July 5th, 2018

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,

Enclosed herewith, please find Respondent's:

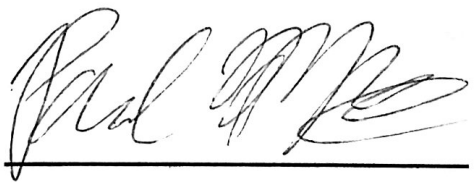
- *Reply to Petitioner's Objection to Respondent's Motion for Reconsideration,* and
- *Motion to Strike*

for filing in relation to Petitioner's 7/2/18 *Objection to Respondent's Motion for Reconsideration* in the above-referenced case.

Thank you for your attention to this matter.

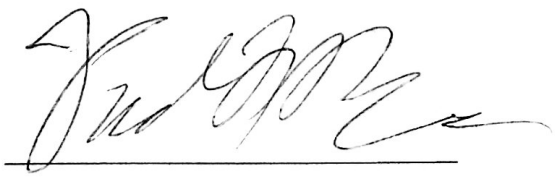
Sincerely,

Paul J. Maravelias



CC: Simon R. Brown, Esq.

I, Paul Maravelias, certify that a copy of the present *Reply to Petitioner's Objection to Respondent's Motion for Reconsideration* and *Motion to Strike* was forwarded on this day through USPS Certified Mail to Simon R. Brown, Esq., counsel for the Petitioner, P.O. Box 1318, Concord, NH, 03302-1318.



THE STATE OF NEW HAMPSHIRE

ROCKINGHAM, SS 10TH CIRCUIT – DISTRICT DIVISION – DERRY

Docket No. 473-2016-CV-00124

Christina DePamphilis

v.

Paul Maravelias

REPLY TO PETITIONER'S OBJECTION TO RESPONDENT'S MOTION FOR RECONSIDERATION

NOW COMES the Respondent, Paul Maravelias, and replies to Petitioner's *Objection to Respondent's Motion for Reconsideration* dated 7/2/18. The Respondent prefaces this reply with his apologetic regret for the Court regarding the volume of litigation paperwork in this case which it must review. However, this is the sole fault of the Petitioner and her ongoing bad-faith conduct of legal abuse and misrepresentation of crucial facts in filings, which necessitate correction for defense of Respondent's besieged rights. In support hereof, he represents as follows:

1. Petitioner's objection challenged two of Respondent's legal arguments within Heading I. of his Motion for Reconsideration. Assuming that Petitioner's objection to said arguments is sound, the Court should still grant Respondent's Motion for Reconsideration and vacate the Stalking Order, due to his other valid, uncontested legal arguments in Headings A, B, C, D, E, F, G, H, J, K, L, M, N, and O from the same Motion for Reconsideration.

2. Respondent's two arguments in Heading I. of his Motion for Reconsideration were nonetheless valid, and Petitioner commits various glaring errors while contesting them.

A. The Court's Order Limiting Respondent's Right to Videotape the Entirety of the Public Hearing Was Illegal, as Respondent's Motion for Reconsideration Accurately Argues

3. Paragraphs 10 through 14 of Petitioner's objection are unoriginally self-plagiarized straight from her identical 2/20/18 Motion opposing the video recording and contribute very little to the legal question at bar.

4. Paragraph 10 of Petitioner's objection filing does well to regurgitate the familiar verbal contrivances of obscurantist posturing regarding the "minority" of the Petitioner, the "infatuation" Respondent had had for her two whole years ago, and the fact that she had been a "high school sophomore" two years ago.

5. However, these extraneous details are relevant to a focused legal question on whether the Court violated a public recording right only in the Petitioner's delusional fantasyland.

6. Petitioner then asserts that videotaping the full Hearing, including her, would have "intimidated and victimized her".

(i) Christina DePamphilis Claims She Would Have Been "Intimidated and Victimized" to Have Been Recorded at Her Own Public Hearing Where She Chose to Accuse Paul Maravelias of Stalking

7. Petitioner fails to explain why the lawful, routine condition of being video recorded in a public building (something ubiquitously performed in everyday modern society, whether on municipal security cameras, shopping mall/storefront cameras, social usage of cell-phones, etc.) causes her to be "intimidated or victimized".

8. Maravelias accurately inferred for the Court during the Hearing that Christina DePamphilis's confusing sensitivities regarding his recording *her own accusatory Hearing* betokened

a manifest indication of bad-faith conduct: that she is a false-accuser, knows it, and is ashamed of her abuse of Mr. Maravelias – and wants to keep it as hidden from the public eye as possible.

