

COMMONWEALTH OF PENNSYLVANIA
COURT OF JUDICIAL DISCIPLINE

IN RE: :
: :
David W. Tidd :
Former Magisterial District: 3 JD 2016 :
Judge :
Third Judicial District :
Northampton County :

RECEIVED AND FILED
COURT OF
JUDICIAL DISCIPLINE
OF PENNSYLVANIA

2016 DEC 12 P 3:30

PRE-TRIAL MEMORANDUM OF THE RESPONDENT, DAVID W. TIDD

David W. Tidd, by and through his counsel, Samuel C. Stretton, Esquire, hereby files his initial Pre-Trial Memorandum. Mr. Tidd, through his counsel, requests the opportunity to amend this Pre-Trial Memorandum since additional investigation and work is being conduct and additional witnesses and exhibits may be necessary and further, Mr. Stretton is starting to work on detailed stipulations.

A.) Trial Witnesses

1. All witnesses listed by the Judicial Conduct Board.
2. David W. Tidd - Mr. Tidd will testify as to the various allegations and his defenses.
3. Police Officer John Bowlby of Lower Saucon Police Department - Officer Bowlby will testify consistent with his 2015 memo as to how former Judge Tidd conducted his Courtroom.
4. Police Officer David Roxberry of the Lower Saucon Police Department - Officer Roxberry will testify consistent

with his May 30, 2015 memo and also as to how former Judge Tidd ran his Courtroom.

5. Corporal Timothy Connell of the Lower Saucon Police Department - Corporal Connell will testify consistent with his May 31, 2015 memo and also generally as to how former Judge Tidd conducted his Courtroom.

6. Police Officer James Connell of the Lower Saucon Police Department - Officer Connell will testify consistent with his June 6, 2015 memo to the Judicial Conduct Board and also as to how former Judge Tidd conducted his Courtroom.

7. Police Officer Dominic Feagnago of Hellertown Police Department - Officer Feagnago will testify consistent with his June 11, 2015 memo and as to how former Judge Tidd ran his Courtroom.

8. Mark Minotti, Esquire - Mr. Minotti will testify consistent with his June 11, 2015 memo. He will also testify as to how former Judge Tidd conducted his Courtroom. He will also potentially testify as a character witness. His address is 717 Washington Street, Easton, Pennsylvania.

9. Joseph Melhem, III - Mr. Melhem's address is 503 Primrose Path, Easton, Pennsylvania. He would testify consistent with his June 15, 2015 memo. This would be consistent with what Attorney Minotti will also testify to.

10. Karen Palazzo, Esquire - Ms. Palazzo's address is 2030 Tilghman Street, Allentown, Pennsylvania. Ms. Palazzo will testify consistent with her June 16, 2015 memo. She will testify as to when she worked with David Tidd and will confirm his hours and how he kept his District Court duties separate from his law firm. Ms. Palazzo may also testify as to character.

11. Dr. Eric Becker - Dr. Becker will testify as to his treatment of former Judge Tidd for his Crohn's Disease and other issues. He will also introduce his August 10, 2011 letter to President Judge McFadden.

12. Police Officer Timothy Piotrowski of the Hellertown Police Department. He will testify consistent with his memo to the Judicial Conduct Board dated August 18, 2016.

13. Additional Police Officers from Lower Saucon Police Department:

- a.) Tom Barndt;
- b.) Tom Lauder;
- c.) Stephen Kunigus;
- d.) Charles Werkheiser;
- e.) Kyle Hagerty

All of the officers will testify as to how former Judge Tidd ran his Courtroom.

14. Additional Police Officers from Hellertown Police Department:

- a.) Matthew Andree;
- b.) Kevin McCartney;

All of the officers will testify as to how former Judge Tidd conducted his Courtroom.

15. Police Chief Mark Diluzio of the Bethlehem Police Department. Chief Diluzio was never in his Courtroom personally. He will testify to what his officers experienced as to former Judge Tidd's night duty performance and the lack of complaints about former Judge Tidd.

16. Nina Reynard of Pre-Trial Services of Northampton County - Ms. Reynard will testify as to how former Judge Tidd conducted his Courtroom, the appropriateness of former Judge Tidd's bail settings and other aspects of former Judge Tidd as a judicial officer.

17. Tracie Barnes, Northampton Community Human Resource Director - Ms. Barnes will testify as to issues involving employees at former Judge Tidd's office. Ms. Barnes will also testify to the fact that Diane Kale is the only county employee who was allowed to retire, collect a pension and maintain employment with the County.

18. The following lawyers may be called, and all will testify as to how former Judge Tidd conducted his Courtroom, how

he handled cases, how he treated the lawyers and the defendants and/or parties, and how he treated his staff. Many of them will also testify as character witnesses for David Tidd and will testify to his reputation in the community as a truthful and honest person and as a peaceful and law abiding person. They are lawyers practicing in Northampton County. Driver's licenses will be provided, but they are listed with the Office of Disciplinary Counsel's registration office and also can be found through Northampton County.

