STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF ALLEGAN

MARIA LYNN MELINN.

Hon. Kevin Cronin

Plaintiff.

Case No. 02-31493-DM

BLAKE ALLEN MELINN,

Defendants.

MOTION TO DISQUALIFY THE HONORABLE KEVIN CRONIN

Plaintiff moves this Court to disqualify Judge Kevin Cronin, and in support of the motion states as follows:

1) This case involves the Honorable Kevin Cronin posting in a web log site concerning this case. See exhibits A & B (below). This action is in violation of Canon 3, Section A, Item 6 of the Michigan Code of Judicial Conduct, as published in the April 2006 Michigan Bar Journal (http://www.michbar.org/generalinfo/pdfs/judconduct.pdf).

EXHIBIT A: Web Log Post made on 24 April 2010 in Public Forum on a Domestic Violence victims advocacy website, i.e. http://parentingnewsnetwork.com/?p=579

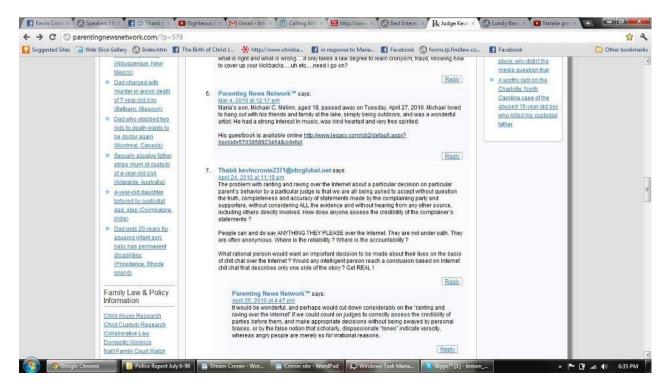
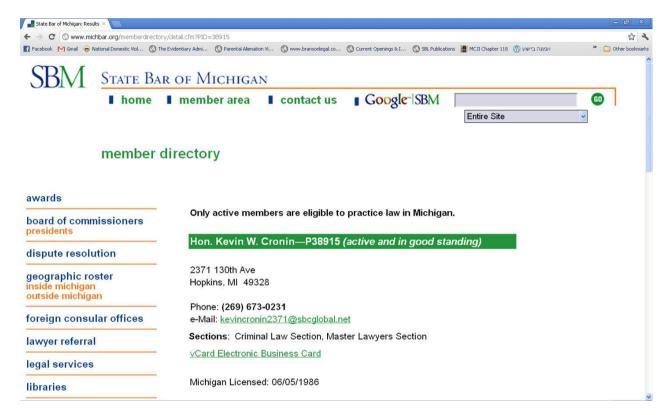


EXHIBIT B: Evidence from the Michigan State Bar Association that the email address used to make the post in Exhibit A does, in fact, belong to the Honorable Kevin W. Cronin (See http://www.michbar.org/memberdirectory/detail.cfm?PID=38915).



2) Despite the fact that the Kent County Department of Child Protective Services (hereafter "CPS") has recommended that Blake Melinn place the minor children outside of his household for the duration of their investigation against him for child abuse, the Honorable Kevin W. Cronin signed an *ex parte* order demanding the return of said minor children to the household where the abuse in question is reported to have occurred, i.e. Blake Melinn's home, disregarding the abuse and evidence pertaining thereto, and the CPS investigation and recommendation. *Ex parte* orders are to be issued only when the child(ren) is/are in extreme danger, which was not the case when the *ex parte* order of 28 was served upon the mother, Domestic Violence victims' advocate Maria Melinn on 28 December 2011, against Isaiah Melinn's best interest per CPS. Furthermore, pursuant to Canon 3, Section A, Item 4, as published in April 2006 Michigan Bar

Journal (ibid.), judges must make "provision promptly to notify all other parties and counsel of the substance of the *ex parte* and allow[s] an opportunity to respond" (3.A.4.a.ii, emphasis added). No such opportunity to respond has been afforded to the mother, Domestic Violence victims' advocate Maria Melinn, by the Honorable Kevin W. Cronin to date.

