

DBD-FA85-0287428S : SUPERIOR COURT
LAKE, LINDA : JUDICIAL DISTRICT
OF DANBURY
v. : AT DANBURY, CONNECTICUT
LAKE, CHARLES : AUGUST 3, 2022

DBD-FA14-4018720S : SUPERIOR COURT
LAYDEN, CYNTHIA : JUDICIAL DISTRICT
OF DANBURY
v. : AT DANBURY, CONNECTICUT
LAKE, CHARLES : AUGUST 3, 2022

TRANSCRIPT OF PROCEEDINGS

BEFORE THE HONORABLE ANTHONY P. FUSCO,
FAMILY SUPPORT MAGISTRATE

A P P E A R A N C E S:

Representing the Plaintiff(s):

Non-Appearing

Representing the Defendant(s):

MR. CHARLES LAKE
Self-Represented Party

Also present:

ATTORNEY MEE WONG
Assistant Attorney General
165 Capital Avenue
Hartford, CT 06106

MS. DAMARY MITCHELL
Support Enforcement Services
50 Field Street
Suite 302
Torrington, CT 06790

Recorded and transcribed by:
Linda Vanek
Court Recording Monitor
146 White Street
Danbury, CT 06810

1 (MR. LAKE APPEARING TELEPHONICALLY)

2 THE CLERK: Hi, is this Mr. Lake?

3 MR. LAKE: Yeah.

4 THE CLERK: Hi. My name is Jodi and I'm the
5 Clerk at the Danbury Superior Court. We're going to
6 begin your hearing, if that's okay.

7 MR. LAKE: Say what now?

8 THE CLERK: We're going to be beginning your
9 hearing, if that's okay.

10 MR. LAKE: Oh, yeah, yeah. Let me bring up my
11 -- okay. I'm all set.

12 THE CLERK: Okay. Please raise your right hand.
13 Do you solemnly swear, or solemnly and sincerely
14 affirm, as the case may be, that the evidence you
15 shall give concerning this case shall be the truth,
16 the whole truth, and nothing but the truth, so help
17 you God or upon penalty of perjury?

18 ATTY. WONG: I do.

19 MS. MITCHELL: I do.

20 MR. LAKE: Yes.

21 THE CLERK: Please state your name and address
22 for the record.

23 MR. LAKE: Charles Lake (indiscernible).

24 THE CLERK: And your address?

25 MR. LAKE: 72 Old Route 23, Cairo, New York
26 12413.

27 THE CLERK: Thank you.

1 MS. MITCHELL: Damary Mitchell. Support
2 Enforcement Officer. Torrington, Connecticut.

3 ATTY. WONG: And -- and, Your Honor, Mee Wong
4 with the Attorney General's Office.

5 THE COURT: All right. Good morning.

6 ATTY. WONG: Good morning, Your Honor. Your
7 Honor, I believe that there are two matters before
8 the Court involving Mr. Lake, and I would like to
9 call the first matter, which -- actually, I don't
10 have a docket but it's -- the plaintiff is Linda Lake
11 --

12 THE CLERK: It's number 10, Your Honor.

13 THE COURT: Okay.

14 ATTY. WONG: Number 10 on the docket, Your
15 Honor.

16 THE COURT: Okay. And I'm going to ask to be
17 heard initially, Your Honor, since I was not present,
18 I guess back in February of this year when this
19 matter was before Magistrate Price on a remote
20 docket.

21 So, Your Honor, essentially, my understanding is
22 that the issue that's being raised by Mr. Lake,
23 pursuant to a motion to open that was filed on
24 February -- or actually dated February 7th, 2022 and
25 filed with the Court on February 23rd, 2022, address
26 -- is related to a State arrears issue in which he
27 claims that he does not owe that amount.

1 Before I -- I get into some procedural issues, I
2 just wanted the Court to be made aware that this was
3 a motion to open that was filed. The motion to open
4 does require service to the Assistant Attorney
5 General, and I want it on the record that the AAG was
6 not served with the motion to open, and was not aware
7 that this had been placed on the docket back in
8 February and was not -- did not get an opportunity to
9 participate in the remote docket at that time.

10 So I'd like to address some procedural issues
11 that I would have addressed back in February.

12 THE COURT: Okay.

13 ATTY. WONG: Your Honor, I did review this file
14 extensively and I want to bring to the Court's
15 attention that the issue of the amount of State
16 arrearage that is owed by Mr. Lake was actually
17 adjudicated back in 2014.

