

IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT DUPAGE  
COUNTY, ILLINOIS

THOMAS NEAL )  
Petitioner/Counter-Respondent, )  
 )  
And )  
 )  
MARIO NEAL )  
Respondent/Counter-Petitioner )  
 )

Candice Adams  
e-filed in the 18th Judicial Circuit Court  
DuPage County  
ENVELOPE: 27655693  
2022DC000915  
FILEDATE: 5/13/2024 9:02 AM  
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**2022DC000915**

**ROBUST MOTION TO COMPEL CHRISTINA MAGAÑA COMPLIANCE AND IMPOSE LEGAL SANCTIONS FOR OBSTRUCTION  
OF JUSTICE AND EVIDENTIARY COVER UP**

NOW COMES Mario Neal, Respondent/Counter-Petitioner, and hereby presents this compelling Motion to Compel Christina Magaña's Compliance pursuant to 735 ILCS 5/2-1101, emphasizing the following grave considerations to this honorable court:

**1. GRAVE VIOLATION OF SUBPOENA:** The deliberate and intentional non-compliance by Christina Magaña, social worker at All Saints Catholic Academy, with the subpoena dated April 14, 2024 is a grave matter of serious concern. On May 12, 2024, I received what I believed to be the documents subpoenaed. However, it became immediately apparent that critical documents were intentionally omitted, violating the explicit legal request made. Despite explicit instructions demanding full disclosure of all communications and records, their failure to comply is blatant.

"Copies of every form of communication including - but not limited to - letters, telephone logs, electronic mail (email), text messages, and other digital communication records that pertain to the aforementioned individuals, their respective legal counsels, the Guardian Ad Litem, Wendy Musielak, and any secondary or tertiary parties associated with this ongoing legal matter."

"ADDITIONALLY, we command you to provide any and all communication records, documents, notes, transcripts, minutes of meetings, or other relevant documents that involve the interaction of Thomas Neal in his capacity as a board member, including any interactions with any staff members, yourself, or other board members of All Saints Catholic Academy."

None of these specified records were produced. This is not merely an oversight; it is a clear violation of court orders and a deliberate attempt to obstruct justice and perpetuate the cover-up of their crimes. This blatant disregard for the legal process undermines the very foundations of justice and accountability.

**2. Legal Implications:** The deliberate withholding of essential communication records not only undermines the lawful discovery process but also raises significant concerns about the integrity and motives of Mrs. Christina Magaña. Serious allegations of collusion and cover-up have surfaced. This non-compliance likely violates critical legal statutes, including the First Amendment, the Family Educational Rights and Privacy Act (FERPA), and the Individuals with Disabilities Education Act (IDEA).

**3. Erosion of Justice:** The deliberate withholding of these communications not only undermines the legal proceedings but also deprives the involved parties, particularly the three minor children, of their lawful rights and protections under the aforementioned statutes. This contemptuous non-adherence to the subpoena signifies a calculated disregard for justice, constituting an egregious non-compliance and evident obstruction of justice and contempt of court.

**4. Upholding Legal Standards:** It is crucial for the court to address this failure with the utmost seriousness, ensuring that Christina Magaña unequivocally adheres to the legal standards expected in these proceedings and unwaveringly upholds the rights and protections afforded by law.

WHEREFORE, in light of this egregious non-compliance and apparent obstruction of justice:

1. The Respondent/Counter-Petitioner respectfully moves this Court to issue an order compelling Mrs. Christina Magaña to fully comply with the subpoena, including all communication records with opposing counsel.
2. The Respondent/Counter-Petitioner further requests the Court to hold Mrs. Christina Magaña in Contempt of Court for her obstructive non-compliance.
3. The Court is urged to impose all legal consequences deemed appropriate in the case of cover-up and non-compliance, including, but not limited to, fines, incarceration, or other legal sanctions, as the Court finds pertinent to uphold the rule of law.

Sincerely,

*Mario Neal*

Mario Neal

## VERIFICATION

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this document are true and correct, except as to matters stated to be on information and belief, and as to those matters, the undersigned certifies that he verily believes them to be true.

DATED: This May 13th, 2024

Sincerely,

*Mario Neal*

Mario Neal

929 Spindletree Ave  
Naperville, IL 60565  
630-631-2190

[Mneal628@gmail.com](mailto:Mneal628@gmail.com)