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COURT OF JUDICIAL DISCIPLINE

AUG 14 2020

COURT OF JUDICIAL DISCIPLINE
OF PENNSYLVANIA

IN RE:

President Judge Farley Toothman :
Court of Common Pleas : No. 1 JD 2020
13th Judicial District :
Greene County :

VERIFIED REPLY BRIEF
IN SUPPORT OF OMNIBUS VERIFIED PRETRIAL MOTION AND REQUEST FOR
ENTRY INTO THE JUDICIAL DIVERSION PROGRAM

President Judge Farley Toothman, by and through his undersigned counsel, respectfully presents this Verified Reply Brief in Support of Omnibus Verified Pretrial Motion and Request for Entry into the Judicial Diversion Program.

The JCB's overall tone in opposition to Judge Toothman's Motion is that there are certain rights, such as due process, that are so fundamental that the Judge's argument that there are nuances is "alarming" (JCB Brief pg. 4). The JCB's position is simplistic. No right is absolute. All matters of constitutional law involve nuance. The JCB cites no substantive law in support of its legal assertions that Judge Toothman violated well established rights, either in respect to the McCarty case, or Webster, or even Pellegrini. Not one case. Not one statute. Not one rule. No litigant arguing a legal error of such magnitude as to seek serious discipline against a jurist should neglect to explain in detail the underlying legal basis for the violation. Opposition to the Judicial Diversion Program and discipline premised on legal error should not be prosecuted by virtue of confidently asserted legal conclusions, without citation to legal authority. This is particularly so against a sitting judge who has expressed and already demonstrated—repeatedly—his desire to learn and improve in respect to processes and procedure, as well as demeanor, for the benefit of not only the judiciary, but the community which he passionately desires to serve to the very best of his ability.

A. McCarty

The JCB's assertion that Ms. McCarty was entitled to "due process" is unilluminating. To simply state that "due process" is owed is not to define the contours of exactly what process is due, when, and in what context. That is the difficult position of a judge and it is not an easy job. Errors in the implementation of due process are typically corrected on appeal, not by discipline.

The JCB's Brief creates the false optic that Ms. McCarty was targeted and thrown in jail over \$10 on account of the Sunoco incident. The Judge readily acknowledges that McCarty and her outstanding warrants came to his attention by virtue of the Sunoco incident. His actions, however, were a result of what the record showed him.

Specifically, at the time of the Judge's finding of contempt, McCarty had 9 pending bench warrants (not to mention dozens of other cases on the docket, criminal and otherwise)).¹ The **9 outstanding bench warrants** were issued by **another judge** months **before** the Sunoco incident. The outstanding warrants revealed noncompliance by McCarty. The Judge felt that some action was warranted to enforce prior orders against a habitual offender in furtherance of justice and in the best interests of the community.

The JCB does not argue that a judge is without power to enforce court orders. Nor could it. "The right to punish for such contempt is inherent in all courts." Appeal of Levine, 95 A.2d 222, 225 (Pa. 1953). Such power has been held to be essential to preserve the authority of the court. Id. Rather, the JCB argues that Judge Toothman investigated, used the incorrect procedure and conducted a hearing without the presence of counsel, concluding that based on these actions, he is incapable of education or improvement through the Judicial Diversion Program.

¹ Additional evidentiary support from the dockets is attached as Exhibit A hereto.

First, as to the investigation, the judiciary is certainly entitled to enforce its own orders. A judge is obligated to uphold the law. (CJC 2.2). Judge Toothman requested dockets, observed the outstanding bench warrants (which were a matter of public record) and took action. At its essence, the JCB's concern is that the Judge became too involved, but he believed he was holding McCarty accountable for her noncompliance in the interest of justice.

Second, as to the procedural process itself, the JCB emphasizes that McCarty lost her liberty, implying that no jail time would have been served had proper procedures been followed. (JCB Brief pg. 5). This is inaccurate. Rule 150 of the Pennsylvania Rules of Criminal Procedure provides that when a bench warrant is executed, the individual is lodged into in the jail for up to 72 hours pending a hearing. And, of course, there are additional consequences contingent upon the result of the hearing. McCarty would not likely have avoided jail time had this procedure been implemented.