18 It was adjudicated when Support Enforcement
19 actually brought a contempt action, which is entry
20 number 109, back on July 23rd of 2014.

21 Now, my understanding at that time is that Mr.
22 Lake did appear before the Court and counsel was
23 appointed for him to represent him at that time.

24 Mr. Lake did raise the exact issue that he
25 didn't feel that the arrearage amount was correct,
26 and he wanted the Court to review it.

27 The Court, at that time, did order an audit --

1 Support Enforcement to conduct an audit, and also for
2 Mr. Lake to meet with Support Enforcement with
3 whatever paperwork he claimed that he did have in
4 order to show Support Enforcement if there were any
5 changes that should be made after Support Enforcement
6 did the audit.

7 So the case was continued, and I believe that at
8 the continuance date both Support Enforcement was
9 present, as well as Mr. Lake, as well as counsel for
10 Mr. Lake.

11 If I could just review my notes, Your Honor,
12 just -- I believe that the matter was -- the date
13 that the matter was continued to was September 24th,
14 2014. And the Court, having heard the testimony and
15 the evidence presented by both parties, entered a
16 final judgment.

17 And the Court did in fact find that Mr. Lake did
18 owe the arrearage amount that was stated in the
19 contempt action, which I believe back then was
20 \$17,100.82.

21 My understanding of the Court procedures is
22 that's considered a final judgment, Your Honor. And
23 Mr. Lake did not file anything associated with that
24 judgment back in 2014.

25 The next item that shows up in the Court record,
26 Mr. Lake then files a motion to modification -- a
27 motion for modification, I believe on May of 2015,

1 which the entry number is number 113.

2 Now, I will say at this time that that
3 modification should have been denied on the principle
4 of res judicata, that the issue of State arrearages
5 had already been adjudicated and a final judgment
6 entered, as just mentioned, in 2014.

7 However, the Court did decide to entertain Mr.
8 Lake's modification. And I believe that what
9 happened at that time, in 2015 he was -- Support
10 Enforcement was present and he was asked to meet with
11 Support Enforcement to once again to bring in
12 whatever paperwork he had that he felt pertinent to
13 the issue of State arrearage. And again, Support
14 Enforcement was asked to do yet another audit on the
15 file.

16 If I could just have a moment, Your Honor? So I
17 believe at that time, for the 2015 modification there
18 was three hearings that -- court hearings that were
19 held.

20 Mr. Lake and Support Enforcement was present for
21 the first two hearings. I believe the audit and the
22 meeting did take place. The third court hearing on
23 the modification, I believe took place in September
24 of 2015.

25 At that time the Court did issue, yet again,
26 another final judgment indicating that Mr. Lake did
27 owe the arrearage amount. And in fact, the Court

1 denied the motion for modification.

2 A continued review of the court record, Your
3 Honor, shows six and a half years later we're here
4 today because Mr. Lake filed a motion to open on
5 February 23rd of this year. And I believe that's
6 entry number 118.

7 This was put on the docket, I believe on -- in
8 March -- March 30th of 2022. At that time we were
9 doing remote hearings. Magistrate Price did find that
10 he owed the State arrearage of \$13,685.83, but did
11 continue the case to -- for an in-person hearing.

12 My understanding is based on that it was
13 continued for today in order for the Court to make a
14 decision as to whether the Court is going to
15 entertain this motion to open, Your Honor.

16 It's the State's position, Your Honor, that the
17 motion to open that's before the Court -- first of
18 all, number one, it's an improper vehicle to revisit
19 a 2014 final judgment. I'm not sure why it was
20 accepted by the Clerk's office, but it's
21 inappropriate and it's improper before the Court for
22 two reasons, on the principle as I've indicated, res
23 judicata, that this issue was actually adjudicated
24 back in 2014 and a final judgment was entered.

25 I don't know why after six and a half years the
26 gentleman is allowed to again file a pleading on this
27 very issue, and I'm asking that the Court deny the

1 motion to open on the basis of res judicata, and also
2 on the basis of laches in that -- I mean, time --
3 this -- these -- this issue relates to children in
4 this file where the youngest child reached the age of
5 majority in 1994.

