

THE FAMILY COURT OF THE STATE OF DELAWARE
IN AND FOR NEW CASTLE COUNTY



H--- E-----,)	File No.: CN25-04325
)	Pet. No.: 25-21633
Petitioner,)	
)	
v.)	
)	
A---- M-----,)	
)	
Respondent.)	

REVIEW OF COMMISSIONER'S ORDER

Date Filed: December 8, 2025
File Received: December 9, 2025
Date Decided: January 7, 2026

H--- E-----, Petitioner-Appellee, *self-represented*.

A---- M-----, Respondent-Appellant, *self-represented*.

Hirst, J.

OPINION

Before the Court is a Request for Review of a Commissioner's Order filed by Respondent A---- M----- ("Husband"). On October 30, 2025, the Commissioner granted a Petition for Protection from Abuse ("PFA") filed by H--- E----- ("Wife"). Husband objects to the Commissioner's final order on four grounds, which may be fairly summarized as follows. First, he argues he was denied due process of law because the Court's Arabic interpreter could not fully understand the parties. Second, the Commissioner improperly barred Husband from introducing relevant evidence he wished to present. Third, Wife's evidence was insufficient to support the Commissioner's finding of abuse. Fourth, the Commissioner was biased against him and ruled more harshly than the evidence warranted. For the reasons that follow, the Court finds that none of Husband's claims merits relief and therefore **ACCEPTS** and **AFFIRMS** the Commissioner's order.

FACTUAL AND PROCEDURAL BACKGROUND

On September 30, 2025, Wife filed a PFA petition for (1) financial abuse and (2) other threatening and harmful conduct, claiming that Husband was transferring joint household funds to his personal control in Egypt and attempting to expel her from the marital home.¹ Husband did not file an answer or cross-petition. Although Wife did not request an interpreter, the Court provided one at the hearing on October 29, 2025. Wife declined assistance, but Husband indicated that he needed help understanding others. Both parties

¹ File CN25-04325, Pet. #25-21633, Tab 1. See 10 Del. C. §§ 1041(i)(h), (i).

were self-represented and neither called any additional witnesses; Husband testified partially in English and partially in Arabic, sometimes waiting for an interpretation and sometimes not. At the outset, the Commissioner noted that the hearing concerned only the PFA matter. Additionally, because Husband had not filed any petition of his own, he was instructed that he could only present evidence “tied to the four corners of [Wife’s] petition.”²

Wife testified that she lives in Delaware and has four minor children with Husband. He left the marital home in April 2025 to stay with a friend in New York City. After he moved out, Husband began writing checks to himself from a marital account, transporting them to Egypt, and cashing them. The checks withdrew tens of thousands of dollars of funds intended to cover essential household and family expenses. Husband shared records of the checks with Wife and informed her that his plan was to remain in Egypt, continue cashing checks, and leave her to take care of the children. Wife is not employed and has no independent income aside from public benefits. Shortly before the parties’ separation, Husband had applied for SSDI benefits. He was approved for benefits in June 2025, but he was informed that the payments would not start until October 2025, leaving the family with a gap during which their savings were essential to staying afloat.

In support of her testimony, Wife presented a bank statement showing that Husband deposited \$30,000 in a separate account and then withdrew \$31,000 from it on May 5, 2025; pictures of cashier’s checks totaling \$31,000, made out from Husband and Wife to Husband on May 5, 2025; ticket information for four round-trip flights to Egypt between June and

² PFA Hearing at 11:27 a.m., Oct. 29, 2025 (audio).

October 2025; receipts for currency-exchange and cash-deposit transactions in Egypt; and an award letter confirming Husband's SSDI entitlement beginning in September 2025.

In a recording Wife presented from her 17-year-old son's phone, Husband called Wife "crazy" and said repeatedly that the son should "kick her out" or call the police on her and "say she's crazy" so they would remove her from the home and Husband could return.³ The court interpreter presented the conversations in English but confessed to having some difficulty with the son's—but not the parents'—particular Egyptian dialect. Nonetheless, the Commissioner admitted the recordings into evidence.