- a.) Phil Lauer, Esquire;
- b.) George Heitczman, Esquire;
- c.) John Waldron, Esquire;
- d.) Joseph Yanuzzi, Esquire;
- e.) Tom Jaoachim, Esquire (Mr. Jaoachim is a Bucks County attorney);
- f.) Christopher Shipman, Esquire;
- g.) Rory Driscoll, Esquire;
- h.) James Burke, Esquire - Mr. Burke will also testify as to his friendship with former Judge Tidd and his traffic tickets.
- i.) Edward Andres, Esquire;
- j.) John Obrecht, Esquire;
- k.) William Matz, Esquire;
- l.) Gary Azteak, Esquire;

- m.) Michael Moyer, Esquire;
- n.) Matthew Potts, Esquire;
- o.) Stephen Mills, Esquire;
- p.) Abe Kassis, Esquire;
- q.) Vivian Zumas, Esquire;
- r.) Richard Pepper, Esquire;
- s.) Nuria Diluzzio, Esquire;
- t.) Brian Monighan, Esquire;

19. District Judge Joseph Borner - Judge Borner will testify as to how District Courts are run in Northampton County, and common practices.

20. Constable Richard Seeds - Constable Seeds' address is not known, but will be provided as soon as found. Constable Seeds would testify as to how former Judge Tidd conducted his Courtroom and treated his secretaries and treated him. He would also testify as to character.

21. Some additional character witnesses are as follows:

a.) Vera Tidd - Mrs. Tidd is former Judge Tidd's wife and will testify as to his character and his devotion to his job as District Judge.

b.) Eric Huggler - Mr. Huggler's address is 9 Jane Drive, Englewood Cliffs, New Jersey. Mr. Huggler has been David Tidd's friend for about 35 years. He will testify as to the good character of David Tidd.

c.) Kim Desjadon, the personal legal secretary of former Judge Tidd during pertinent times. Ms. Desgadon will discuss how he ran his private office and conflict checks. She will also discuss how he made his judicial office a priority. She will also testify as to character. Her address is unknown, but will be provided at a later date.

d.) Carol Bubori - Ms. Bubori's address is unknown but I am in the process of finding it. Ms. Bubori was David Tidd's judicial secretary for two years. She would testify she worked for two years while he was a judge. She will testify how he conducted his judicial office and will indicate he did not use obscenities or anything of that nature on any regular basis and treated her fine. Ms. Bubori will testify as to former Judge Tidd's demeanor in the Courtroom and District Court setting.

e.) Mike Homa - Mr. Homa is David Tidd's accountant. His business address is 1631 Main Street, Hellertown, Pennsylvania. He will testify as to character of David Tidd.

B.) Potential Exhibits

1. David Tidd incorporates by reference any and all exhibits referenced in the Pre-Trial Memorandum of the Judicial Conduct Board.

2. David Tidd incorporates by reference and will introduce and mark as exhibits all documents set forth in the discovery letter dated October 7, 2016. Which is attached and marked as Exhibit "A". This letter is from the Judicial Conduct Board providing discovery. Each of these documents referenced may be utilized as an exhibit by David Tidd.

3. Attached and marked as Exhibit "B" is the letter dated September 21, 2016 of the Judicial Conduct Board listing of additional exhibits, which are interviews of various officers. They are incorporated by reference and the letter is attached and marked as Exhibit "B".

4. Additional exhibits would include the March 17, 2016 answer of former Judge Tidd to the Judicial Conduct Board.

5. September 25, 2011 advisory letter from the Ethics and Professional Committee of the Special Court Judicial Association by Judge Jayne Duncan.

6. Memo of George Heitzman, Esquire dated March 11, 2016 of his observation of District Judge Hawke not wearing his robe at the counter and doing paperwork and resolving matters.

7. Exhibits from David Tidd's attorney calendar, which reflect how certain cases, which he handled in bankruptcy came to him that would be presented on issues of conflict. This was marked as Exhibit "C" as part of his answer to the letter of inquiry.

8. Orders of the Northampton County Courthouse by the President Judge transferring cases from former Judge Tidd when he raised issues of conflict of interest. Those letters are dated June 29, 2014, December 9, 2014, April 9, 2014, May 20, 2014, June 30, 2014, July 14, 2014, July 22, 2014, December 4, 2015 and May 27, 2015. These Orders were all attached as part of the answer to the original inquiry letter.

9. In addition to these Orders, the additional Orders that were attached to the answer and letters by former Judge Tidd to Ms. French and others at Court Administration requesting transfers. All of these were attached as part of David Tidd's answer to the Judicial Conduct Board in the original letter of inquiry. That answer and these reports are all attached to this Pre-Trial Memorandum.

10. Memos to President Judge Baratta from Debra French and from David Tidd about other conflicts by David Tidd. These are collectively marked and attached to this subsequent to the answers and are marked as Exhibit "D".

11. David Tidd would also reference and mark as exhibits his two depositions before the Judicial Conduct Board.

12. Letter on ethical issues from Judge Barton to David Tidd. This was provided by the Judicial Conduct Board to Mr. Stretton. Mr. Stretton cannot find his copy, but when he does, will attach the same.

C.) Proposed Stipulations

Mr. Stretton is committed to working out stipulations with the Judicial Conduct Board. The Judicial Conduct Board proposed several hundred stipulations, but they are not acceptable. Mr. Stretton will stipulate to the authenticity of any and all court records. He will stipulate to the authenticity of any official documents. He will work with the Judicial Conduct Board to reach stipulations on the other issues.

D.) Additional Legal Issues

There will be issues raised during the course of the trial. First, there is a statute of limitations issue since some of the misconduct occurred more than four years ago, particularly the alleged misconduct in 2010 and 2011 and portions of 2012.

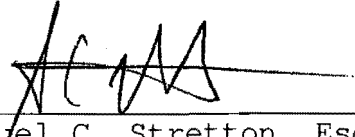
There is also the issue of the defense of laches. Many of these matters were known for years, but no one acted on them until recently.

