

The Jennifer Dulos Case So Far: Prosecutors Take On Fotis Dulos's Alibi In Arrest Warrant

By CBS2's Tony Aiello

After the State of Connecticut charged Fotis Dulos with felony murder, murder, and kidnapping on Jan. 7, defense attorney Norm Pattis told reporters the case built by State's Attorney Richard Colangelo showed prosecutors "groping in the dark."

Some who have read the warrant would say prosecutors actually are shedding light on the disappearance of Jennifer Farber Dulos. It illuminates a possible take-down of Fotis Dulos's alibi.

Court records make clear Dulos understood early on the importance of establishing an alibi.

Michael Meehan, the lawyer appointed to safeguard the interests of the five Dulos children during their parents' bitter divorce, testified in family court that he asked Dulos if he had an alibi for the morning Jennifer went missing, and Dulos replied he was home in Farmington.

"I hope you have every moment of your day accountable," Meehan testified he told Dulos soon after Jennifer disappeared.

Given the prosecution theory of the case, Dulos doesn't have to account for every moment of his day. Just proving he was home until 9 a.m. or so would mean he didn't have time to travel from Farmington to New Canaan, kill his estranged wife, dispose of the body, and return home by 1:35 p.m.

After Dulos was first arrested in June 2019 on evidence tampering charges, Pattis rebutted speculation about his client's involvement in Jennifer's May 24 disappearance, saying "the alibi is enormous."

"We believe we can demonstrate with credible evidence that Mr. Dulos was in his home in Farmington 'til just about 9 a.m., at least 9," on the day Jennifer went missing, Pattis said in June. "Thereafter, we still think he was in

his home."

Pattis indicated phone records would back up that claim. Even better for the defense, there were witnesses: Dulos's then-girlfriend Michelle Troconis, and an attorney named Kent Mawhinney.

"(Troconis) was with him at the time Jennifer went missing," Pattis told Hearst Connecticut Media in June.

"We know where he was. Michelle knows where he was," he said.

"Michelle provides Fotis a complete alibi for the morning of Ms. Dulos's disappearance," Pattis claimed.

Seven months later, that claim may no longer hold.

The January arrest warrant spells out how the alibi began to crack as investigators questioned Michelle Troconis.

On June 2, she told them she

and Dulos both woke up at 6:40 a.m. on May 24, the day Jennifer disappeared.

“She told investigators that she and Dulos had showered and were intimate together before she made breakfast and drove her daughter to school,” according to the warrant.

Investigators were suspicious, because data from Dulos’s smartphone showed an alarm set for 4:20 a.m. activated, and was shut off at 4:21 a.m.

Troconis also insisted she saw Dulos meeting with attorney Kent Mawhinney at 8:15 a.m.

On June 6, Troconis met with State Police investigators at the Westport office of her attorney, Andrew Bowman, as CBS2 reported exclusively at the time.

The arrest warrant reveals that day, Troconis revealed she did not see Dulos on the day Jennifer disappeared until early afternoon, between 1 and 2 p.m.

“Troconis ultimately admitted she had not seen Dulos in the bedroom, in the shower, or anywhere in the house that morning until noon time,” the warrant says. “Troconis also conveyed Dulos had told her, ‘sometimes I hope (Jennifer) disappears.’”

During a search of Dulos’s home on June 3, investigators found what they now describe as “alibi scripts,” two pages of notes handwritten by Dulos and Troconis.

An arrest warrant says the name

of Dulos’s friend and civil attorney Kent Mawhinney appears in the so-called scripts, alleging Troconis told three different versions of Mawhinney’s involvement on the day Jennifer vanished.

Troconis first claimed she saw the two men together at approximately 8:15 a.m. Then she said she only heard their voices coming from Dulos’s home office, according to the warrant.

Finally, she admitted seeing Mawhinney, but not Dulos.

Pattis hinted in September that Troconis may change her testimony yet again and exonerate Dulos.

“Our hearts go out to Ms. Troconis,” Pattis said in a statement. “We are confident that she will, in the end, tell the truth at trial.”

That statement brings the investigation to the other alleged “alibi witness.”

Mawhinney was charged Jan. 7 with murder conspiracy. The arrest warrant says when Mawhinney spoke to police on June 25, 2019, he admitted he was at Dulos’s home on May 24, and Dulos was not here.

He also claimed he fell and suffered a concussion on May 25, and the fall shattered his smartphone so he replaced it.

Seven months after talking about a strong alibi defense, Norm Pattis doesn’t mention an alibi much anymore. He does promise exonerating testimony from Fotis Dulos when the case comes to trial.

On Jan. 8, a reporter asked Pattis how he explains surveillance video from Hartford allegedly showing Dulos disposing of bags of items stained with Jennifer’s blood and DNA.

“We will do so at the time of trial,” Pattis said. “We have an explanation but I’m not going to give it in advance of trial.

“The jury will hear it and the state will hear it for the first time from Mr. Dulos himself,” he said. ■