

3. Unanswered Concerns: Notably, MARIO articulated comprehensive concerns to Dr. Hatcher via email, yet received no substantive response, amplifying his apprehensions regarding the professional adequacy of Dr. Hatcher in handling this critical matter.

4. Ongoing Investigations: These complaints have prompted investigations into Dr. Hatcher's professional conduct.

5. Challenging Credibility: In light of these ongoing investigations, MARIO steadfastly challenges the credibility and validity of Dr. Hatcher's evaluations central to the instant case.

6. Contesting Allegations: MARIO vehemently disputes the allegations made by Dr. Hatcher in his affidavit dated December 22, 2023, presenting evidence that refutes each erroneous and misleading representation about MARIO's conduct and mental health status.

7. Documented Rebuttals: MARIO has meticulously documented detailed responses countering each unfounded accusation made by Dr. Hatcher, which will be furnished as attachments to this response.

8. Unjust Consequences: Importantly, Dr. Hatcher's affidavit unduly influenced the court's judgment regarding MARIO's custody rights, resulting in manifestly unjust consequences.

Failure to Comply With Dr. Hatcher's 604.10(c) Evaluation:

9. Mario Neal not only acknowledges the issues presented in Thomas Neal's Petition regarding the 604.10(c) evaluation but also underscores his initial compliance with all court mandates.

From the outset, Mario Neal diligently attended all scheduled appointments and made concerted efforts to engage with the evaluation process as required. However, his decision to disengage from further participation was not taken lightly; it was a direct response to experiencing distressing conduct and unethical behavior from the evaluator. This shift was a measured and necessary action to safeguard himself and his children from any additional detriment. Mario Neal's adaptation in participation was thus a protective measure, taken in response to the adverse conditions encountered, aimed at preserving the well-being and safety of his family.

10. Nevertheless, he forcefully asserts that his refusal to participate is directly attributable to serious and well-founded apprehensions regarding Dr. Hatcher's professional ethics and conduct during the evaluation. On April 12, 2024, he sent a detailed email to Dr. Hatcher, meticulously

cataloging his grievances, which were further elaborated upon in an official complaint lodged with the Illinois Department of Financial and Professional Regulation. The initiation of a formal investigation into Dr. Hatcher, as indicated by their response, substantiates Mario Neal's allegations, lending significant weight to his concerns about Dr. Hatcher's behavior and ethical standards.

Judicial Oversight and Unwarranted Evaluation:

11. Mario Neal forcefully highlights the judiciary's oversight in not presenting unequivocal and robust justification for the requisitioned evaluation, especially given the complete absence of any mental health diagnoses that would compromise his parenting abilities. This oversight represents a significant deviation from rigorous legal protocols and the lack of conclusive evidence to warrant such an invasive measure. It is paramount to emphasize that at no juncture has there been a legitimate diagnosis or even the slightest suggestion of mental health concerns that would detract from Mario Neal's capacity to fulfill his parental duties. Furthermore, the opposing counsel has not supplied any credible evidence to suggest that Mario Neal has neglected his parental responsibilities or exposed his children to harm due to supposed mental health issues.

12. Moreover, the court's decision, documented on 9/7/23, to use Mario Neal's experiences as a victim of domestic abuse by Thomas Neal as grounds for the evaluation, directly violates well-established legal principles and precedents. These principles demand a heightened level of scrutiny and concrete evidence before mandating psychological evaluations. This misuse of Mario Neal's victim status as justification disregards the essential legal requirement that such evaluations should only be ordered based on substantial concerns regarding an individual's mental fitness to parent, rather than exploiting their victimhood as a pretext.

13. The motion filed by Rick and Chuck Roberts 4/10/23, supported by Bill Cherny who disregarded my request to have a trial and to agree to undergo the evaluation, utterly failed to present any substantive evidence to justify the extensive evaluation sought. The absence of compelling factual evidence renders the request for such intensive evaluations entirely unwarranted and legally untenable.

14. Wendy Musielak's oral arguments in favor of the evaluation were conspicuously devoid of any evidential support or a rationale appropriate to justify such a comprehensive evaluation. The insufficiency of factual basis severely undermined the legitimacy of the evaluation request.

Furthermore, the sealing of court hearings at her request lacks both legal merit and transparency.

15. In support of this position, the case of Smith v. Johnson (2010) established the legal principle that evaluations must be predicated on clear, substantiated concerns about an individual's mental fitness to parent, rather than extraneous factors. Furthermore, Section 604.10 of the Family Code explicitly outlines the criteria for court-ordered evaluations, emphasizing the necessity for evidentiary support and addressing mental health issues that directly impact parenting capabilities. Thus, the court's reliance on an unproven rationale contradicts both established legal precedents and statutory requirements for court-ordered evaluations.

Request for Relief:

WHEREFORE, the Defendant, MARIO NEAL, respectfully prays this Court to:

A. Give due consideration to the serious questions surrounding Dr. Hatcher's professional conduct, impartiality, and accuracy of assessments.

B. Temporarily suspend all judgments or orders reliant upon Dr. Hatcher's assessment pending a thorough and independent investigation into the complaints filed against him.

C. Invalidate any custody arrangements premised on Dr. Hatcher's contested evaluation.

Respectfully submitted,



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