- 3) The Honorable Kevin W. Cronin has, on several occasions, jailed Maria Melinn approximately five (5) times, with neither concern for nor accommodation for her documented medical disability, against the advice of numerous physicians that jail conditions would exasperate her condition and would not be in the best interest or well being of Maria or her minor children.

 ADA accommodations were requested by Maria Melinn (and ADA specialist Karen Huffer) but were denied by the Honorable Kevin W. Cronin. See **Exhibits C-E** (at end of motion).
- 4) One of the above jail sentences was for a ruling of *contempt of court* for smoking a cigarette an act not only perfectly legal, but a vice in which His Honor himself also indulges. See **Exhibit F** (at end of motion).
- 5) The Honorable Kevin W. Cronin has repeatedly acted in violation or utter disregard of several factors of the Best Interest of the Child Act of 1970 (MCLA 722.21 et seq.; rev. 1993) out of apparent prejudice against the mother, Domestic Violence victims' advocate Maria Melinn.
 - (a) The love, affection and other emotional ties between the parties involved and the child. The Honorable Kevin W. Cronin has kept two (2) minor children from their mother with no allegations of neglect or abuse on her part.
 - (b) The capacity and disposition of the parties involved to give the child love, affection, and guidance and to continue the education and raising of the child in

his or her religion or creed, if any. The Honorable Kevin W. Cronin has disregarded the fact that the paternal step-grandfather continuously argues with Isaiah, telling the minor child his mother is a Muslim. Maria Melinn, however, is of Hebrew and German ethnicity, and a Christian by religion. The father's exgirlfriend also told the minor child that he needed to go off her property in order to say prayers. The two eldest minor children have been denied by His Honor the opportunity to receive "love and affection" by ending contact with their mother. The children's father, Blake Melinn, uses intimidation via physical and verbal threats in order to prevent the mother, Maria Melinn, any access to school, medical, extra-curricular information, and then tells the children that their mother does not attend their events because she does not care about them. When Isaiah visits his mother, he voluntarily and eagerly attends church and a youth program connected therewith, being deprived of such when at his father's home.

(d) The length of time the child has lived in a stable, satisfactory environment, and the desirability of maintaining continuity. The Defendant has had numerous CPS complaints filed by health professionals, pastors, and others pertaining to child abuse and neglect. As such, the "satisfactory environment" condition has not been met in Blake Melinn's household. The Honorable Kevin W. Cronin has blatantly ignored these concerns, as well as the child's own *in camera* testimony of abuse. Court personnel, which would include judges, are mandated reporters, but His Honor has not followed regulations on reporting abuse and keeping said children safe.

- (e) The permanence, as a family unit, of the existing or proposed custodial home or homes. The father, Blake Melinn, has brought a stream of women into the home where the children reside one even cohabitating with him; while their mother, Maria Melinn, has not even dated since their divorce. The children were required by Blake to address his live-in girlfriend as "Mom" and their actual mother as "Maria" (deliberately inflicting Parental Alienation Syndrome upon the children). When he takes extended trips out of state with a girlfriend, he leaves the minor children in the household of his mother and step-father, with whom the eldest child lived at the time of his death by suicide in April 2010.

 Blake also wrote a letter to Michael (who is of no legal or biological relation to Blake) demeaning his mother (Exhibit G at end of motion) while a no contact order was in force. His Honor has disregarded the elements relating to this factor.
- (f) The moral fitness of the parties involved. The children have been formally diagnosed with PTSD from abuse that took place during the marriage and have never been treated for this while in convicted abuser Blake Melinn's custody. A convicted abuser who neglects the psychological needs of his children cannot reasonably be called "morally fit" under any accepted worldview or belief system. See **Exhibits H and I** (at end of motion).

The mental and physical health of the parties involved. The "counselor" working with the children told my son Isaiah that he is lying about the abuse that Blake perpetrated against him. Counseling sessions are supposed to be confidential, i.e. a place that children should have safe access to speak of anything in their lives. According to the child "Ann tells dad everything I say."

