January 28th, 2019

Robin E. Pinelle, Circuit Clerk
NH Circuit Court
10th Circuit – District Division – Derry
10 Courthouse Lane
Derry, NH 03038

Paul Maravelias
34 Mockingbird Hill Rd
Windham, NH 03087

RE: Christina DePamphilis vs. Paul Maravelias
Docket No. 473-2016-CV-00124

Dear Clerk Pinelle,

Please find enclosed the following pleadings to be filed in the above-referenced case:

1) *Defendant's First-Amended Verified Objection to Plaintiff's Motion to Extend Duration of Stalking Final Order of Protection;*

2) *Paul Maravelias's Affidavit Certifying the Foregoing Verified Objection to Plaintiff's Motion to Extend Duration of Stalking Final Order of Protection*; and accompanying

3) *First-Amended Memorandum of Law in Support of Defendant's Objection to Plaintiff's Motion to Extend Duration of Stalking Final Order of Protection*

The enclosed pleadings are first-amended altered resubmissions of my prior 1/21/19 filings. They respond to Plaintiff's resubmitted 1/24/19 Motion to Extend, which she meaningfully altered in content from her original defective 1/11/19 Filing.

I have requested a hearing pursuant to statute. **For scheduling purposes, please note that I will be out of state until 2/5/19**, and unavailable to attend any hearing before that date. Thank you for your attention to this matter.

Sincerely,

Paul J. Maravelias

CC: Simon R. Brown, Esq.

THE STATE OF NEW HAMPSHIRE

ROCKINGHAM, SS 10TH CIRCUIT – DISTRICT DIVISION – DERRY

Docket No. 473-2016-CV-00124

Christina DePamphilis

v.

Paul Maravelias

DEFENDANT'S FIRST-AMENDED VERIFIED OBJECTION TO PLAINTIFF'S MOTION TO EXTEND DURATION OF STALKING FINAL ORDER OF PROTECTION

Paul Maravelias ("Defendant") objects to Christina DePamphilis's ("Plaintiff") 1/24/19 *Motion to Extend Duration of Stalking Final Order of Protection*, as resubmitted from her defective 1/11/19 filing, and to this Court's 1/24/19 preliminary granting thereof. Defendant submits the following first-amended Objection in response to Plaintiff's meaningfully revised 1/24/19 Motion to Extend. Defendant hereby demands a Hearing on the extension pursuant to RSA 633:3-a, III-c.[1] In support, Defendant asserts in this document the following argument on the merits.[i] As a matter of law, the Stalking Order cannot be extended, as specified in Defendant's attached *First-Amended Memorandum of Law in Support of Defendant's Objection to Plaintiff's Motion to Extend Duration of Stalking Final Order of Protection.*

I. PRIMER FOR NEW JUDGE REPLACING JOHN COUGHLIN: December 2016 Etiology of DePamphilis's False, Bad-Faith Stalking Petition Purposed Solely to Harass and Abusively Defame Paul Maravelias

[1] Defendant is scheduled to be out of state until 2/5/19 and requests the Hearing be held thereafter according to statute.

1. In December 2016, David DePamphilis got angry with Paul Maravelias. Paul had asked-out David's daughter to dinner on 12/12/16. (T27,276-277)[ii] Paul Maravelias never once spoke to or communicated with her ever after that day. (T27,28,35-36,451:17-18) On 12/23/16, after 11 days of frightening, harassing conduct by David DePamphilis central to Paul Maravelias v. David DePamphilis (473-2017-CV-150), Maravelias texted David DePamphilis to "stop harassing [Maravelias's] parents please". (**Exhibit A**) As a result of this text, David texted Paul's parents the same night, promising, "that's the last straw". Five days thereafter, on 12/28/16, Maravelias was served a Stalking Temporary Order of Protection. But DePamphilis's daughter Christina, nominally, had filed a "stalking petition" against Maravelias. Maravelias hadn't interacted with her once since 12/12/16 weeks prior (T226:15,27,28,35-36,451:17-18), the first and only time Maravelias expressed an interest in her.

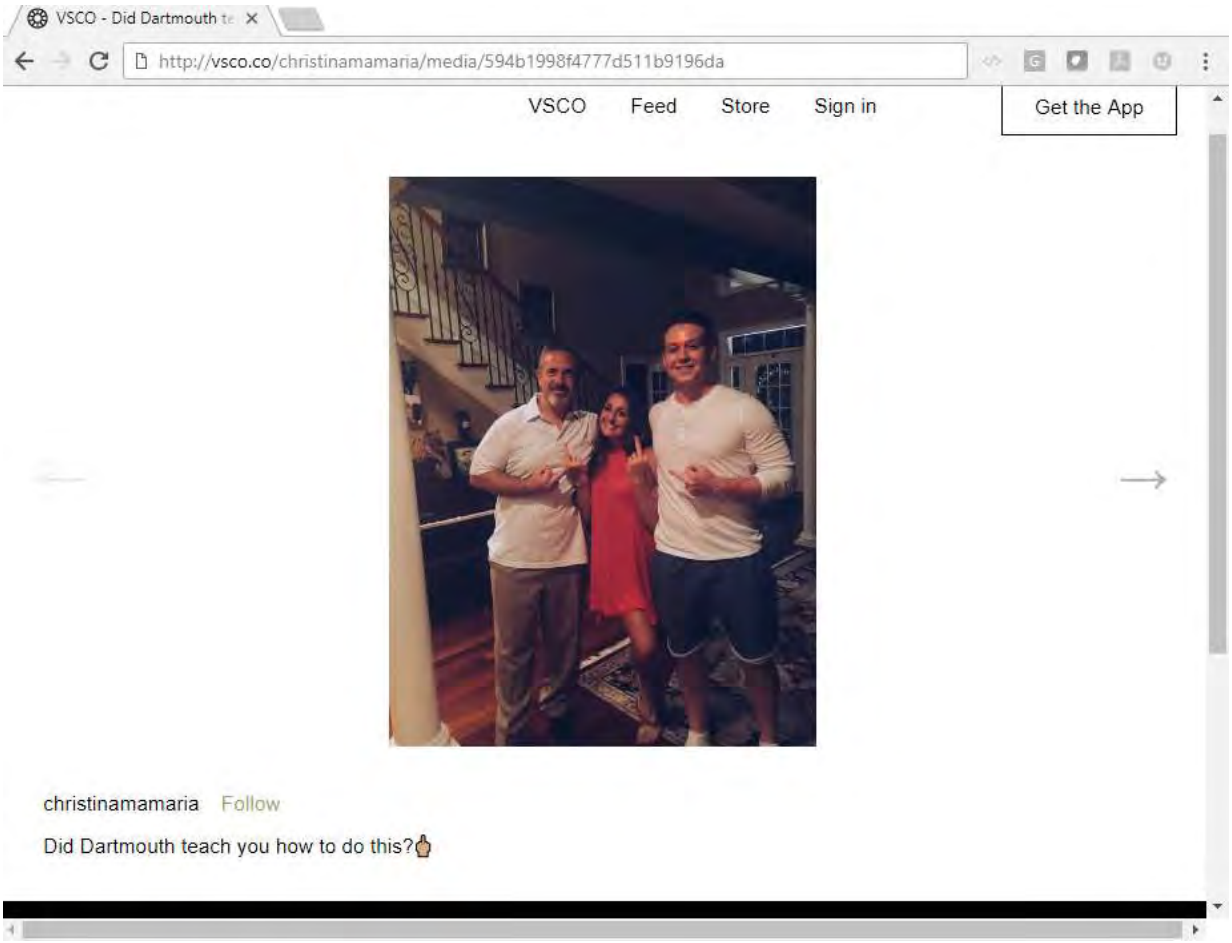
II. DAVID DEPAMPHILIS AND CHRISTINA DEPAMPHILIS CONTINUE TO STALK, HARASS, AND VICTIMIZE PAUL MARAVELIAS AND HIS FAMILY – NOT THE REVERSE

2. Weeks after coming to Court by her father David's vindictive scheme and baselessly whining that she was "afraid" of Maravelias, Christina DePamphilis escalated her psychological terrorism against Paul Maravelias even after receiving her unjust "stalking" order. She started victimizing Maravelias over social media with cruel harassment, hoping he would do something to violate the unjust restraining order, to get him in even more trouble falsely.

Christina DePamphilis's Fearless Incitative Cyber-Bullying of Maravelias, Baiting Him to Violate her Malicious, Bad-Faith "Stalking" Order

3. On 6/19/17, Christina posted a picture on her public social-media showing her new college-age boyfriend Matt LaLiberte making challenging comments against "P M". (T79-82) She was barely 16, and her boyfriend was in his 20s.

4. Then, on 6/21/17 at 9:13pm, she posted a picture showing David DePamphilis, herself, and her boyfriend standing together and middle-fingering the camera, with the caption, "Did Dartmouth teach you how to do this? [middle-finger emoji]" (T69,70,72-77), which she confessed was obviously targeted at Maravelias. (T74,76) This was days after she got Maravelias arrested on 6/13/17 for trying to defend himself against her false stalking accusations with his censored cell-phone voice recording. (T349) She and her father were rubbing-in the all their legal abuse while taunting Maravelias with Christina's new 21-year-old (T146,147) boyfriend – Maravelias's age – endeavoring to create an even more provocative aspect of jealousy. (T476)



5. Weeks prior to cyberbullying Paul Maravelias in this particularly cruel fashion, Christina DePamphilis had whined under-oath she was "scared" of Maravelias and "afraid" "to set him off" – that "it's like walking on eggshells with him" (T67:10-11) – to get the stalking order she later unsuccessfully baited him into violating. (T232:10-13)

David DePamphilis Has Been Contacting Teenage Girls at Windham High School, Attacking Maravelias's Teenage Sister's Reputation and Attempting to Ruin her Social Life at School

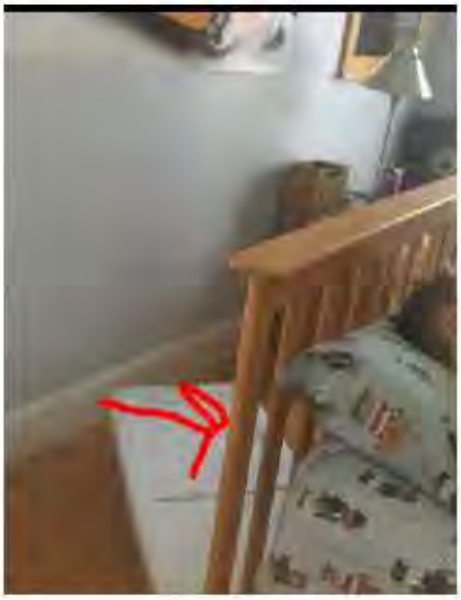
6. David DePamphilis has engineered the instant legal abuse against Paul Maravelias out of filial jealousy and resentment, as explained in greater detail *infra*. Predictably, David DePamphilis's attacks have recently extended to Maravelias's family members.

7. For example, David DePamphilis has been waging a frightening campaign to humiliate and defame Maravelias's younger teenage sister Deborah. As a 49-year-old man, David DePamphilis recently solicited communications with multiple teenage girls at Windham High School and exhorted them to "not be friends" with Maravelias's 17-year-old sister in a cruel attempt to sabotage her social life out of bitter filial envy.

8. David DePamphilis is understandably frustrated by the comparison between Maravelias's honorable sister, and his own daughter Christina, who bragged on social media at the age of 16 about having sex with her 20-something-year-old boyfriend energetically enough to physically move the bed, as indicated in the following legal exhibit entered into this Court's record in a pleading dated 4/13/2018:

Exhibit E

Petitioner's evidentiary exhibit from Hearing, demonstrating the sexual nature of the relationship DePamphilis approved for his underage 16-year-old daughter, which was accepted by the Court "for identification" and which Respondent falsely claims was irrelevant and therefore indicative of bad faith (second post was included for positive identification purposes).



tipsytina69 Following

tipsytina69 that awk moment when u look up and realize the bed slid half way across the room

madiganmags I like his bed sheets

tsawyer24, lalaloopsylinda, rachaellilienthal, meredithnewhampshire and devonluvstyler like this

Add a comment...

III. CHRISTINA DEPAMPHILIS IS A DOCUMENTED LIAR, DOCUMENTED UNCONVICTED CRIMINAL PERJURER, AND SPEAKER OF SELF-CONTRADICTIONS UNDER OATH

9. As indicated by the above-reproduced legal exhibit, it was wildly dishonest for Christina DePamphilis to complain that a five-years-older guy respectfully inviting her to dinner in front of her mommy (Maravelias's final and only pre-stalking-order conduct with her) made her "scared". Apparently, Christina DePamphilis is so comfortable associating with older men that she publicly brags on social media about having forceful sex with them.