Husband then presented his case. His testimony was frequently confusing, and his narrative of events was not consistent. He also repeatedly attempted to present evidence relevant only to issues beyond the limited scope of the PFA. In his version of events, the parties did not separate until September 2025. Although he did travel to New York and Egypt on several occasions before then, he claimed that those trips were to secure, respectively, (1) SSDI benefits and a New York taxi license and (2) medical care. However, the Commissioner pointed out that Husband's description of short trips to New York to complete paperwork was belied by his acknowledgment that he stayed for extended periods at a New York friend's house except when that friend had family members visiting. Confronted by that inconsistency, Husband said that he wanted to avoid being at home that summer because he was scared of Wife and she "was always screaming."⁴ He never explained how that concession was consistent with his belief that the parties did not separate until September.

³ PFA Hearing at 12:22–24 p.m. and 12:28–29 p.m.

⁴ PFA Hearing at 11:42 a.m.

Nor did he explain why he told his son on a recorded call in August—a month before the purported separation date—that he was not coming home.

He also rejected Wife’s explanation of his withdrawals from the marital account. First, he argued that the transactions she had identified were 2024 withdrawals of a Small Business Administration loan intended to buy her a car so that she could work as an Uber driver. When the Commissioner pointed out that Wife’s evidence showed withdrawals in 2025—not from 2024—Husband instead acknowledged that he did deposit \$30,000 in his separate account in Delaware but that he then withdrew \$31,000 in cash only for Wife to steal it from the glove compartment of his car. Then, later, he contended that the checks were in fact made out to both of them and that in any case “everything was spent on the kids” and the family, including on trips to Egypt and Disneyland.⁵ Husband also admitted having taken money with him on his trips to Egypt, though he contended he only brought between \$3,000 and \$4,000 and had also spent money on his children during the same time frame.

Husband did not deny that he spoke over the phone with his son during one of those trips, but he rejected the accuracy of Wife’s recording of that call. He explained that his son called to ask for \$45 for a shirt, and Husband simply replied that since Wife was receiving food stamps and other benefits for the children, she should cover the cost.

At the same time, Husband made a series of wide-ranging misconduct allegations against Wife, including claims she drained the marital assets and threatened to poison him, take his money, and spend it on a new, younger husband. He further alleged that, during one

⁵ PFA Hearing at 1:54 p.m.

of his trips, she hacked into his accounts and devices; confiscated his SSDI benefits, passport, and naturalization certificate; and sent an email from his account requesting removal from the lease for the marital residence. The bank records presented by Husband showed, however, that his October SSDI payment was deposited into a joint account with his son to which Wife never had access. Additionally, Husband presented bank statements from the parties' joint account, arguing that they showed Wife transferring thousands of dollars of marital funds to her own separate account. However, only one of the two transfers he highlighted was actually a withdrawal. The other, Wife explained, was a withdrawal of \$5,000 of an IRS rebate to a separate account from which she covered necessary household expenses after Husband left and began withdrawing money from the joint account.

Near the end of the hearing, Husband also threatened Wife on the record, saying "I will take her to jail with me. I will send her to jail."⁶ The Commissioner interrupted Husband, reprimanded him, and instructed him to file his own PFA petition should he want protection from Wife. Husband then apologized, so the Commissioner elected not to hold him in contempt.⁷

The Commissioner then orally granted Wife a one-year protective order,⁸ explaining that Husband's credibility was undermined by his inconsistent testimony about the time of his departure from the home, the nature of his trips to New York and Egypt, and the disposition of the tens of thousands of dollars Husband withdrew from the marital account.

⁶ PFA Hearing at 1:58–1:59 p.m.

⁷ File CN25-04325, Pet. #25-21633, Tab 29.

⁸ See File CN25-04325, Pet. #25-21633, Tab 25.

Therefore, based on the evidence and Husband's threat on the record, the Commissioner found financial abuse and other threatening conduct, awarded temporary primary residential placement of the children and exclusive use of the marital residence to Wife, and ordered Husband to stop withdrawing shared funds and to have no contact with Wife except with respect to visitation.⁹ A written order with findings of fact followed the next day.¹⁰

On November 10, 2025, Husband filed a Motion to Reopen the PFA order,¹¹ claiming that Wife had lied in court and that Husband was denied due process of law when the interpreter "explicitly stated that he d[id] not completely understand the dialect of the parties" and the Commissioner did not immediately take steps to address the issue.¹² Husband also submitted several new documents with his motion in an effort to show that he was contributing to family expenses.