Third, the right to counsel does not apply to all proceedings which could possibly result in the loss of an individual's liberty. There are differences between the rights afforded under the United States vs. the Pennsylvania Constitution, differences between criminal and civil cases, and even differences between criminal cases, all governing what procedural process is due.² Civil contempt, which offers fewer procedural protections, differs from criminal contempt in that it seeks only to coerce a defendant to do what a court had previously ordered. *See, Turner v. Rogers*, 564 U.S. 431, 446, (2011). That appeared to be the scenario posed by McCarty's noncompliance

² For example, there is ordinarily no right to counsel at a probation revocation proceeding. *Morrissey v. Brewer*, 408 U.S. 471 (1972); *Gagnon v. Scarpelli*, 411 U.S. 788 (1973). In the civil case context, where the Sixth Amendment does not apply, due process does not necessarily require the provision of counsel, even if incarceration is a possibility. *See, Turner v. Rogers*, 564 U.S. 431, 446, (2011). Also, there are multiple kinds of bench warrants (applicable in both civil and criminal cases) and rules governing them. *See, e.g., Pa.R.Cr.P. 150, 151, 431, 559 and MDJS 417.*

with prior orders. There absolutely are nuances which are not obvious from the mere recognition that some type of process is due.

A key Pennsylvania case addressing contempt of court, Commonwealth v. Crawford, 466 Pa. 269, 272, 352 A.2d 52, 54 (1976), further illustrates that due process is a complex area. Therein, the Pennsylvania Supreme Court took up the issue of the right to counsel in the context of direct criminal contempt. The dichotomy of views between the Justices resulted in several different opinions. Several dissenting justices found no entitlement to counsel. Id. at 61. Further, the continued vitality of the decision in Crawford was expressly disapproved in subsequent case law, limiting its application. Commonwealth v. Moody, 125 A.3d 1, 15 (Pa. 2015).

As with the initial Brief, the point of the above is not to conduct a thorough analysis of all of the contours of constitutional law, but to underscore that this is a complicated area. What process is due, when and in what context comes from years of developments in constitutional law, sometimes with the courts making errors along the way that are corrected by the appellate courts, who are internally not always in agreement.³ Judge Toothman did afford some due process to McCarty, namely, an opportunity to be heard on the official record before any finding of contempt. He admits that he did not afford her counsel, such that it can be argued that she did not receive all that was due in this particular context. The Judge has acknowledged and confirms his desire to be educated on any limitations on his ability to review dockets, the proper procedure and right to counsel when dealing with bench warrants, and the distinction between civil and criminal contempt. For the JCB to argue that due process rights are not nuanced, or to presume that further education of Judge Toothman would serve no purpose, ignores the complexity of the issues.

³ Errors in application continue to occur, such as in the recent case of Commonwealth v. Walsh, No. 819 WDA 2013, 2014 (Pa. Super. 2014)(unpublished), by way of one example.

Importantly, none of the cases cited by the JCB lead to a conclusion that the Judicial Diversion Program would not be of benefit in the context of this case. (JCB Brief pg. 5). None of the cases even specifically address the Program. In re Berkheimer, 593 Pa. 366, 368, 930 A.2d 1255, 1256 (2007) involved a magistrate showing pornography, utilizing vulgarity and improperly using of county staff to politic—none of which is at issue here. In re Roca, 151 A.3d 739, 740 (Pa. Cmwlth. 2016) involved case fixing, also not at issue here. In In re Merlo, 34 A.3d 932, 944 (Pa. Cmwlth. 2011), the magistrate was absent from the job about 30% of the time. This is also not at issue, as no one has accused Judge Toothman of not working hard. His record of accomplishments reveals the opposite. In re Merlo is also distinguishable for another reason. Although not a diversion case, the Court found: “We are not convinced that Respondent is not competent in the law; but we are convinced that she was not faithful to it.” Id. at 964. Judge Toothman sincerely desires to demonstrate to the Court his commitment to improve and correct any missteps through education and continued mentoring, resulting in the faithful adherence to the law.

