trial. And the court, frankly,  
4 agrees with a great deal of the information  
5 contained in the submission of that witness.  
6 However -- and as it relates to the importance of  
7 both parents having contact with the child -- or  
8 children involved in these cases. That's what this  
9 court has been striving to do from the beginning,  
10 and it has made a number of orders that involved  
11 therapeutic intervention, supervised visitation,  
12 and in each instance there has been a failure on  
13 the part of the mother to cooperate with the  
14 therapy that was directed and to participate  
15 appropriately in the supervised visitation. The  
16 mother has been discharged from three supervised  
17 visitation programs for failing to comply with the  
18 terms of the supervised visitation.

19 MS. SHOCKOME: Objection.

20 THE COURT: She's been discharged three times  
21 for failing to comply with the rules of the  
22 supervised visitation program.

23 MS. SHOCKOME: Objection.

24 THE COURT: Mrs. Shockome, you're interrupting  
25 me. And if you want to try my patience, it is just



2 about at the end.

3 MS. SHOCKOME: Can I say something?

4 THE COURT: No.

5 The video tape of the one visitation that was  
6 presented in the court clearly showed that the  
7 mother was trying to influence the children to say  
8 things against the father and --

9 MS. SHOCKOME: Objection.

10 THE COURT: -- to say things against the  
11 father --

12 MS. SHOCKOME: Objection.

13 THE COURT: Mrs. Shockome, if you say  
14 objection once more --

15 MS. SHOCKOME: That's a lie, Judge Amodeo.

16 THE COURT: -- until I'm finished. If you say  
17 objection once more --

18 MS. SHOCKOME: You're lying and your putting  
19 order on the record. And I can't let you lie  
20 because I never said anything like this on the  
21 tape.

22 THE COURT: I would invite anyone to look at  
23 the tape.

24 MS. SHOCKOME: People who saw the tape from my  
25 side --

THE COURT: Mrs. Shockome, I'm telling you to be quiet for the last time.

MS. SHOCKOME: Please don't lie then.

THE COURT: Take her into custody. Thirty days in Dutchess County Jail.

MS. SHOCKOME: Please don't touch me, please.

THE COURT: I'm going to finish my decision.

MS. SHOCKOME: It hurts me.

COURT OFFICER: Which one hurts you, the left-hand one? They're very loose.

MS. SHOCKOME: (Indiscernible) behind me.

COURT OFFICER: They're very loose. Just have a seat.

MS. SHOCKOME: My hands and -- my handcuffs hurt me right now.

COURT OFFICER: They're not tight, Your Honor.

SECOND COURT OFFICER: Yeah, I have them very loose.

MS. SHOCKOME: They're not tight, but they hurt me pretty (indiscernible).

THE COURT: All right. This court viewed the tapes -- the tape --

MS. SHOCKOME: I ask you to take the handcuffs off me.

2 COURT OFFICER: We can't take them off.

3 THE COURT: All right, now, Mrs. Shockome, you  
4 can either stay here and listen to my decision --  
5 if you open your mouth once more, I'm going to have  
6 you taken out of the courtroom --

7 MS. SHOCKOME: It hurts me because I'm  
8 pregnant.

9 THE COURT: -- and I'm going to put the  
10 decision on the record outside your presence.

11 MS. SHOCKOME: It hurts me because I'm  
12 pregnant. I cannot hold my hands behind my back.  
13 It hurts me. I'm pregnant. I need please to take  
14 the handcuffs off:

15 COURT OFFICER: Put them in front, Bobby. Put  
16 them in front of her. She's not going anywhere,  
17 put them in front of her.

18 But you have to be in cuffs, you understand  
19 that?

20 MS. SHOCKOME: I'm upset.

21 THE COURT: All right. This court, as I have  
22 stated a number of times and have been interrupted  
23 by Mrs. Shockome, has made every effort to bring  
24 this situation, this case, to a conclusion which  
25 would allow these children to resume a normal

relationship with the mother. And the mother has persistently done everything that she can do to prevent that from occurring. The mother has had an agenda to defy the court, to defy everyone involved in this case who is saying anything unfavorable to her. And the latest act on her part in leaving her job, an \$80,000-a-year job --

MS. SHOCKOME: That's a lie. Two lies in once sentence.

THE COURT: Since you have refused repeatedly, Mrs. Shockome, to give us any proof of your salary --

MS. SHOCKOME: I can't appeal this when he lies. That's why I'm saying --

THE COURT: -- I can only -- I can only conclude that the salary is what it has been alleged to be by the other side. And I have a right --

MS. SHOCKOME: You precluded me -- you precluded me from putting any evidence in --

THE COURT: I have a right to do that.

MS. SHOCKOME: I know. But that's a lie. And I'm not going to -- you know, I'm going to object to you saying lies.

THE COURT: Mrs. Shockome is a substantial income. If it wasn't \$80,000, it was very close to \$80,000.

MS. SHOCKOME: Objection.

THE COURT: As a consequence of her leaving her job --

MS. SHOCKOME: Last time you said \$65-.

COURT OFFICER: Ma'am.