E.) Certification of Discovery

Mr. Stretton, to his knowledge, has provided all the discovery that he has to the Judicial Conduct Board. He and

former Judge Tidd have cooperated fully with the Judicial
Conduct Board's investigation.

Respectfully submitted,



Samuel C. Stretton, Esquire
Attorney for Respondent,
David W. Tidd
301 S. High St., P.O. Box 3231
West Chester, PA 19381
(610) 696-4243
Attorney I.D. No. 18491

COMMONWEALTH OF PENNSYLVANIA
COURT OF JUDICIAL DISCIPLINE

IN RE: :
 :
David W. Tidd :
Former Magisterial District: 3 JD 2016 :
Judge :
Third Judicial District :
Northampton County :

CERTIFICATE OF SERVICE

I hereby certify I am this date serving a copy of the foregoing Pre-Trial Memorandum in the captioned matter upon the following persons in the manner indicated below.

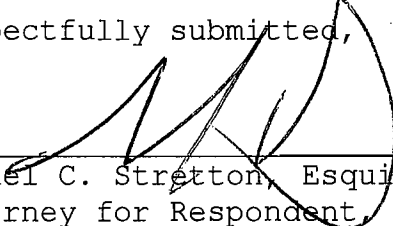
Service by First Class Mail addressed as follows:

1. Elizabeth A. Flaherty, Esquire
Deputy Counsel
Judicial Conduct Board
Pennsylvania Judicial Center
601 Commonwealth Ave., Suite 3500
P.O. Box 62525
Harrisburg, PA 17106
(717) 234-7911
2. Melissa L. Norton, Esquire
Assistant Counsel
Judicial Conduct Board
Pennsylvania Judicial Center
601 Commonwealth Ave., Suite 3500
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Harrisburg, PA 17106
(717) 234-7911

3. David W. Tidd
11 Black Bear Run
Fleetwood, PA 19522

Respectfully submitted,

12/12/16
Date



Samuel C. Stretton, Esquire
Attorney for Respondent.

David W. Tidd
301 S. High St., P.O. Box 3231
West Chester, PA 19381
(610) 696-4243
Attorney I.D. No. 18491



COMMONWEALTH OF PENNSYLVANIA
JUDICIAL CONDUCT BOARD

PENNSYLVANIA JUDICIAL CENTER
601 COMMONWEALTH AVENUE, SUITE 3500
P.O. Box 62525
HARRISBURG, PA 17106-2525
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October 7, 2016

HONORABLE ROBERT A. GRACI
CHIEF COUNSEL

717-234-7911

Samuel C. Stretton, Esquire
301 W. High Street
P.O. Box 3231
West Chester, PA 19381

In re: *Former MDJ David W. Tidd, 3 JD 2016*

Dear Mr. Stretton:

Pursuant to C.J.D.R.P. No. 401, please find enclosed copies of the following:

1. Confidential Request for Investigation received anonymously on August 18, 2014 with attached dated log excerpts. JCB File No. 2014-510.
2. Redacted Confidential Request for Investigation verified by David Repyneck, dated April 9, 2015. JCB File No. 2015-227.
3. Redacted Confidential Request for Investigation verified by Leslie Repyneck, dated April 22, 2015. JCB File No. 2015-237.
4. Confidential Request for Investigation received anonymously on April 9, 2015. JCB File No. 2015-285.
5. Confidential Request for Investigation received anonymously on April 9, 2015. JCB File No. 2015-286.
6. Confidential Request for Investigation received anonymously on June 11, 2015. JCB File No. 2015-421.
7. Redacted Report of Interview of Leslie Repyneck by Investigator Sean P. Brennan, dated August 17, 2015.
8. Complete copy of log excerpts, including supplements, in chronological order, beginning with November 9, 2011 through events of February 19, 2016.

~~Exhibit A~~

9. Docket, *Commonwealth v. Susan Elizabeth Blair*, MJ-03204-TR-0001339-2013.
10. Case File, *Commonwealth v. Susan Elizabeth Blair*, MJ-03204-TR-0001339-2013.
11. Docket, *Commonwealth v. Philippe J. Bortz*, MJ-03204-TR-0003751-2011.
12. Case File, *Commonwealth v. Philippe J. Bortz*, MJ-03204-TR-0003751-2011.
13. Docket, *Commonwealth v. Deshi Zheng*, MJ-03204-TR-3807-2011.
14. Case File, *Commonwealth v. Deshi Zheng*, MJ-03204-TR-0003807-2011.
15. Docket, *Commonwealth v. Deshi Zheng*, MJ-03204-TR-3808-2011.
16. Case File, *Commonwealth v. Deshi Zheng*, MJ-03204-TR-0003808-2011.
17. Docket, *Commonwealth v. Deshi Zheng*, MJ-03204-TR-3809-2011.
18. Case File, *Commonwealth v. Deshi Zheng*, MJ-03204-TR-0003809-2011.
19. Docket, *Commonwealth v. Anthony D. Fiorino*, MJ-03204-TR-0003184-2011.
20. Case File, *Commonwealth v. Anthony D. Fiorino*, MJ-03204-TR-0003184-2011.
21. Docket, *Commonwealth v. Alexander Groves*, MJ-03204-TR-0003937-2011.
22. Case file, *Commonwealth v. Alexander Groves*, MJ-03204-TR-0003937-2011.
23. Docket, *Sterling Jewelers, Inc. v. Karen L. Echenberg*, MJ-03204-CV-0000188-2011.
24. Case file, *Sterling Jewelers, Inc. v. Karen L. Echenberg*, MJ-03204-CV-0000188-2011.
25. Docket, *Wayne Diehl v. Jessica Warjas*, MJ-03204-LT-0000002-2012.