10. Maravelias cross-examined DePamphilis at the 5/3/18 and 5/4/18 hearings.

Christina DePamphilis Was Caught Lying Under Oath about Her Cyber-Bullying Paul Maravelias With Her Boyfriend

11. Christina DePamphilis lied multiple times: *e.g.*, she first claimed she "was the only one" "who knew" her harassing 6/21/17 middle-fingers post was directed at Maravelias. (T72:16-17) Later, she admitted she "and [her] [five-years-older] boyfriend" also knew. (T79:23-24) Another lie about the post was noted: initially, she claimed it was just to "let [Maravelias] know" that she knew he was viewing her page. (T70:15) Then Maravelias pulled-out her 6/19/17 post which had *already* identified him. (T77:12-14,79:3-7,79:21-24)

The 2013 Turkey Trot Video Proved Christina DePamphilis Dramatically Lied in her Stalking Petition and Testimony Thereon

12. Some of Christina DePamphilis's vile lies were exposed spectacularly. Maravelias played a cell-phone video for the Court his younger sister happened to be taking at the 11/28/2013 Windham Turkey Trot walk-run event. Christina had alleged in her stalking petition and while testifying that Maravelias "came up to her" at this event and "tried to talk to [her]", making her "scared". (T220:3-9) Coincidentally, the video captured this whole interaction[iii]: Christina DePamphilis had actually noticed Maravelias from across the crowd along with his

sister, walked over to him with a premeditated intention to find him shared by Maravelias's sister (T215:15-17, Video 0:47-1:24), and interrupted Maravelias's conversation with his friends, assertively exclaiming "Hi Paul!" (Video at 1:24) Christina was even wearing a sweatshirt with the name of Maravelias's college on it and tried to win his approval by boasting, "I'm promoting your college!" (Video at 1:28) Yet in her petition, this whole exchange was dramatized into a delusional canard of *Maravelias* "stalking" *DePamphilis*!

Christina DePamphilis Confessed that She Falsely Put Alarming Words into Paul Maravelias's Mouth Which He Never Spoke, in Order to Obtain the "Stalking" Order

13. Christina DePamphilis effectively admitted to having lied in her original stalking petition at the initial 2017 Hearing thereon. Paul Maravelias asked her on cross-examination if he ever actually said the creepy, imposing "you will learn to love me" phrase that DePamphilis claimed in her 12/28/16 petition. She responded, "no", and "same-idea". False statements on stalking petitions are supposed to result in criminal penalties. See RSA 173-B:3, I.

IV. THIS COURT'S PAST PERJURER-ENABLING TYRANNY AGAINST MARAVELIAS

14. DePamphilis's first vindictive extension attempt in 2018 resulted in three Hearings in this Court, in May and June 2018 which exposed DePamphilis's falsity, willful lying, and abusive antagonism against Paul Maravelias through a clearly illegitimate stalking order. Judge Coughlin, perceiving the truth for himself but ostensibly terrified to act against David DePamphilis and his lawyer-represented daughter, composed a libelous Order against Maravelias on 6/15/18. In it, he cowardly granted the extension and dreamed-up a nonexistent reality by saying things like Maravelias causes "reasonable fear" for her "safety".

15. Shocked adults who read Coughlin's libelous Order theorized for Maravelias that Coughlin must have been "bought out" by David DePamphilis to write such a reality-disowning,

make-believe Order which contradicted Coughlin's own honest impressions he declared at trial. For detailed analysis of John Coughlin's self-contradicting dishonesty, See 10/31/18 *Motion to Set Aside Judgement*. Maravelias cannot say for certain why Judge Coughlin did this.

16. Judge John J. Coughlin is currently being sued by Paul Maravelias in Rockingham Superior Court (Case No. 218-2019-CV-00090) for injunctive relief that will prohibit his other lawbreaking, biased conduct, detailed therein. See 1/15/19 *Petition for Writ of Mandamus and Prohibition*. Judge Coughlin is compelled to self-recuse by the Code of Judicial Conduct.

17. In summer 2018, the DePamphilis-Coughlin duo unilaterally slaughtered Maravelias's First Amendment rights by court-ordering him not to "possess", directly or even "through a third-party", any "social media exhibits" by Christina DePamphilis which are legal exhibits profitable to Maravelias's self-defense. See DePamphilis's 7/2/18 Motion to amend the terms of the Stalking Order.

18. Maravelias composed extensive counter-pleadings indicating the unlawful and unconstitutional tyranny of DePamphilis's new motion. Judge Coughlin ignored those pleadings and criminalized Maravelias's possession of public legal exhibits profitable for his own self-defense. Unfazed, Maravelias shall continue to defend himself in court.

19. After Coughlin's fact-amnestic 6/15/18 Order, Maravelias composed a 10-page Motion for Reconsideration (See *Id.*, filed 6/25/18) wherein he pointed-out the Court needed to dismiss the Order because it violated the within-30-days requirement for the first extension. See RSA 633:3-a, III-c. Judge Coughlin denied Maravelias's Motion with one word, scribbling "Denied", totally ignoring this issue and many other raised in Maravelias's Motion.

20. The case law states that, because of the 30-day-Hearing violation, Judge Coughlin acted without personal jurisdiction and is therefore liable for his reckless conduct to Maravelias

without the shield of judicial immunity. Paul Maravelias is preparing a federal lawsuit against Judge Coughlin seeking redress for his other lawbreaking and willful violation of federal constitutional rights not addressed by the current Superior Court mandamus/prohibition action.

V. DEPAMPHILIS ABSURD FEARMONGERING TACTICS: The Recurring Firearms Theme

21. Christina DePamphilis's 1/24/2019 Motion to extend the Stalking Order sets a new record of falsity of absurdism, unsurprisingly. Since Paul Maravelias has never "stalked" DePamphilis, such is her only possible course.

22. A few common themes of feminist-alarmist fearmongering have emerged throughout the course of the DePamphilis family's legal victimization of Paul Maravelias. One such absurd theme has exploited firearms as a hot-button, emotional issue. She attempts to continue assaulting Maravelias's constitutional rights with these baseless dramatics which severely damage her own credibility as follows.

23. The first memorable appearance of this theme, repeated in her 1/24/2019 Motion, draws from an email Maravelias sent to his legal mentor on 12/10/2017. Mrs. Smith is a teacher at Windham High School, Maravelias's *alma mater*, who also runs the National Honor Society. On 12/10/2017, Maravelias sent the following email to his law teacher informing her that Christina DePamphilis, after committing perjury in this case and showcased her underage illegal substance use/intoxication on her public social media, had violated the NHS constitution:

Mrs. Smith,

I write you coldly in your function as an employee of the Windham School District, for which I pay in taxes and therefore demand accountability. In this message, I try to cast aside from my mind your role as one of the most influential people in my life. This is a painful message for me to write.

With regards to your headship of the WHS National Honor Society chapter, I respectfully demand that Christina DePamphilis be dismissed at once according to her rampant violation of Article IV, Section 1, Part D of the NHS Constitution.

Christina is a delusional criminal who has committed felony Perjury (RSA 641:1) and misdemeanor False Reports to Law Enforcement (RSA 641:4) at the behest of her abusive father David. She lied to a court to obtain a "stalking" "protective" order against me in order to satiate her father's vindictive lust to harass and intimidate me with fraudulent legal abuse. As a result, I have lost my firearms with no due process whatsoever. Even appearing at my own *alma mater* to give you Christmas chocolates would be an arrestable offense.

Please see my attached criminal complaint PDF for proof of her crimes.

Christina is also an out-of-control abuser of alcohol and psychoactive substances. The attached PDF contains proof for some of this, however if you need documentation on her addictive marijuana habits I shall happily send further documentation.

Christina has also bullied and harassed me on her social media, engaging in slanderous criminal defamation (RSA 644:11) that I am a "stalker" and openly middle-fingering me along with her father and 21-year-old boyfriend in an attempt to provoke a disorderly response out of me (a violation of RSA 644:4, the Harassment statute). Here is the link. The caption of this now-deleted post had identified me as recipient.

I cannot even begin to express in this one email the extent to which this psychotic criminal has broken the law to destroy the young man which you, Mr. O'Connor, and all my other beloved mentors spent so much effort building.

I have recently finished the manuscript for my new book about Mr. DePamphilis's psychotic crusade of legal abuse against me, "David the Liar", wherein I analyze the numerous cultural, ethical, legal, and psychological diseases which my story illuminates. I will send you a copy in January. I did a great job.

Please be welcomed to share any of this with your colleagues or contact me for further info regarding the dismissal. Please do not relay this in any manner which could be construed an "indirect communication" to Christina lest she and her vindictive father have me arrested.

It is an ongoing sore embarrassment to the National Honor Society that such a delinquent paragon of *dis*honor has managed to fool her teachers into granting admittance thereunto.

Please follow-up with me when possible.

Kind regards, Paul Maravelias

24. When this private communication was illicitly intercepted by the Windham Police Department and unfathomably forwarded to DePamphilis, she and Attorney Brown invented the

following characterization, in varied form resembling: "*Maravelias lamented to a public high school that his firearms had been taken away from him*".

25. DePamphilis's obsessive mischaracterization (of Maravelias noting the total abrogation of due-process within this legal travesty) endeavors to capitalize on the loss of innocent life in recent American public-school shootings to advance her deranged, abusive crusade of defamatory retaliation against Maravelias through a falsified stalking order based on nothing but her illegitimate, emotion-driven fearmongering tactics. This Court obviously should not tolerate this disgusting behavior of the DePamphilis family and their unscrupulous attorney.

26. In her 1/24/2019 Motion, Christina DePamphilis's fixation on her firearms-fearmongering theme attains newfound levels of bizarre insanity. She complains about random internet forum posters who purport to be firearms owners – strangers who could live thousands of miles away – and apparently isn't bothered to reveal that she has hacked into Maravelias's business's private product support forum and kept stalking him thereon. She attributes verifiably false statements to some of these forum posters, even mentioning an "AR-15" in a footnote, although Paul Maravelias never owned such a firearm, nor has any idea who these internet strangers are in real life.

27. Regardless of extension, this Court must dissolve the firearms prohibition against Paul Maravelias – a safety-trained, licensed, responsible gun-owner, with no history of violence, to whom Windham Police granted a discretionary concealed carry permit – for the reasons explained in his pending 12/10/18 *Motion to Amend Stalking Order to Exclude Second-Amendment-Protected Activity*.

VI. DEPAMPHILIS ABSURD FEARMONGERING TACTICS: The Recurring "Driving/Vehicular Following" Theme

28. Another recurring theme in DePamphilis's desperation to continue the legal abuse has revolved around alleged incidents on the road which never in fact happened. This neurotic theme had already appeared by the time of the winter 2018 Hearings wherein David DePamphilis defended Paul Maravelias's truthful stalking accusations against him. To wit, DePamphilis complained to the Windham Police Department that Maravelias had been "following" Christina in his vehicle at around 11:30pm on 1/20/18.

29. Maravelias submitted Google smartphone location history to the Windham Police Department proving he had been at his house for over an hour before this alleged incident, and remained domiciled until the following morning.

30. Even though the January 2018 DePamphilis vehicular "following" accusation against Maravelias backfired and was proven to WPD as another one of DePamphilis's brazen lies, these perjurious antics have persisted into her 1/24/19 Motion, which even cites "10/23/18 at approximately 7:00pm" as another alleged time when Maravelias "followed" Christina DePamphilis.

31. Christina DePamphilis's specious claims about being "followed" by Maravelias are totally baseless and constitute criminal acts of fraud upon this Court.

VII. DEPAMPHILIS ABSURD FEARMONGERING TACTICS: The Recurring "Lying Libeler Whines Falsely of Being Libeled" Theme

32. Christina DePamphilis has assaulted Paul Maravelias with a false restraining order libeling Maravelias through a handful of claims subsequently shown totally false, hacked into his online profiles to monitor and stalk his private communications, and then complained to this

Court that Maravelias has dared to discuss her family's unjust legal abuse against him with other individuals in said private communications.

33. Christina DePamphilis and her attorney then foolishly whine that Maravelias has libeled her, in a pathetic and psychologically disturbed attempt at reversing the facts of reality. Clinically speaking, this conduct is consistent with various severe personality disorders.

34. For instance, Plaintiff's Motion refers to Maravelias's "libelous campaign concerning Christina" (¶15). In reality, Paul Maravelias has defended his own reputation besieged by *DePamphilis's* unfettered "libel" against *Maravelias*. Maravelias has uploaded public court documents in unaltered form to his webpage, many of them submitted by DePamphilis herself. Specifically, Plaintiff's 1/24/19 Motion offends the Court with the following lies, among others:

a. Christina DePamphilis falsely claims that Maravelias filed "baseless complaints" with the police about her. In reality, in July 2018, Maravelias composed a rigorous exposition and evidentiary proof packet documenting Christina DePamphilis's self-professed underage alcohol consumption as a 16-year-old, wild lies under oath, self-contradicting statements, and libelous attacks against Maravelias. Subsequent photographic and video evidence entered in the 2018 extension hearings have completely debunked Christina DePamphilis's libelous attacks.

b. Christina DePamphilis falsely states the willful lie that Maravelias submitted this criminal complaint to the "Windham" and "Salem" police. While lying, she was aware the complaint was sent only to the Derry Police Department. It is attached as an exhibit on-file with this Court to Maravelias's 7/14/2018 responsive pleading.

c. Christina DePamphilis falsely states the willful lie that "Maravelias has further abused Christina and David DePamphilis by maintaining disparaging websites", listing three websites. Contrary to liar DePamphilis, two of the listed alleged "websites" do not even exist, one being merely a domain name. One webpage, davidtheliar.com, is not a "disparaging website" but a webpage for Maravelias's book. On said webpage, Maravelias uploads public court documents from this case

in which DePamphilis "disparages" Maravelias through acts of tortious and criminal libel, "abusing" Paul Maravelias with false accusations of staking.

35. The DePamphilis actors stubbornly persist in portraying a nonexistent reality where Maravelias has "libeled" Christina, even after Christina's "libel" and wildly false accusations have been disproven by troves of evidence. These include 1) her own testimony's self-contradictions[iv], 2) the 2013 video Maravelias's sister took, 3) the contents of the 12/12/16 audio recording, 4) Maravelias's "photographs" and/or "social media images", *inter alia*. This Court cannot continue sponsoring such brazen falsification by failing to hold Christina DePamphilis accountable for her documented abuse of process and perjury.

