

I N D E X
1/28/19

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

<u>COLLOQUY</u>	Page
The judge and Mr. Mullings	4
<u>CITATION FOR CONTEMPT OF COURT</u>	
By the Court	15
<u>IN-CHAMBERS INTERVIEW WITH CHILD</u>	
The judge and Isaiah	16
<u>COLLOQUY</u>	
The judge and Ms. Savoy	27
<u>DECISION</u>	
By the Court	28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

THE COURT CLERK: Please remain seated.
Court is once again in session.

THE COURT: All right. Let's go back on the record, please.

THE COURT CLERK: Back on the record, Judge.

THE COURT: All right. This is the matter of Aisha Mullings v. Wesley Mullings, Docket FM-20-01364-18.

Counsel, your appearance, please?

MS. SAVOY: Cassandra Savoy on behalf of the plaintiff, Aisha Mullings, Judge.

THE COURT: Thank you. And let's have Mr. Mullings sworn, please.

W E S L E Y K. M U L L I N G S, DEFENDANT,
AFFIRMED.

MR. MULLINGS: I apologize. I do not swear. My yes will be yes. My no will be no.

THE COURT CLERK: Your name for the record, please, sir.

MR. MULLINGS: I do not have a name. I am Wesley Keith of the Mullings family. And I am a state citizen as evidenced by my UCC Contract Number 201802060059565. I am the authorized representative and attorney in fact for the corporate entity Wesley K. Mullings and secured party creditor.

1 THE COURT: Good morning, Mr. Mullings.
2 Good morning, Ms. Mullings.
3 We're back here again. We were here two
4 weeks ago on Mr. Mullings motion for custody of Isaiah
5 Mullings (phonetic). I now have -- have filed with the
6 Court a cross-motion by Ms. Mullings through Ms.
7 Savoy's office seeking custody of Isaiah. The papers
8 filed by the parties seem to be diametrically opposite
9 of each other as was the case last time on the record.
10 Ms. Savoy, your client is saying that she
11 hasn't seen Isaiah since December 3rd?
12 MS. SAVOY: Judge, she has not seen him since
13 December 3rd.
14 THE COURT: Okay.
15 MS. SAVOY: I know that there was an order in
16 place, three weekends on and a weekend with her, but
17 she's not seen him since then.
18 THE COURT: I read her certification.
19 Mr. Mullings, Ms. Mullings is saying she
20 hasn't seen Isaiah since December 3rd. Is that the
21 case, sir?
22 MR. MULLINGS: Your Honor, I -- I have
23 submitted to the Court an affidavit stating my
24 political status, and it has been unrefuted where I am
25 a state citizen and not subject to the statutes set

1 before the Court.
2 THE COURT: If that was the position you were
3 going to take, it probably would have behooved you,
4 sir, not to file an application with this Court seeking
5 -- seeking custody of your son. It seems that you
6 submit yourself to the jurisdiction of the Court when
7 it interests you but not when you don't think it
8 interests you.
9 Could you answer my question, sir? Has Ms.
10 Mullings seen Isaiah since December 3rd?
11 MR. MULLINGS: Being that I am in my
12 particular status and honestly to answer your assertion
13 that it suits me or not, this is actually not for
14 whether it suits me, but this is to get a -- a current
15 temporary order vacated. That is not something that is
16 piece-mealing or nit picking as -- as the Court may
17 seem or perceive that it is. I absolutely need the
18 temporary order vacated. This is very specific.
19 THE COURT: Has Ms. Mullings seen Isaiah
20 since December 3rd?
21 MR. MULLINGS: My matters are private, and my
22 situation is private. It is not necessary nor is there
23 any law that actually requires me to furnish to the
24 Court what has happened or what has been happening when
25 it comes to my offspring.