26. Case file, *Wayne Diehl v. Jessica Warjas*, MJ-03204-LT-0000002-2012.
27. Docket, *Commonwealth v. Brandon Samuel Desmond*, MJ-03204-TR-0003848-2011.
28. Case File, *Commonwealth v. Brandon Samuel Desmond*, MJ-03204-TR-0003848-2011.
29. Docket, *Commonwealth v. Jack Brian Garippa*, MJ-03204-TR-0003936-2011.
30. Case file, *Commonwealth v. Jack Brian Garippa*, MJ-03204-TR-0003936-2011.
31. Docket, *Larry and Louise Trexler v. David Ellis Gamble, Kreative Kitchens, LLC*, MJ-03204-CV-0000227-2011.
32. Case file, *Larry and Louise Trexler v. David Ellis Gamble, Kreative Kitchens, LLC*, MJ-03204-CV-0000227-2011.
33. Docket, *Commonwealth v. John A. Freed*, MJ-03204-TR-0003421-2011.
34. Case file, *Commonwealth v. John A. Freed*, MJ-03204-TR-0003421-2011.
35. Docket, *Commonwealth v. John A. Freed*, MJ-03204-TR-0003422-2011.
36. Case file, *Commonwealth v. John A. Freed*, MJ-03204-TR-0003422-2011.
37. Docket, *Commonwealth v. Emery Clark*, MJ-03204-TR-0001252-2014.
38. Case file, *Commonwealth v. Emery Clark*, MJ-03204-TR-0001252-2014.
39. Docket, *Commonwealth v. Emery Clark*, MJ-03204-TR-0001253-2014.
40. Case file, *Commonwealth v. Emery Clark*, MJ-03204-TR-0001253-2014.
41. Docket, *Commonwealth v. Emery Clark*, MJ-03204-TR-0001254-2014.
42. Case file, *Commonwealth v. Emery Clark*, MJ-03204-TR-0001254-2014.

43. MDJ Docket, *Commonwealth v. Jeremy David Farb*, MJ-03204-TR-0001607-2014.
44. Case file, *Commonwealth v. Jeremy David Farb*, MJ-03204-TR-0001607-2014.
45. Docket, *Commonwealth v. Brennan Jeffery Martin*, MJ-03204-TR-0001268-2014.
46. Case file, *Commonwealth v. Brennan Jeffery Martin*, MJ-03204-TR-0001268-2014.
47. Docket, *Commonwealth v. Ryan Christopher Petras*, MJ-03204-TR-0000660-2012.
48. Case file, *Commonwealth v. Ryan Christopher Petras*, MJ-03204-TR-0000660-2012.
49. Docket, *Commonwealth v. Ryan Christopher Petras*, MJ-03204-TR-0000661-2012.
50. Case file, *Commonwealth v. Ryan Christopher Petras*, MJ-03204-TR-0000661-2012.
51. Supplemental Log entries with five cases listed, received September 15, 2014.
52. Supplemental Log entries with five cases listed, received September 15, 2014.
53. Supplemental Log entries with five cases listed, received September 19, 2014.
54. Supplemental Log entries for August 12, 2014, August 28, 2014 and September 2, 2014.
55. Audio/video files for August 28, 2014 and September 2, 2014 on enclosed USB drive.
56. Supplemental Log entry regarding August 27, 2014, received on September 29, 2014.
57. Supplemental Log entry regarding September 22, 2014, received on September 29, 2014.

58. Supplemental Log entries regarding September 18, 2014, received on September 29, 2014.
59. Docket, *Commonwealth v. Ramon Joseph Passaro*, MJ-03204-CR-0000051-2014.
60. Case file, *Commonwealth v. Ramon Joseph Passaro*, MJ-03204-CR-0000051-2014.
61. October 2, 2014 email from Brenda Anthony with six pictures of video and audio surveillance notices posted at the District Court office.
62. Supplemental Log entries regarding September 30-October 2, 2014, received October 6, 2014.
63. Supplemental Log entries regarding October 6-7, 2014, received October 14, 2014.
64. Supplemental Log entry regarding October 8, 2014, received October 17, 2014.
65. Supplemental Log entry regarding October 9, 2014, received October 17, 2014.
66. Docket, *Commonwealth v. Patrick Sean Butler*, MJ-03204-CR-0000198-2014.
67. Case file, *Commonwealth v. Patrick Sean Butler*, MJ-03204-CR-0000198-2014.
68. Supplemental Log entries for October 14 and 27, 2014; November 3, 4, 5, 18, and 25, 2014; December 2, 8 (2), 10, and 11, 2014, received on December 15, 2014.
69. Docket, *Commonwealth v. Daniel Rafael Araujo, Jr.*, MJ-03204-0001712-2014.
70. Case file, *Commonwealth v. Daniel Rafael Araujo, Jr.*, MJ-03204-0001712-2014.
71. Docket, *Commonwealth v. Daniel Rafael Araujo, Jr.*, MJ-03204-0001713-2014.
72. Case file, *Commonwealth v. Daniel Rafael Araujo, Jr.*, MJ-03204-0001713-2014.