9. However, the question of whether or not being recorded at someone's own public court hearing causes them to feel "intimidated and victimized" is still completely irrelevant. The legal error Maravelias's Motion for Reconsideration raised did not have anything to do with the Petitioner's feelings. It was a question of law and court rules, and the Petitioner's personal feelings sadly are not relevant. Thus, the remainder of Petitioner's objection is scrutinized for any actual legal arguments against the validity of Respondent's argument(s) concerning this question.

(ii) Christina DePamphilis Claims Maravelias Sharing the Recording of Her Own Court Hearing Against Him is "Harassment" of Her Family

10. The Petitioner then claims in Paragraph 12 that Maravelias posting a recording of the Hearing on the internet is "harassing" of "the DePamphilis family".

11. The Hearing in question is a court case in which Christina DePamphilis attempts to extend a Stalking Order, which Maravelias has long-maintained was begotten of her perjury in 2017.

12. The Hearing is already fully public, audio recorded, and open for attendance by any members of the general public. Her statement that sharing a recording of said Hearing is "harassment" therefore makes absolutely no sense. That is, unless if viewed in connection to her malicious bad-faith conduct of woeful legal abuse against Mr. Maravelias. Then it makes perfect sense.

13. Christina DePamphilis evidences her own obsessive, stalking-type behaviors against Mr. Maravelias in this section of her filing: she includes a footnote to Mr. Maravelias's private business software product online support forum, which requires user registration to participate. She links to Maravelias's post and falsely claims that he "boasted about posting the video to YouTube". The full text of Maravelias's referenced-by-Petitioner post is as follows, and mentions "YouTube" nowhere:

"[quote="HomeTownCincy"]I knew I liked you guys! :D NRA instructor here, certified many people for CCW licenses. Good to know some more fellow weather people that also have a knack for freedom.[/quote]

Please pray for my besieged rights to be restored to me expeditiously, along with my 2 firearms stolen by the Windham, NH oath-breaker thug police. Since December 2016 I've been dealing with a psycho family in town and their false-accusing pig daughter (first girl I ever asked on a date - big mistake) who have since been able to strip me of my firearms by perjuriously whining about "stalking" and getting a criminally falsified restraining order against me (see other thread I made).

This is how severely leftists and feminists have corrupted our system of laws: if I had shot someone dead in cold-blood, it would have rightly been weeks or months since the criminal system proved me guilty of a crime and formally deprived me my right to arms through due process of the law after a proved felony conviction of homicide.

By comparison, in the civil court (technically non-criminal) "protective order" bullshit system, this one sore vindictive man in town was able to have his fat daughter whine about "fear" in a 4-page "stalking petition" containing outrageous and unverified lies against me, and 6 mere hours later cops came to my house to seize firearms without any due process whatsoever, or even any accusation whatsoever that I'd committed any crime (just typical whining-BS about "fear", such as, "In summer 2016 I was at Paul's house for his brother's graduation party and he was looking at me in his backyard" - I kid you not).

The whole experience has me so infuriated that I'd possibly like to change career paths down the road to fight this demented bullshit however I can, and have freedom back at least in New England. Moral of the story is to steer-clear of neurotic feminists and modern women as much as possible. I'm only 22, so it is particularly sad from my perspective to watch the sort of degenerative witch-hunt hatred continuously systematized into a cultural attack on any sort of appropriate social expression of male sexuality (such as asking for a date). I'll think twice before I ask a girl out to dinner again, and that's coming from a decently successful and physically attractive (if I do say so myself) young man. Sad time for America." – Maravelias's private 5/16/2018 post at http://wsv3.com/forums2/viewtopic.php?p=18222#p18222

14. Thus, the Petitioner lied to this Court in her 7/2/18 filing when claiming Respondent mentioned "YouTube" in his post at the provided URL. He mentioned "YouTube" at the court hearing itself; indeed, he has uploaded the video of his public Hearing there[1], where one finds countless other videos of civil Stalking court hearings, from New Hampshire[2] and other states alike.

15. That the Petitioner, Christina DePamphilis, has been gaining illicit access to and prowling Maravelias's private web forums clearly demonstrates a strange, perverse, and unhealthy obsession she has for the Petitionee, which continues to this day.