- Professionals in the counseling field have observed that it is suspicious that the "counselor" attends court with Blake without a subpoena, and that she is actually working against the mental health of the children.
- (g) *The home, school, and community record of the child.* I, the plaintiff, am not allowed any access to my children's school records or activities related thereto, including but not limited to parent-teacher conferences, extra-curricular events or programs, or grade reports.
- (h) The reasonable preference of the child, if the court considers the child to be of sufficient age to express preference. The preference of my daughter was to live with me, the plaintiff, until she was in the abusive environment, not allowed to speak her mind, for a period of time sufficient to develop the classic signs of Stockholm Syndrome. Isaiah is begging the courts to save him from the abuse. See Exhibits J and K (at end of motion).
- (i) The willingness and ability of each of the parties to facilitate and encourage a close and continuing parent-child relationship between the child and the other parent or the child and the parents. Despite the evidence brought before the Honorable Kevin W. Cronin in the form of police reports, etc., His Honor has allowed the abusive father to keep the children away from their mother, violating the court orders. When this was brought to motion, His Honor removed parenting time of two (2) of the minor children from their mother completely, again with no allegations of abuse or neglect.
- (j) Domestic violence, regardless of whether the violence was directed against or witnessed by the child. The father, Blake Melinn, was convicted of acts of domestic violence against the mother, Domestic Violence victims' advocate

- Maria Melinn, which acts were witnessed by the minor children. They have since been emotionally blackmailed into participating in verbal abuse of her.
- 6) The Honorable Kevin W. Cronin is illegally requiring Maria to pay child support for her eldest son, Michael, for the time he was at Cheever.
- 7) For the reasons stated in this motion, Judge Cronin should be disqualified because he cannot hear this case impartially.
- 8) A judge is disqualified when the judge cannot impartially hear a case, including but not limited to instances in which: The judge is personally biased or prejudiced for or against a party or attorney.
- 9) Judge Cronin's recommendation plainly shows an actual, personal prejudice against Plaintiff, providing grounds for disqualification under MCR 2.003 C.1(a).
- 10) For all of the reasons stated in this motion, Judge Cronin should be disqualified, because he cannot hear this case impartially.

WHEREFORE, Plaintiff respectfully requests that this Court enter an order disqualifying the Honorable Kevin Cronin from this case and assigning this case to another judge before the hearing scheduled on March 12, 2012.

Respectfully Submitted,

Maria L. Melinn

EXHIBIT C: MEDICAL REPORTS FROM NEUROLOGIST FAROOK J. KIDWAI, M.D., P.C.

Neurological Surgery	2815 Michigan Street, NE Suite
	Grand Rapids, MI 495
	Tel: (616) 454-6006 Fax: (616) 454-82
	Email: fjkidwai@ymail.co
	DATE: 6-2-09
Maria Melinn and will be off work until	was seen by Dr. Kidwai on 6-2-69
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after return appointment A 6 weeks often surgery	
4-6 weeks after surgery pending scheduling surgery	
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given to the patient ones	the surgery is senedured)
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	d twisting of the neck and/or shoulder girdle
3) Frequent bending an	d twisting of the low back
4) Frequent bending an	d twisting of the (R) or (L) wrist or elbow
ALSO:	- SEC - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 -
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	He/she should not work alone.
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be able to change his	s/her level of activity after each such period of time.
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5) This patient should l	keep computer at his/her eye level.
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This patient should not lift more th	nan 50 pounds at a time. These restrictions will
be in effect for \(\sqrt{} \) weeks.	
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OTHER: William	over 3016s per 1-240ur
atanna	4 1000 0
	Le lacorar
	Farook J. Kidwai, M.D., P.C.