73. Docket, *Commonwealth v. Daniel Rafael Araujo, Jr.*, MJ-03204-0001714-2014.
74. Case file, *Commonwealth v. Daniel Rafael Araujo, Jr.*, MJ-03204-0001714-2014.
75. Docket, *Commonwealth v. Daniel Rafael Araujo, Jr.*, CP-48-SA-0000215-2014.
76. Redacted Report of Interview of Brenda Anthony by Investigator Sean P. Brennan, dated January 29, 2015.
77. Redacted Report of Interview of Diane Kale by Investigator Sean P. Brennan, dated February 11, 2015.
78. Report of Interview of Cassandra Bettler by Investigator Sean P. Brennan, dated February 18, 2015.
79. Report of Interview of Debra French by Investigator Sean P. Brennan, dated February 18, 2015.
80. Documents provided by Debra French at February 18, 2015 interview.
81. Report of Investigation by Investigator Sean P. Brennan, dated April 23, 2015, regarding calls from Brenda Anthony.
82. Docket, *Commonwealth v. James Burke*, MJ-03204-TR-0002649-2007.
83. Case file, *Commonwealth v. James Burke*, MJ-03204-TR-0002649-2007.
84. Docket, *Commonwealth v. James Burke*, MJ-03204-TR-0003339-2012.
85. Case file, *Commonwealth v. James Burke*, MJ-03204-TR-0003339-2012.
86. Docket, *Commonwealth v. James Burke*, MJ-03204-TR-0001082-2013.
87. Case file, *Commonwealth v. James Burke*, MJ-03204-TR-0001082-2013.
88. Docket, *Commonwealth v. James J. Burke*, MJ-03204-TR-0003287-2013.
89. Case file, *Commonwealth v. James J. Burke*, MJ-03204-TR-0003287-2013.

90. Docket, *Commonwealth v. James Burke*, MJ-03204-TR-0000528-2014.
91. Case file, *Commonwealth v. James Burke*, MJ-03204-TR-0000528-2014.
92. Docket, *Commonwealth v. James Burke*, MJ-03204-TR-0001612-2014.
93. Case file, *Commonwealth v. James Burke*, MJ-03204-TR-0001612-2014.
94. Docket, *Commonwealth v. Chenyce Denine Allen*, MJ-03204-TR-0003320-2011.
95. Case file, *Commonwealth v. Chenyce Denine Allen*, MJ-03204-TR-0003320-2011.
96. Docket, *Commonwealth v. Susan M. Szilagy*, MJ-03204-TR-0003670-2011.
97. Case file, *Commonwealth v. Susan M. Szilagy*, MJ-03204-TR-0003670-2011.
98. Docket, *Commonwealth v. Crystal Marie Fischer*, MJ-03204-TR-0003477-2011.
99. Case file, *Commonwealth v. Crystal Marie Fischer*, MJ-03204-TR-0003477-2011.
100. Docket, *Commonwealth v. Frederick C. Lance, Jr.*, MJ-03204-CR-0000440-2011.
101. Case file, *Commonwealth v. Frederick C. Lance, Jr.*, MJ-03204-CR-0000440-2011.
102. Docket, *Commonwealth v. Jane Litzenberger*, MJ-03204-TR-0003642-2011.
103. Case file, *Commonwealth v. Jane Litzenberger*, MJ-03204-TR-0003642-2011.
104. Docket, *Commonwealth v. Robert James Grello, Jr.*, MJ-03204-TR-0003631-2011.
105. Case file, *Commonwealth v. Robert James Grello, Jr.*, MJ-03204-TR-0003631-2011.

106. Docket, *Commonwealth v. Kristina V. Racek*, MJ-03204-TR-0003657-2011.
107. Case file, *Commonwealth v. Kristina V. Racek*, MJ-03204-TR-0003657-2011.
108. Docket, *Berkheimer Tax Administrator v. Timothy M. Pettijohn*, MJ-03204-CV-0000142-2011.
109. Case file, *Berkheimer Tax Administrator v. Timothy M. Pettijohn*, MJ-03204-CV-0000142-2011.
110. Docket, *Capital One Bank USA NA v. Russell Jonathan Maura*, MJ-03204-CV-0000191-2011.
111. Case file, *Capital One Bank USA NA v. Russell Jonathan Maura*, MJ-03204-CV-0000191-2011.
112. Supplemental Log entry regarding May 19, 2015 incident on Primary Election Day.
113. Audio/video files for May 19, 2015 on enclosed USB drive.
114. Docket, *Commonwealth v. Joseph Melhem III*, MJ-03204-TR-0000653-2015.
115. Case file, *Commonwealth v. Joseph Melhem III*, MJ-03204-TR-0000653-2015.
116. Docket, *Capital One Bank v. Leslie A. Ziegler*, MJ-03204-CV-0000190-2011.
117. Case file, *Capital One Bank v. Leslie A. Ziegler*, MJ-03204-CV-0000190-2011.
118. Docket, *Capital One Bank v. Leslie A. Ziegler*, MJ-03201-CV-0000180-2011.
119. Case file, *Capital One Bank v. Leslie A. Ziegler*, MJ-03201-CV-0000180-2011.
120. May 27, 2015 email thread between Toni Schreffler, Legal Assistant and Brenda Anthony regarding MDJ Tidd was asleep at his desk and later Cassandra Bettler found him asleep on the floor.