1 THE COURT: So you're refusing to answer my
2 question, sir?

3 MR. MULLINGS: The -- the answers that I've
4 given are absolutely true and they are not --

5 THE COURT: No, you haven't answered --

6 MR. MULLINGS: -- in any way --

7 THE COURT: You haven't answered the
8 question, sir, with all due respect. My question is
9 has Ms. Mullings seen Isaiah since December 3rd?

10 MR. MULLINGS: I can answer the question,
11 Your Honor, if Your Honor can actually show me a law
12 that shows -- that requires me to answer the Court that
13 information.

14 THE COURT: Mr. -- Mr. Mullings, here's what
15 we're going to do. I'm going to enter an order that
16 has you produce Isaiah here at 3 p.m. so that I can
17 interview Isaiah, and we'll see what Isaiah has to say
18 about the entire situation. And perhaps I'll get the
19 answers that I've been seeking.

20 All right? Sir, you have to be here at 3
21 p.m. today with Isaiah so that I can speak to Isaiah.
22 All right? I've entered an order.

23 Mr. Mullings, you -- you can take whatever
24 positions you want about whether you think you're a
25 citizen of whatever. But this Court does have

1 jurisdiction over your son. I can assure you.

2 MR. MULLINGS: Can the -- can the Court prove
3 it?

4 THE COURT: My -- listen to me. My interest
5 is to do what's in Isaiah's best interest. I don't
6 know what that is at this point because I'm not getting
7 any answers from you. So I will interview Isaiah and
8 see what he has to say about his situation this
9 afternoon.

10 I'm going to tell you right now the last
11 thing I want to do is do anything other than interview
12 your child and start to get the bottom of what's going
13 on with him. Okay? So, please -- I'm going to ask
14 you, please don't press me, sir. If you're not here at
15 3 o'clock with Isaiah, I will issue a warrant for your
16 arrest. I don't want to do that. It's the last thing
17 in the world I want to do. But I am going to meet your
18 son, and I'm going to find out what's going on with
19 him.

20 So we're going to give you a copy of my
21 order. You'll be here at 3 p.m. today with Isaiah.

22 Ms. Savoy --

23 MS. SAVOY: Judge --

24 MR. MULLINGS: With all due respect, Your
25 Honor --

1 THE COURT: Stop. One second, sir.
2 MS. SAVOY: I'm -- I'm -- I'm sorry, Judge.
3 Are we required to be -- be here at 3, be back?
4 THE COURT: Ms. Savoy, if you don't want to
5 be here, I'll excuse you, but Ms. -- Ms. Mullings needs
6 to be here.
7 MS. SAVOY: Okay. I'm just trying to get
8 straight on what you want, Judge.
9 THE COURT: Okay? I -- I would like to
10 interview this young man and see what's going on with
11 him.
12 Mr. Mullings, you wanted to say something,
13 sir?
14 MR. MULLINGS: Yes, I do. Is it -- and --
15 and I'm in no way trying to be disrespectful in
16 requesting this --
17 THE COURT: Thank you.
18 MR. MULLINGS: -- or asking this question. I
19 have no interest in trying to go head to head with you,
20 the Court, or anything, any other officer.
21 THE COURT: We're both in the same position.
22 MR. MULLINGS: I am asking respectfully for
23 something to be provided or proven or to show that the
24 Court has absolute -- or personal jurisdiction over
25 myself, over my offspring as the Court understands,

1 jurisdiction to be. Can something --
2 THE COURT: I'd invite you to --
3 MR. MULLINGS: -- be proven or something --
4 THE COURT: I'd invite you to read **New Jersey**
5 **Statutes 9:2-4** and you will see that I have
6 jurisdiction over your child.
7 MR. MULLINGS: And I have, and those statutes
8 are applied to U.S. citizens, which I am not.
9 THE COURT: Yes. Okay. Have your son here
10 at 3 o'clock today, sir, so I don't have to issue a
11 warrant for your arrest.
12 We'll give you a copy of my order. Thank
13 you.
14 MR. MULLINGS: Your Honor, I have shown --
15 MS. SAVOY: Thank you, Judge.
16 MR. MULLINGS: -- the -- the proof that I am
17 not a U.S. citizen.
18 THE COURT: Mr. Mullings, you have my order,
19 sir.
20 THE COURT CLERK: He already gave a copy to
21 (indiscernible).
22 (Other Court matters heard)
23 THE COURT CLERK: All rise. Superior Court
24 is now in session, the Honorable Thomas J. Walsh
25 presiding.