B. Pellegrini

In its Brief, the JCB does not address the Judge’s legal authority explaining that the posting of a grievance, while not optimal handling of the situation, did not rise to the level of retaliation. (Toothman Brief, pg. 4-6). Instead, the JCB suggests that Judge Toothman has offered differing justifications for his response to the Pellegrini grievance. The Judge has consistently stated that his goal was to preserve confidentiality of the courts.

Given the short duration of the posting, there is no evidence whatsoever that the posting exposed Pellegrini to any actual embarrassment or risk. The Judge had no direct interactions with Pellegrini at that time. The subject matter was not especially sensitive as the grievance involved work on the Judge’s personal clock. The fact that a grievance has been filed is not inherently

confidential. Moreover, the resulting arbitration decision is considered a public record. *See, Lutz v. City of Phila.*, 6 A.3d 669, 671 (Pa. Cmwlth. 2010).

The JCB's citation to *In re Lokuta*, 964 A.2d 988 (Pa. Ct. Jud. Disc. 2008), *aff'd*, 11 A.3d 427 (Pa. 2011) in the context of discussing Pellegrini is not explained in the JCB's Brief. *In re Lokuta* arose in the context of a more wide-spread corrupt environment in Luzerne County. There is simply no comparison here. Pellegrini was not a litigant in a case pending before the Judge. Rather, she was a litigant *against* the Judge, who had previously refused to cooperate in the Judge's efforts to ensure confidentiality. The Judge was entitled to defend himself, and successfully did so against her baseless grievance. The Judge's reaction was not a flawed view of his authority, but entirely consistent with his view that confidentiality of the courts is paramount and in defense of frivolous accusations against him.

C. Webster

Finally, the JCB contends that Judge Toothman fails to understand "important and basic legal concepts" in respect the requirement that Courts are open. (JCB Brief pg 10). Yet, the JCB has not cited a single case supportive of its legal conclusion. Merely repeating the same legal conclusion as set forth in the Complaint does not make it so. In contrast, the Judge has cited ample authority that the right to open courts is not absolute and closure of the court by him to protect a minor is not violative of any rights. (Motion ¶17-39).

D. Kiger / Alleged Local Rule Change

The Kiger matter is primarily one of demeanor. The JCB's Brief does not address the allegation that local rules were changed. Therefore, in an effort not to be repetitive, Judge Toothman has no further response to these specific matters, beyond what is in the original Motion and Brief.

E. Conclusion

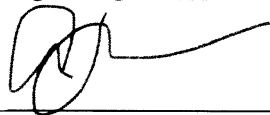
This Court's decision comes down to a consideration over whether additional training, education and mentoring would be of benefit to Judge Toothman in further service to his community and the judiciary. Judge Toothman is asking for help navigating criminal procedure and the specific issues involving bench warrants and due process, as well as help in navigating administrative issues, with the goal to avoid missteps and develop better strategies in the future. The JCB concludes that the Program would not be successful, but such analysis is not evidence based. The entire point of the Program is to improve the judiciary. The impact to Judge Toothman and Greene County could be immediate and beneficial to all. And, if not successful, the discipline will proceed, such that the JCB will have lost no opportunity to prove its case.

WHEREFORE, President Judge Farley Toothman again submits that he would be a very good candidate for the Judicial Diversion Program and respectfully asks that the Court of Judicial Discipline consider his request for admission as part of his Omnibus Motion and to schedule a hearing on the Motion if it deems one to be warranted.

WEINHEIMER, HABER & COCO, P.C.



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CERTIFICATE OF COMPLIANCE

I certify that this filing complies with the provisions of the *Public Access policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that required filing confidential information and documents differently than non-confidential information and documents.

Submitted by: Counsel on behalf of President
Judge Farley Toothman

Signature:



Name: Bethann R. Lloyd, Esq.

Attorney ID No. 77385

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the within **REPLY BRIEF IN SUPPORT OF OMNIBUS VERIFIED PRETRIAL MOTION AND REQUEST FOR ENTRY INTO THE JUDICIAL DIVERSION PROGRAM** has been served on counsel and/or parties of records, by U.S. First Class Mail, postage prepaid (and by email), on this 13th day of August, 2020, to the following:

Richard W. Long, Chief Counsel
Melissa L. Norton, Deputy Counsel
Judicial Conduct Board
Pennsylvania Judicial Center
601 Commonwealth Avenue, Suite 3500
Harrisburg, PA 17106

Respectfully submitted,

WEINHEIMER, HABER & COCO, P.C.



