

1 February 2017
paboyne@gmail.com

Hon. Adam Micheline
Family Court, Washington County
c/o Chief Family Clerk
383 Broadway
Ft. Edwards, NY
F: 518 746 2503

Subject: Void Custody Order / V45-17/17A / File 12265

Dear Sir,

The undersigned is the petitioner in the matter of Boyne v. Boyne regarding custody and visitation of the minor child Julia. Federal law 28 USC §1738A (f) (1)&(2) and (h) authorizes you to modify the custody/visitation order of the Connecticut Superior Court as your court holds sole in personam jurisdiction over Julia and I have submitted to your jurisdiction.

Attested documents under 28 USC §1738 of the other court's order and memo of decision have been filed in your court. However, the custodial/visitation judgment is void as the other court failed the constitutional due process requirement by creating a false finding of fact that an agreement of the parties settled the custody dispute as stated on page 2, paragraph 2 of the memo of decision. Neither party entered into such agreement. Such agreement is governed by CGS §46b-66, requiring a record reference be placed in the file. No such record exists. The offending court ignores requests to address the error and fails duty to correct the record required for continuing proceedings.

Due process protection is violated by this factual flaw. Judgement based on a non-existent agreement, not being in the best interest of the child is constitutionally infirm, rendering the order void. Full faith and credit does not apply and cannot be rendered in absence of due process. Registration of the void order is beyond your jurisdiction. Your court holds duty to fashion an initial custody/visitation order for Julia.

Case law is well settled for void judgments: *Kremer v. Chemical*, 456 US 461; *Wetmore v Karrick* 205 US 141; *Simer v Rios* 661 F.2d 655.

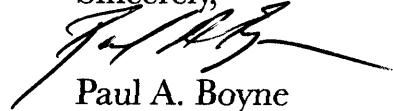
The court must proceed under the Family Court Act, Article 6, Part 3, §651(b) with reference to subdivision one of NY Domestic Relations Law §240.

As the case presently stands, there is no determination of custody/visitation for Julia, which gives rise to the necessity of a temporary order, which I suggest be joint legal custody and visitation at desire of the child.

Upon your concurrence, I suggest that the petition filed with UCCJEA Form 9 simply be dismissed as a matter of the 'law of voids' and replaced by General Form-17, Petition Custody/Visitation.

Favor of a priority response is in the best interest of Julia.

Sincerely,

A handwritten signature in black ink, appearing to read 'Paul A. Boyne', with a long, sweeping horizontal line extending to the right.

Paul A. Boyne
Petitioner