Farook J. Kidwai, M.D., P.C. Neurological Surgery 2815 Michigan Street, NE Suite A Grand Rapids, MI 49506 Tel: (616) 454-6006 Fax: (616) 454-8250 Email: fjkidwai@ymail.com was seen by Dr. Kidwai on 1) after return appointment on 2) 4-6 weeks after surgery which is scheduled on 3) pending scheduling surgery given to the patient once the surgery is scheduled) From a neurosurgical standpoint, this patient may return to work with the following restrictions: AVOID: Frequent bending and twisting of the torso 2) Frequent bending and twisting of the neck and/or shoulder girdle 3) Frequent bending and twisting of the low back 4) Trequent bending and twisting of the (R) or (L) wrist or elbow ALSO: This patient should follow seizure precautions. He/she should not work on scaffolding/ladders. He/she should not work alone. 2) This patient should wear a brace/collar while working. This patient should not do any prolonged sitting, standing, walking, stooping, or driving for more than 1/2 hour at a time. He/she should be able to change his/her level of activity after each such period of time. 4) This patient should avoid prolonged flexed posture of his/her neck. This patient should keep computer at his/her eye level. This patient should not lift more than 20 pounds at a time. These restrictions will be in effect for 8 weeks. OTHER: Vatient Cannot Sit in class for full 4° atatione.

Patient must have 5-10min break every half hour and may lay down in class,

EXHIBIT D: MEDICAL REPORT FROM MARY FREE BED

R.J. BAKER & ASSOCIATES, PLLC

ATTORNEY & COUNSELOR AT LAW

134 HUBBARD STREET ALLEGAN, MICHIGAN 49010 PHONE: 269-686-9448 FAX: 269-686-9449 rjb@rjbaker-law.com

August 19, 2009

VIA HAND DELIVERY ONLY

Hon. Kevin Cronin 48th Circuit Court County Building Allegan, MI 49010

RE:

Maria Melinn v. Blake Melinn File No. 2002-031493-DM

Dear Judge Cronin:

Enclosed are the letters received yesterday and today from Ms. Melinn's doctors and her Social Security disability insurance attorney relating to her current physical condition.

Pursuant to HIPPA requirements and our discussion, please seal these letters from public view. I am also forwarding a copy to the Friend of the Court Enforcement Officer, Jody Sebright, and request that she also comply with HIPPA. I plan to see Ms. Melinn at the jail this afternoon and will also provide her with a copy.

It is my belief, based on the letters and her medical file, that she should not be in jail and that continued incarceration may damage her physical condition more than the desired deterrent effect on her contempt.

Please contact me with any questions or comments in this matter.

Sincerely,

R.J. Baker & Associates, PLLC

Robert J. Baker

Attorney & Counselor at Law

RJB/tm

cc: Jody Sebright

Via Hand Delivery Only

CONFIDENTIAL

Rehabilitation & Physical Medicine Specialists, P.C.

Sam Ho, MD Michael S. Jakubowski, MD Benjamin J. Bruinsina, MD W. Christian VandenBerg, MD Stephen C. Bloom, DO Jeffrey H. Kramer, MD Mary Free Bed Professional Building 350 Lafayerte SE, Suite 301 Grand Rapids, MI 49503 Telephone: (616) 459-0801 Fax: (616) 459-4065 Physical Medicine Rehabilitation Electromyography

August 17, 2009

VIA FACSIMILE Robert J. Baker, Attorney At Law 134 Hubbard Street Allegan MI 49010 Fax (269) 686-9449



RE: Maria Melinn

Dear Mr. Baker:

I had the opportunity to see your client Ms. Maria Melinn in my office today on August 17, 2009. She has a number of pain complaints and is having some difficulty returning to normal levels of functioning following a lumbar laminectomy and fusion performed in April of 2009 by Dr. Kidwai.

I have given Ms. Melinn a prescription for physical therapy. The physical therapy would be useful for any person in her position who is attempting to return to functional independence following an operative intervention.

In my view, the physical therapy is not optional. She states that she will not be able to attend as a result of legal difficulties that she is in. I can only reiterate that whatever those difficulties are, it is no ones best interest to prevent the patient from becoming more functionally independent. I have left in place the restrictions that her Internist and Neurosurgeon have placed upon her and feel strongly that she needs physical therapy for instruction in flare-up management and a home program of stretching and conditioning for the purpose of permitting her to return to a competitive employment situation.

I hope this is in someway useful to you and to Ms. Melinn.

Sincerely,

Michael S. Jakubowski, MD MSJ:mrh D: 08/17/09 T; 08/19/09 Job: 117411

FAXED AUG 19 2009

Please note that this document was faxed without signature to avoid delay

EXHIBIT E: MEDICAL REPORT FROM ROBERT SELFE, D.O.



