

Pattis Asks State Supreme Court To Uphold Dulos Gag Order Appeal

Fotis Dulos' defense attorney's motion was supported by the Hartford Courant, which also filed a brief in the Jennifer Farber Dulos case.

By Alfred Branch, Patch Staff

The appellant, Mr. Dulos, may be deceased, but the gag order still applies to Mr. Dulos' counsel and the other defendants charged in connection with Jennifer Dulos' disappearance," Pattis wrote in the gag order brief. He argues that public speculation on the case "tarnishes" Fotis Dulos' estate, and the gag order "silences his advocates and family.



The late Fotis Dulos, left, and attorney Norm Pattis following a court hearing in Stamford in 2019.

Attorney Norm Pattis asked an appeals court to reinstate his challenge to a gag order in the Jennifer Dulos murder case, and the Hartford Courant has joined his effort.

Jennifer Dulos' estranged husband, Fotis Dulos, had been charged with her murder before he committed suicide last month. Pattis, who represented Fotis Dulos, is seeking to keep

the case alive in an effort to clear his client's name, and he argues that Judge John Blawie's gag order hinders his ability to do so.

In a separate action, which may receive a ruling on March 3, Pattis wants the murder case to continue so that he can attempt to posthumously clear his client's name.

Fotis Dulos committed suicide last month before he could stand trial in the killing of his estranged wife. Her body has not been found, but two people accused of assisting Fotis Dulos in the crime, Michelle Troconis and Kent Mawhinney, are still facing conspiracy charges.

"The appellant, Mr. Dulos, may be deceased, but the gag order still applies to Mr. Dulos' counsel and the other defendants charged in connection with Jennifer Dulos' disappearance," Pattis wrote in the gag order brief. He argues that public speculation on the case "tarnishes" Fotis Dulos' estate, and the gag order "silences his advocates and family."

"The Court can still grant practical relief through the disposition of Mr. Dulos' appeal," Pattis wrote.

State prosecutors filed a court memo this week seeking to have the appeal dismissed, in part because they believe the murder

case itself will be dismissed now that Fotis Dulos is dead.

Pattis' memo received support from the Hartford Courant in the form of an "amicus curiae" brief that argues that the gag order should be ruled unconstitutional.

"The Gag Order has significantly interfered with the Courant's and other media outlet's ability to gather and report the news," the brief states. The publication's Dave Altimari, who has filed several insightful stories on the case — often relying on unnamed sources for information — wrote about why it filed the brief.

"First, vacatur of the Gag Order is in the public interest because the Gag Order impinges on the media's First Amendment right to gather and report the news related to this matter," the Courant's brief states. "Because journalists frequently seek to gather the news by interviewing parties and witnesses, pretrial gag orders on trial participants undermine these foundational principles of openness."

Essentially, the Courant wants judges in the future to not issue such gag orders, which prohibited opposing counsel in the case from speaking publicly about it. The order also banned "[Fotis] Dulos, his family, associates, law enforcement, all potential fact and expert witnesses, private

citizens, and anyone involved in the investigation into Jennifer Dulos' disappearance" from speaking about it.

Pattis is scheduled to argue for the murder case to continue during a hearing in Stamford Superior Court on March 3; Troconis is scheduled to appear in the same court on March 20, Mawhinney, who remains in custody, on March 31. ■