[1] https://www.youtube.com/watch?v=ErHhybEI_3w, https://www.youtube.com/watch?v=eAIuzOJQWLY
[2] E.g. https://www.youtube.com/watch?v=N12qa6q58OM, https://www.youtube.com/watch?v=Nxbc0mZoSws, etc.

A. (iii) Christina DePamphilis Finally Makes a Legal Argument About the Videotaping Question in Paragraph 14, That it "Advances an Overriding Public Interest"

16. The only actual legal argument Petitioner advances against Respondent's argument that the Court violated the rules appears in Paragraph 14. She quotes a part of Circuit Court Rule 1.4(f) and claims the injunction she requested "advances an overriding public interest".

17. However recognizing that such an "overriding public interest" would have been necessary to show before warranting the unusual injunction, the Petitioner fails to state what exactly that public interest is. More importantly, neither did she ever at the Hearing nor in her 2/20/18 Motion.

18. The Petitioner alludes to her *private* interest in keeping her baseless stalking accusations under-wraps. But, this is clearly not a "public interest", nor was any service of any "public interest" ever shown by Petitioner when debating this matter before the Court during the Hearing on this matter.

19. Quite to the contrary, a compelling public interest in the reduction of wasteful false accusations and in holding accusers accountable is served by the mandatory video recording of such Hearings.

20. Circuit Court Rule 1.4(f) mandates in clear language:

> "the party or person seeking to prohibit or impose restrictions beyond the terms of this rule on the photographing, recording or broadcasting of a court proceeding that is open to the public shall bear the burden of demonstrating: (1) that the relief sought advances an overriding public interest that is likely to be prejudiced if the relief is not granted; (2) that the relief sought is no broader than necessary to protect that interest; and (3) that no reasonable less restrictive alternatives are available to protect the interest."

21. At no point did the Petitioner highlight for the Court an "overriding public interest" legitimizing the injunction; therefore, the Court erred in limiting the Respondent's recording rights.

22. Furthermore, Circuit Court Rule 1.4(f) states:

> "Any order prohibiting or imposing restrictions beyond the terms of this rule upon the photographing, recording or broadcasting of a court proceeding that is open to the public shall be supported by particularized findings of fact that demonstrate the necessity of the court's action."

23. In granting the Petitioner's request to limit the recording rights, the Court made no such particularized findings of facts. Therefore, the Respondent's recording rights were violated regardless – even if an "overriding public interest" had been shown by Petitioner.

24. To the Court's credit, it would have been impossible to author a "particularizing finding of fact" elucidating the overriding public interest which the injunction served, since there never was any indicated by Petitioner to begin with. The court rules were unquestionably violated.

25. The Petitioner makes sure to address the separate topic of whether this error is grounds for reversal, likely given the palpable undeniability of said error. She advances a highly strange argument in Paragraph 15 that, just because Respondent has access to audio recording transcripts independently of his video recording, therefore the injunction against video recording did not enable Petitioner to testify without the extra accountability of being videotaped while testifying. This argument is clearly absurd. Respondent was prejudiced by the Court's error.

B. The Court Did Violate the Hearing Requirements of RSA 633:3-A, III-c., as Respondent's Motion for Reconsideration Accurately Argued

26. In this portion of Petitioner's objection, she raises all sorts of scattered, unrelated diversions frantically skirting the only relevant fact that February 15th (the first Hearing date) is 34 days after January 12th (the extension date). This is the end-all-be-all of demonstrating that the Court violated the statutory requirement of holding a "hearing" "within 30 days of the extension".

27. Petitioner points out there is no speedy trial right in non-criminal cases. While this is true within solely the Federal Bill of Rights, New Hampshire law specifically contains a statute affording the right to hearing within 30 days, which was violated. Maravelias is also prepared to

advance well-supported legal arguments on appeal, if need be, that the nature of civil Stalking injunctions and their impositions is "criminal-like", and that therefore his Sixth Amendment rights have indeed been violated. However, this endeavor is not presently necessary.

28. The Petitioner wrongly claims that Maravelias needed to have objected to the 30-days-requirement violation, or even had an opportunity to. Maravelias was not afforded an opportunity to be heard by this Court, after the 1/12 extension, until 2/15. The only objection he could have possibly made at this point, after his right to a timely trial was already violated, would be to petition the Court to invent a time machine, reverse the date two weeks, and reschedule the Hearing before 30 days elapsed on 2/11/18. Clearly, Maravelias never had the opportunity to object, and merely expected the Court to fulfill its lawful duty after 1/12 to schedule a timely Hearing for him.