1 THE COURT: Thank you. Please be seated.
2 Let's go back on the record.
3 THE COURT CLERK: On the record.
4 THE COURT: Once again on the record on Aisha
5 Mullings v. Wesley Mullings, Docket FM-20-1364-18.
6 Ms. Savoy, your appearance is noted for the
7 record from this morning.
8 Mr. Mullings, you gave an affirmation this
9 morning. You're still under that affirmation. Do you
10 understand, sir?
11 MR. MULLINGS: I'm sorry.
12 THE COURT: You gave an affirmation this
13 morning. Rather than reaffirm you, I'm going to tell
14 you you're still under that affirmation from this
15 morning. Do you understand that?
16 MR. MULLINGS: Well, I do not understand, but
17 yes. I did give an affirmation.
18 THE COURT: I'm really sure you do
19 understand, sir. I ordered you to have your -- your
20 son here at 3 o'clock. It's now 3:30. Where is your
21 son, sir?
22 MR. MULLINGS: He's in the building.
23 THE COURT: Okay. Where in the building?
24 MR. MULLINGS: He is in the building, Judge
25 Walsh as --

1 THE COURT: Mr. Mullings --
2 MR. MULLINGS: -- as requested I have -- I
3 brought my son to this Court. He is in this building.
4 As far as the procedure or -- or continuing for or to
5 -- to proceed from this point, there was a question
6 that I had posed earlier on. That question has not
7 been answered. It is about jurisdiction, and --
8 THE COURT: Mr. Mullings, I answered it.
9 MR. MULLINGS: -- (indiscernible) the
10 question --
11 THE COURT: I probably -- apparently it's not
12 answered to your satisfaction, but that's -- that's --
13 that's on you, sir. You can always appeal any decision
14 this Court makes to the Superior Court Appellate
15 Division.
16 MR. MULLINGS: I've asked for proof, Judge
17 Walsh.
18 THE COURT: Okay.
19 MR. MULLINGS: And I have not received proof.
20 THE COURT: Sir, you're not entitled to make
21 demands for proof from this Court. Are you going to
22 produce your son for the interview with the Court?
23 MR. MULLINGS: I have asked for proof of
24 jurisdiction, Judge Walsh. I know the Court cannot do
25 this on its own. It's actually the plaintiff's job to

1 prove jurisdiction.

2 THE COURT: Yeah.

3 MR. MULLINGS: And I have not given -- I've
4 not been given any proof of that jurisdiction.

5 THE COURT: Mr. Mullings I told you this
6 morning, I'm satisfied I have jurisdiction over your
7 son. This is how this is going to go, and it's not how
8 I want it to go. And I was trying to be real clear
9 with you this morning. If you do not produce your son
10 for the interview, I'm going to have to cite you for
11 contempt of court.