VIII. DEPAMPHILIS ABSURD FEARMONGERING TACTICS: The Recurring "Collected/Maintained/Possessed Photos/Videos" Theme

36. One of the most bizarre strains of thematic absurdism by which DePamphilis and Attorney Brown have continually maligned Maravelias is identified. To wit, this recurring theme implements certain words (*viz*., "collected", "possessed", or "maintained", most frequently) to make it sound like Maravelias sits around all day looking at pictures or videos of David DePamphilis's chubby daughter on his "devices", in response to whenever Paul Maravelias submits photographic and/or video legal evidence in various court hearings and legal pleadings to expose Christina DePamphilis's shocking lies and extreme fabricated accusations.

37. One example occurred after Paul Maravelias introduced in court the 2013 Turkey Trot cellphone video his sister happened to be taking at a November 2013 outdoor event. Incidentally, it proved Christina DePamphilis dramatically lied about one key part of her stalking petition written over three years after the videotaped exchange (See *infra*). After the incriminating video exposed her lies, Attorney Brown wrote in a legal pleading that Maravelias "made or possessed recordings of Christina without her knowledge since she was 12 years old".

38. As any non-psychotic person understands, Attorney Brown's dramatized comment maligning Maravelias, in reality, referred to Maravelias's younger sister Deborah pulling-out her iPhone at a public outdoor sporting event 5 years ago and taking a casual, random clip as might any other normal 7th grader, and to the Maravelias family later recovering said video to reproduce as a legal exhibit in court to combat DePamphilis's criminal falsification.

39. Accordingly, the DePamphilis actors – having no actual stalking acts to complain of in their cruel legal harassment against Paul Maravelias – necessarily stoop to this level of misleading absurdism, desperately hoping to malign Maravelias even within his very acts of proving Christina DePamphilis is a perjurious liar through said photo and video exhibits.

40. Another manifestation of this bizarre Kafkaesque theme occurred when Maravelias indicated he was having the 2018 Hearing professionally videotaped, whereupon Christina DePamphilis, by counsel, vehemently objected, hoping to spew her slanderous lies without being videotaped. Persuading the Court to violate its own rule guaranteeing Maravelias's right to video every part of the Hearing, Attorney Brown proffered the nonsense that "[Maravelias] could possess and retain footage of her which he could use for his own devices". Crafted in poignant Kafkaesque fashion, Attorney Brown's subtle verbal antics have the effect of insinuating, however indirectly, that Maravelias's personal motivations in videotaping the accuser somehow evidence a desire to view her [masculine] face. It is unsurprising that attention-seeker Christina DePamphilis libels Maravelias with such deranged egotistical delusions, since she knows she used to be attractive, and also knows Maravelias has lost all interest due to her subsequent physical and moral degradation.

41. Embarrassingly, it is Christina DePamphilis who has "collected" and "possessed" illicit photographic assets of Maravelias – privacy-violative images which were *not* consensually

shared – by obtaining photographs of his private bedroom and illegally entering them at the 6/8/18 Hearing, having advanced-noticed them nowhere in her 2018 Motion to Extend.

42. Plaintiff's 1/24/19 Motion regurgitates this tiresome theme by falsely claiming Maravelias "violated the order" by recovering an old screenshot proving she absolutely lied about a particular incident in her stalking petition. It appears Paul Maravelias's basic legal right to defend himself intimidates Christina DePamphilis, especially where her own credibility is destroyed by Maravelias's various "social media images" she has attempted to censor.

43. It has been only through such illogical, patently unreasonable dramatization-absurdism by which DePamphilis and her attorney have fooled this Court into continuing the legal abuse against Maravelias with a false restraining order, and it must end.

IX. MARAVELIAS IS "OBSESSED" ONLY WITH THE RESTORATION OF HIS BASIC CONSTITUTIONAL RIGHTS

44. Perhaps the most embarrassing part of DePamphilis's 1/24/19 attention-seeking Motion appears where she reduces herself to asserting "Maravelias's love obsession has turned into a hate obsession". Her own attorney previously acknowledged in April 2018 that Maravelias does not have an "obsession". But, ever the attention-seeker, Christina DePamphilis wishes to fantasize she is the subject of an attractive older male's "obsession" by legally abusing him.

45. Christina DePamphilis has gained a lot of weight since December 2016, when Paul Maravelias asked her out. It has been basically years since he lost interest in her. Paul Maravelias honestly could not even recognize her when seen in the Court parking lot on 5/3/18, she's gotten so large. (*See* T354) Extrapolating the trend, it is likely she has become even more unappealing since the 6/8/2018 Hearing, the last time Maravelias saw her. Maravelias commented on that day that "she deserves to be his girlfriend like Osama bin Laden deserves to be mayor of Manhattan".

(T357:14-16) As Judge Coughlin correctly put it before composing a shamefully dishonest written order totally contradicting himself:

> **"it appears that you [talking to Paul Maravelias] do not want to have any contact and that you're going to do that on a voluntary basis." (T479)**
>
> **"you indicated that, you don't want to have anything to do with the family, you don't want to have anything to do with this young woman, and you just want to be left alone and you're going to leave her alone. At least that's my impression" (T480)**
>
> -Judge John J. Coughlin on 6/8/18, before libeling Maravelias 7-days later through a shamefully dishonest Order self-contradicting his above accurate comments.

46. Maravelias clearly is not "obsessed" with someone who has nothing to offer him. Perhaps Maravelias could become "obsessed" if David DePamphilis produces another daughter who will be young and pretty enough for him, raises her properly, and doesn't let her balloon-out on excess of hormonal birth-control starting at age 15. But in the present circumstance, Maravelias is only "obsessed" with ending the falsified defamatory legal abuse, this stalking order, which the shameful feminist courts of New Hampshire have wrongfully enabled.

X. CHRISTINA DEPAMPHILIS'S NEUROTIC-TYPE, ACCUSATORY PERSONALITY HAS INJURED OTHERS AND CAUSES REASONABLE QUESTION ABOUT HER PSYCHOLOGICAL CONDITION

47. The parties used to be good friends. Maravelias's sister goes to school with Christina DePamphilis. Accordingly, Maravelias hears a lot about David DePamphilis's troubled daughter.

The Effects of Christina DePamphilis's Neurotic Personality on her Classmates

48. It appears Christina DePamphilis nowadays has no close friends. Upon information and belief, absolutely all of the close friendships she used to have when she was younger have invariably ended in the other person despising her, except where there is some quasi-family relationship joining her parents and that of the nominal friend. The superficially identifiable

friends with whom she now associates in 12th grade are people she never used to be close friends with, having burned all prior bridges.

49. Many of her former close friends have remarked to Maravelias or his sister about Christina DePamphilis's offensive, anti-social, neurotic-type personality – the same exact psychological mechanism by which she continues to harass and victimize Paul Maravelias by whining of non-existing grounds for a "stalking" restraining order.

50. For instance, Christina's classmates have commented that she is "incapable of seeing things other peoples' way", noting that it is "impossible to persuade her" that she is responsible for her antisocial behaviors. Christina's classmates have lamented that she "complains" to them for allegedly not inviting her to social events, even though they would frequently begrudgingly invite her, but she "is always too busy off [fornicating with] [expletive removed] her boyfriend" instead. She then falsely accuses her peers of habitually excluding her, refusing to take responsibility for her own conduct and its effect on her peers who have tried to tolerate her.

The Effects of Christina DePamphilis's Victim-Delusional Neurosis on Paul Maravelias, his Attacked Reputation, and his Abused Constitutional Rights

51. On 5/4/18, Christina DePamphilis testified she "has suspicions" Maravelias "flew a remote-controlled surveillance drone" to her "bedroom window" during the stalking order. (T171) Her basis was that, one night, she "was seeing lights in [her] window" around "12:30" (T171), but when she "would open the window … nothing was there" (T172). She believed since Maravelias "was the valedictorian" and "went to an Ivy League school" he could have been "smart" enough to do this (T173,175), although she never saw any such flying device (T181). She also checked to ensure Maravelias had not installed "very microscopic" "hidden cameras" in her bedroom. (T194)

52. Christina DePamphilis confessed that Maravelias has never attempted to interact with her since December 2016. (T27:18) Maravelias asked, "Please tell this Court the last time you were stalked by me." (T28:18-19) Christina memorably responded, "I continue to being [*sic*] stalked every day." (T28:20) Christina said she believes Maravelias making any in-public comment she would consider defamatory is an instance of "stalking" her. (T34) Christina clarified Maravelias's third-party self-defensive speech-acts disagreeing with her stalking accusations are themselves further acts of "stalking", because he is "further talking about me [her]". (T58)

53. Concern for Christina DePamphilis's mental condition was further heightened by her reactions and comments after watching the 2013 Turkey Trot video when played in open court to disprove her brazen lies.

54. She asserted Maravelias's sister had said the words "will you come see him with me" in the video she'd just watched. (T222) Maravelias corrected her, since his sister never spoke those words (Video at 0:47), but Christina DePamphilis was so confident in her false, revisionist memory that she challenged Maravelias, "you can replay it". (T223) Maravelias later argued that if she could "so extraordinarily contort and misremember something that she observed five minutes prior, imagine, just imagine [her stalking accusations from up to] three years prior". (T343:1-9)

55. The telling Turkey Trot video elicited another indication of the teenage-girl-Plaintiff's capacity for creative, reconstructive memory. She was convinced Maravelias had mentioned somewhere in the record he "had a friend" take the 2013 Turkey-Trot video, which his sister incidentally happened to take. (T218,219) Maravelias later reminded he'd never said anything like this anywhere, despite Christina DePamphilis's steadfast certainty otherwise.

(T341,342) When challenged to do so in Maravelias's subsequent Supreme Court litigation, Christina DePamphilis's attorney failed to cite any part of the record which would indicate his client Christina was not having symptoms of a psychosis delusional disorder with her "had a friend"-comment false memory.

56. Nobody has a perfect memory, but psychologically healthy people do not have such strikingly-specific false memories of which they are emphatically, emotively certain in Court.

XI. SIMON R. BROWN, ESQ., THE DEPAMPHILIS HENCHMAN- LAWYER: A MASTER OF DECEPTION AND DISHONESTY

57. Maravelias attaches his 12/10/18 cease and desist letter (**Exhibit B**) to give this Court a sense of Attorney Brown's unmitigated spin-slandering, fact-tilting deception by which the DePamphilis legal abuse has managed to come this far. This Court should not continue to tolerate such misbehavior.

58. Attorney Brown has even invented libelous attacks against Maravelias which even his expert slanderer clients never waged against Maravelias (*e.g.*, calling Maravelias a likely sexual assaulter in a Supreme Court brief). At other times, Simon has willfully mischaracterized facts after being corrected and/or phrased facts in embarrassingly deceptive ways. *See* **Exhibit B**.

XII. PLAINTIFF'S IRRELEVANT, DISHONEST DIVERSIONS ON DAVID DEPAMPHILIS

59. Plaintiff's motion fixates upon irrelevant matters between Paul Maravelias and David DePamphilis, validating Maravelias's assertion to this Court that the instant stalking order exists as part of David DePamphilis's vindictive crusade to humiliate and legally abuse Paul Maravelias, serving no other purpose. Maravelias identifies and exposes the falsehoods repeated in these parts of Plaintiff's Motion.

Christina DePamphilis's False Claims about Maravelias's Book Webpage and Unwarranted Public Attacks against Maravelias's Reputation

60. Plaintiff's Motion complains of Maravelias webpage for his unpublished book, David the Liar. On this web-page, Maravelias posts public legal documents and court updates regarding this unfortunate case: DePamphilis's continued bad-faith legal abuse against Maravelias.

61. Plaintiff's Motion commits the following criminal acts of fraud upon the Court, asserting falsely at Paragraph 14 as follows:

a. DePamphilis asserts, "[Maravelias] calls David a 'Bi-Polar Criminal' and 'Sexual Pervert' on the *Davidtheliar.com site".* <u>This is a verifiable lie, as any person may ascertain by going to davidtheliar.com and witnessing that the alleged text appears nowhere</u>, even though it would be a demonstrably true statement. Christina DePamphilis should be arrested for making such willfully false claims in her motion.

b. DePamphilis asserts, "it appears that he has published the book as he posted the book description on Google Books". In reality, Paul Maravelias did not "publish" his book nor any description thereof on Google Books, which is an automated search-engine-generated website over which Maravelias has no direct control. Further, to extend a destructive protective order because Paul Maravelias may or may not have exercised free speech to publish a philosophy book is a deranged conundrum of feminist illogic.

c. DePamphilis asserts that Maravelias "posts the vile letter" on the website. In reality, it is Christina DePamphilis herself who published this artifact in the public domain by attaching it to her 1/5/18 *Motion to Extend* she filed in this Court. Maravelias simply uploaded DePamphilis's own defamatory legal-abuse motion accusing him, in its entirety, in concessive fairness, so that the public can appreciate both sides of this dispute. This unsurprisingly upsets DePamphilis, being the obvious false accuser. **<u>DePamphilis now laughably complains that Maravelias has published her own already-public court document that she herself submitted to harass and defame Maravelias.</u>**

David DePamphilis's Stalking, Harassment, and Financial Extortion of Paul Maravelias

62. It is David DePamphilis and his family who have persecuted Paul Maravelias by filing a frivolous Stalking Petition made in bad-faith, absent any true circumstance of stalking. Plaintiff's Motion is quick to remind that this biased, feminist Court forced Maravelias to pay DePamphilis over $9,000 of attorney's fees after Maravelias filed an honest and truthful Stalking Petition against David DePamphilis – an award which the Supreme Court declined to reverse, "[giving] enormous deference" to the trial court's abusable discretion in such matters.