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429 Fourth Avenue
Pittsburgh, PA 15219-1503
412-765-3399

EXHIBIT A



Bench Warrant

Mag. Dist. No. : MDJ-13-3-01
MDJ Name : Honorable Jesse J. Cramer
Address : 144 West High Street
Waynesburg, PA 15370
Telephone : 724-627-8961

Commonwealth of Pennsylvania
v.
Christy L. McCarty

Complaint No:	C 3514645-1	Issued For:	Christy L. McCarty
Charging Officer:	Rennie, Nicholas J.	Docket No:	MJ-13301-TR-0000083-2017
Arresting Agency:	Waynesburg Boro Police Dept	NCIC OFF:	
Case Filed:	01/23/2017	OOC:	
OTN:		WARRANT ID:	DIS706716370
Reason For Warrant:	Fail to Pay	Warrant Control No:	13301-BW-0001052-2017
Offense Date:	01/18/2017		
Lead Offense:	75 § 4703 §§ A Operat Veh W/O Valid Inspect		

TO THE SERVER: Jeff P. Rohanna

In the name of the Commonwealth of Pennsylvania, you are commanded to take the defendant, Christy L McCarty, into custody. When the defendant is taken into custody, either (a) accept a signed guilty plea and the full amount of fines and costs, (b) accept a signed not guilty plea and the full amount of collateral, (c) accept the amount of restitution, fine and costs due following a guilty plea or conviction, or (d) if unable to pay, promptly take defendant for a hearing on the bench warrant as provided in Pa.R.Crim.P. 431(C)(3).

Witness the hand and official seal of the issuing authority on this 24th day of July, 2017.

July 24, 2017

Date

Senior Magisterial District Judge Jesse J. Cramer



Amount required to satisfy sentence of fines and costs:	
Fines:	\$15.00
Costs/Fees:	\$82.50
Other:	\$0.00
Total:	\$97.50

VOID AFTER
120 DAYS



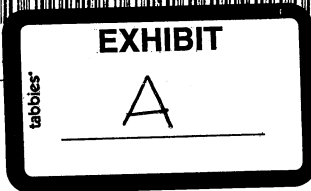
MJ-13301-TR-0000083-2017



13301



Christy L McCarty



Commonwealth of Pennsylvania
v.
Christy L. McCarty

Warrant Control No: 13301-BW-0001052-2017
Docket No: MJ-13301-TR-0000083-2017
OTN:

ADDITIONAL WARRANT INFORMATION

Information is being shown for information purposes. Warrant statuses may have changed since the printing of this form. To obtain the current status, the court should be contacted. Note: Only cases where the defendant has the same participant identification number as recorded in the MDJS will display.

<u>Warrant Control Number</u>	<u>Status</u>	<u>Type</u>	<u>Warrant Status Date</u>	<u>Docket Number</u>
13301-BW-0001049-2017	Issue	Bench Warrant	07/24/2017	MJ-13301-NT-0000030-2017
13301-BW-0001044-2017	Issue	Bench Warrant	07/24/2017	MJ-13301-NT-0000031-2017
13301-BW-0001050-2017	Issue	Bench Warrant	07/24/2017	MJ-13301-TR-0000081-2017
13301-BW-0001051-2017	Issue	Bench Warrant	07/24/2017	MJ-13301-TR-0000082-2017
13301-BW-0001043-2017	Issue	Bench Warrant	07/24/2017	MJ-13301-TR-0000101-2017
13301-BW-0001042-2017	Issue	Bench Warrant	07/24/2017	MJ-13301-TR-0000293-2017
13301-BW-0001041-2017	Issue	Bench Warrant	07/24/2017	MJ-13301-TR-0000294-2017
13301-BW-0001040-2017	Issue	Bench Warrant	07/24/2017	MJ-13301-TR-0000295-2017