8/2/2011

RE: Maria L Melinn

To Whom It May Concern,

Due to medical reasons, including chronic back pain and neck pain, Maria L Melinn is unable to travel in a car more than 20 minutes at any given time due to the severity of her symptoms.

Please feel free to contact my office with any further questions or concerns.

Sincerely,

ROBERT SELFE, DO

EXHIBIT F: NO SMOKING ORDER

48TH JUDICIAL CIRCUIT ALLEGAN COUNTY	ENFORCEMENT C	ORDER	CASE NO. 2002-031493-DM HON. KEVIN CRONIN
Allegan County Friend of the Court Address: 113 Chestnut P. O. Box 358 Allegan , MI 49010			Telephone No. (269) 67 Fax No. (269) 67
Plaintiff's name, address, and telephone no. MARIA LYNN MELINN	V De	rfendant's name, addres AKE ALLEN MELII	s, and telephone no. NN
Plaintiff's attorney name, address, telephone no., and bar			MAR 1 2 2011 address, telephone no., and bar n
R.J. BAKER 225 HUBBARD ST ALLEGAN MI 49010	Th 591 Gra	ary L Koewers P331 e Tahoe Building-S 60 Tahoe Drive Se and Rapids, MI 495 [64967-6400	uite 105
Date of Hearing: February 26, 2010	(1)	UA.	spondent: MARIA LYNN ME
FINDINGS:	14	The state of the s	
The court has stated its findings on the record.	MAI	R 1 0 2010	Melinn
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EXHIBIT G: LETTER FROM BLAKE TO MICHAEL DEMEANING MARIA

1/23/12 Print Subject: [No Subject] From: Maria (brown_eyz4@yahoo.com) brown_eyz4@yahoo.com; To: Thursday, June 14, 2007 11:29 PM Date: Block User Delete From Friends From: 2 BLAKE http://www.myspace.com/54680154 May 31, 2007 4:32 PM Date: Flag as Spam or Report Abuse [?] Subject: you you need to understand that i don't want to do the things that i've done! i tred to work with your mom. she is very pig headed and thinks that every one is at fault, not her. she takes no responsiablity for anything, and i'm NOT talking to greg, why would i?? he has nothing to say that i don't already know. all i want is to give you life you need!! the one you deserve! it's bull shit that your failing school! that your mom takes off to meet men in other states when she says she's "married".i know more then you think i know!!! you deserve better then what you have now! we have tried almost everything we could think of but your "morn" wants you to stay there, she know that this the best for you and the rest of the kids.she know this and does nothing or you. PLEASE DO NOT LET ANYONE SEE THIS OR SAY ANYTHING TO ANY ONE!!!!!! if you get a chance give me a call at work, remember 800-531-8500, I LOVE YOU MICHAEL AND ONLY WANT THE BEST FOR YOU NOTHING ELSE, ONLY THE BEST, LOVE-YA AND TALK TOYA SOON Body: ----- Original Message -----

From: Dr. Fresh

Date: May 30, 2007 10:47 PM

well call mom an shill tell ya cause mom said not ta tell ya or anyone else cause I would be gettin in the middle of it an court Oh an tell ma that you didnt give me your ateryz # cause she thinks I have that an Gregs E-Mail...... all because you an greg are talkin

<< Previous Next >> -Forward--Save--Reply--Delete-

EXHIBIT H: CLINICAL EVALUATION OF HANNAH MELINN

November 3, 2005



CENTER FOR WOMEN IN TRANSITION

Maria Melinn



Dear Ms. Melinn,

Per your request, I am writing you this letter to provide a summary of the counseling I facilitated with you and your daughter Hannah earlier this year.

As you will recall, I first met with you and Hannah on June 8, 2005. Additionally, you and Hannah and I met for sessions on June 21, 2005 and July 7, 2005.

During my conversations with you and Hannah, you told me about a long history of physical, verbal, and emotional abuse perpetrated upon you by Hannah's father. I also learned that Hannah and her siblings were in the primary custody of Hannah's father.