63. While assessing the honesty and fairness of this Court, the general public may observe the following undeniable, evidence-corroborated facts from Maravelias's said staking case against David DePamphilis[v]:

a. David DePamphilis's "senseless bullying" in December 2016 "caus[ing] [Maravelias] mental anguish" by making telephone calls of such profanity and hostility to cause Maravelias's father Theodore to testify he "feared" for his son's safety and felt "threatened" (2017CV150Transcript166,182,205),
b. DePamphilis's vulgar middle-finger social media post with his daughter against Maravelias in June 2017, attempting to incite Maravelias to an unlawful response by taunting him with her new boyfriend,
c. David DePamphilis's profane 5/4/18 verbal explosion at Maravelias in the courtroom, requiring Judge Coughlin to warn David DePamphilis by penalty of criminal contempt, and
d. DePamphilis's wild internet libel of Maravelias, calling Maravelias a "sexual predator" himself or through a third party (2017CV150Transcript77), among many other frightening acts.

64. Notwithstanding the above indisputable facts recorded within Paul Maravelias's stalking case against David DePamphilis, this Court nonetheless pronounced said petition as "patently unreasonable" and granted a punitive fees award against an impecunious 22-year-old in

favor of his rich 49-year-old victimizer. This presents a clear picture to the New Hampshire public of the extreme, irrefutable extent to which Judge Coughlin is wildly biased against Maravelias, wont to screw-him-over legally every-which-way. Any average citizen reconciling the above facts of the Maravelias v. DePamphilis case with this Court's rulings thereon appreciates the troubling level of blind feminist favoritism by which this restraining order case against Maravelias has persisted, destroying the public's faith in our misandrist judiciary.

Christina DePamphilis Falsely Cites Non-Existent Quotations From the Transcript in an Attempt to Deceive this Court, While Making a Ridiculous Comparison Between Maravelias's Inquiry on Her Father David's Known Criminal Acts and "Abuse" of David

65. Still discussing the Maravelias v. DePamphilis case, Plaintiff alleges in Paragraph 17 of her Motion that Paul Maravelias "alleged 'rumors of sexual violence' by David DePamphilis against his son", citing T429-431 of the Transcript in that case. The record proves Maravelias never used the phrase "rumors of sexual violence", which she falsely quotes, as it appears nowhere in the cited transcript.

66. Maravelias's cross-examination questions to David DePamphilis at this part of that trial enjoyed an elaborate factual basis in Maravelias's brother Luke's personal knowledge of the incidents. Further, Maravelias's line of questioning was necessary and legally on-point to David DePamphilis's law-breaking propensity, a tendency Maravelias argued sustained his reasonable fear of David. To wit, Maravelias knew that 1) DePamphilis had allowed an underage 15-year-old boy, Jeremy Worden, to become intoxicated to the point of unconsciousness at David's Salisbury beach house in summer 2013, and that 2) David DePamphilis had once exposed his testicles to his young son joking about their semblance to "bubble gum". Since both of these acts were unlawful, Maravelias's appropriate cross-examination sought to establish that David DePamphilis does not consider legality in his decision-making. Indeed, any ulterior purpose

solely to "embarrass" David, disconnected from legal relevancy, would have doubtlessly taken a much different course, given the ample opportunity his homosexual son's reputed conduct affords. But Maravelias, in high-professionalism, limited his cross-examination to relevant inquiry.

67. Maravelias had not only sound factual basis, but also thorough eye-witness information, as Laurie DePamphilis had described the 2013 intoxicated, unconscious 15-year-old situation to Maravelias's sister, and as David's son Nicolas had told Maravelias's brother Luke about the testicular incident. Therefore, by slandering Maravelias that he brought-up irrelevant, frivolous content, Christina DePamphilis has only magnified scrutiny of these unlawful infractions by her father, themselves of trivial severity when compared to his and her own perjurious falsification crimes in this case.

XIII. THE REAL TRUTH FINALLY REVEALED: THE EFFECTS OF DAVID DEPAMPHILIS'S ELDEST SON, NICOLAS DEPAMPHILIS, AND RESENTFUL PATERNAL VINDICTIVENESS AS THE REAL REASON FOR THIS WHOLE CASE *SIN DALL' INIZIO*

68. For the benefit of the Court's understanding, Maravelias is compelled to reveal pertinent truths which have not heretofore appeared in the record, because of Maravelias's praiseworthy magnanimity.

69. On December 14th, 2016, when David DePamphilis and Paul Maravelias had their second phone call after David's verbally abusive outburst to Paul Maravelias on 12/12/16, David DePamphilis began accusing Maravelias of "causing problems" within DePamphilis's family (Maravelias had invited DePamphilis's daughter to dinner, then never spoke to her after the day of the polite rejection). David DePamphilis was even more angry and vile towards Paul on 12/14 than on 12/12, after only two days of silence had passed.

70. David DePamphilis assured to Paul Maravelias that neither David, "[his] sister, or [his] mother will ever accept you [Maravelias], ever, even if my daughter [David's daughter Christina] were ever to change her mind about you." Before this comment, the single act Maravelias had done since June 2016, when David and Paul were friendlily socializing at Paul's house, was to invite David's daughter to dinner. That David DePamphilis bullied Paul Maravelias with such cruel, bitter words two-days after their first phone call, with renewed anger, proves beyond all doubt that David DePamphilis has been acting in an offended revenge-crusade ever since that month. David's own words indicate that his hostility towards Maravelias is in excess of any plausible advocacy of his daughter's interests; David's cruel bullying of then-recently-rejected Maravelias was to tell Maravelias he would "never accept him", even if David's "daughter changed her mind".

71. Maravelias immediately understood that internal stressors inside David's family formed the only possible explanation for David's cruelty and bitter psychological terrorism.

72. In November 2015, DePamphilis's eldest son Nicolas came-out to his parents as bisexual and/or gay, revealing his recent liaisons with his boyfriend Jacob. His parents were shocked and initially disgusted, and his mother Laurie banished him for the night to his aunt's house. Since that time, David DePamphilis – a man of traditional family rooting – has had to tolerate his son's new lifestyle, which includes his son publicly cross-dressing and showcasing his occultist artwork on social media. Upon information and belief, David does not follow his son on social media since his son came-out out as gay, but follows his wife and other two children.

73. Maravelias's brother Luke was best-friends with Nicolas for years prior to 2015, and his sister Deborah was best-friends with Christina. David remarked that Luke "was like a son to

[him]". David DePamphilis in recent years has watched the parallel adolescent trajectories of Paul and Luke in comparison to Nicolas, and of Deborah in comparison to Christina.

74. David DePamphilis's unabated stalking and legal persecution of Paul Maravelias through a false "stalking" order proceeds from filial discontentment, bitterness, and resentfulness – as well as an inability to appreciate the diversity of innate talents allocated to different children by simple biological and/or environmental variation. Rather than appreciating his son's laudable natural talents in different aspects of life (e.g., social or artistic talent), David DePamphilis has placed an unhealthy emphasis on educational achievement, "book-smarts", or success as measured by financial or business status.

75. Since David has internalized this definition of filial success and perceived that Paul Maravelias's accomplishments satisfy it, David's inability to equally appreciate his own eldest son's different talents have generated a profoundly ungrateful attitude of resentfulness, despite the vast blessings David DePamphilis enjoys in his privileged life even while striving to ruin Maravelias's. Maravelias's incidental romantic invitation to David's daughter on 12/12/16 – with an expensive car nonetheless – happened to rub salt into David's open psychological wound, explaining why his uncontrolled anger moved him demonize Paul Maravelias, an innocent suitor, and weeks later to conspire with his daughter to compose a stalking petition against Maravelias, filled with nothing but extreme falsehoods and defamatory perjuries.

76. Seeing that his eldest son's talents did not align to his unhealthily narrow definition of masculine filial success as measured by moneymaking, David DePamphilis has unsurprisingly transferred this set of masculinizing expectations onto his female daughter Christina, even from a very young age. Psychologically, Christina DePamphilis has been raised if she were David's eldest son vicariously, explaining the lion's share of her bold behaviors of drug/alcohol use and

sexual experimentation, as documented, beginning at the age of 15 or 16. David DePamphilis's attempts to impose the same set of masculine expectations he wished for his son (educational achievement and independent financial success in business) are manifested in the present bad-faith litigation against Maravelias; indeed, Plaintiff's Motion itself is quite forward that it is Maravelias's public self-defensive speech decrying her lies and crimes which most upsets her and her family. She openly commented while testifying in 2018 that she perceives Maravelias is attempting to "ruin her chances" of "college" or having a "career" (*Cf.* Christina's "independency [sic]" comments from the 2018 Hearing), indicating an advanced state of feminist psychosis, engendered by David DePamphilis's perennial masculinizing projections she has auto-internalized, incapacitating her ability to accept that she has legally abused Paul Maravelias through acts of perjury and falsification and disparaged Maravelias's First-Amendment-protected free speech rights to publicize his own innocence by uploading public court documents to the internet to combat her unlawful acts of libel and perjury traducing Paul Maravelias.

77. Accordingly, Christina DePamphilis has shown no remorse for her exposed fabricated defamatory crusade against Maravelias's reputation, blinded by her own pernicious self-justification. She is psychologically incapable of showing any insight into the injurious effects of her woeful falsification crimes have caused for Maravelias and his family.

78. These facts and circumstances appear to be easily discernible to all sensible adults having a basic understanding of the situation. All of Paul Maravelias's personal and professional contacts continue to give him nothing but full support, entertaining at times deep discussions contemplating the nature of David DePamphilis's dishonorable and indeed illegal conduct. Many adults' faith in our judiciary has been destroyed by this Court's previous dispensations towards liar DePamphilis that this false, defamatory restraining order has ever seen the light of day.

79. Accordingly, it shall be reputed a shameful act of cowardice if this Court extends this "protective" order, which has been nothing but destructive for both parties – doubtlessly, even more so for DePamphilis herself than for Maravelias, as she shall be forever remembered as a perjuring, fornicating liar, because of the revealed facts at the 2018 Hearing alone.

80. Paul Maravelias has not pursued even small proportion of all the legal actions available to him to redress the defamatory wrongs done in connection with this proven-false restraining order. If it is extended again, his mercy will come to a decisive end.

81. Any sensible adult having a modicum of discernment or wisdom understands that this legal abuse must finally come to an end, and that any continuation thereof will only guarantee a heightened pointless waste of time, effort, and money by all sides.

WHEREFORE, Respondent Paul Maravelias respectfully prays this Honorable Court:

I. Grant this Motion;

II. Deny Plaintiff's 1/24/2019 *Motion to Extend Duration of Stalking Final Order of Protection* and vacate the Stalking Order, ending this case;

III. Hold a Hearing on this matter; and

IV. Grant any further relief deemed just and proper.

Respectfully submitted,

PAUL J. MARAVELIAS,

in propria persona

January 28th, 2019

PAUL MARAVELIAS'S AFFIDAVIT CERTIFYING THE FOREGOING VERIFIED OBJECTION TO PLAINTIFF'S MOTION TO EXTEND DURATION OF STALKING FINAL ORDER OF PROTECTION

NOTARY ACKNOWLEDGMENT

STATE OF NEW HAMPSHIRE – COUNTY OF ROCKINGHAM

On this ___ day of January 2019, before me, _____, the undersigned officer, personally appeared _____, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he/she executed the same for the purposes therein contained, who being by me first duly sworn, on his oath, deposes and says:

All factual stipulations within the foregoing objection are true and accurate to the best of my knowledge as of 1/28/2019.

[affiant's statement of facts]

_____
[signature of affiant]

Paul J. Maravelias
[typed name of affiant]

34 Mockingbird Hill Rd, Windham, NH 03087
[address of affiant]

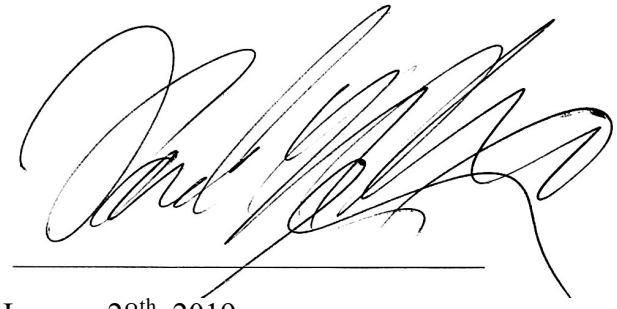
In witness whereof I hereunto set my hand and official seal.

_____
Notary Public

My commission expires: _____

CERTIFICATE OF SERVICE

I, Paul Maravelias, certify that a copies of the within *Defendant's First-Amended Verified Objection to Plaintiff's Motion to Extend Duration of Stalking Final Order of Protection* and *Paul Maravelias's Affidavit Certifying the Foregoing Verified Objection to Plaintiff's Motion to Extend Duration of Stalking Final Order of Protection* were forwarded on this day through USPS Certified Mail to Simon R. Brown, Esq., counsel for the Plaintiff, Christina DePamphilis, P.O. Box 1318, Concord, NH, 03302-1318.



January 28th, 2019

[i] Maravelias herein liberally reproduces content from his past legal pleadings and, in particular, his 11/1/2018 Supreme Court Appeal brief, which he invites the reader to examine at the following link: https://goo.gl/p9KnDj

[ii] Transcript references are to the consecutively-numbered transcripts, on-file with the Supreme Court, of the May-June 2018 Hearings in this case for the first extension.