RECEIPT

Receipt Number: 13301-2017-R0004049
 Recorded Date: 10/03/2017 1:47:39PM
 Receipt Date: 10/03/2017
 Manual Receipt No:

Mag. Dist. No:	MDJ-13-3-01
MDJ Name:	Honorable Jesse J. Cramer
Address:	144 West High Street Waynesburg, PA 15370
Telephone:	724-627-8961

Payor: Christy L McCarty
 52 W Greene St Apt 4
 Waynesburg, PA 15370

Payment Source: Non-Monetary

Payment Date	Payment Method	Check / Money Order Number	Bank Transit Number	Void	Payment Amount
10/3/2017	Jail Time Compensation			No	\$1,560.00

Responsible Participant: McCartney, Christy

Docket Number: MJ-13301-TR-0000101-2017 **Comm. v. McCartney, Christy**
 Complaint/Citation Number: C 3514646-2 Lead Offense: 75 § 1786 §§ F - Oper Veh W/O Req'd Financ Resp
 Case Balance: \$0.00

Responsible Participant: McCarty, Christy L

Docket Number: MJ-13301-NT-0000030-2017 **Comm. v. McCarty, Christy L**
 Complaint/Citation Number: R 0952957-5 Lead Offense: 18 § 5503 §§ A4 - Disorder Conduct Hazardous/Physl Off
 Case Balance: \$217.24

Docket Number: MJ-13301-TR-0000081-2017 **Comm. v. McCarty, Christy L**
 Complaint/Citation Number: C 3514644-0 Lead Offense: 75 § 1786 §§ F - Oper Veh W/O Req'd Financ Resp
 Case Balance: \$0.00

Jail Time Served

Docket Number: MJ-13301-TR-0000294-2017 **Comm. v. McCarty, Christy L**
 Complaint/Citation Number: C 3514736-1 Lead Offense: 75 § 1786 §§ F - Oper Veh W/O Req'd Financ Resp
 Case Balance: \$0.00

Docket Number: MJ-13301-TR-0000295-2017 **Comm. v. McCarty, Christy L**
 Complaint/Citation Number: C 3514737-2 Lead Offense: 75 § 7124 - Fraudulent Use/Removal Of Reg Plate
 Case Balance: \$0.00

Total amount owed by responsible participant on all non-archived cases in this Court for Participant Account No: 2017-1117136

\$833.49

Payment Summary:

Total Payment Received:	\$1,560.00
Change Amount:	\$0.00
Retained Unapplied Amount:	\$0.00
Payments Less Change:	\$1,560.00

Comments: Thank You

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RECEIPT

Receipt Number: 13301-2017-R0004046
Recorded Date: 10/03/2017 1:05:39PM
Receipt Date: 10/03/2017
Manual Receipt No:

Mag. Dist. No: MDJ-13-3-01
MDJ Name: Honorable Jesse J. Cramer
Address: 144 West High Street
Waynesburg, PA 15370
Telephone: 724-627-8961

Payor: Christy L. McCarty
52 W Greene St Apt 4
Waynesburg, PA 15370

Payment Source: Non-Monetary

Payment Date	Payment Method	Check / Money Order Number	Bank Transit Number	Void	Payment Amount
10/3/2017	Community Service			No	\$546.00

Responsible Participant: McCarty, Christy L

Docket Number: MJ-13301-TR-0000081-2017 **Comm. v. McCarty, Christy L** *Partial Comm. Serv*
Complaint/Citation Number: C.3514644-0
Lead Offense: 75 § 1786 §§ F - Oper Veh W/O Req'd Financ Resp

Case Balance: \$416.60

Docket Number: MJ-13301-TR-0000082-2017 **Comm. v. McCarty, Christy L**
Complaint/Citation Number: C 3514643-6
Lead Offense: 75 § 1515 §§ A - Fall to Notify Change in Address

Case Balance: \$0.00

Docket Number: MJ-13301-TR-0000083-2017 **Comm. v. McCarty, Christy L**
Complaint/Citation Number: C 3514645-1
Lead Offense: 75 § 4703 §§ A - Operat Veh W/O Valid Inspect