12 MR. MULLINGS: Under what --

13 THE COURT: If I cite you for --

14 MR. MULLINGS: -- under what cause?

15 THE COURT: Under Rule 1:10-1 for refusing to
16 follow an order of the Court.

17 MR. MULLINGS: I have followed the order of
18 the Court.

19 THE COURT: No, you haven't produced him,
20 sir. Where is he? Have him --

21 MR. MULLINGS: He is here.

22 THE COURT: Where -- tell us where he is and
23 we'll have him brought into my courtroom.

24 MR. MULLINGS: I have not given consent to
25 bring him into the courtroom. I really --

1 THE COURT: As I -- as I said, Mr. Mullings,
2 if you --

3 MR. MULLINGS: I have not given consent.

4 THE COURT: Your consent is not necessary,
5 sir.

6 MR. MULLINGS: And you -- it has not been
7 proven that jurisdiction is over me or over my son.

8 THE COURT: Mr. -- Mr. Mullings, one more --
9 one more time. If you do not --

10 MR. MULLINGS: I asked for this, and I'm not
11 trying to --

12 THE COURT: -- listen to me. If you don't --

13 MR. MULLINGS: -- I'm not trying to make an
14 issue, Judge.

15 THE COURT: -- if you -- well, then stop
16 talking when I'm talking, please. If you don't bring
17 your son into this courtroom for his interview, I'm
18 going to cite you in contempt of Court. You're going
19 to be placed under arrest, sent to the Union County
20 Jail until you have a hearing before another judge as
21 to whether you are in contempt of Court.

22 I do not want to do that. I'm hoping that
23 you will prevent me from having to do that. I want to
24 interview your son. I've ordered it. Are you going to
25 comply with that order?

1 MR. MULLINGS: Let me ask, Judge Walsh, do
2 you have a charging instrument for -- for this
3 contempt?

4 THE COURT: For contempt of court, sir? I'm
5 going to -- I'm going to create a charging instrument
6 if I cite you for contempt of court. I promise you
7 that.

8 MR. MULLINGS: I accept your charging
9 instrument and return it for value.

10 THE COURT: Okay.

11 MR. MULLINGS: I have no problems with --

12 THE COURT: So -- so the answer is you're not
13 going to produce your son.

14 MR. MULLINGS: -- moving forward. I -- I
15 have no problems with moving forward. I did ask a
16 question and I have not given -- been given the proof
17 that I've asked for.

18 THE COURT: Are you going to produce your son
19 for an interview, sir?

20 MR. MULLINGS: Can I get the proof? That's
21 all I ask.

22 THE COURT: Okay. I'm going to take your
23 answer as a no unless I hear yes, sir. Are you going
24 to produce your son for my interview?

25 MR. MULLINGS: You cannot answer for me. I

1 told you. My answer is -- my -- my yes is yes and my
2 no is no.

3 THE COURT: Yes.

4 MR. MULLINGS: I had asked for proof.

5 THE COURT: I -- I -- I -- I consider that a
6 high appointment of gibberish or quite frankly. I am
7 going to cite you for a contempt of court. I'm going
8 to have you placed under arrest and remanded to --

9 MR. MULLINGS: Can you show me the charging
10 instrument, please.

11 THE COURT: And remanded to the Union County
12 Jail.

13 MR. MULLINGS: Can you show me the charging
14 instrument, please.

15 THE COURT: You'll be given the charging
16 instrument, sir. I promise.

17 MR. MULLINGS: Can you show me the charging
18 instrument, please.

19 THE COURT: You will receive it from me, sir.

20 MR. MULLINGS: Can you show me the charging
21 instrument. I'm sorry. I'm sorry.

22 THE COURT: While they put -- while they put
23 you under arrest.

24 MR. MULLINGS: I'm sorry. Please.

25 THE COURT OFFICER: (Indiscernible).

1 (Other Court matters heard)
2 (The judge has an in-chambers interview with the child)
3 THE COURT: -- Mullings, Docket FM-20-1364-
4 18.
5 Does Sue know?
6 THE LAW CLERK: (Indiscernible).
7 THE COURT: Does she have the ability to
8 stick her head in here now, or she's occupied.
9 THE LAW CLERK: She is occupied right now.
10 THE COURT: Hello, Isaiah. How are you?
11 ISAIAH: I'm good.
12 THE COURT: I'm Judge Walsh. This is Kyle.
13 Kyle's my law clerk. He's a young attorney that works
14 with me and -- and assists me in my cases. Do you know
15 why you're here today?
16 ISAIAH: Uh-huh.
17 THE COURT: Okay. Tell me what you know.
18 ISAIAH: All I know is that I'm with my dad.
19 When he's (indiscernible) -- well, Mom -- well, it's my
20 mom and my dad, and they've been fighting against each
21 other. That's all I know.
22 THE COURT: Yes. Well, they're -- they're --
23 listen. This is called Family Court, so what that
24 means is whenever Mom and Dad can't agree on something,
25 they ask a judge to help them make those decisions.