6 Between 1994 and the final judgment that entered
7 in 2014 there was never any pleading filed by Mr.
8 Lake indicating that he had an issue with the State
9 arrearage -- arrearage amount. He only raised it in
10 2014 when Support Enforcement actually filed the
11 contempt action.

12 And meanwhile, he -- he wants to keep getting a
13 -- a second bite at the apple, a third bite at the
14 apple, and that's not how the legal system works,
15 Your Honor.

16 The bottom line is that there's already a final
17 judgment and he should not be allowed to file any
18 further pleadings and the -- the Court Clerk's office
19 should be ordered to refrain from accepting any
20 pleadings that address the issue of the amount of the
21 State arrearages that he owes in this particular
22 file.

23 THE COURT: Why don't we address number 11, the
24 Layden case. Is it a similar background?

25 ATTY. WONG: Yes, Your Honor. That is similar.
26 It's noted for the record that every time Mr. Lake
27 filed, whether it's a motion for modification, or a

1 motion to open, he'll file the same motion in each of
2 the files.

3 What I see the difference in the Cynthia Layden
4 case is that he -- he also filed a motion to open in
5 February of this year. But the difference is is that
6 Magistrate Price, when it was heard before the Court,
7 remotely that is, and again, I was not told of this,
8 nor was I served with a motion to open, which is
9 required under the law. So I was not present for the
10 hearing back in February.

11 But in any event, Magistrate Price denied the
12 motion to open in February and it should have ended
13 there, but three months later Mr. Lake then filed, in
14 June of this year, yet another motion to open
15 indicating the same thing. He -- he wants the State
16 arrearage revisited because he doesn't believe that
17 it is the correct amount.

18 And I also will state that when he filed the
19 second motion to open in June, he also filed with the
20 Clerk's office, my understanding is a vast number of
21 quote, exhibits, that are supposed to be attached to
22 this motion to open. And I want to say to the Court
23 that that's inappropriate.

24 Basically, anything that -- anything that was
25 filed with the motion to open actually is something
26 that would be submitted to the Court, if the Court
27 agreed to open the case and actually conduct a trial.

1 So all of those exhibits are irrelevant at this
2 time.

3 THE COURT: And the order for the Lake case is
4 \$12.50 a week against the State arrearage?

5 MS. MITCHELL: Yes, Your Honor.

6 THE COURT: And the --

7 MR. LAKE: I can't hear. I can't hear you
8 people.

9 THE COURT: We hear you loud and clear, sir.
10 Maybe the AG needs to be closer to the --

11 ATTY. WONG: Your Honor, I -- I am --

12 THE COURT: You're -- I hear you pretty clearly.
13 The order on number 11 is \$7.50 a week against the
14 arrearage?

15 MS. MITCHELL: Yes, Your Honor.

16 THE COURT: Okay. Well, so you're making
17 argument, counsel, of res judicata and latches as
18 well. Plus, I note Magistrate Price denied a motion
19 back in March.

20 MS. MITCHELL: March 30th, Your Honor.

21 THE COURT: Right. So --

22 MS. MITCHELL: And it was with Layden -- Ms.
23 Layden's case.

24 THE COURT: Right. So, sir --

25 MR. LAKE: On March 30th the Judge didn't have
26 the -- the time to listen to my case.

27 THE COURT: Well, sir, the -- it sounds like

1 your case was listened to quite a few years ago.

2 MR. LAKE: Yes, but it wasn't reviewed. I tried
3 to get -- I tried to get Mr. Grillo to review the
4 paperwork I had, and he refused to look at any of the
5 paperwork. And when I made him -- when I forced him
6 to look at how I was overbilled by my son -- for my
7 son Steven by over two years, he told me you can't
8 cry over spilled milk. Just pay the goddam bill.

9 Now --

10 THE COURT: Sir, the language --

11 MR. LAKE: -- the State of Connecticut has been
12 defrauding parents for years. In 1986 I had a Court
13 order for the State to do a custody study. The State
14 refused --

15 THE COURT: Well, sir, that --

16 MR. LAKE: -- to do that custody study.

17 THE COURT: The children were --

18 MR. LAKE: They -- and --

19 THE COURT: -- the children were ending up with
20 their mother.

21 MR. LAKE: -- you guys stole my kids.

22 ATTY. WONG: Your Honor --

23 MR. LAKE: So -- and I paid the damn bill and
24 you're still charging me. And here I am, 66 years
25 old, I've had seven strokes, five heart attacks,
26 cancer, insulin dependent diabetic, and now I've got
27 two vertebra in my neck that are broken, and nobody

1 knows why.

