

*Note: Decisions of a three-justice panel are not to be considered as precedent before any tribunal.*

**ENTRY ORDER**

SUPREME COURT DOCKET NO. 2001-524

APRIL TERM, 2002

Phyliss E. Trout

v.

Daniel T. Quinn

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APPEALED FROM:

Windsor Family Court

DOCKET NO. 293-7-99 Wr dm

Trial Judge: Theresa S. DiMauro

In the above-entitled cause, the Clerk will enter:

Daniel T. Quinn appeals from a family court order granting a motion by the Office of Child Support to withdraw a child-support enforcement petition, as well as from several earlier orders of the family court magistrate in the same proceeding. Quinn contends that as a result of granting the motion to withdraw, the court violated a number of his statutory and constitutional rights, improperly deprived him of a right to free legal representation, and demonstrated bias, discrimination, and gender profiling against fathers. We affirm.

In October 1999, OCS filed a motion to enforce a registered child support order from the State of Maryland. See 15B V.S.A. 603 (providing that OCS and trial court may enforce registered out-of-state child support orders in same manner as order issued by tribunal of this State). The Maryland support order required Quinn, who currently resides in Vermont, to provide monthly child support for his minor daughter, who resides with her mother in Maryland. Thereafter, OCS apparently obtained some financial information relating to Quinn by means of an administrative subpoena. This led to several pro se motions by Quinn to compel discovery and obtain disclosure of OCS's files, resulting in the issuance of several entry orders by the family court magistrate, in January 2001, informing Quinn of his right to subpoena witnesses and documents, and to inspect the OCS case file.

In November 2001, OCS moved to withdraw the enforcement action in response to a letter from the State's Attorney's Office in Maryland stating that all arrears had been paid in full and that OCS should therefore close the case. The trial court granted the motion. Quinn, in response, filed several motions seeking, among other things, to enforce discovery, to schedule a status conference, and to impose sanctions. The court denied the motions as moot, noting that there was no case pending before the court. This appeal followed.

In his pro se appeal, Quinn appears to argue that the order granting the motion to withdraw effectively deprived him of certain rights, although it is difficult to understand the precise nature of his claims or the rights in question. In essence, he appears to be interested in obtaining financial information to support a modification motion. We would point out, however, that it is a Maryland support order and any modification motion must be brought in that State. Otherwise, we perceive no basis in the briefs or the record to disturb the court's order granting the motion to withdraw the enforcement petition, which was brought at the request of the State of Maryland and properly dismissed when that State determined that all arrears had been paid. The trial court also properly denied Quinn's subsequent motions on the grounds that they were moot. The magistrate's earlier entry orders relating to certain discovery requests, even if properly appealed here,

are similarly moot. Quinn's other claims of judicial bias and right to free legal representation find no support in the record or the law.

Affirmed.

BY THE COURT:

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John A. Dooley, Associate Justice

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James L. Morse, Associate Justice

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Denise R. Johnson, Associate Justice