Case Balance: \$0.00

Docket Number: MJ-13301-TR-0000293-2017 **Comm. v. McCarty, Christy L**
Complaint/Citation Number: C 3514735-0
Lead Offense: 75 § 1301 §§ A - Dr Unregist Veh

Case Balance: \$0.00

Total amount owed by responsible participant on all non-archived cases in this Court for Participant Account No: 2017-1117136

\$2,393.49

Payment Summary:

Total Payment Received:	\$546.00
Change Amount:	\$0.00
Retained Unapplied Amount:	\$0.00
Payments Less Change:	\$546.00

Comments: Thank You

nme

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Magisterial District Courts Docket Sheets

On April 1, 2012, AOPC implemented a new protocol in its Magisterial District Judge System to ensure that when the official paper case records of an individual case have been destroyed in accordance with the Record Retention and Disposition Schedule with Guidelines ("Schedule") promulgated pursuant to Pa.R.J.A. No. 507 that the public the case will no longer be accessible. These actions are consistent with the Schedule's purpose to implement record disposition consistently throughout the UJS. Therefore, official record pursuant to the Schedule will also result in the electronic case record information regarding the record no longer being accessible to the public.

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Select a MDJ Docket Search Type from the dropdown (default search type is by Docket Number)

* Search Type: Participant Name ▼

Enter the desired search criteria and click Search (available search criteria changes based upon the type selected above)

* Last Name: (Exact Last Name)
 * First Name: (Example: James or Jo)(Exact Using 1 Letter)
 Date of Birth:
 and any combination of
 County: ▼
 Court Office: ▼
 Docket Type: ▼
 Case Status: ▼
 Date Filed: through

Click the Print Preview icon to display the report

Docket Number	Court Office	Short Caption	Filing Date	County	Case Status	Primary Participant(s)	OTN	LOTN
MJ-13301-LT-0000005-2018	MDJ-13-3-01	Roberts, Kenneth William v. McCarty, Christy, et al	05/16/2018	Greene	Closed	Fields, Jason McCarty, Christy Occupants, All other		
MJ-13301-CR-0000019-2018	MDJ-13-3-01	Comm. v. McCarty, Christy L.	03/03/2018	Greene	Closed	McCarty, Christy L.	U5608595	
MJ-13301-CR-0000013-2018	MDJ-13-3-01	Comm. v. McCarty, Christy L.	02/12/2018	Greene	Closed	McCarty, Christy L.	U5536646	
MJ-13301-NT-0000105-2018	MDJ-13-3-01	Comm. v. McCarty, Christy L.	02/12/2018	Greene	Closed	McCarty, Christy L.	U5536646	
MJ-13301-NT-0000330-2017	MDJ-13-3-01	Comm. v. McCarty, Christy Lee	10/27/2017	Greene	Closed	McCarty, Christy Lee		
MJ-13301-NT-0000295-2017	MDJ-13-3-01	Comm. v. McCarty, Christy L.	09/06/2017	Greene	Closed	McCarty, Christy L.		
MJ-13303-LT-0000022-2017	MDJ-13-3-03	John, Joseph F v. Fields, Jason, et al	06/12/2017	Greene	Inactive	Fields, Jason McCarty, Christy		
MJ-13301-TR-0000295-2017	MDJ-13-3-01	Comm. v. McCarty, Christy L.	03/03/2017	Greene	Closed	McCarty, Christy L.		
MJ-13301-TR-0000294-2017	MDJ-13-3-01	Comm. v. McCarty, Christy L.	03/03/2017	Greene	Closed	McCarty, Christy L.		
MJ-13301-TR-0000293-2017	MDJ-13-3-01	Comm. v. McCarty, Christy L.	03/03/2017	Greene	Closed	McCarty, Christy L.		

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Magisterial District Courts Docket Sheets

On April 1, 2012, AOPC implemented a new protocol in its Magisterial District Judge System to ensure that when the official paper case records of an individual case have been or should have been destroyed in accordance with the Record Retention and Disposition Schedule with Guidelines ("Schedule") promulgated pursuant to Pa.R.J.A. No 507 that the public web docket sheet for the case will no longer be accessible. These actions are consistent with the Schedule's purpose to implement record disposition consistently throughout the UJS. Therefore, destruction of the official record pursuant to the Schedule will also result in the electronic case record information regarding the record no longer being accessible to the public.