The Commissioner denied Husband's motion on November 24, 2025, explaining that "[t]he interpreter stated he had difficulty understanding the dialect of the parties' minor son only" and that Husband should have presented any evidence at the hearing.¹³ Husband then filed his timely Request for Review of a Commissioner's Order on December 8, 2025.¹⁴

STANDARD OF REVIEW

This Court has appellate jurisdiction to review the Commissioner's order under 10 *Del. C.* § 915(d)(1), which states:

⁹ File CN25-04325, Pet. #25-21633, Tab 25.

¹⁰ File CN25-04325, Pet. #25-21633, Tab 26.

¹¹ See *Del. Fam. Ct. Civ. R.* 60(b).

¹² File CN25-04325, Pet. #25-21633, Tab 27.

¹³ File CN25-04325, Pet. #25-21633, Tab 29.

¹⁴ File CN25-04325, Pet. #25-21633, Tab 35.

Any party, except a party in default of appearance before a Commissioner, may appeal a final order of a Commissioner to a judge of the Court by filing and serving written objections to such order, as provided by rules of the Court, within 30 days from the date of a Commissioner's order. A judge of the Court shall make a de novo determination of those portions of the Commissioner's order to which objection is made. A judge of the Court may accept, reject[,] or modify in whole or in part the order of the Commissioner. The judge may also receive further evidence or recommit the matter to the Commissioner with instruction.

When making a “de novo” determination, the Court independently “reviews the evidence and law without deference to the trial court’s ruling”¹⁵ and “decide[s] anew” whether that ruling was correct.¹⁶ The Court may “accord[] weight to the credibility findings of the Commissioner,”¹⁷ who had “the opportunity to hear and assess witness testimony” in person at trial.¹⁸ However, “the Commissioner must explicitly identify the reasons why one witness is more credible than another” so that the Court can “conduct a meaningful appellate review of the matter.”¹⁹

ANALYSIS

The Court will address Husband’s four points in turn, construing his claims in light of his self-represented status to fully and fairly address their “underlying substance.”²⁰

¹⁵ *M.C. v. S.C.*, No. CN24-01763, CN24-01782, 2024 WL 4345511, at *1 (Del. Fam. Ct. June 13, 2024) (Hirst, J.) (quoting *State v. M.S.*, No. 0605008568, 2006 WL 4546614, at *1 (Del. Fam. Ct. Sept. 8, 2006)).

¹⁶ Del. Fam. Ct. Civ. R. 53.1(e), (g).

¹⁷ *Adams-Hall v. Adams*, No. 50, 2010, 2010 WL 3733922, at *2 (Del. Sept. 8, 2010).

¹⁸ *DFS v. J.C.*, No. CN11-04854, 2012 WL 4861601, at *3 (Del. Fam. Ct. May 23, 2012).

¹⁹ *Id.*

²⁰ See *Durham v. Grapetree, LLC*, No. 7325, 2014 WL 1980335, at *5 n.27 (Del. Ch. May 16, 2014); see also *M.W. v. L.W.*, 2014 WL 1980335, at *2 (Del. Fam. Ct. Aug. 30, 2012).

A. Due Process

Although “[t]he Due Process and Equal Protection Clauses of the United States Constitution require courts to supply interpreters for criminal defendants,” that constitutional right has not been broadly extended to participants in civil cases.²¹ Where it does apply, the right guarantees the presence of an interpreter but not necessarily a perfect interpretation.²² A litigant challenging the services of a court-appointed interpreter must point to specific issues casting “grave doubt” upon the “accuracy and scope” of the interpretation.²³

Even if he had a constitutional right to an appointed interpreter in defending against Wife’s PFA Petition, Husband has not shown it was violated. Although the Commissioner appointed an Arabic interpreter, Husband now claims that “the interpret[er] stated that he had difficulty understanding the dialect of the parties.”²⁴ He made a similar claim in his Motion to Reopen.²⁵ His claim, however, is unavailing, as the Commissioner recognized in her order denying that motion.²⁶ After struggling to interpret words spoken by the parties’ son on an audio recording, the interpreter explained that he could understand Husband and Wife, “because they’re from Egypt, I’m from Morocco, I’m very familiar with Egyptian