29. Furthermore, the Court specifically scheduled the *Paul Maravelias v. David DePamphilis* Hearing for 8:30am – first on the docket – on 2/15, electing optionally to further delay the Hearing on the instant case. Attorney Brown therefore insisted in moving forward with *that* case first.

30. Petitioner's note that Maravelias declined the 2/20/18 opportunity to go forward is absolutely misplaced; his rights under the statute to a hearing "within 30 days" had already been violated, and his Motion for Reconsideration claims nowhere that the resultant extended continuances into May and June were further violations of the rule.

31. Contrary to the Petitioner's absolutely unsupported passing remark in Paragraph 23 that "dismissal is not a remedy for any alleged deviation from the statute", the Court is required to dismiss the order extension if it violated Respondent's rights and deprived him of a fair, timely hearing. Indeed, the Supreme Court has vacated Stalking orders simply because the judge cited unnoticed accusations found nowhere in the underlying petition in the finding of facts form – exactly as has happened to Mr. Maravelias. *See* ignored Motion to Dismiss and South vs. McCabe, 943 A.2d 779 (2008)

WHEREFORE, the foregoing compels the Respondent, Paul Maravelias, to pray this Honorable Court:

I. Grant this Motion;

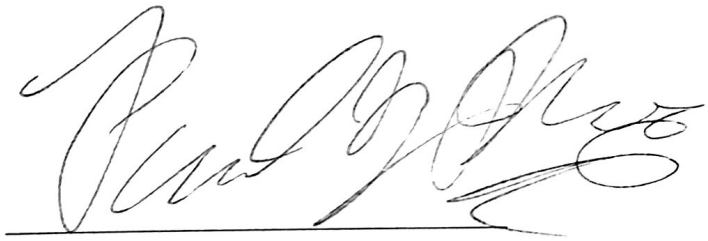
II. Grant Respondent's 6/25/18 Motion for Reconsideration; and

III. Grant such other relief as may be just and proper.

Respectfully submitted,

PAUL J. MARAVELIAS,

in propria persona



July 5th, 2018

THE STATE OF NEW HAMPSHIRE

ROCKINGHAM, SS 10TH CIRCUIT – DISTRICT DIVISION – DERRY

Docket No. 473-2016-CV-00124

Christina DePamphilis

v.

Paul Maravelias

MOTION TO STRIKE

NOW COMES the Respondent, Paul Maravelias, and moves this Court to strike portions of Plaintiff's 7/2/18 *Objection to Respondent's Motion for Reconsideration*. In support thereof, the Respondent states:

1. On 7/2/18, the Petitioner filed the aforementioned objection to which Respondent is replying in a separate pleading.

2. Paragraph 11 of Petitioner's said filing must be stricken from the Court's record due to various estoppels and improper presumption of facts not in evidence.

PAUL MARAVELIAS – 34 MOCKINGBIRD HILL RD, WINDHAM, NH 03087

A. Judicial Estoppel Prohibits Petitioner's Paragraph 11

"*Allegans contraria non est audiendus"*
"A person making contradictory allegations is not to be heard." – Broom's Legal Maxims

3. Judicial estoppel is a form of estoppel which prohibits legal actors from taking self-contradictory positions. "Courts have observed that 'the circumstances under which judicial estoppel may appropriately be invoked are probably not reducible to any general formulation of principle[.]'" New Hampshire v. Maine, 532 U.S. 742, 750, 121 S.Ct. 1808, 1815, 149 L.Ed. 2d 968 (2001) (quoting Allen v. Zurich Ins. Co., 667 F.2d 1162, 1166 (4th Cir. 1982)).

4. The doctrine is however adopted through a few generic elements which the Court ought to hold as applicable in this case.

5. American courts have interpreted three core elements of judicial estoppel:

1) The later position must be clearly inconsistent with the earlier one;

2) The earlier position was judicially accepted, creating the risk of inconsistent legal determinations;

3) and the party taking the inconsistent position would derive an unfair advantage or impose an unfair detriment to the opponent if not estopped.

See Wilcox v. Vermeulen, 2010 S.D. 29, ¶ 10, 781 N.W.2d 464, 468.