[iii] The video uploaded the video to YouTube for this Court to access: https://youtu.be/EAawoOcFGVg

[iv] Maravelias uploaded the recording of his *entire* 3.5+ hour cross-examination of the false accuser to YouTube, as well as his 3+ hour testimony. However, sore DePamphilis claims in her Motion that Maravelias uploaded only "parts that he liked". This claim stands as another monument to her verifiable falsity. The videographer's uploaded tape includes, at times, Christina DePamphilis babbling-off for over four minutes in deranged, defamatory diatribes having nothing to do with the question – and Maravelias, being the falsely accused, was not hesitant to give her voice a fair and equal exposure in his uploading the *entire* cross-examination, not just "parts he liked". Maravelias is confident she only made an absolute fool of herself while slandering him, as is evident by her and her attorney's terrified hostility regarding Maravelias's conduct of publicizing *her own accusations*, either as spoken by her verbally in court or written in legal pleadings by her attorney.

[v] Despite these recorded facts from the Maravelias v. DePamphilis case addressing David DePamphilis's stalking and harassment of Maravelias, Plaintiff's Motion refers to said petition as "meritless". This portrays Attorney Brown's habitually meaningless and blind usage of such editorial adjectives, peppered-into his pleadings abusing Maravelias wherever they might sound opportune, without any requisite linkage to truth or reality whatsoever.

EXHIBIT A

Paul Maravelias's 12/23/2016 SMS text message to David DePamphilis, noting the "mental anguish" David DePamphilis's "senseless bullying" had caused Maravelias.

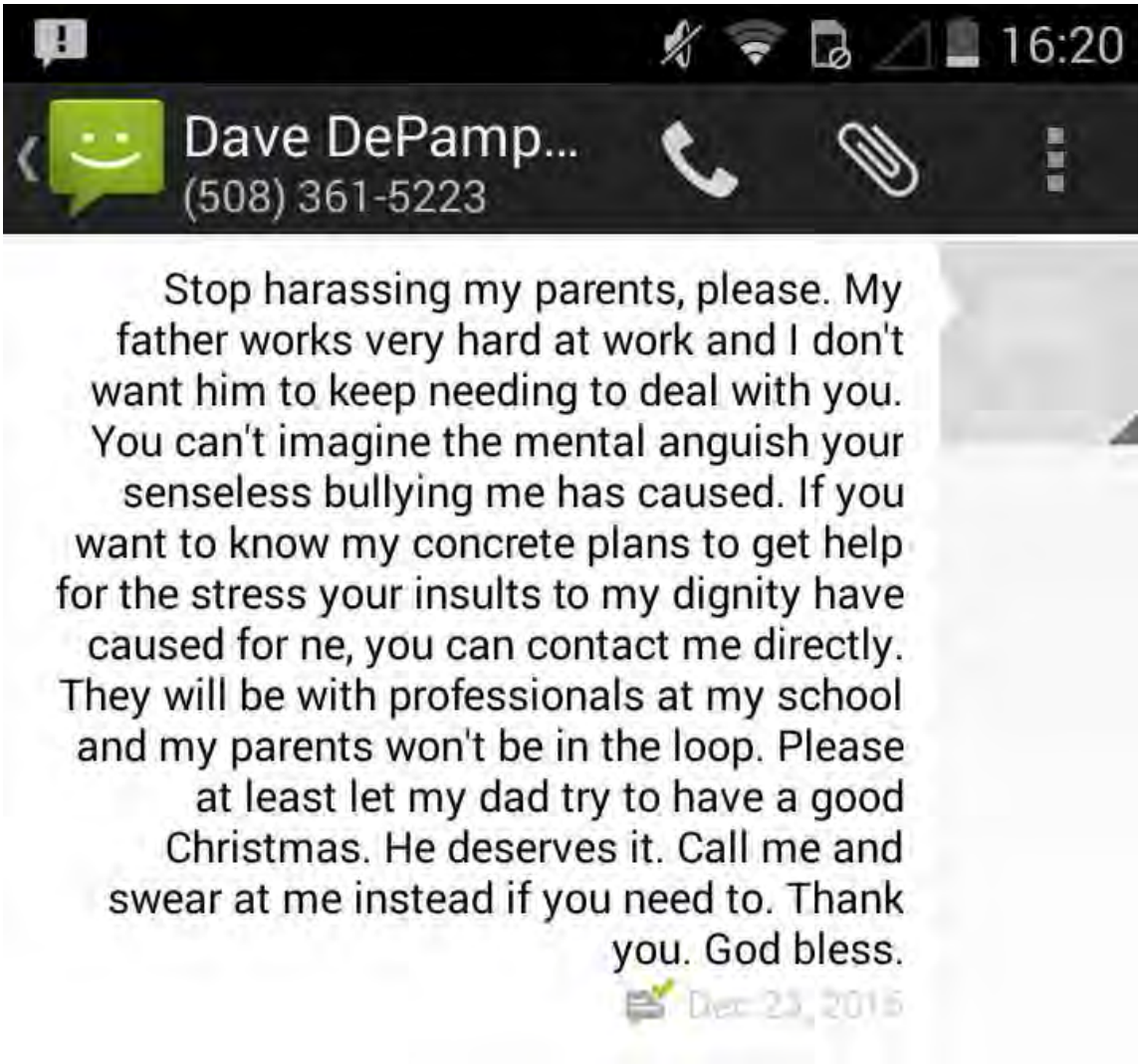


EXHIBIT B

Simon R. Brown, Esq.
Preti, Flaherty, Beliveau & Pachios, LLP
PO Box 1318
Concord, NH 03302-1318

December 10th, 2018

Paul Maravelias
34 Mockingbird Hill Rd
Windham, NH 03087

VIA E-MAIL AND FIRST-CLASS MAIL

RE: New Hampshire Rules of Professional Conduct vis-à-vis Representation in Christina DePamphilis v. Paul Maravelias, etc.

Dear Attorney Brown:

I write to remind you of certain New Hampshire Rules of Professional Conduct incumbent upon you as a practicing attorney admitted to the New Hampshire Bar. At this point in time, it is my intention solely to offer you a good-faith reminder of these rules and respectfully demand your future compliance therewith.

I reference the following rules:

Rule 3.1. Meritorious Claims and Contentions
A lawyer shall not bring or defend a proceeding, or assert or controvert an issue therein, unless there is a basis in law and fact for doing so that is not frivolous, which includes a good faith argument for an extension, modification or reversal of existing law. …

Rule 3.3. Candor Toward the Tribunal
(a) A lawyer shall not knowingly:
(1) make a false statement of fact or law to a tribunal or fail to correct a false statement of material fact or law previously made to the tribunal by the lawyer;
(2) fail to disclose to the tribunal legal authority in the controlling jurisdiction known to the lawyer to be directly adverse to the position of the client and not disclosed by opposing counsel; or
(3) offer evidence that the lawyer knows to be false. If a lawyer, the lawyer's client, or a witness called by the lawyer, has offered material evidence and comes to know if its falsity, the lawyer shall take reasonable remedial measures, including, if necessary, disclosure to the tribunal. A lawyer may

refuse to offer evidence, other than the testimony of a defendant in a criminal matter, that the lawyer reasonably believes is false.

Rule 3.4. Fairness to Opposing Party and Counsel

A lawyer shall not:

(a) unlawfully obstruct another party's access to evidence or unlawfully alter, destroy or conceal a document or other material having potential evidentiary value. A lawyer shall not counsel or assist another person to do any such act;

(b) falsify evidence, counsel or assist a witness to testify falsely, or offer an inducement to a witness that is prohibited by law;

(c) knowingly disobey an obligation under the rules of a tribunal except for an open refusal based on an assertion that no valid obligation exists; …

(e) in trial, allude to any matter that the lawyer does not reasonably believe is relevant or that will not be supported by admissible evidence, assert personal knowledge of facts in issue except when testifying as a witness, or state a personal opinion as to the justness of a cause, the credibility of a witness, the culpability of a civil litigant or the guilt or innocence of an accused;

Rule 4.1. Truthfulness in Statements to Others

In the course of representing a client a lawyer shall not knowingly:

(a) make a false statement of material fact or law to a third person; or

(b) fail to disclose a material fact to a third person when disclosure is necessary to avoid assisting a criminal or fraudulent act by a client, unless disclosure is prohibited by Rule 1.6.

2004 ABA Model Rule Comment
RULE 4.1 TRUTHFULNESS IN STATEMENTS TO OTHERS

Misrepresentation

[1] A lawyer is required to be truthful when dealing with others on a client's behalf, but generally has no affirmative duty to inform an opposing party of relevant facts. A misrepresentation can occur if the lawyer incorporates or affirms a statement of another person that the lawyer knows is false. Misrepresentations can also occur by partially true but misleading statements or omissions that are the equivalent of affirmative false statements. For dishonest conduct that does not amount to a false statement or for misrepresentations by a lawyer other than in the course of representing a client, see Rule 8.4.

Statements of Fact

[2] This Rule refers to statements of fact. Whether a particular statement should be regarded as one of fact can depend on the circumstances. Under generally accepted conventions in negotiation, certain types of statements ordinarily are not taken as statements of material fact. Estimates of price or value placed on the subject of a transaction and a party's intentions as to an acceptable settlement of a claim are ordinarily in this category, and so is the existence of an undisclosed principal except where nondisclosure of the principal would constitute fraud. Lawyers should be mindful of their obligations under applicable law to avoid criminal and tortuous misrepresentation.

Rule 8.4. Misconduct
It is professional misconduct for a lawyer to:

(a) violate or attempt to violate the Rules of Professional Conduct, knowingly assist or induce another to do so, or do so through the acts of another; …
(c) engage in conduct involving dishonesty, fraud, deceit or misrepresentation; … or
(f) knowingly assist a judge or judicial officer in conduct that is a violation of applicable rules of judicial conduct or other law.

With all due respect, some of your conduct in relation to these rules has been disturbing. Since you are an intelligent person, I need not enumerate every single instance of your conduct which would appear to violate these rules. Rather, I shall illuminate a few salient examples and entrust the identification of similar acts to your imagination.

A. Groundless, Robotic Demands for Attorney's Fees in Response to Lawful, Necessary, and Legitimate Adversarial Conduct

The most recent manifestation of unprofessional conduct, doubtlessly the *sine qua non* of this letter, has been your predictable plea for punitive attorney's fees appended to nearly every response to any and all pleadings I might enter into any ongoing case. This behavior has been noted not only in the appellate cases, but also within the above-referenced Derry trial court case, wherein I am not even the movant, but the defendant. My pleadings are completely legitimate and necessitated by your client's bad-faith, falsification-fueled legal pursuit of me; accordingly, such requests are baseless. As I remember, the first instance of this behavior traces back to your April 2018 response to my necessary, legally meritorious, and indeed correct Motion to Dismiss and Vacate Stalking Order, on which the incompetent laughing-joke-of-a-court in Derry never ruled.

Most recently, you rehearsed such a petty prayer at the end of your objection to my Motion for Recusal and Reconsideration, likewise a necessary, valid motion containing high-quality argumentation, supported by a potpourri of uncontested facts, necessary to preserve fairness and integrity in these proceedings.

You are aware that such requests for attorney's fees are valid in response solely to frivolous conduct, not to weighty legal arguments necessary for the defense of my basic rights and property. Given the tyrannical acts of injustice the rogue Judge Coughlin will evidently do to me upon an unsupported accusation of "bad-faith" conduct, I interpret your routinely unsuccessful prayers for undue fees in this case as coercive threats against my financial property. I refuse to cower to such threats which have as their object that I should surrender my legal self-defense, allowing your client to traduce my good name and assault my constitutional rights without opposition.

Abetting the pursuit of false, vindictive "stalking" restraining order litigation against an innocent young man and then treating said defendant's attempts at legal self-defense as automatic "frivolous" behavior is gaslighting, not permissible attorney conduct. It is without any legitimate purpose and is a continuation of the familiar gaslighting tactics waged against me by your client. It differs from professional attorney conduct. In the latter, a lawyer focuses on contesting the legal arguments proposed in the opponent's pleadings. If you disagree with my reasoned legal arguments, I welcome you to challenge them in your responsive pleadings.

By authority of Professional Conduct Rule 3.1, **demand, thus, is made that you cease and desist** including such prayers for such relief in your pleadings, themselves frivolous, unless made in response to truly "frivolous" conduct (*e.g.*, conduct wherein the opposing party petitions the Court to grant relief for which there is no arguable basis in the law). In contrast to frivolous conduct, I exactingly cite the legal authorities by which I am entitled to the requested relief in all my pleadings entered in either Court.

B. Willful and/or Negligent Mischaracterizations of Fact

Repeating your client's testimony favorable to your position and falsely representing the record are distinct practices. Moreover, repeating assertions later proven by tangible evidence to have been complete falsehoods constitutes misconduct for two separate reasons: 1) because the underlying representation comes to be known by you to be false, and 2) because it abets in the continued commission of a crime (see RSA 641:1, 641:2, 641:3, and 173-B:3, IV.)

As a generic warning, Rules 3.3, 3.4, and 4.1 prohibit you from composing shockingly partisan, incomplete, and frequently outright-dishonest Statement of Facts sections, such as those found in both of your opposing briefs in the two appellate cases. Nearly every sentence you have

written in such sections presents a fact which I directly contradict somewhere in the record, though you persistently neglect to present the opposing testimony. You have even asserted unsupported facts within the questions-presented and argument headings of your briefs. Worse, at times, my contradictions have taken the form of incontrovertible physical evidence seen and understood by you. These examples would be the most likely to land you in hot water.

In general, I would refer you to the following excerpt from *A Guide to Appellate Advocacy in New Hampshire* (Lisa Wolford, Esq. & Stephanie Hausman, Esq., 2014):

> "It is not wise, however, to omit facts that are relevant but not helpful to your case, because your opponent will invariably expose the omission. Similarly, it will not help your case to mischaracterize or misstate the facts by presenting them in a manner that unfairly favors your case or unfairly disfavors your opponent's. To do so compromises your credibility before the Court."