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MDJ docket sheets are available for specific docket types (see Participant Name search type). If you want to search by docket number, you will first need to fill out the county and court boxes. If you do not have that information, you cannot search by docket number.

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Select a MDJ Docket Search Type from the dropdown (*default search type is by Docket Number*)

* Search Type: Participant Name

Enter the desired search criteria and click Search (*available search criteria changes based upon the type selected above*)

* Last Name:
(Exact Last Name)

* First Name:
(Example: James or Ja)(Exact Using 1 Letter)

Date of Birth:

and any combination of

County:

Court Office:

Docket Type:

Case Status:

Date Filed: through

Click the Print Preview icon to display the report

Docket Number	Court Office	Short Caption	Filing Date	County	Case Status	Primary Participant(s)	OTN	LOTN	Police Incident/ Complaint Number	Date Filed
MJ-13301-NT-0000031-2017	MDJ-13-3-01	Comm. v. McCarty, Christy L	01/23/2017	Greene	Closed	McCarty, Christy L			R 0952956-4	
MJ-13301-NT-0000030-2017	MDJ-13-3-01	Comm. v. McCarty, Christy L	01/23/2017	Greene	Closed	McCarty, Christy L			R 0952957-5	
MJ-13301-TR-0000083-2017	MDJ-13-3-01	Comm. v. McCarty, Christy L	01/23/2017	Greene	Closed	McCarty, Christy L			C 3514645-1	
MJ-13301-TR-0000082-2017	MDJ-13-3-01	Comm. v. McCarty, Christy L	01/23/2017	Greene	Closed	McCarty, Christy L			C 3514643-6	
MJ-13301-TR-0000081-2017	MDJ-13-3-01	Comm. v. McCarty, Christy L	01/23/2017	Greene	Closed	McCarty, Christy L			C 3514644-0	
MJ-13302-LT-0000030-2016	MDJ-13-3-02	Baily, Patricia C. v. McCarty, Christy	06/09/2016	Greene	Closed	McCarty, Christy				
MJ-13301-TR-0000208-2016	MDJ-13-3-01	Comm. v. McCarty, Christy Lee	02/09/2016	Greene	Closed	McCarty, Christy Lee			C 2897851-5	
MJ-13301-TR-0000207-2016	MDJ-13-3-01	Comm. v. McCarty, Christy Lee	02/09/2016	Greene	Closed	McCarty, Christy Lee			C 2897852-6	
MJ-13301-TR-0000206-2016	MDJ-13-3-01	Comm. v. McCarty, Christy Lee	02/09/2016	Greene	Closed	McCarty, Christy Lee			C 2897853-0	
MJ-13301-TR-0000205-2016	MDJ-13-3-01	Comm. v. McCarty, Christy Lee	02/09/2016	Greene	Closed	McCarty, Christy Lee			C 2897855-2	

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Magisterial District Courts Docket Sheets

On April 1, 2012, AOPC implemented a new protocol in its Magisterial District Judge System to ensure that when the official paper case records of an individual case have been or should have been destroyed in accordance with the Record Retention and Disposition Schedule with Guidelines ("Schedule") promulgated pursuant to Pa.R.J.A. No. 507 that the public web docket sheet for the case will no longer be accessible. These actions are consistent with the Schedule's purpose to implement record disposition consistently throughout the UJS. Therefore, destruction of the official record pursuant to the Schedule will also result in the electronic case record information regarding the record no longer being accessible to the public.