121. Docket, *Commonwealth v. Kaitlyn M. Boullosa*, MJ-03204-CR-0000251-2010.
122. Case file, *Commonwealth v. Kaitlyn M. Boullosa*, MJ-03204-CR-0000251-2010.
123. Docket, *Commonwealth v. Henry Benjamin Hughes*, MJ-03206-CR-0000015-2012.
124. Case file, *Commonwealth v. Henry Benjamin Hughes*, MJ-03206-CR-0000015-2012.
125. Docket, *Commonwealth v. Quincy James Wilson*, MJ-03212-CR-0000026-2012.
126. Case file, *Commonwealth v. Quincy James Wilson*, MJ-03212-CR-0000026-2012.
127. Docket, *Commonwealth v. Jose L. Rodriguez*, MJ-03211-CR-0000046-2012.
128. Case file, *Commonwealth v. Jose L. Rodriguez*, MJ-03211-CR-0000046-2012.
129. Docket, *Commonwealth v. Sandro Alonso*, MJ-03211-CR-0000047-2012
130. Case file, *Commonwealth v. Sandro Alonso*, MJ-03211-CR-0000047-2012
131. Docket, *Commonwealth v. Julius Stevenson*, MJ-03211-CR-0000013-2012.
132. Case file, *Commonwealth v. Julius Stevenson*, MJ-03211-CR-0000013-2012.
133. Docket, *Commonwealth v. Jessica I. Pedroza*, MJ-03211-CR-0000048-2012.
134. Case file, *Commonwealth v. Jessica I. Pedroza*, MJ-03211-CR-0000048-2012.
135. Redacted Report of Interview of Officer Daniel Bencsics by Investigator Sean P. Brennan, dated May 30, 2015.

136. Redacted Report of Interview of Corporal Timothy Connell by Investigator Sean P. Brennan, dated May 31, 2015.
137. Redacted Report of Interview of Officer Matt Messinger by Investigator Sean P. Brennan, dated May 31, 2015.
138. Docket, *Raymond J. Gescek v. MAS Transportation, Marcus A. Sandone*, MJ-03204-CV-0000172-2011.
139. Case file, *Raymond J. Gescek v. MAS Transportation, Marcus A. Sandone*, MJ-03204-CV-0000172-2011.
140. Redacted Report of Interview of Officer James Connell by Investigator Sean P. Brennan, dated June 6, 2015.
141. Redacted Report of Interview of Officer Michael Dattilio by Investigator Sean P. Brennan, dated June 8, 2015.
142. Report of Interview of Debra French by Investigator Sean P. Brennan, dated June 8, 2015.
143. Redacted Report of Interview of Officer Timothy Piotrowski by Investigator Sean P. Brennan, dated June 10, 2015.
144. Report of Interview of Corporal Jeffrey Johnston by Investigator Sean P. Brennan, dated June 10, 2015.
145. Report of Interview of Officer Domenic Feagnago by Investigator Sean P. Brennan, dated June 11, 2015.
146. Report of Interview of Corporal Matt Andree by Investigator Sean Brennan, dated June 11, 2015.
147. Report of Interview of Karen Palazzo, Esquire by Investigator Sean P. Brennan, dated June 16, 2015.
148. Report of Investigation by Investigator Sean P. Brennan, dated June 19, 2015, regarding calls and texts from staff.
149. Report of Investigation by Investigator Sean P. Brennan, dated June 23, 2015, regarding transfer of Brenda Anthony.
150. Redacted Report of Interview of Amber Butz by Investigator Sean P. Brennan, dated July 2, 2015.

151. Supplemental Log entries by Cassandra Bettler, received July 15, 2015.
152. Redacted Report of Interview of Lisa Levan by Investigator Sean P. Brennan, dated July 16, 2015.
153. October 27, 2015 letter to Robert A. Graci from Craig Simpson, Esquire, entering his appearance on behalf of MDJ David W. Tidd.
154. January 4, 2016 letter to Robert A. Graci from Craig Simpson, Esquire reiterating MDJ Tidd's desire to cooperate.
155. Report of Investigation by Investigator Sean P. Brennan dated February 8, 2016, regarding texts from Cassandra Bettler.
156. January 15, 2016 letter to Debra French, Deputy Court Administrator from MDJ David Tidd, regarding his complaints against Brenda Anthony.
157. Redacted, content of February 10, 2016 text Sean Brennan received from Cassandra Bettler regarding MDJ Tidd called AOPC regarding benefits.
158. Redacted Report of Interview of Tracie Drayton by Investigator Sean P. Brennan, dated February 12, 2016.
159. February 12, 2016 letter to Elizabeth A. Flaherty, Deputy Counsel, from Craig Simpson, Esquire, MDJ Tidd resignation effective March 1, 2016.
160. February 18, 2016 facsimile to David Kutz, Human Resources Manager, from David W. Tidd, Esquire, rescinding his notice of resignation.
161. Bernie O'Hare's Blog post, "Judge Tidd Reverses Himself, to Remain on the Bench."
162. February 19, 2016 Notice of Full Investigation issued to Honorable David W. Tidd, c/o Craig Simpson, Esquire.
163. Report of Investigation by Investigator Sean P. Brennan, dated February 19, 2016.
164. February 22, 2016 email from Toni Schreffler, Legal Assistant to Cassandra Bettler, cc Sean Brennan and Elizabeth Flaherty regarding Information.