I offer a few specific examples, starting with the lie about your client's female child feeling "scared" at a party at my house 5 years ago. Let us assume you believed the accusation from the 2016 stalking petition and had a reasonable good-faith belief that it was true. At the 5/3/18 Hearing, precisely at 1:25:48 in the recording (https://youtu.be/ErHhybEI_3w?t=5145), upon your initial seeing my casual photograph from that same party, you witnessed the laughable spectacle of how vastly contrary reality actually is compared to your client's delusional and/or perjurious representations thereof.

You made a smiling, laughing, tongue-in-cheek expression upon discovering yet another indication of your clients' rabid falsity, as if such revelations have become frequent sources of entertainment for you, doubtlessly similar to unseen reactions you must have had to the Turkey Trot video, to my parents' letters revealing the exculpatory content of my audio recording, to images of your client's female daughter's wild/licentious/intemperate behaviours, or to the June 2017 middle-fingers menagerie, *inter alia*. During cross, you attempted to twist my self-defensive exposition of your client's perjury somehow to your advantage by insinuating I was "secretly taking photos" of your then "12-year-old" client. But the record reflects I contradicted this, stating, "Without her knowledge? I had the camera right there. She can see that I'm take – snapping pictures around my [own summer family] party [at my house]." (T449)

Despite knowing of the falsity of the underlying accusation, and despite knowing that the photo was not "secret" or "surreptitious", you went ahead and called it just that on Page 9 of your opposing brief.

Similar characterizations repeating the now-documented perjury that I "approached" David's female child at the 2013 Turkey Trot, "made her scared", and "wanted to walk with her" are dangerous acts of misconduct for you, since you watched the video and observed the incontrovertible proof of your clients' extreme falsity, in that instance even ten-times more

severe than the 2013 party lie.[2] Repeating the audio-recording-documented falsehood that "Maravelias told her he would return when she was 18" on Page 10 of your brief, even when your client admitted that I did not say those "direct" words (T95), and when I testified multiple times to never saying this, is treading on thin ice.

At times, your false representations of fact wander into such territory of indefensible exaggeration or distance from even the words of your own client that you open yourself to civil defamation liability beyond the scope of the Professional Rules of Conduct. Examples include "recruited his sister" (Page 9), insinuating the heretofore-unseen delusion that there was "mediation" (Page 10) between my parents and your client in 2016 after your client's female child attended another party at my house, claiming-anew that there "had been no recent contact [prior to 12/12/16]" (Page 10, *see* T276), attributing to me, baselessly, the attachment of "social media posts" to a letter I did not write (Page 40), claiming that I "made or possessed recordings of [David's female child] without her knowledge since she was 12 years old" (*Id*.) (a reference to my sister taking a video on her cell-phone of an outdoor sporting event), etc.

This conduct does not reflect upon the integrity of your profession, nor the diligence expected by the Bar Association of all its practicing attorneys. The misrepresentation-conduct mentioned above is merely the tip of an iceberg that is doubtlessly violative of the rules I have cited.

You may in some cases retort, and it might possibly be, that honest human error caused prejudicial misrepresentations which you objectively would have known were false, such as inverting the temporal order of my 12/8/17 stalking petition against David DePamphilis and my 12/15/17 false, annulled arrest in the third paragraph of your 3/27/18 trial court pleading replying to my objection, or telling the court first that you heard about my recording motion "five minutes ago" (T6:9, in Maravelias v. DePamphilis), at "8:01am" that day (T12:9), then shortly thereafter admitting that you were given telephonic notice the prior day (T12:11), where the timeliness of notice was a material issue. Instances like these might actually concern honest human errors on your part, although, combined with the larger portion of misrepresentation conduct which is doubtlessly negligent and reckless, they are not helpful for you.

C. Unhinged Inventions of Baseless Calumnies Not Even Alleged by Your Client

As far as I can remember, your client's female child has never been my "family or household member", nor my "current or former sexual or intimate partner" (thank God). I do not

[2] You even claimed the video "depicted only the face of Maravelias's sister" (Page 10), when the Supreme Court was given the video and can see for themselves that both the face of your client's female child and myself appear in the video.

recall anyone ever accusing me of "abuse" or bringing an RSA 173-B Domestic Violence restraining order petition against me.

Despite this, you have persisted in libelous, patently unreasonable conduct, quoting RSA 173-B:5, I. on Page 41 of your opposing brief in a deceptive attempt to fool the Supreme Court into equating putative acts of my third-party speech exposing your client's female child's documented criminal, harassing, and bullying behavior against me with "abuse" of her. This cowardly absurdism violates Professional Conduct Rules 3.1 and 3.3, and likely others. Your misconduct is willful and reckless, as you had already libelously accused me of "abuse" in your 7/2/18 *Motion to Criminalize Paul Maravelias Possessing a Computer Screenshot of My Client Middle Fingering Him with Her 21 Year Old Boyfriend After She Lied About Having 'Fear' and Got a False Stalking Order Against Him*, and I had already corrected your, at best, groundless legal error in my 7/5/18 objection (A164) by the time you renewed this libel months later on 11/21/18.

Even the "abuse" antics and the estopped, self-contradicting "obsession" sophistries do not, of course, exceed in severity of misconduct the good old "likely sexual assaulter" dirt from last year – an accusation likewise alleged nowhere in the record even by your expert slanderer client, nor by his female child. I will not forget Mr. Samdperil's outraged reaction to this pathetic vituperation of yours against my august personal dignity. Indeed, two years have not elapsed since this shameful act of unsupported misrepresentation somehow found its way into a legal document bearing your signature, and, thus, bearing your entire professional reputation, itself in-the-works for longer than I have been alive.

When are you not straining compliance with these rules, it is a true pleasure to litigate with you. I am a great admirer of your courtroom personality. I have reciprocated your (outside-of-legal-content) interpersonal gentility far more than your hurtful slander would warrant. I imagine you have been increasingly frustrated throughout the course of representing David DePamphilis and his female child in his legal pursuit of me. In fairness, your noticeable frustration is quite understandable, given their subsequent reckless behaviors and now-documented falsity, of which you could have had little knowledge in Spring 2017. I sympathize that they have made your job quite difficult. I encourage you, however, not to permit this understandable, noticeable frustration of yours negatively affect the professionalism of your conduct.

Kind regards,
Paul J. Maravelias

THE STATE OF NEW HAMPSHIRE

ROCKINGHAM, SS 10TH CIRCUIT – DISTRICT DIVISION – DERRY

Docket No. 473-2016-CV-00124

Christina DePamphilis

v.

Paul Maravelias

FIRST-AMENDED MEMORANDUM OF LAW IN SUPPORT OF DEFENDANT'S OBJECTION TO PETITIONER'S MOTION TO EXTEND DURATION OF STALKING FINAL ORDER OF PROTECTION

COMES NOW Defendant/Respondent Paul Maravelias and respectfully submits the within *First-Amended Memorandum of Law in Support of Defendant's Objection to Petitioner's Motion to Extend Duration of Stalking Final Order of Protection*. In support thereof, Defendant Maravelias asserts the following:

1. On 1/24/2019, the DePamphilis family, by way of Christina DePamphilis ("Petitioner") and their attorney, motioned this Court to extend the restraining order to 2024. The same day, this Court granted a preliminary extension. A Hearing will soon be held thereon.

2. Maravelias here repeats and incorporates by reference the points of fact and law pled in his 1/15/19 *Preliminary Objection to Petitioner's Motion to Extend* which necessitate dismissal also of Plaintiff's resubmitted 1/24/19 Motion to Extend.

3. This Court must dismiss Plaintiff's Motion to Extend and vacate the Order for the following further reasons.[1] First, Petitioner's Motion to Extend should be dismissed for failure to state an actionable legal claim under the statute. Second, this Court has lost personal jurisdiction over Maravelias since the 2018 Hearing was conducted after 30-days post-extension, in violation of the statute. Third, this Court must dismiss regardless because of the reasons stipulated in Maravelias's ignored 3/29/18 Motion to Dismiss (namely, the original stalking order is based off a false accusation which did not appear in the petition). Fourth, this Court must dismiss regardless because it again violated due-process by granting the 2018 extension based off ridiculous privacy-violating photographs of Maravelias's bedroom which were not advanced-noticed neither in the extension motion nor at the first day of trial, but rather illegally surprised-introduced at the 6/8/18 Hearing almost half-a-year post-extension-motion. Fifth, this Court must dismiss anyways because RSA 633:3-a, III-c. is facially unconstitutional for overbreadth and vagueness.

I. Petitioner's Motion to Extend Should Be Dismissed for Failure to State an Actionable Legal Claim Under the Statute

4. RSA 633:3-a, III-c. states in relevant part,

> "Any order under this section shall be for a fixed period of time not to exceed one year, but may be extended by order of the court upon a motion by the Petitioner, showing good cause, with notice to the defendant, for one year after the expiration of the first order and thereafter each extension may be for up to 5 years, upon the request of the Petitioner and at the discretion of the court. The court shall review the order, and each renewal thereof and shall grant such relief as may be necessary to provide for the safety and well-being of the Petitioner. A defendant shall have the right to a hearing on the extension of any order under this paragraph to be held within 30 days of the extension. The court shall state in writing, at the respondent's request, its reason or reasons for granting the extension."

5. To warrant even preliminary extension, the Petitioner must allege that there is at least some vague continuance of the "course of conduct" sustaining the original Order, which would

[1] Maravelias herein partially reproduces content from his other/past legal pleadings, where appropriate.

continue to jeopardize her safety. In other words, extensions of stalking orders cannot be usurped as a method to punish non-violent, non-threatening, constitutionally protected speech-acts which the Petitioner might find frustrating, but which are disconnected from any "stalking" that would cause a reasonable person to fear for their physical safety.

6. The Petitioner's Motion alleges all sorts of circumlocutive, defamatory drivel against Maravelias which Maravelias disputes in the attached objection on the merits. As a matter of law, however, none of these accusations amount to what is necessary to sustain a finding of "good cause" to extend the order. If there were some evidence underlying DePamphilis's incomplete half-accusation that Maravelias "followed" her on 10/23/18, then perhaps there would be good cause. But here, there is neither. The Petitioner presented a specious accusation with zero corroborating proof, and even admits the police took accordingly no action.

7. Allowing a Petitioner to extend the restriction of another citizen's constitutional rights because of an unverified, specious accusations not even completely made (*i.e.*, she does not overtly claim Maravelias "followed" her to "Salisbury beach" in the summer, but dramatically equivocates with passive-voice fearmongering, saying only "she was followed", insinuating but not saying it was Maravelias who followed) cannot be the dispensation of any rational, law-abiding court.

8. Likewise, Petitioner's complaints of a "hate obsession" are legally insufficient, even if true, to sustain extension of the stalking order. Firstly, DePamphilis is estopped from making this argument since her 2018 Motion did not assert it, because it is based on zero viable acts which haven't already been adjudicated (*i.e.*, acts after the 6/8/18 Hearing), and because her own attorney claimed Maravelias had a "previous obsession" in an April 2018 filing. Accordingly, the

doctrines of judicial estoppel, collateral estoppel, and *res judicata* bar any claims pertaining to an "obsession" as grounds to extend the order.

9. Secondly, even if Maravelias did, in fact, have a "hate obsession" towards the woman who has abusively fabricated false accusations against him to obtain a frivolous stalking order she has subsequently intently baited him to violate, neither could this possibly authorize extension. Where Paul Maravelias is an honorable falsely accused citizen with no history of actual or threatened violence, and thus where any "hate obsession" is not likely to precede any criminal acts, his mere putative mental/emotive state (whether having a "hate obsession", or not) is insufficient to warrant the extension of a liberty-incapacitating stalking order. Put simply, Maravelias would have every legal right to have what could be dramatized as a "hate obsession" inside his brain towards his proven-liar false accuser – even though he has no such "obsession" – and not continue to suffer deprivation of his liberty as a result of his freedom of thought to experience certain understandable emotions.

10. The Petitioner's newfound claim in her 1/24/2019 Motion that Maravelias "violated the extension order" is without merit and does not enable this Court to find good cause for the extension. She complains that Maravelias allegedly "violated" the order not because of any actual stalking (*e.g.*, unwanted contact, following, criminal threats, etc.)[2], but because he attached a photographic exhibit he stumbled upon in his records which proved how much of a boldfaced liar she was regarding a particular aspect of her original stalking petition (to wit, the

[2] The fact that Christina DePamphilis accuses Maravelias of violating the order because he submitted a legal document to the Supreme Court during routine litigation, and not instead because he allegedly *followed her to "cheer practice" on 10/23/18,* is proof that Christina DePamphilis's specious accusation about the 10/23/18 "following" was a knowingly false perjury. If she truly believed that Maravelias "followed" her, this clearly would be have been a more persuasive basis on which to allege he "violated the order", rather than whining about Maravelias having exercised his free speech rights to engage in the adversarial process to attached certain exhibits to a court document she found distasteful, because said exhibits prove she is a total liar. This Court must not continue tolerating such a brazen, uncorrected liar.

6/18/15 alleged incident). A Stalking Order cannot possibly forbid Paul Maravelias from defending himself with social media images made public by the Petitioner and incidentally encountered years-later for his legal self-defense; any interpretation of this Court's tyrannical Order otherwise is disparaging to the highest laws of the land and thereby invalidated, among them Part I, Article 22 of the state constitution and the First Amendment to the federal constitution.