THE COURT: As a consequence of leaving her job, she has placed Mr. Shockome and the children in a position where they cannot sustain themselves in the present circumstance. Mr. Shockome has lost his job, he's at risk of losing his apartment, or in the process of losing his apartment. He has no means of support. He has testified, and there has been not testimony in opposition, that he has a place to go in Texas with his family, where he has support, where the job market, he testified, was better. There was no opposition to that testimony. And every indication is, based on the history in this case, that if the court were to continue Mr. Shockome here, even if he had a job, the mother would continue to do what she has been doing for the last many months, and even years --

2 MS. SHOCKOME: I have not done anything.

3 THE COURT: That is your opinion, Mrs.

4 Shockome.

5 MS. SHOCKOME: All I was doing is fighting for  
6 my children.

7 THE COURT: That is your opinion. That is  
8 your opinion. You have been following the advice  
9 of people who have been giving you bad advice and  
10 who have their own agenda. And you've been  
11 spending money to do everything you can to defy  
12 this court's orders. And that's your right, if you  
13 wish to do that --

14 MS. SHOCKOME: Objection.

15 THE COURT: -- but it has been at the expense  
16 of these children.

17 MS. SHOCKOME: Objection.

18 THE COURT: You indicated in your own papers  
19 that you spent tens of thousands of dollars. Tens  
20 of thousands of dollars with respect to various  
21 aspects of this case, when your children do not  
22 have means now to sustain themselves.

23 Subject to Mrs. Shockome's rights, the court  
24 is going to allow Mr. Shockome to move to the state  
25 of Texas with the children, to make himself

2 available for the purpose of any matters that might  
3 require hearings in this court, in order that this  
4 court can more fully hear this case. But at the  
5 present --

6 MS. SHOCKOME: I don't object --

7 THE COURT: -- at the present time, this court  
8 feels that this is an emergency need on the part of  
9 the father. This is made without prejudice to the  
10 mother's rights, but the court feels that this is  
11 the only alternative that is available, given what  
12 the mother has done here.

13 MS. SHOCKOME: I don't object him to moving  
14 there. I object to my children moving to Texas.

15 THE COURT: He's going to be allowed to  
16 move --

17 MS. SHOCKOME: He can go wherever he wants.

18 THE COURT: -- to Texas with the children.

19 MS. SHOCKOME: Objection.

20 THE COURT: The court had hoped that it would  
21 not come to this, but --

22 MS. SHOCKOME: This hearing is illegal.

23 THE COURT: -- this last -- this last piece of  
24 information with respect to the mother leaving her  
25 job --

2 MS. SHOCKOME: It's retaliation against the  
3 federal lawsuit.

4 THE COURT: Mrs. Shockome, you know, if the  
5 federal lawsuit was something that I was that  
6 concerned about, then you might have some  
7 justification.

8 MS. SHOCKOME: You will get concerned about it  
9 when you see the discovery.

10 THE COURT: Mrs. Shockome, whoever has been  
11 advising you with respect to this federal lawsuit,  
12 has been giving you bad advice. That's up to you.  
13 That's up to you to follow --

14 MS. SHOCKOME: You're not in a position to say  
15 this.

16 THE COURT: All right, well, I'm just telling  
17 you. I'm just telling you.

18 MS. SHOCKOME: This is illegal hearing.

19 THE COURT: I'm just telling you.

20 I will issue a short-form order and I will  
21 issue a more complete decision at the time we have  
22 a more complete hearing on the issue. But I'm  
23 going to grant the temporary relief that's been  
24 requested, again, without prejudice to Mrs.  
25 Shockome's rights.



MS. SHOCKOME: I request immediate access to my children. Normal visitation.

THE COURT: As I said, the Supreme Court matter is on for inquest on May 18th. I'll issue an order to produce to have you brought here from the jail, because there's no bail in this matter. This is a contempt matter.

MS. SHOCKOME: I am pregnant, Mr. Amodeo.

THE COURT: I'm sorry?

MS. SHOCKOME: I'm pregnant.

THE COURT: Well, they'll be advised --

MS. SHOCKOME: It may be a risk to my health.

THE COURT: They will be advised as to the jail, they know how to take care of pregnant people up there. They take care of pregnant people up there all the time.

COURT OFFICER: Your Honor, when is the return date for the order to produce?

THE COURT: May 18th. What time?

COURT OFFICER: (Indiscernible) requested 9:30. Are we all set?

THE COURT: No, I just have to do the commitment order.

COURT OFFICER: Okay. Great. And we'll bring

that downstairs.

THE COURT: All right. I just want to place one more specific reason on the record for holding the respondent in contempt -- the mother in contempt. The court, I would estimate on at least ten occasions, directed that the respondent, that the mother, not interrupt the court. She repeatedly interrupted the court and disregarded the court's admonishments and directives in that regard. She was directed to answer various questions posed and to refrain from any extraneous commentary, which she didn't.

MS. SHOCKOME: Why was not --

THE COURT: She failed to comply with those directives to abide by the court's statements.

MS. SHOCKOME: Why was not my due process rights? I request a lawyer.

THE COURT: The court was also called a liar by the mother. The court was charged with fixing this case in some way. And the mother repeatedly, repeatedly, notwithstanding the admonitions of the court, interrupted the court when the court was trying to place various matters on the record, make various statements, and I believe in accord with

the case of the Matter of Frederica G. Pozefsky, reported in 268 AD[2d] 646, 647, and the court is acting within it's authority to issue an order of summary contempt and to place the respondent in Dutchess County Jail for 30 days for her actions. Okay.

(Proceeding concluded)

## CERTIFICATION

I, REGINA M. KILMARTIN, certify that the foregoing transcript of proceedings in the Dutchess County Family Court of Shockome v. Shockome, FCU No. 29594, was prepared using four-track electronic transcription equipment and is a true and accurate record of the proceedings.



AMERICAN LEGAL TRANSCRIPTION

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