1 Okay? So I asked to meet you so I can see what's going
2 on with you. So I wanted to interview you.
3 Now when I interview anybody under 18 it's
4 done in my office, which they -- for a judge they call
5 their chambers. But everything a judge says is
6 important, so everything a judge does is recorded. So
7 there is a microphone and there's a machine that
8 records everything that happens in my -- in my -- in my
9 office. Do you understand that?
10 ISAIAH: Uh-huh.
11 THE COURT: Okay. I don't know if anybody
12 will ever listen to it or not. They may, they may not.
13 In the meantime, I wanted to get a chance to speak to
14 you and to find out what's going on with you. Did
15 anybody tell you anything to say to me today?
16 ISAIAH: No.
17 THE COURT: Okay. And my understanding is
18 that you were living with your mom and now you've been
19 living with your dad.
20 ISAIAH: Uh-huh.
21 THE COURT: How did that happen?
22 ISAIAH: I forget.
23 THE COURT: Okay. Well, I guess your dad
24 just came and picked you up one day?
25 ISAIAH: Yeah.

1 THE COURT: All right. And -- and where have
2 you been living?
3 ISAIAH: (Indiscernible).
4 THE COURT: Okay. And is it his place or
5 does he live with someone else?
6 ISAIAH: It's his place.
7 THE COURT: Is it a house or an apartment?
8 ISAIAH: House.
9 THE COURT: Okay. Who else lives there?
10 ISAIAH: My granddad.
11 THE COURT: Okay. And it's not -- it's not
12 Granddad's house? It's your dad's house?
13 ISAIAH: I --
14 THE COURT: Or you're not sure.
15 ISAIAH: Not sure.
16 THE COURT: Okay. And how have you been
17 doing since you've been living there?
18 ISAIAH: Well, my -- my grades have improved,
19 but -- but besides that not really.
20 THE COURT: Okay. Well, my understanding is
21 when -- how were things when you were living with your
22 mom?
23 ISAIAH: Well, it was the same but, like, I
24 had -- I -- at that point I think I was like D's and
25 C's or so?

1 THE COURT: Okay.
2 ISAIAH: But now I'm like I think my average
3 is a B minus.
4 THE COURT: Okay.
5 ISAIAH: Now.
6 THE COURT: And were you doing activities
7 when you were living with your mom?
8 ISAIAH: Not much. Like, I have band, which
9 actually band and grieving therapy, but to me I don't
10 think I needed the grieving therapy. So I didn't
11 really miss that that much
12 THE COURT: Okay. I heard you were a pretty
13 talented musician. Is that true? What do you play?
14 ISAIAH: I play the -- all types of music. I
15 play piano and drums.
16 THE COURT: Okay. And have you -- and you
17 take lessons for that?
18 ISAIAH: Oh, I go to Art Time Nook, so.
19 THE COURT: Okay. And so you take lessons
20 there?
21 ISAIAH: Uh-huh.
22 THE COURT: Okay. And how's it been going
23 living with Dad? You happy there?
24 ISAIAH: Yeah.
25 THE COURT: You and him get along?