11. This Court is invited to examine MacPherson v. Weiner, 158 N.H. 6, 10 (2008). To determine whether good cause exists, the trial court must assess whether the current conditions are such that there is still concern for the safety and well-being of the Petitioner. *Id*. To do so, the trial court should review the circumstances of the original stalking petition and any violation of the order and consider any present and reasonable fear by the Petitioner. *Id*. Where the trial court determines that the circumstances are such that, without a protective order, the Petitioner's safety and well-being would be in jeopardy, "good cause" warrants an extension. *Id*.

12. Here, there has been no violation of the order, and the circumstances of the original order – irrefutably, a transitory romantic attraction by Maravelias to DePamphilis – are completely non-existent today, with Maravelias having testified almost a year ago how repulsed he is by Christina DePamphilis and, as Judge Coughlin rightly put it, that Maravelias "wants nothing to do" with her and will "leave her alone" once he is left-alone: that is, once this pernicious and unfair stalking order expires, and is not further extended to appease the DePamphilis's crusade of defamatory legal abuse against innocent Maravelias.

II. This Court Shall Not Extend the Order Because It Has Lost Personal Jurisdiction Over Maravelias By Violating the Statute's 30-Days Post-Extension Hearing Requirement

13. For the first extension, the Court granted Petitioner's 1/5/18 Motion to Extend on 1/12/18, but did not schedule a Hearing until 2/15/18, 34 days after the extension.

14. Maravelias did not waive this issue on 2/15/18 since he was compelled to continue with the Maravelias v. DePamphilis case that day in place of the extension Hearing in this case, due to the imposing demands of Attorney Brown in a disorienting courtroom dialog between him and Judge Coughlin where Maravelias was not given a full opportunity to be heard. Further, Maravelias raised this issue in his 6/25/18 *Motion for Reconsideration*, which Judge Coughlin denied in one word, even though he was required by the case law to make specific findings indicating the Court's reasoning for the denial, as Maravelias raised this new issue in said Motion. *See* Ross v. Ross, 172 A.3d 1069 (2017); Mortgage Specialists v. Davey, 153 N.H. (2006)

15. Given the trial court's illegal abrogation of Maravelias's due-process "right" "to a hearing on the extension of any order under this paragraph to be held within 30 days of the extension" as mandated by RSA 633:3-a, III-c.., the subsequent stalking order extension is invalid, and therefore, another extension cannot be granted. The Supreme Court was abundantly clear in McCarthy v. Wheeler, 152 N.H. 643 (2005) that dismissal of DV/Stalking petitions is the required remedy when trial courts fail to obey statutory time-limit requirements. Such requirements are compellingly necessary to provide defendants a baseline level of due-process fairness where their basic liberties are at stake.

16. The error prejudiced Maravelias every-which-way: 1) the stalking order continued restraining his constitutional rights without due-process, 2) the resultant moratorium granted DePamphilis enough time to obsessively collect her pictures of Maravelias's private bedroom, illegally-relied-upon as advance-noticed nowhere in her 1/5/18 extension motion, entered only at

the 6/8/18 Hearing almost half-a-year-thereafter (*See infra*), and 3) the DePamphilis actors were enabled to usurp improperly the Maravelias v. DePamphilis hearing as an anti-Maravelias slander-free-for-all regarding *this* case, biasing Judge Coughlin by the time he first heard this matter.

17. "Where the legislature, out of liberty interest concerns, has mandated time limits for holding hearings, we have held that personal jurisdiction over a defendant is lost, absent waiver, if the case is not heard within the statutory period." *Id*., quoting Appeal of Martino, 138 N.H. 612 (1994). The stalking statute is functionally identical to the domestic violence statute in stipulating the court "shall" obey the time-limit. "Since these hearings are designed to protect a defendant's substantive rights, the court's failure to hold them must result in dismissal of the domestic violence petition." McCarthy, *ibid*. Accordingly, this Court dismiss Petitioner's Motion for stalking order extension since the first extension was unlawful, and the Court has lost personal jurisdiction over Maravelias.

III. This Court Must Dismiss This Case Because the Original Stalking Order is Grounded Upon a Material Allegation Which Did Not Appear in The Petition

18. After two years since the original order, this issue has still never been adequately adjudicated.

19. The Court's finding of stalking in the original 2/7/16 Order relied upon a birthday incident wherein the Defendant allegedly made two discomforting comments to Petitioner during a romantic proposal: to wit, mentioning her "age of consent" and saying he would "be back when she is 18" (*Stephen, Robert* in 473-2016-CV-00124 Final Order).

20. These accusations, which the Defendant alleges are false to begin with, appeared nowhere in Petitioner's 12/28/16 Stalking Petition. They were only entered circumventively by Petitioner later in a 1/5/17 Hearing on her Stalking Petition.

21. New Hampshire Supreme Court mandated in South v. McCabe, 943 A.2d 779 (2008) that findings of stalking be limited to only those facts alleged before the hearing within the written petition, extending an identical existing rule for DV protection orders (*See* In the Matter of Aldrich & Gauthier, 930 A.2d 393 (2007)) to stalking orders. In both cases, the appellate court vacated a protective order which violated these rules in the same way the Petitioner's Stalking Order does in this case. In South, the Supreme Court held:

> "We agree with the respondent that the holding of Aldrich & Gauthier is applicable to civil stalking proceedings by operation of RSA 633:3-a, III-a … Thus, on remand, the trial court should limit its findings to the factual allegations specifically recited in the stalking petition, despite its admission of other unnoticed allegations at the hearing on the petition."

22. In this case, the two aforecited alleged comments made by Defendant were specifically relied upon in Justice Stephen's finding of a stalking course of conduct. The entire Stalking Order in this case is therefore predicated on a trial court's finding of stalking made in clear violation of established rules. Accordingly, the Order has been erroneous *ab initio*, even absent any falsification of fact as Defendant claims.

23. Since this error has deprived the Defendant of his due process right to be notified of the accusations against him before the Hearing, the Stalking Order is an artifact of judicial error. **Granting an extension on an order subsequently shown to have been granted erroneously or illegally would necessarily reassert the same error**.

24. RSA 633:3-a III-c. permits extension of such orders "as may be necessary to provide for the safety and well-being of the Petitioner". This legal standard for Stalking Order extension differs from granting one initially as described in RSA 633:3-a I.; therefore, subjecting Defendant to a different legal standard for Stalking Order extension predicated upon an erroneous original finding of stalking would yet again violate due process rights and uphold a plain legal error. Thus, if the Petitioner still wishes to accuse that there is cause to "fear" for her

physical safety, the Maravelias deserves a fair, law-abiding trial on the original merits of a new stalking petition. The Court may hear a new petition from the Petitioner, but the Court cannot lawfully grant an extension on an order issued in clear violation of pertinent law as interpreted in effectual Supreme Court rulings on stalking and domestic violence injunctions.

25. The Court did not rule upon Plaintiff's 3/29/18 Motion to Dismiss nor addressed its arguments anywhere. However, insofar as it indirectly denied it by granting the 2018 extension, the Court has the authority to revisit an earlier ruling on a motion to dismiss if it becomes aware that the ruling may be incorrect. *See* Route 12 Books Video v. Town of Troy, 149 N.H. 569, 575 (2003).

IV. This Court Must Dismiss Because It Violated Maravelias's Due Process Rights by Granting the First Extension Based Off Surprise Photographs Which Petitioner Never Advance-Noticed in Her First Motion to Extend, but Instead Used to Surprise-Ambush Maravelias At the Trial's Final Day

26. The Court erred by relying upon Petitioner's unnoticed surprise-photographs with which she ambushed Maravelias on the hearing's last-day to advance an unnoticed allegation of "obsession", in violation of RSA 173-B:3, I., applicable to stalking cases. Both that allegation and the Maravelias-privacy-assaulting bedroom-photographs themselves were noticed nowhere in Plaintiff's extension motion.

27. Basic due-process requires that a Defendant be given advance notice of the accusations and materials that will be used against him to adequately prepare a rebuttal case (a right even specifically acknowledged by the statute, in DV/Stalking hearings). Since the Court granted the 2018 extension on the basis of these two photographic exhibits which were introduced almost half-a-year after the 1/5/18 Motion to Extend at the Hearing's final day (6/8/18), Maravelias's rights were undeniably violated. Accordingly, this Court must not grant a further extension predicated upon a wrongful extension.

V. This Court Must Dismiss Because RSA 633:3-A, III-C. Is Facially Unconstitutional for Overbreadth and Vagueness

The "Safety and Well-Being" Language of 633:3-a, III-c. is Overbroad

28. RSA 633:3-a provides at III-c.,

> "Any order … may be extended by order of the court upon a motion by the plaintiff, showing good cause, with notice to the defendant, for one year after the expiration of the first order and thereafter each extension may be for up to 5 years, upon the request of the plaintiff and at the discretion of the court. The court shall review the order, and each renewal thereof and shall grant such relief as may be necessary to provide for the safety and well-being of the plaintiff. …"

29. Here, the statute can be reasonably interpreted to permit extension upon a showing of "good-cause" that a plaintiff's "well-being" primarily would be jeopardized without extending the protective order, even if concern for "safety" is minimal. Any other reading is impossibly tautological, as a threat to an individual's "safety" is also a threat to their "well-being". The legislature could have omitted the word "well-being", but intentionally appended it after "safety".

30. Neither RSA 633:3-a nor RSA 173-B define the term "well-being"; thus, dictionary reference is appropriate. *See* Doyle v. Comm'r, N.H. Dep't. of Resources & Economic Dev., 163 N.H. 215,221 (2012). This Court ought to ascribe "the plain and ordinary meaning to regulatory text". Kenison v. Dubois, 152 N.H. 448,451,879 A.2d 1161 (2005). The Oxford English Dictionary defines "well-being" as "the state of being comfortable, healthy or happy."[3]

31. The state concerns the "fundamental right" of free speech, granting Maravelias standing to propound a facial overbreadth challenge. *See* MacElman at 307.

32. Insofar as a New Hampshire court is allowed to find a defendant's specifics acts of protected speech have jeopardized the comfort, health, or happiness ("well-being") or "safety" of

[3] https://en.oxforddictionaries.com/definition/us/well-being

a plaintiff and therefore grants the extension, the statute is unconstitutionally overbroad on its face in violation of the First and Fourteenth Amendments to the federal constitution and Part I, Article 22 of the state constitution.

The Statute Regulates and Burdens Protected Speech

33. By operation of the "safety and well-being" language of 633:3-a, III-c., a trial court may extend a stalking order on the basis of protected non-violent, non-threatening speech. Since civil stalking orders criminalize possession of firearms and prohibit defendants from communicating directly or indirectly to plaintiffs, the statute restricts constitutional rights. Further, the stalking statute "implicates the fundamental right to freedom of movement". State v. Porelle, 149 N.H. 420 (2003). "It hardly bears mentioning that a restraining order restrains one's liberty ... from a number of legal activities." McCarthy v. Wheeler, 152 N.H. 643,645 (2005). In Maravelias's case, the extended stalking order criminalizes appearing at his own and his sister's high school, as well as his legitimate automobile passage through one of only two roads connecting his Windham neighborhood to the outer world. Though not a criminal prohibition, the stalking statute undeniably burdened the exercise of Maravelias's lawful speech through a civil restraining order extension resultant of his lawful speech, as it does in general for all such defendants.

34. The ambit of the federal First Amendment surpasses categorical prohibitions and extends to such "statutes attempting to restrict or burden the exercise of First Amendment rights." Broadrick v. Oklahoma, 413 U.S. 601 (1973). *Cf*. State v. Brobst, 151 N.H. A.2d 1253 (2004) at 422-425, applying the same under the state constitution. In New Hampshire, "a statute is void for overbreadth if it attempts to control conduct by means which invade areas of protected freedom." MacElman at 310. In the context of lawful-speech-related stalking order extension,

633:3-a, III-c. burdens the exercise of protected freedoms. *Cf*. Simon & Schuster, Inc. v. Members of N.Y. State Crime Victims Bd., 502 U.S. 105 (1991), invalidating a law which imposed merely a "financial disincentive" to certain speech, let alone a stalking order as incapacitating as the one against Maravelias.

35. Since constitutionally protected, non-threatening speech to third-parties permits extension under the statute, the statute is overbroad. Specifically, the language of the statute is unconstitutionally overbroad because it is not narrowly tailored to serve the government's interest in effecting the cessation of stalking, discussed *infra*.

The Statute Triggers Strict Scrutiny

36. "The amount of burden on speech needed to trigger First Amendment scrutiny as a threshold matter is minimal." American Legion Post 7 of Durham, N.C. v. City of Durham, 239 F.3d 601,607 (4th Cir. 2001). Here, Maravelias's constitutional rights are manifoldly restricted because of lawful speech. Every application of the statute, or at least a substantial number of applications, is likely to produce a similar circumstance, where a Petitioner motions for extension of a Stalking Order which has not been violated. This statutory scheme far-exceeds the threshold of triggering constitutional scrutiny. As the statute implicates "fundamental rights", intermediate scrutiny in-the-least applies. Further, strict scrutiny is the only valid form review here, since RSA 633:3-a, III-c. is content-based, discriminatory against a disfavored group, and not viewpoint-neutral.

The Regulation is Content-Based

37. "The First Amendment requires heightened scrutiny whenever the government creates 'a regulation of speech because of disagreement with the message it conveys.'" Sorrell v. IMS Health Inc., 131 S. Ct. 2664 (2011). "The First Amendment stands against attempts to

disfavor certain subjects or viewpoints or to distinguish among different speakers, which may be a means to control content." Citizens United v. Fed. Election Comm'n, 130 S. Ct. 882,883 (2010).