165. Audio/video files for February 19, 2016 on enclosed USB drive.
166. February 23, 2016 letter to Elizabeth A. Flaherty, Deputy Counsel, from Samuel C. Stretton, entering his appearance on behalf of MDJ David Tidd and requesting an extension of time to respond to the Notice of Full Investigation.
167. Supplemental log entry contained in February 29, 2016 email to Toni Schreffler, Legal Assistant from Cassandra Bettler, regarding February 19, 2016 incident with Judge Tidd.
168. March 17, 2016 Response to Notice of Full Investigation by Samuel C. Stretton, Esquire, on behalf of MDJ David Tidd.
169. March 23, 2016 letter to Elizabeth A. Flaherty, Deputy Counsel, from Samuel C. Stretton, Esquire, regarding Judge Tidd.
170. March 28-April 6, 2016 email thread between Toni Schreffler, Legal Assistant and Cassandra Bettler regarding use of Constables Seeds and Schonenberger to collect outstanding warrants.
171. April 6-7, 2016 email between Toni Schreffler, Legal Assistant and Cassandra Bettler regarding answers to questions posed regarding the constables.
172. April 5, 2015 Letter to Elizabeth A. Flaherty, Esquire from Samuel C. Stretton, Esquire regarding two constables and two employees of Judge Tidd's under criminal investigation.
173. April 12, 2016 letter to Elizabeth A. Flaherty, Esquire from Samuel C. Stretton, Esquire expressing concern regarding audio system.
174. April 13, 2016 Subpoena *duces tecum* issued to the Honorable David W. Tidd, c/o Samuel C. Stretton, Esquire for Hearing Book Calendars for 2014, 2015, and 2016 to date.
175. April 14, 2016 letter to Elizabeth A. Flaherty, Deputy Counsel, from Samuel C. Stretton, Esquire regarding letter from Judge Baratta.
176. Docket, *Commonwealth v. Timothy Bryan Snyder*, MJ-03204-TR-0001906-2014.
177. Case file, *Commonwealth v. Timothy Snyder*, MJ-03204-TR-0001906-2014.

178. Redacted Deposition transcript of Diane Kale, taken by Elizabeth A. Flaherty on April 19, 2016.
179. Redacted Deposition transcript of Brenda Anthony, taken by Elizabeth A. Flaherty on April 19, 2016.
180. Redacted Deposition transcript of Cassandra Bettler, taken by Elizabeth A. Flaherty on April 20, 2016.
181. Brenda Anthony's January 9, 2015 Employee Evaluation by Judge Tidd.
182. Deposition transcript of MDJ David W. Tidd, taken by Elizabeth A. Flaherty on April 21, 2016.
183. September 25, 2011 advisory opinion issued by the Special Courts Judges Association Ethics and Professionalism Committee.
184. April 21, 2016 letter to Elizabeth Flaherty, Esquire from Samuel C. Stretton, Esquire regarding letter from Judge Baratta.
185. April 25, 2016 Memo with attachments from Tom Darr, Court Administrator of Pennsylvania regarding Possible Violation of PA Wiretapping Act.
186. Docket, *Commonwealth v. James Burke*, MJ-03204-TR-0002538-2015.
187. Case file, *Commonwealth v. James Burke*, MJ-03204-TR-0002538-2015.
188. Docket, *Commonwealth v. James Burke*, MJ-03204-TR-0000099-2016.
189. Case file, *Commonwealth v. James Burke*, MJ-03204-TR-0000099-2014.
190. April 25, 2016 Email thread between Toni Schreffler, Legal Assistant and Mark Rothermel, AOPC Information Technology, regarding online manual.
191. Redacted copies of checks issued to David and Vera Tidd in repayment of \$750.00 loan from Brenda Anthony.
192. May 3, 2016 letter to Elizabeth A. Flaherty, Esquire from Samuel C. Stretton, Esquire regarding unavailability for deposition.
193. Blank Waiver of Counsel form.

194. Blank Waiver of Preliminary Hearing form.
195. Docket, *Commonwealth v. Jacob Tyler Loman*, MJ-03204-CR-0000094-2015.
196. Case file, *Commonwealth v. Jacob Tyler Loman*, MJ-03204-CR-0000094-2015.
197. May 9, 2016 Supplemental Notice of Full Investigation issued to the Honorable David W. Tidd, c/o Samuel C. Stretton, Esquire, by Robert A. Graci, Chief Counsel.
198. Deposition transcript of Debra C. French, taken by Elizabeth A. Flaherty, Deputy Counsel, on May 10, 2016. During her deposition, District Court Administrator French provided Board counsel with the documents enumerated at Paragraphs 191-277.
199. August 11, 2011 Memo to files from Debra C. French, Deputy Court Administrator, regarding Meeting with MDJ David Tidd.
200. January 24, 2012 Memo to F.P. Kimberly McFadden, P.J. and James Onembo, Court Administrator from Debra C. French, Deputy Court Administrator, regarding PA Rules of Court.
201. Cover letter dated January 20, 2012 with typed paperwork from staff (LeVan, Kale, Anthony) meeting with Debra French.
202. Example of case where MDJ Tidd handled the disposition prior to the officer arriving for the hearing; MDJ Tidd reduced to 3111A, officer wanted dismissed; MDJ Tidd then changed disposition to dismissed and refunded defendant money. *Commonwealth v. Anthony D. Fiorino*, MJ-03204-TR-3184-2011.
203. Notes by MDJ Tidd's clerks dated January 31, 2012 to February 17, 2012, received by Debra French on February 21, 2012.
204. Notes by MDJ Tidd's clerks dated January 23, 2012 to January 31, 2012, received by Debra French.
205. January 6, 2014 email from Ronald C. Hulsizer, Deputy Director for 911 Operation to Debra French, regarding MDJ Tidd not responding to a night duty call and police went to his home.
206. January 6, 2014 email (with attachments) from Lt. Frank Longenbach, Intake Supervisor, Northampton County Department of Corrections to Debra French, regarding Commitment for Britney Torres.

