

Dulos case: Defense seeks state evidence with emergency order

By Pat Tomlinson

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Fotis Dulos, charged with tampering with evidence and hindering prosecution in connection with his wife’s disappearance, exits Stamford Superior Court with his attorney Norm Pattis, left, Friday, August 9, 2018, in Stamford, Conn.

Attorneys for Fotis Dulos are seeking an emergency order that would force state prosecutors to share key pieces of evidence in the case against their client.

The emergency order, filed Tuesday by attorney Norm Pattis, asks the judge to compel the state attorney to share the evidence “critical” to his client’s

defense. If the state does not play ball, Pattis asked that the state be prevented from using any evidence it won’t share in the prosecution.

Pattis also contended in the order that state police interviewed a former employee of the Fore Group, the real estate development company

owned by Fotis Dulos, Monday evening in an attempt to get the person to speculate on where the body of Jennifer Farber Dulos might be located. The former employee did not provide the information, in what Pattis said was an attempt to implicate his client in the disappearance of his estranged wife.

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Fotis Dulos and his girlfriend, Michelle Troconis, are each free on bail after pleading not guilty to tampering with evidence and hindering prosecution charges related to Jennifer Dulos’ disappearance on May 24.

Pattis claims the state has evidence that Fotis Dulos was not present at his estranged wife’s home on the day she was reported missing, but refuses to provide it to the defense. He requested that the state provide evidence regarding Troconis’ interview with investigators, as well as information pulled from Fotis Dulos’ computers and cell phones.

Pattis argued that his client

needs to be given access to these items in order to “perfect his alibi.”

“Mr. Dulos has pleaded not guilty because he is not guilty. There is no legal trickery in his defense,” Pattis wrote. “The state knows this. It should be compelled to turn over the items Mr. Dulos needs to vindicate himself both at law and in the court of public opinion.”

In late July, Pattis made a motion to dismiss the charges against his client on the grounds that the charges have “no basis in the evidence or law.” Brittany Paz, a former associate of Pattis, argued that the motion may have been an effort to attain the evidence being withheld by the prosecution.

“I think that this is an effort on the defense’s part to get more discovery,” said Brittany Paz, a defense attorney and Pattis’ former associate. “The problem is that this is an ongoing investigation and so discovery has been sparse.”

According to arrest warrants, two people resembling Fotis Dulos and Troconis were seen stopping along a four-mile stretch of Albany Avenue in Hartford around the same time Jennifer Dulos was reported missing May 24.

Surveillance videos depict Fotis Dulos tossing garbage bags that were later found to contain his wife’s blood, the warrants state.

Police said there were signs the 50-year-old mother was the victim of a “serious physical assault” after finding blood stains and spatter in the garage of her home.

Fotis Dulos is scheduled to appear in court on Sept. 13. Troconis is expected to appear on Sept. 20. ■