1 ISAIAH: Uh-huh.
2 THE COURT: Okay. You do things that are
3 fun.
4 ISAIAH: Yep.
5 THE COURT: What do you do with your dad for
6 fun?
7 ISAIAH: Well, we usually -- we usually out
8 -- well, most of the time we're at home watching
9 movies. But every once in a while we'd go out like to
10 -- like Friday we went to a -- we went to this like
11 this monster jam thing at Prudential Center.
12 THE COURT: Right. Oh, that was -- that must
13 have been pretty neat.
14 ISAIAH: Uh-huh.
15 THE COURT: Okay. And do you ever get in
16 trouble when you're at dad's house? You ever do
17 anything wrong?
18 ISAIAH: Yeah.
19 THE COURT: And then what -- what does Dad do
20 when you do things wrong?
21 ISAIAH: Not much. He just like you
22 shouldn't be doing this, and I like -- I get the point
23 so I stop.
24 THE COURT: Okay. And same thing when you're
25 living at Mom's. Do you guys do things that are fun?

1 ISAIAH: Uh-huh.
2 THE COURT: What do you do with Mom?
3 ISAIAH: Almost the same thing. We just like
4 watch movies. We -- we don't go to the movies either,
5 but like we're mostly at home so --
6 THE COURT: Okay. And if you do something
7 wrong at Mom's, what happens there?
8 ISAIAH: Oh, it depends on how severe it is.
9 Because like she -- she reacts differently to depending
10 on how severe it is.
11 THE COURT: Okay. All right. What's --
12 what's the -- what's the most she would do to punish
13 you?
14 ISAIAH: Probably slap me across my face.
15 THE COURT: Okay.
16 ISAIAH: Like I think the worst it was there
17 were a couple of scratches on my neck.
18 THE COURT: Okay.
19 ISAIAH: No, not scratches, like bruises, it
20 was bleeding. I don't know.
21 THE COURT: Okay.
22 ISAIAH: But, like, that's the way
23 (indiscernible).
24 THE COURT: Okay. And do you enjoy spending
25 time with both of them?

1 ISAIAH: Uh-huh.
2 THE COURT: Do you have any preference for
3 which apartment or which house you like better or where
4 you like living?
5 ISAIAH: I like living with my dad.
6 THE COURT: You do.
7 ISAIAH: Uh-huh.
8 THE COURT: Okay. And if -- if it was -- now
9 see if they don't agree, **it's my decision ultimately.**
10 But I want -- if -- would you like an arrangement where
11 you're with both of them? You can be honest.
12 ISAIAH: No.
13 THE COURT: And why is that?
14 ISAIAH: Because, you know, recently my dad,
15 he had to go to jail before, and I hadn't seen him in a
16 little bit, so I was like -- so I -- I'm thinking that
17 I just want some time with him.
18 THE COURT: Okay.
19 ISAIAH: By -- by myself to just be with him.
20 THE COURT: Okay. Well, do you want to spend
21 some time with your mom as well?
22 ISAIAH: Yeah, but like not now.
23 THE COURT: Okay.
24 ISAIAH: But later on, but like not now.
25 THE COURT: Okay. How long has it been since

1 you saw your mom?
2 ISAIAH: Since I saw my mom, I'm not sure.
3 THE COURT: Okay. Like if I asked you to
4 estimate like a week or a month or two weeks or two
5 months? Well, you had Christmas break a few weeks ago,
6 right?
7 ISAIAH: Uh-huh.
8 THE COURT: Did you see her during that?
9 ISAIAH: I saw her after that.
10 THE COURT: Okay. You saw her **one day after**
11 **that?**
12 ISAIAH: Yeah, I think. I don't know.
13 THE COURT: Okay.
14 ISAIAH: Well, somewhere after.
15 THE COURT: All right. Now when -- when you
16 live with your dad, does your dad go to work during the
17 day?
18 ISAIAH: Not sure because he -- because I
19 usually leave before him, so -- well, yes, he does
20 because I leave before him. Because sometimes he has
21 to leave early to go to work.
22 THE COURT: Okay.
23 ISAIAH: So --
24 THE COURT: All right. I noticed your
25 glasses are broken. Did that happen recently?