6. In Paragraph 6 of Attorney Brown's 4/20/18 *Motion to Strike* filing in the related *Paul Maravelias v. David DePamphilis* case, he wrote for the Court that the "Stalking Order is in effect based on [Maravelias's] previous obsession for [the Petitioner]".

7. But, in Paragraph 11 of his 7/2/18 filing in this case, he claims that "Respondent's obsession with Christina has persisted" since "February 2017".

8. Clearly, it was only this Court's baseless, asinine, and unsupported act of libel on 6/15/18 to pronounce Mr. Maravelias as having a "strange, unhealthy, and perverse obsession [with

Plaintiff] to the present day" which gave Attorney Brown a sense of renewed validation to make new and inconsistent claims against Mr. Maravelias which he knows to be entirely false – so much so that he would not even bring himself to claim Maravelias has an ongoing "obsession" with the Petitioner in the same 4/20/18 filing which is itself riddled with many other false disparaging comments against Mr. Maravelias, though even they less blatantly false.

9. The continuity of the identity of the parties is not open for debate. David DePamphilis testified that he "stands by what we [the Petitioner] said", making reference to the Stalking accusations against Mr. Maravelias. He is liable for her through the maxim of *respondeat superior*. The Petitioner did not deny any of the claims made by Attorney Brown in the Stalking case against her father. The DePamphilis legal actors have adopted fickle characterizations of Maravelias which change with the winds of what they can reasonably expect to get away with in a court filing.

10. Thus, the Petitioner's later position (that Respondent has an "obsession", 7/2/18) is clearly inconsistent with the earlier one (that Respondent had a "previous obsession", 4/20/18).

11. Moreover, "the earlier position was judicially accepted, creating the risk of inconsistent legal determinations"; nowhere in the Court's orders on the 4/20/18 Motion to Strike was a finding of a "present obsession" made regarding Mr. Maravelias, nor in that whole case. Furthermore, the Court made verbal comments during the Hearing in the instant case indicating its recognition that there clearly is no "obsession", and never adopted this new position now advanced by Petitioner until doing so *sua sponte* in a baseless 6/15/18 Order.

12. Moreover, "the party taking the inconsistent position would derive an unfair advantage or impose an unfair detriment to the opponent if not estopped", since Petitioner grounds her 7/2/18

objection to Respondent's Motion for Reconsideration in the absurd notion that he has a "present obsession" with her.

13. Therefore, all the requisite elements are satisfied, and a judicial estoppel is created. Thus, the Court ought to strike Paragraph 11 of Petitioner's filing from the record.

B. Collateral Estoppel Prohibits Petitioner's Paragraph 11

14. Whether or not the Respondent had an "obsession" was a specifically litigated issue in the original 2017 hearings prior to Judge Stephen's reckless issuance of a Stalking Order against Mr. Maravelias because he invited a young woman to dinner and never spoke to her ever after the day of the rejection; his finding of fact specifically mentions the term "obsession".

15. On 1/5/18, Petitioner motioned the Court to grant an extension on the same Final Order of Protection. This Motion contained the term "obsession" absolutely nowhere. *I.e.*, it was evident by then that Maravelias was only "obsessed" with getting his basic rights restored to him and having this fraudulent legal abuse and harassment against him come to an end.

16. Therefore, a collateral estoppel is also created, since the issue of an "obsession" was first litigated and then nowhere renewed in the Petitioner's extension motion; thus, it is precluded.

17. Therefore, the Court should strike Paragraph 11 of Petitioner's 7/2/18 objection.

C. Petitioner's Paragraph 11 Assumes Facts Not Found in Evidence

18. The text to be stricken suggests Respondent "has issued writings to Christina's parents, her teachers, and others which directly and profanely impugned Christina's character".

19. Maravelias notified an honor society about his abuser's criminal conduct and responded to Attorney Brown's threatening letter. But, he never issued writings to the Petitioner's "parents".

20. This is not a legal argument; it is false assumption of fact non-existent in the record. Thus, it should be stricken.

WHEREFORE, the foregoing compels the Respondent, Paul Maravelias, to pray this Honorable Court:

I. Grant this Motion;

II. Strike Paragraph 11 of Petitioner's *Objection to Respondent's Motion for Reconsideration* from the Court's record; and

III. Grant such other relief as may be just and proper.

Respectfully submitted,

PAUL J. MARAVELIAS,

in propria persona

July 5th, 2018