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* Search Type: Participant Name ▼

Enter the desired search criteria and click Search (*available search criteria changes based upon the type selected above*)

* Last Name:
(Exact Last Name)

* First Name:
(Example: James or Jo)(Exact Using 1 Letter)

Date of Birth: / /

and any combination of

County: ▼

Court Office: ▼

Docket Type: ▼

Case Status: ▼

Date Filed: / / through / /

Click the Print Preview icon to display the report

Docket Number	Court Office	Short Caption	Filing Date	County	Case Status	Primary Participant(s)	OTN	LOTN	Police Incident/ Complaint Number	Date of Birth
MJ-13301-TR-0000204-2016	MDJ-13-3-01	Comm. v. McCarty, Christy Lee	02/09/2016	Greene	Closed	McCarty, Christy Lee			C 2897854-1	
MJ-13301-TR-0000203-2016	MDJ-13-3-01	Comm. v. McCarty, Christy Lee	02/09/2016	Greene	Closed	McCarty, Christy Lee			C 2897850-4	
MJ-13301-TR-0000981-2015	MDJ-13-3-01	Comm. v. McCarty, Christy Lee	06/29/2015	Greene	Closed	McCarty, Christy Lee			C 1636828-4	
MJ-13301-NT-0000247-2014	MDJ-13-3-01	Comm. v. McCarty, Christy Lee	06/11/2014	Greene	Closed	McCarty, Christy Lee			P 8507836-1	
MJ-13301-NT-0000203-2014	MDJ-13-3-01	Comm. v. McCarty, Christy L	05/05/2014	Greene	Closed	McCarty, Christy L				
MJ-13301-TR-0000635-2014	MDJ-13-3-01	Comm. v. McCarty, Christy Lee	04/28/2014	Greene	Closed	McCarty, Christy Lee			C 0170089-3	
MJ-13301-NT-0000075-2014	MDJ-13-3-01	Comm. v. McCarty, Christy L	02/28/2014	Greene	Closed	McCarty, Christy L				
MJ-13301-NT-0000205-2013	MDJ-13-3-01	Comm. v. McCarty, Christy L	06/14/2013	Greene	Closed	McCarty, Christy L				
MJ-13301-NT-0000145-2013	MDJ-13-3-01	Comm. v. McCarty, Christy L	04/22/2013	Greene	Closed	McCarty, Christy L				
MJ-13301-TR-0000168-2013	MDJ-13-3-01	Comm. v. McCarty, Christy Lee	02/28/2013	Greene	Closed	McCarty, Christy Lee			C 0194976-5	

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Magisterial District Courts Docket Sheets

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and any combination of

County:

Court Office:

Docket Type:

Case Status:

Date Filed: / / through / /

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Docket Number	Court Office	Short Caption	Filing Date	County	Case Status	Primary Participant(s)	OTN	LOTN	Police Incident/ Complaint Number	Date of Birth
MJ-13301-NT-0000095-2012	MDJ-13-3-01	Comm. v. McCarty, Christy L	03/09/2012	Greene	Closed	McCarty, Christy L				
MJ-13301-NT-0000046-2012	MDJ-13-3-01	Comm. v. McCarty, Christy Lee	02/10/2012	Greene	Closed	McCarty, Christy Lee			P 8507895-4	
MJ-13301-NT-0000322-2011	MDJ-13-3-01	Comm. v. McCarty, Christy L	06/02/2011	Greene	Closed	McCarty, Christy L			P 8508286-3	

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VERIFICATION

VERIFICATION

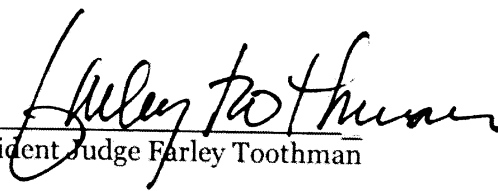
I, President Judge Farley Toothman, hereby verify that I have read the **REPLY BRIEF IN SUPPORT OF OMNIBUS VERIFIED PRETRIAL MOTION AND REQUEST FOR ENTRY INTO THE JUDICIAL DIVERSION PROGRAM.** The statements of fact contained therein are true and correct to the best of my personal knowledge, information and belief.

This Verification is made subject to the penalties of 18 Pa.C.S.A. §4904 relating to unsworn falsification to authorities, which provides that if I make knowingly false averments, I may be subject to criminal penalties.

DATE:

8/13/2020

President Judge Farley Toothman

A handwritten signature in black ink, appearing to read "Farley Toothman", is written over a horizontal line. The signature is cursive and somewhat stylized.