1 ISAIAH: Uh-huh. Happened like a week or two
2 ago.
3 THE COURT: Okay. You waiting for new ones
4 or --
5 ISAIAH: Uh-huh.
6 THE COURT: Did you go to the store and order
7 them or anything? Or --
8 ISAIAH: No. Dad -- he said he would order
9 them online.
10 THE COURT: He'd order them online. Okay.
11 ISAIAH: Uh-huh.
12 THE COURT: All right. I see. Okay. Do you
13 feel like you love both your mom and your dad?
14 ISAIAH: Uh-huh.
15 THE COURT: Okay. All right. All right.
16 Well, I have to work this out with them. It's not
17 going to be worked out today, but for today's purpose I
18 might -- I might have you spend an overnight with Mom,
19 okay?
20 ISAIAH: Okay.
21 THE COURT: All right. Until we see what --
22 until we see what happens next. Anything else you want
23 to ask me or anything you want to tell me that I didn't
24 -- I didn't ask you?
25 ISAIAH: No.

1 THE COURT: Okay. What did -- what did Dad
2 say why you were coming here today?
3 ISAIAH: He didn't say anything. He was just
4 like well, it caught me by surprise because he got me
5 -- he took me out of school early, so I asked him
6 what's going on. And he said we're going to court. So
7 I just said okay and I didn't worry about anything
8 else.
9 THE COURT: Okay. Is anyone else with you
10 here today?
11 ISAIAH: Just my grandpa.
12 THE COURT: Okay. How do you and your
13 grandpa get along?
14 ISAIAH: Pretty good.
15 THE COURT: Yes? Is he retired?
16 ISAIAH: Uh-huh.
17 THE COURT: What did he used to do?
18 ISAIAH: I think he worked as a police
19 officer for a little bit.
20 THE COURT: Okay. Okay. All right. That's
21 good to know.
22 Okay. What I'm going to have you do is go
23 out and sit.
24 Just kind of make sure it's -- it's okay that
25 he goes back outside and sits down, okay? I'll -- I'll

1 check -- check with the officers.
2 THE LAW CLERK: Courtroom or outside part?
3 THE COURT: It doesn't matter. I just want
4 to make sure that --
5 Ever been to the courthouse before?
6 ISAIAH: This one? Yes.
7 THE COURT: You have? What for?
8 ISAIAH: I forgot.
9 THE COURT: We're good?
10 THE LAW CLERK: Yep.
11 THE COURT: Okay. All right. All right,
12 pal. I'm going to have Kyle take you back out now, and
13 then I want to talk to your mom in the courtroom. So
14 he can go out and sit with his grandfather for now,
15 okay?
16 THE LAW CLERK: Sure. Yeah.
17 THE COURT: All right. Thank you. Thank
18 you. It was nice meeting you, Isaiah.
19 ISAIAH: Nice meeting you, too.
20 THE COURT: End of child interview.
21 (Off the record. Back on the record)
22 THE COURT CLERK: Court is once again in
23 session.
24 THE COURT: All right. Back on the record.
25 THE COURT CLERK: Back on the record, Judge.

1 THE COURT: We're on the record in the matter
2 of Aisha Mullings v. Wesley K. Mullings, Docket FM-20-
3 1364-18.
4 Counsel, as you know, I've cited Mr. Mullings
5 for contempt. He'll be given a first appearance
6 tomorrow I'm sure. In the interim I've had the
7 opportunity to speak to Isaiah, having an interview
8 with him.
9 Give you a ballpark, Isaiah seems happy and
10 content. He's enjoying staying with his father. He
11 also enjoys staying with his mother. He said since his
12 father was gone for six months he was just hoping to
13 spend some more time with him.
14 In the meantime I assume your client is still
15 asking for custody?
16 MS. SAVOY: Yes, Judge.
17 THE COURT: All right.
18 MS. SAVOY: And, Judge -- Judge, may I --
19 THE COURT: Go ahead.
20 MS. SAVOY: -- may I be heard one moment?
21 THE COURT: Ms. Savoy.
22 MS. SAVOY: Judge, it -- it seems clear to me
23 that the facts from this case are not different from
24 Nefrio v. Nefrio (phonetic) where the parents were not
25 able to get along and make joint decisions. And a

