

TUSAN CONTEMPT TRANSCRIPT COMPILATION

IN AN EFFORT TO CHANGE THE NATURE OF THE APPELLANT'S PLEADINGS, JUDGE GAIL S. TUSAN DISPENSED LEGAL ADVICE CONTRARY TO BEST INTERESTS OF THE DEFENDANT AND HIS CHILDREN.

Judge Tusan's initial ten (10) minutes of participation during the August 15th hearings are clearly displayed on the first ten (10) pages of the hearing transcript (Exhibit 6:abbreviated) and are tantamount to practicing law. The following excerpts shed light upon her attempts to advise the Defendant: (page 2: lines 19-25)

Judge Tusan: *"The court has given the case its best judgment, so I'm not prepared to just indefinitely continue going over and around the same issues...And so what you should be doing is going to the next court and having that court review the court's decisions as opposed to trying to convince this court that it's made the wrong decisions"*

Judge Tusan continues her instruction and advice giving: (page 5: lines 8-12)

Judge Tusan: *"You know, another option would be to accept the final judgment and decree of divorce and then just move to modify it, you know, as opposed to trying to convince this court and another court to change the decision, to just modify it."*

Further along Tusan adds the following: (page 12: lines 19-25)

Judge Tusan: *"I'm trying to get us moving forward in a way so that legally you can address and argue and petition for whatever relief is appropriate, including as I have suggested...a modification."*

And finally, during an exchange in the last minute of the hearing, Judge Tusan peevishly responds to the Defendant's unfair accumulation of child support arrearages perpetuated by her unwillingness to modify the temporary order to comply with Georgia Law with these suggestions: (page 105, lines 16-21).

Judge Tusan: *"I do understand that. The other alternative also remains, which you have decided not to pursue....To withdraw the motion for new trial and move to modify the obligations."*

During that final exchange of the hearing, Judge Tusan had accumulated all the information she needed to modify the temporary order of child support, stop the unfair and unlawful accumulation of arrearages, and comply with the Georgia Law O.C.G.A. §19-6-15. She chose to disregard that opportunity. The question then becomes, would a dispassionate observer of the proceedings really believe that this Judge is prepared to return in five (5) weeks to open-mindedly preside over a Motion for New Trial addressing many of the same issues she deemed unworthy on August 30th?