38. It is undeniable that the statute invites courts to evaluate whether a defendant's public or third-party speech-acts undermine a plaintiff's "happiness" or "comfort" ("well-being"), and is therefore content-based. For example, in the instant, if Maravelias had responded to Attorney Brown on 11/2/17 saying, "in parting ways, I respect David's daughter", doubtlessly the response would not have been used against Maravelias. Likewise, if Maravelias's 12/10/17 email to Mrs. Smith had been a generic salutation email mentioning, "I have some legal problems with Ms. DePamphilis, but she's still a great person", then the ridiculous accusation of "following-up" on a "threat" within WPD's baseless charge could not have existed; the protected speech-acts to third parties would be irrelevant to extension.

39. Therefore, the regulation is content-based, triggering strict scrutiny.

The Regulation Isolates Disfavored Speakers and is Not Viewpoint-Neutral

40. The regulation's lack of content-neutrality closely resembles its lack of viewpoint-neutrality. Again, the instant restraining order case is illustrative. Christina DePamphilis's obscene, incitative (unprotected[4]) middle-finger post *directed to Maravelias* entitled Maravelias to no recourse under the statute, the same statute permitted Maravelias's *non-incitative-nor-obscene* (protected) speech in public or to third-parties to motivate stalking order extension. Moreover, the statute's viewpoint-discrimination afflicts a certain group (stalking order defendants) doubtlessly "disfavored" by society. *See* Citizens United, *ibid*., applying strict-scrutiny review to laws that "disfavors specific speakers". *See also* Turner Broadcasting System,

[4] *Cf*. O'Brien v. Borowski, 461 Mass. 415 (2012). "Raising the middle finger may constitute fighting words or a true threat." *Id* at 429.

Inc. v. FCC, 512 U.S. 622,658,114 S.Ct. 2445, 129 L.Ed.2d 497 (1994). "Speaker-based laws demand strict scrutiny when they reflect the Government's ... aversion to what the disfavored speakers have to say". *Id*.

41. Because the "State Constitution provides at least as much protection as the Federal Constitution", strict-scrutiny-review is appropriate under both corpora of law. State v. Allard, 148 N.H. 702 A.2d 506,510 (2002).

The Statute Fails Even Intermediate Scrutiny

42. Even content-neutral regulations subject to intermediate scrutiny must be "narrowly tailored to serve a significant governmental interest, and ... leave open ample alternative channels for communication of the information". Doe v. Harris, 772 F.3d 563 (2014), citing Ward v. Rock Against Racism, 491 U.S. 791 (1989). A statute fails intermediate scrutiny if burdening "substantially more speech than is necessary to further the government's legitimate interests". Ward at 799. Applying strict scrutiny, the governmental interest advanced must be not only "significant", but "compelling".

Tailoring Analysis

43. Where the statute's standard for stalking order extension atrociously exceeds the government's presumed interest in the "cessation of stalking" (*See* RSA 633:3-a, III-a.), it is overinclusively not-narrowly-tailored. Although arguably intending to regulate unprotected (*e.g.*, threatening) speech, "the overbreadth doctrine prohibits the Government from banning unprotected speech if a substantial amount of protected speech is prohibited or chilled in the process." Ashcroft at 237. *See also* Doyle at 221, invalidating laws as facially overbroad under Part I, Article 22 of the State Constitution where "a substantial number of its applications are unconstitutional, judged in relation to the [law's] plainly legitimate sweep".

44. RSA 633:3-a, III-c. permits trial courts to extend any stalking order where a plaintiff testifies she'd feel "uncomfortable" or "unhappy" otherwise, since this alone shows by "good-cause" that an extension would "provide for" her "state of being comfortable, happy, or healthy" (the definition of "well-being", *supra*). The language renders the facts of the case – a defendant's history of stalking, the level of expected unlawful future behavior, etc. – completely irrelevant where a plaintiff's mere "comfort" or "happiness" is served by granting extension.

45. The draconian statute disowns any realistic model of human psychology or sociology, in which one person's lawful third-party-or-public expressions might incidentally distress an individual holding different views – even though the suppression of *minor annoyance alone* triggers the dictionary definition of serving "well-being". Negative social experiences disfavor well-being. Rook, K.S. (1984)[5] Seeing the word "no" alone triggers unhealthy, uncomfortable, and unhappy neurotransmitters and hormones.[6]

46. The statute burdens a woefully latitudinous fetch of protected speech far beyond that necessary to promote "a cessation of stalking". A potential rebuttal pits the controlling context of "safety" and the generic context of the statute against "well-being" as altogether constituting a legal standard for extension higher than prevention of minor annoyance. But, such an interpretation is tautologically illogical, since the legislature added the word "well-being" and, thus, intently did not stop at "safety". Regardless, such a reading would separately demonstrate the statute's unacceptable vagueness, discussed *infra*.

47. Separately, reasonable alternatives to the "safety and well-being" language which would equally advance the counter-stalking governmental-interest evince the statute's lack of

[5] http://psycnet.apa.org/record/1984-25835-001
[6] Newberg and Waldman, 2012 (https://www.psychologytoday.com/us/blog/words-can-change-your-brain/201208/the-most-dangerous-word-in-the-world)

narrow-tailoring. *See* Rutan v. Republican Party, 497 U.S. 62,74 (1990). The statute could alternatively permit stalking order extension upon a good-cause-showing such would provide for a plaintiff's "safety" only, or, better-yet, "as is necessary to bring about a cessation of" (or simply "prevent") "stalking", to mirror the language in subsection III-a. No possible circumstance currently allowing extension would fail this more-narrowly-tailored test wherein the governmental-interest involved is truly one of *counter-stalking,* rather than of *silencing annoying speech* and effectively criminalizing a defendant's self-defensive speech itself caused by the stalking order, as in Maravelias's case. Such a narrowly-tailored alternative would not amount to the necessity of re-proving new acts of stalking or showing protective-order non-compliance to obtain extension, since the "good-cause" standard *already requires* that the trial court consider the underlying circumstantial provenance of the original stalking-order. *See* MacPherson v. Weiner, 158 N.H. 6,10 (2008).

48. Rather, RSA 633:3-a, III-c. surreptitiously supplants the original-stalking-order legal standard (III-a) with a patently absurd legal standard catering to "well-being" (III-c.), unrelated to the narrow counter-stalking governmental-interest, when extension is concerned. Naturally, therefore, the statute is also *underinclusively* not-narrowly-tailored. Statutes *failing* to restrict an amount of harmful-to-the-governmental-interest speech comparable to the amount restricted are not narrowly-tailored. *See* Showtime Entertainment, LLC v. Town of Mendon, 769 F.3d 61,73 (1st Cir. 2014); Florida Star v. B.J.F., 491 U.S. 524,540 (1989). Here, if "safety and well-being" actually is otherwise narrowly-tailored to serve the governmental-interest, then so should the initial-stalking-order-issuance legal standard of III-a adopt the lower good-cause-provision-for-"safety and well-being" standard, rather than the higher-burden, more-stringent standard

currently within subsection III-a positively requiring "stalking" and granting relief only as necessary "to bring about a cessation" thereof.

49. Instead, the illogical "safety and well-being" conundrum at III-c. radically discriminates between groups of potentially indifferentiable stalking order defendants. III-c. assaults the liberty-interests of extant defendants through a much-lower "well-being" legal standard, while III-a coddles the liberty-interests of new defendants, even though the liberty-restricting nature of the one-year injunction-at-hand remains identical both at III-a and III-c. Though civil, this villainously contravenes the precepts of double-jeopardy. In fact, III-c. permits further extensions "for up to 5 years", despite imposing a far lower legal standard than III-a!

50. In failing to be narrowly-tailored, the statute also discriminates against stalking *victims*. Why should the State expect legitimate stalking victims newly-seeking protective injunction to sustain a much higher burden than those already granted a stalking order – for the same one-year protection? If any difference in legal standard is appropriate between the two groups, equity requires the reverse. This concern is exacerbated by New Hampshire trial courts' "extending" stalking orders by III-c. – lawfully or unlawfully – months after their expiration. *See* Stewart v. Murdock, (2015-0448). The overbroad language at III-c. creates an inequitable advantage for prior-order-wielding plaintiffs and an indefensible disadvantage for prior-order-subject defendants.

The Governmental Interest Served is not "Compelling"

51. The underinclusiveness aforementioned casts doubt on whether the statute's "proffered interest is truly forwarded by the regulation, or is in fact substantial enough to warrant such regulation." Showtime Entertainment, LLC*, supra*. That is, if the "safety and well-being" standard were narrowly-tailored to the interest, the interest would be compelling enough to

warrant usage of the same legal standard for original-stalking-order-issuance at subsection III-a. This suggests the governmental-interest served is not "compelling", forming separate causal grounds for failure of strict-scrutiny.

52. Furthermore, wherever the "well-being" language could possibly remain narrowly-tailored to the governmental-interest, such interest could never be "significant", and the statute would fail intermediate scrutiny regardless. The presumed *counter-stalking* governmental-interest motivating RSA 633:3-a might be "significant", but the *obsequiously-catering-to-the-epicurean-"comfort"-and-"happiness"-of-a-plaintiff* interest (the only interest to which "well-being" is narrowly-tailored) surely is not.

Alternative Channels

53. Nor does the legal standard at III-c. appropriate any imaginable alternative manner a defendant may dare disagree with a plaintiff's stalking order within his public-or-third-party communications without suffering greater likelihood of stalking order extension, where the plaintiff's "comfort" should be disturbed by knowing the defendant's mere contrary opinion.

The "Safety and Well-Being" Language of 633:3-a, III-c. is Impermissibly Vague

54. "A statute can be impermissibly vague for either of two independent reasons. First, if it fails to provide people of ordinary intelligence a reasonable opportunity to understand what conduct it prohibits. Second, if it authorizes or even encourages arbitrary and discriminatory enforcement." Hill v. Colorado, 530 U.S. 703,732 (2000). Here, the language of RSA 633:3-a, III-c. is unintelligible and so loosely constrained that arbitrary, discriminatory enforcement thereof is inevitable. Not only is the term "well-being" too vague, but also the extent to which the preceding term "safety" narrows or qualifies "well-being".

55. This vagueness is substantially likely, if not guaranteed, to complicate every stalking order extension case brought before a New Hampshire trial court, regardless of the particular facts of such cases. The statute provides zero guidance on how trial court judges should interpret "well-being", or on what conduct beyond threatening speech or actual violence would permit extension not necessarily to serve a plaintiff's "safety", but rather their "well-being".

Semantic Vagueness

56. The instant case offers an instructive example of the statute's problematic vagueness. Paul Maravelias lacks the intelligence to discern which behaviors are reasonably expected to minimize chances of order extension. Whether he is simply to obey the order, avoiding/ignoring the Plaintiff as he has, or must somehow appease her psychological "well-being" by tacitly congratulating her felony-perjury-fueled legal abuse, is unclear.

57. For trial courts, the facial language of the statute creates even worse problems. One judge might think a "well-being" order ridiculous and far in-excess-of the legislative *counter-stalking* intent, calibrating his or her judgements to the statute's broad "safety" context, even applying *ejusdem generis* to constrain "well-being" thereby. However, another judge might reject this interpretation, "safety and well-being" not being a list, and adopt the plain meaning of the word "well-being" as this Court does on review.

Syntactic Vagueness

58. The statute is fraught with meaningful syntactic ambiguity between the co-possible constructions "shall grant such relief as may be necessary to provide for the (safety and well-being)" and "… relief as may be necessary to provide for the safety, and (relief as may be necessary to provide for the) well-being". The former interpretation begets tautology, the latter overbroad plaintiff-sycophancy. This tremendous interpretation-dependent leeway afforded trial

courts in applying subsection III-c. sponsors capricious, arbitrary extensions as perversely fact-amnestic as John Coughlin's against Maravelias in this case.

59. The comparable restraining order laws of no other US state discard the initial-issuance-standard for something pointlessly different for extension, as does New Hampshire's unconstitutionally defective statute. For example, the analogous Massachusetts statute for extension of Civil Harassment Orders ("stalking" orders do not exist), M.G.L. 258E §3(d), states in relevant part that "the court [may extend] the [harassment] order … as it deems necessary to protect the plaintiff from harassment." *Id*. It does not switch the legal standard to something different and overbroad when it concerns extension, requiring a "stalking course of conduct" for an original order but only vague "interest in well-being" for subsequent extensions, as with the defective New Hampshire statute. *Cf. also* 19-A M.R.S. 4007(2), the analogous Maine statute controlling extension of DV protective orders following civil adjudications of "abuse": "the court may extend an order, upon motion of the plaintiff, for such additional time as it determines necessary to protect the plaintiff … from abuse."

60. For the foregoing reason, this Court must deny Plaintiff's Motion to Extend and vacate the stalking order because the relevant controlling statute is unconstitutionally overbroad and void for vagueness on its face.

WHEREFORE, Respondent Paul Maravelias respectfully prays this Honorable Court:

I. Grant this Motion;

II. Deny Plaintiff's 1/24/2019 *Motion to Extend Duration of Stalking Final Order of Protection* and vacate the Stalking Order, ending this case;

III. Hold a Hearing on this matter; and

IV. Grant any further relief deemed just and proper.

Respectfully submitted,

PAUL J. MARAVELIAS,

in propria persona

January 28th, 2019

CERTIFICATE OF SERVICE

I, Paul Maravelias, certify that a copy of the within *First-Amended Memorandum of Law in Support of Defendant's Verified Objection to Plaintiff's Motion to Extend Duration of Stalking Final Order of Protection* was forwarded on this day through USPS Certified Mail to Simon R. Brown, Esq., counsel for the Petitioner, Christina DePamphilis, P.O. Box 1318, Concord, NH, 03302-1318.

January 28th, 2019