²¹ *In re Applied Cleantech, Inc.*, No. 12719, 2017 WL 65427, at *1 (Del. Ch. Jan. 5, 2017). In at least some immigration and parental-rights cases, some courts have held that an interpreter is required. *E.g.*, *In re Doe*, 57 P.3d 447, 459 (Haw. 2002); *Tesfamariam v. Woldenhaimanot*, 956 N.E.2d 118, 121 (Ind. Ct. App. 2011); *Kotas v. I.N.S.*, 31 F.3d 847, 850 n.2 (9th Cir. 1994).

²² See *Liu v. State*, 628 A.2d 1376, 1384–85 (Del. 1993); *Green v. State*, 260 A.2d 706, 707–08 (Del. 1969).

²³ *Liu*, 628 A.2d at 1385.

²⁴ File CN25-04325, Pet. #25-21633, Tab 35.

²⁵ File CN25-04325, Pet. #25-21633, Tab 27.

²⁶ File CN25-04325, Pet. #25-21633, Tab 29.

dialect. *But the son—his Egyptian dialect is not clear.*²⁷ Although at times during the hearing the interpreter struggled to keep up with rapid-fire testimony, repeating or replaying testimony or audio “rectified [any misunderstanding] to the apparent satisfaction of the parties.”²⁸ At other times, Husband spoke English directly to the Commissioner without waiting for an interpretation. Most significantly, Husband never indicated during the hearing that he could not understand the interpreter, nor does he now identify any specific misinterpretations or explain how this harmed his case.

Interpreters play a crucial role in realizing this Court’s mission to “provide equal access to justice for the families and children under [its] jurisdiction.”²⁹ A credible claim that a litigant with limited English proficiency was denied competent interpretation would raise serious concerns about the fairness and accessibility of those proceedings.³⁰ But even if those concerns implicated constitutional rights in this context, Husband has fallen well short of casting sufficient doubt on the quality of the interpretation provided him.

B. Exclusion of Evidence

Husband broadly claims that the Court banned him from introducing *any* evidence.³¹ After reviewing the record, the Court finds that, while the Commissioner did interrupt him on several occasions to limit the scope of his testimony and documentary evidence only to the PFA matter, those interruptions were justified. The Commissioner repeatedly clarified

²⁷ PFA Hearing at 12:29–30 p.m.

²⁸ See *Kotasz*, 31 F.3d at 850 n.2.

²⁹ *Mission and Jurisdiction of the Family Court*, Delaware Judicial Branch, <https://courts.delaware.gov/family/jurisdiction.aspx> (last visited Dec. 19, 2025).

³⁰ See *Cleantech*, 2017 WL 65427 at *1.

³¹ File CN25-04325, Pet. #25-21633, Tab 35.

that the only matter before her was Wife's petition, which alleged only financial abuse and threatening conduct directed at her as a partner. The Commissioner therefore properly prevented Husband from offering irrelevant evidence about custody or other issues that neither rebutted Wife's allegations nor were salient to the proceeding. In the absence of a more specific claim about particular evidence wrongfully excluded, Husband's second point must also be denied.³²

C. Sufficiency of the Evidence / Partiality

In his third and fourth points, Husband raises the related contentions that "the [Commissioner's] finding[s] were not supported by the facts or evidence" and that "the ruling was disproportionately harsh given the facts."³³ Taken together, the Court construes these as arguments that (1) Wife failed to prove abuse and (2) the Commissioner was biased against Husband. The Court is not persuaded by either argument.

To secure a protective order, Wife had the burden to show by a preponderance of the evidence that Husband subjected her to domestic violence.³⁴ Importantly, abuse under the domestic violence statute is not limited to physical violence. It is enough that a respondent "[i]ntentionally caus[ed] or attempt[ed] to cause an adult to be financially dependent by . . . [s]tealing or defrauding of money or assets, exploiting the victim's resources for personal

³² The Commissioner refused Husband's last-minute request to make phone calls to his prospective witnesses, who were not present, and inquire whether they were available to testify remotely. PFA Hearing at 1:29–1:30 p.m. Husband had not previously asked the Commissioner for permission to present remote witness testimony. To the extent Husband's broad claim on appeal encompasses this exclusion, it also fails. The ordinary rule is that witnesses must appear in person to testify at trial. *See In re Heller*, 669 A.2d 25, 32 (Del. 1995) (citing Del. Fam. Ct. Civ. R. 43(a)). A Commissioner may relax that rule upon receiving an appropriate and timely request, but there is certainly no obligation to do so in the circumstances presented here.

