

CT Supreme Court to hear gag order appeal in Jennifer Dulos case

By Pat Tomlinson



Fotis Dulos, left, and his attorney Norm Pattis address the media after appearing at the Connecticut Superior Court in Stamford, Conn. Monday, Sept. 23, 2019.

The state Supreme Court will hear an appeal of the gag order imposed in the Fotis Dulos case.

Defense attorney Norm Pattis, who requested the hearing, will need to file a legal brief by Oct. 9 and the state has until Oct. 28 to respond. A hearing will be

scheduled after Dec. 5.

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however, denied the Hartford Courant's request to file an amicus brief in support of revoking the gag order.

"The gag order, as an overly broad prior restraint on speech, threatens to chill news reporting and affect the access to and quality of information that reaches the public," the Courant's attorney, William Fish Jr., wrote in the request this week to file the brief. "The Courant, as a member of the media, has a strong interest in the subject matter of this appeal to ensure that any gag order issued by the trial court satisfies the constitutional rights of the press to gather and report on the news."

The gag order, Fish argued, is too sweeping in scope, extending beyond counsel on both sides of the case and applying to Fotis Dulos, his family, associates, law enforcement, all potential fact and expert witnesses, private citizens, and anyone involved in the investigation into Jennifer Dulos' disappearance.

In a one-paragraph response, the Supreme Court said the request "is hereby ordered denied without prejudice."

However, the Courant will likely be able to resubmit the request now that the Supreme Court has agreed to hear Pattis' appeal.

On Sept. 12, Stamford Superior Court Judge John Blawie, who is overseeing the

criminal proceedings in the disappearance of Jennifer Dulos, granted State's Attorney Richard Colangelo's request for a gag order in the case. Blawie wrote in his order that "pervasive information or misinformation in the social media age" could prevent a fair trial in this type of high-profile case.

Pattis filed a 12-page brief to the Supreme Court last week, arguing his client's First Amendment rights to free speech are being impeded by the gag order, leaving him defenseless against police leaks and the intense media scrutiny surrounding the disappearance of Jennifer Dulos.

Robert Scheinblum, senior assistant state's attorney, filed a response on Monday, supporting an appeal hearing and also contending the Supreme Court should uphold Blawie's order.

Colangelo requested the gag order partly in response to comments Pattis has made about the case. Pattis has floated theories that Jennifer Dulos could have faked her own disappearance, a la the novel "Gone Girl," or might have perpetrated a "revenge suicide" plot. The theories have drawn sharp rebukes from Jennifer Dulos' family and friends and "Gone Girl" author Gillian Flynn.

Jennifer Dulos, 51, was last seen on a neighbor's security camera

returning home around 8:05 a.m. May 24 after dropping off her five children at a nearby school.

Police believe Fotis Dulos was "lying in wait" when she arrived at her Welles Lane home, where they found evidence that she was the victim of a "serious physical assault" based on blood stains and spatter in the garage, according to arrest warrants.

Fotis Dulos, 52, and Michelle Troconis, 44, have each been charged with two counts of tampering with evidence and hindering prosecution. They are each expected to appear Friday in court. ■