2 THE COURT: Well, sir, that is --

3 MR. LAKE: And I've got to deal with this
4 because I can't even buy my own medication to keep
5 myself alive because the State of Connecticut is so
6 freaking corrupt it's unbelievable. They can't even
7 look at the paperwork.

8 When I came in there in 2014 and '15 I tried to
9 speak to the Attorney General's office. She didn't
10 have time to speak with me because she was drinking
11 her coffee and eating her damn donut.

12 THE COURT: Well, sir, there was plenty of time
13 in 2014 and '15 to meet and request the audit so that
14 an accurate finding was made.

15 MS. MITCHELL: Mr. --

16 MR. LAKE: Well, it's kind of hard to do
17 something when the incompetence of the Court and --
18 and -- and the child support enforcement is corrupt
19 and --

20 THE COURT: Well, sir, it --

21 MR. LAKE: -- that (indiscernible) go back right
22 away.

23 THE COURT: You're -- you're throwing terms --

24 MR. LAKE: I've been working with -- I've been
25 working with my congressman's office and so forth and
26 so on. And they said that they got ahold of the US
27 Attorney General's office on my behalf. That I

1 should go to this Court today and -- and give them
2 everything that I get from it to turn over to the
3 Attorney General's office down in DC.

4 THE COURT: Sir, there's processes that --

5 MR. LAKE: Because you guys have already been
6 brought up on fraud -- fraud charges back in 2014.
7 That's why I went back to court in the first place.
8 But then you did this exact same thing.

9 He wouldn't look at my paperwork. He told me,
10 well, we lost our paperwork and we're not going to
11 look at your paperwork because we don't know where it
12 came from. (Indiscernible) got State of Connecticut
13 all over the goddam place.

14 THE COURT: Sir, wait a minute. Watch your
15 language, number one. Number two, I have --

16 MR. LAKE: It's kind of hard to watch my language
17 when I'm being screwed.

18 THE COURT: Sir, 2015, the last -- July of 2015
19 your motion was denied because you didn't bother to
20 come to court. You filed a motion --

21 MR. LAKE: I was in court in 2015. I came to
22 court every time I was called.

23 THE COURT: No, you came --

24 MR. LAKE: I've come to hearings.

25 THE COURT: All right.

26 MR. LAKE: I've come to -- I've tried to
27 straighten this out for 40 fucking years --

1 THE COURT: Sir --

2 MR. LAKE: -- and nothing has been done --

3 THE COURT: -- your motions --

4 MR. LAKE: -- and I'm getting --

5 THE COURT: -- your --

6 MR. LAKE: -- why am I so upset? Why --

7 THE COURT: -- your motions --

8 MR. LAKE: -- am I so upset? I lost my children.

9 They won't talk to me --

10 THE COURT: Well, I --

11 MR. LAKE: -- because my mother told them I was
12 a drug addict. Yet, the State of Connecticut gave me
13 custody of a child in '86. Ordered a custody study
14 because of that and the State refused to do their
15 damn job.

16 THE COURT: Sir, you're talking about ancient
17 history now. This is 2022 --

18 MR. LAKE: Yeah, and we're still talking about
19 ancient history because you charged me from '94 to
20 date for child support that didn't exist.

21 THE COURT: Well, there were orders that did
22 exist. And in fact, Ms. Lake had custody of the
23 children, the two children.

24 MR. LAKE: Mrs. Lake stole my kids.

25 THE COURT: All right.

26 MR. LAKE: My first wife had encephalitis
27 meningitis and was in a coma. I had to quit my job,

1 get another job that I wasn't working 90 hours to 110
2 hours a week, and I had to pay somebody to watch my
3 children. I paid my mother, who did not raise me by
4 the way, \$100 a week to -- to take care of my kids
5 while I was at work.

6 Then one day I come home to my brother shoves a
7 12-gauge shotgun to my head. And because they lived
8 in Laurel Gardens, the projects, the cop wouldn't
9 help me.