³³ File CN25-04325, Pet. #25-21633, Tab 35.

³⁴ 10 Del. C. § 1044(b).

gain, or withholding physical resources such as food, clothing, necessary medications, or shelter.”³⁵ Alternatively, a petitioner may prove abuse by showing “[a]ny other conduct which a reasonable person under the circumstances would find threatening or harmful.”³⁶

The Commissioner found that Wife had proved both of the above kinds of abuse, and, after conducting a comprehensive review of the entire record, this Court agrees. Wife presented compelling evidence establishing that, after leaving the marital home in April, Husband converted tens of thousands of dollars of marital funds to his exclusive use by cashing checks in Egypt. Wife was left supporting her family on public assistance. At the same time, Husband contacted his children, reminded them that his income had supported them, and encouraged them to have Wife removed from the home so that he could return and care for them. His words and actions suggest not only that he took the money, but also that he did so with the intent to make her financially dependent. Additionally, instructing his son repeatedly to call the police on Wife and expel her from the home was conduct that a reasonable person would find threatening.

Husband was afforded an opportunity to present evidence in his defense, but it was largely unconvincing or irrelevant. Moreover, the Commissioner found that Husband was not credible based on his inconsistent statements regarding his marital separation, the trips to New York, and the fate of the tens of thousands of dollars he admitted to withdrawing from the marital account. Although Husband attempted to levy abuse allegations against Wife, the Commissioner clearly explained she could not consider them because Husband

³⁵ 10 Del. C. § 1041(1)(h)(2).

³⁶ 10 Del. C. § 1041(1)(i).

never filed his own PFA petition. Consequently, based on the inconsistencies in Husband's testimony and the evidence presented, Husband failed to persuasively rebut Wife's evidence of financial and other abuse. Additionally, when Husband threatened Wife during the hearing, he in effect demonstrated that he was engaging in "conduct which a reasonable person under the circumstances would find threatening or harmful." For all of the above reasons, the Court finds the evidence supports the Commissioner's findings of abuse under 10 Del. C. §§ 1041(1)(h)(2) and 1041(1)(i).

Nor has Husband demonstrated that the Commissioner was biased. As explained above, the evidence was sufficient to support the protective order entered by the Commissioner. The substance of the order was therefore not "disproportionately harsh given the facts." The Commissioner simply summarized the concerning facts of the case, explained why Husband's inconsistent testimony failed to offer a credible alternative to Wife's narrative, and noted that the Commissioner had "chastised" Husband after he threatened Wife on the record during the hearing. A litigant does not prove bias on the part of a judicial officer simply by pointing to an adverse ruling.³⁷ Although a judicial opinion might conceivably reveal prejudice or prejudgment,³⁸ neither the Commissioner's ruling from the bench nor her supplemental written order raise such concerns. Instead, the Commissioner crafted a balanced, fair, and correct decision on the merits.

³⁷ *Gattis v. State*, 955 A.2d 1276, 1283 (Del. 2008) ("[J]udicial rulings alone are an insufficient basis for recusal motions[.]") (citing *Liteky v. United States*, 510 U.S. 540, 555 (1994)).

³⁸ See *Liteky*, 510 U.S. at 555; cf. *Royal Caribbean Cruise Lines, Ltd. v. Doe*, 767 So. 2d 626, 626–27 (Fla. Dist. Ct. App. 2000).

CONCLUSION

For the reasons given above, after an independent review of the record, the Court
ACCEPTS and **AFFIRMS** the Commissioner's Order dated October 30, 2025.

IT IS SO ORDERED.

1/7/2026
Date Written Order Issued

/ Eliza M. Hirst /
ELIZA M. HIRST, JUDGE

Date Emailed to Counsel:
EMH