

Parents each win a round in bitter battle over 11-year-old

Dad was former Detroit Lions prospect

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A mom and dad involved in a venomous custody dispute over their 11-year-old son each won a ruling in a court hearing Monday, although the well-publicized case is far from over.

Kelly Cracchiolo-Evans, 45, of Casco Township, won continuance of an order that prevents the boy's father, Mark Grabowski, from visiting with him even under supervised visitation.

Grabowski, 53, of Hartland, meanwhile, won his ability to refuse to give a deposition in the civil custody case until the resolution of his Livingston County criminal case. He is accused of parental kidnapping Connor Grabowski-Cracchiolo and taking him to South Dakota for more than a week in late summer.

The rulings resulted from a hearing in front of Judge Kathryn Viviano in Macomb County Circuit Court in Mount Clemens.

Grabowski's attorney, Felice Iafrate, in court offered for Grabowski to visit at a third-party location under the eye of a camera.

But Viviano delaying making a determination, scheduling hearings for Nov. 29 and Dec. 10 for various issues, such as a request by Connor's therapist to avoid testifying at a hearing.

Iafrate said afterward he was "disappointed" that his client cannot visit his son yet but is hopeful he can win at least supervised visitation in the near future.

"I was hoping for some ... parenting time," he said. "(But) I can't fault the court with that."

"They (Grabowski and Cracchiolo-Evans) have been fighting since the child was born."

Grabowski claims he took

Connor on the belief he was protecting him from harm.

Allegations of physical abuse have been made by the parties but none have been substantiated, said attorney Lori Finazzo, representing Connor.

Cracchiolo-Evans' attorney, Deborah O'Brien, argued in court Monday against allowing Grabowski to have contact with Connor.

"This child is safe and doing well with his mom and should not be placed back with a kidnapper," O'Brien said.

Iafrate noted that a district court judge in Livingston decided he is not a danger and released him on bond, on tether. The case sparked attention after Grabowski fled with Connor near the end of the boy's regular summer stay with Grabowski before he was to start at Richmond Middle School. The FBI got involved in the search; an agent said Grabowski planned to flee the country and establish a new identity in Costa Rica.

Days later and one day before Connor was found more than 1,000 miles away, a 2:38-minute YouTube video titled "Connor Grabowski NOT KIDNAPPED, I'M FREE," appeared online. In it, Connor, states he asked his father to take him away as a "birthday present."

Grabowski didn't fight extradition to Michigan.

O'Brien said Monday Connor was "manipulated to say and do different things," apparently referring to the video.

Grabowski was a prospect for the Detroit Lions in the early 1980s.

Cracchiolo-Evans is a teacher in Hazel Park Schools and former standout athlete at Richmond and Anchor Bay high schools.

The couple were never married.

"These two parents have put this child in a very difficult situation," she said.

"There are very serious allegations out there."