1 joint custody -- a joint custody arrangement will
2 simply not work with -- with these parties. They --
3 they are philosophically --

4 THE COURT: Ms. Savoy? I hope you'll forgive
5 me. I'm going to stop you only because Mr. Mullings is
6 no longer here of course, and so I --

7 MS. SAVOY: Oh. I'm --

8 THE COURT: -- it almost becomes an **ex parte**
9 hearing.

10 MS. SAVOY: Oh, Judge, I would -- yeah.

11 THE COURT: And I -- I appreciate that you
12 want to be heard on behalf of your client, but today is
13 not going to be the day. I am going to give her an --
14 an order that continues temporary legal custody, and --
15 far as Mr. Mullings pending further proceedings in this
16 court, from having any contact with the boy.

17 Obviously it would be in everyone's best
18 interest if something could be worked out, but I'm not
19 sure, and I understand why you would argue it, that
20 that's possible with Mr. Mullings. So I'm going to
21 give your client an order of custody, and she can leave
22 here with the young man. Do you understand?

23 MS. SAVOY: Thank you, Judge.

24 THE COURT: All right.

25 Ms. Mullings, you have something else you

1 wanted Counsel to ask me? It looked like your --

2 MS. SMITH: I do. Your Honor, this has
3 happened twice already where Wesley came out of jail,
4 and he came and got Isaiah.

5 THE COURT: Right.

6 MS. SMITH: And it happened the first time
7 when he got (indiscernible) out of jail in November.
8 It happened again in December.

9 THE COURT: Right.

10 MS. SMITH: So I'm just not really confident
11 that he's going to do anything different when he comes
12 out again. He just shows up, I'm at work, and I come
13 home and Isaiah's not there.

14 THE COURT: Can I -- if I -- if I can
15 anticipate your question, obviously talk to Ms. Savoy.
16 If you feel like that there's been some act of domestic
17 violence, you can request a temporary restraining
18 order. That would be an additional protection. I
19 can't just grant that without having had a hearing and
20 having gone through the process.

21 In the interim, this Court's jurisdiction is
22 to give you an order, it gives you **full custody**.
23 Obviously I'll -- I'll put in there that -- that he's
24 **not to have any contact pending further order of this**
25 **Court**, and if he violates that, you'll call the police

1 department right away.

2 MS. SMITH: And will the police be able to --

3 MS. SAVOY: (Indiscernible).

4 MS. SMITH: Thank you.

5 THE COURT: All right? Ma'am, I wish you the
6 best of luck, okay?

7 MS. SMITH: Thank you, Judge.

8 THE COURT: All right. Stand by for that
9 order, please.

10 MS. SAVOY: Yes, Judge. I'm just --

11 (Proceedings concluded)

12
13
14
15
16
17
18
19
20
21
22
23
24
25

1
2 CERTIFICATION

3
4 I, Kelly Ford, the assigned transcriber, do
5 hereby certify that the foregoing transcript of
6 proceedings in the Union County Superior Court,
7 Chancery Division, digitally recorded on January 28,
8 2019, Index No. 9:24 to 9:30, 3:31 to 3:35, 3:45 to
9 3:55, and 3:56 to 3:59, is prepared in full compliance
10 with the current Transcript Format for Judicial
11 Proceedings and is a true and accurate compressed
12 transcript of the proceedings as recorded.

13
14 

15
16
17
18 _____
19 NAME AD/T #561
20 METRO TRANSCRIPTS, L.L.C.

21
22 Date: 5/26/21
23
24
25