10 THE COURT: All right. Well, I think --

11 MR. LAKE: He told me to get a lawyer.

12 THE COURT: -- we're getting --

13 MR. LAKE: So I'm paying off hospital bills and
14 everything else. I couldn't afford a \$300 lawyer.

15 THE COURT: Sir, we're getting far afield. I --
16 I have to deny the motion to open, with prejudice, on
17 the grounds of res judicata and latches. And same
18 with number 11, the Layden case. Magistrate Price has
19 already denied it. So the orders remain. \$12 --

20 MR. LAKE: I -- I'd like to know how we went
21 from \$524.01 for my two kids in -- in '94 to
22 \$17,10.82 -- \$10,100.82, when in '94 my daughter was
23 the last one to be emancipated, so there should have
24 been no more child support. In 2003 I -- my mother
25 got a bill for \$11,284.45 in my name. And I --

26 THE COURT: Sir, there --

27 MR. LAKE: -- didn't get this until around 2014.

1 THE COURT: -- there was an arrearage found July
2 22nd of '14 that was \$17,110 --

3 MR. LAKE: No it' wasn't. It was only that
4 because --

5 THE COURT: -- 100.82.

6 MR. LAKE: -- Mr. Grillo refused to -- to look
7 at the documentation I have. And that's what this
8 Court is doing. They're refusing to look at the
9 documentation from 2000 -- from 1994 to 2000, I
10 supplied everything. 2003. It went from 1994 from
11 being \$524.01 to -- to 2003 it was \$11,284.45.

12 THE COURT: All right. All right. Support
13 Enforcement --

14 MR. LAKE: And there was nobody on --

15 THE COURT: Wait a minute, sir.

16 MR. LAKE: -- there were no kids on child
17 support.

18 THE COURT: Support Enforcement, what are the
19 State arrearages right now?

20 MS. MITCHELL: On Edna Lake the arrearage amount
21 to the State of Connecticut is \$8,747.41, as of
22 August 2nd, 2022 --

23 THE COURT: All right.

24 MS. MITCHELL: -- at \$12.50 a week.

25 THE COURT: All right. And what about the Layden
26 case?

27 MS. MITCHELL: For Ms. Layden, the total balance

1 to the State of Connecticut, as of August 2nd, 2022,
2 is \$1,573.02, and it's at \$7.50 a week.

3 THE COURT: So those arrearages have been
4 decreasing from earlier by --

5 MR. LAKE: They're taking my Social Security so
6 I can't get my medication. This is bogus.

7 THE COURT: Sir, you have motions --

8 MR. LAKE: It's already been determined bogus.
9 If you look at the documentation I gave you --

10 THE COURT: It's not -- it's not entered as an
11 exhibit.

12 MR. LAKE: -- that's directly from the State of
13 Connecticut --

14 THE COURT: It's not entered as an exhibit. So,
15 sir, the orders remain. The arrearages remain.

16 The motions to open are denied, with prejudice,
17 under the grounds of res judicata and latches.

18 These issues were already --

19 MR. LAKE: I'm gonna take -- I'm gonna take this
20 right to the fucking media. This is -- this is
21 ludicrous.

22 THE COURT: Sir, you know, no wonder why people
23 don't --

24 MR. LAKE: This is freaking ludicrous.

25 THE COURT: They don't want to listen to you
26 because --

27 MR. LAKE: You're charging -- you're double

1 charging me for child support for my kids for a
2 lifetime. That's what you're doing. It -- the Court
3 never -- you -- do you think in 2014, when I put my
4 divorce decree on the table nobody had any idea that
5 I even got divorced from my first wife.

6 THE COURT: Sir, the --

7 MR. LAKE: And they -- they went up in arms over
8 it. In 2015 I came back to the court two or three,
9 four times. I -- I can't remember how many.

10 THE COURT: You're here now and --

11 MR. LAKE: And I would come back --

12 THE COURT: -- and now you're --

13 MR. LAKE: -- and I'd come back and --

14 THE COURT: -- and now you came back in 2022.
15 That's seven years later. It's way too long. The
16 orders remain.

17 All right. The hearing is over. We're off the
18 record.

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C E R T I F I C A T I O N

I hereby certify the foregoing pages are a true and correct transcription of the audio recording of the above-referenced case, heard in Superior Court, Judicial District of Danbury, at Danbury, Connecticut, before the Honorable Anthony P. Fusco, Family Support Magistrate, Judge, on the 3rd day of August, 2022.

Dated this 31st day of August, 2022 in Danbury,
Connecticut.

Linda Vanek
Court Recording Monitor

| | | |
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