For her part, Hannah told me that she was coping with problematic emotions that included feelings of sadness and fear. She attributed these in part to her siblings whom she reported were sometimes verbally and physically aggressive toward her. Hannah also said that her father was very critical of her and she believed this affected her ability to feel confident. Furthermore, Hannah told me that she was regularly fearful at home because her father would scream at her brother Jonah. According to Hannah, these incidents would occur in the evenings and as a result, she would go to bed scared whenever they happened.

Finally, Hannah also shared that her sleep was often plagued with nightmares in which her father would murder her mother. When we discussed the etiology and effects of these nightmares, Hannah told me that she felt her father had a "bad temper" and she was afraid he might act on that to harm her mother.

If you have any questions regarding the content of this letter, please feel free to contact me at (616) 494-1745.

Sincerely,

Jason Kae-Smith, MSW, LCSW, LMSW

411 Butternut Drive Holland, MI 49424 616.392.2829 fex 616.355.9760

300 North Ferry Street Grand Haven, MI 49417 616 846 0674

> 128 Hubbard Allegan, MI 49010 269.673.2299

24 HOUR CRISIS 616.392.1970 1.800.848.5991

E-MAIL mail@aplaceforwomen.org

WEBSITE www.aplaceforwomen.org

> EXECUTIVE DIRECTOR Donna B. Cornwell 616.494,1750

> > Counseling Staff 616.355.9744

> > > VOLUNTEERS 616.355.9747

DONATIONS 616.494.1751

SPANISH LANGUAGE LINE 616.355.9755

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Robyn Hofmeyer

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TOTAL P.02

EXHIBIT I: CLINICAL EVALUATION OF MICHAEL "BAUER" MELINN



FAMILIES FIRST 12048 James Street Holland, MI 49424-9556

May 2, 2006

To Whom It May Concern:

I am writing this letter in support of Maria Melinn and her efforts in maintaining custody of her son, Michael "Bauer" Melinn and in regaining custody of her other children, Jonah, Hannah and Isaiah Melinn.

I began working on an intensive basis with Maria and Michael on 2/6/06 through the Families First Program at Bethany Christian Services in an effort to aid the transition of Michael returning home from the Cheever Treatment Center. During my involvement with the family, which included 40 hours of face to face time in the home for 4 weeks, I was able to observe many things in regards to Maria's parenting skills and Michael's behaviors. I was also able to meet and observe Maria's other children during their visitation times each week.

Maria was very committed to the Families First Program as she willingly accepted help and feedback on parenting difficult children. I have observed Maria communicating her love for her children in both verbal and non-verbal ways. She presented to have natural parenting instincts, maintained a safe and clean home and was able to set appropriate expectations and boundaries for her children especially in regards to their behaviors, the language they used and how they treated one another. Furthermore, Maria was passionate about her children reaching their potential and being healthy physically and most importantly, emotionally.

It should be noted that on 2/10/06 I was able to read a note that was written by Blake Melinn and sent along with the children after I transported the family to Maria's home for the children's visit. The note contained directions to Maria in regards to giving Jonah his medication. It is my opinion, however, that the language of this note presented a condescending tone towards Maria and falsely minimized Maria's capabilities to provide for Jonah's needs.

Again, these observations and information were gathered during my time working intensively with Maria and Michael from 2/6/06 - 3/3/06 in an effort to ease the transition for Michael from Cheever Treatment Center back into the home.

I appreciate your time in reading this letter of support for Maria Melinn.

Sincerely,

Brooke Keeler, LLBSW

Families First of Michigan Bethany Christian Services

PStoope Keller, UBSW

(616) 396-0623 ext. 121

Every Life a Promise

(616) 396-0623 • Fax: (616) 396-2315 • Web site: www.bethany.org

11010 0005	90806	40-	0	1/1-	
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TELEPHONE CONSULTATION	9	0806	\$		
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DISABILITY FORM	9	0889	\$		
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EXHIBIT J: FIRST LETTER FROM ISAIAH TO THE HONORABLE KEVIN W. CRONIN

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EXHIBIT K: SECOND LETTER FROM ISAIAH TO THE HONORABLE KEVIN W. CRONIN