207. November 17, 2014 facsimile to MDJ Tidd from Debra French regarding change of venue for *Commonwealth v. Justin Rey Ramirez*, MJ-03204-TR-1958-2014.
208. January 7, 2015 executed page by MDJ Tidd that he received, reviewed and understands the Code of Conduct as it relates to his employment.
209. March 6, 2015 memo to MDJ Tidd from Debra French regarding Night Duty.
210. August 11, 2011 Memo to Files from Debra French regarding Meeting with MDJ David Tidd (with attachments).
211. May 23, 2016 email from Debra French to PJ Stephen Baratta, cc Toni Schreffler, regarding change of venue for *Peter Norvick v. Jeff Lawson*, MJ-03204-CV-0000029-2016.
212. August 9, 2011 letter to MDJ David Tidd from F.P. Kimberly McFadden regarding his "continued disability" that prevents him from performing his judicial duties.
213. August 18, 2014 typewritten page by Debra French memorializing her conversation with MDJ Tidd regarding his lung procedure.
214. March 21, 2013 letter from MDJ David W. Tidd, Esquire to Debra French, regarding unruly defendant.
215. October 9, 2015 probation Employee Evaluation of Brenda Anthony by MDJ Hawke.
216. May 6, 2016 facsimile (with attachments) to Judge Baratta from debra French, regarding MDJ Tidd's rescheduled court days.
217. Notes by Debra French dated September 19 2014 regarding meeting with Cassandra Bettler and September 23, 2014 meeting with Cassandra Bettler and MDJ Tidd regarding her performance evaluations.
218. May 10, 2014 Probation Employee Evaluation of Cassandra Bettler.
219. September 11, 2014 Probationary Employee Evaluation of Cassandra Bettler.
220. May 28, 2015 facsimile from Brenda Anthony to Debra French, regarding Court Order Request for Emergency Coverage.

221. June 18, 2015 email from David Tidd to Debra French, regarding Confidential.
222. June 18, 2015 letter from Brenda Anthony to Debra French, regarding Acceptance of Transfer to District Court 03-3-01.
223. December 3, 2014 letter from Brenda Anthony to Debra French, requesting transfer to District Court 03-3-01 as soon as position available.
224. June 25, 2015 letter from Brenda Anthony to Debra French, regarding donation of personal property to District Court 03-2-04.
225. June 24-25, 2015 email thread between Brenda Anthony and Debra French regarding Personal Items.
226. June 26, 2015 email thread between David Tidd and Debra French, regarding petty cash shortage.
227. November 30, 2015 email thread between David Tidd and Debra French regarding Confidential.
228. January 15, 2016 letter to Debra French from MDJ David W. Tidd regarding his complaints against Brenda Anthony.
229. January 20, 2016 Internal Correspondence from Debra French to PJ Stephen Baratta regarding letter from MDJ David Tidd.
230. January 21, 2016 email thread between Debra French, Stephen G. Baratta, Jill Cicero, and Jermaine Greene, regarding Brenda Anthony.
231. January 21, 2016 email from Jermaine Green to Debra French, cc Jill Cicero, regarding setting up meeting with Judge Tidd for week of February 1, 2016.
232. February 2, 2016 email (with attachment) from Debra French to Stephen G. Baratta, cc Jill Cicero, Jermaine Greene, regarding Meeting with MDJ Tidd.
233. Notes by Debra French on February 23-24, 2016.
234. February 24-25, 2016 email thread between Cassandra Bettler to Debra French and then From Debra French to Stephen Baratta, Jill Cicero, Jermaine Greene.

235. February 26-March 4, 2016 email thread between Judge Baratta, Cassandra Bettler and Debra French, regarding Meeting with Cassie Bettler.
236. Notes by Debra French regarding March 9, 2016 meeting with Judge Baratta, Cassandra Bettler and Debra French.
237. February 24, 2016 email from Cassandra Bettler to Debra French, regarding events of February 19, 2016.
238. February 26, 2016 email from Stephen G. Baratta to Cassandra Bettler, cc to Debra French (Baratta in Philadelphia for conference).
239. April 6, 2016 facsimile to Debbie French from Cassie, regarding Warrant requests.
240. April 1, 2016 facsimile to District Court 03-2-04 requesting complete warrants for 17 defendants (attached to April 6, 2016 email).
241. March 31, 2016 facsimile to District Court 03-2-04 requesting complete warrants for 10 defendants (attached to April 6, 2016 email).
242. April 13, 2016 email thread from Cassandra Bettler to Debra French, regarding warrants; forwarded to Judge Baratta by Debra French.
243. April 19, 2016 email from Debra French to Stephen Baratta, regarding Diane Kale and Brenda Anthony's work history details.
244. April 19, 2016 email from Debra French to Stephen Baratta, regarding Amber Butz's work history details.
245. April 19, 2016 email from Debra French to Stephen Baratta, regarding "Confidential".
246. May 8, 2016 email from David Tidd to Debra French, cc Samuel Stretton, regarding Bettler, Drayton transfer request; forwarded to Stephen Baratta, Jill Cicero.
247. April 5 2016 letter from Samuel Stretton, Esquire to the Honorable Stephen G. Baratta, regarding "My Client - Judge David Tidd."
248. April 11, 2016 Internal Correspondence to Stephen Baratta, PJ, from Debra French, DCA, regarding Audio Recording in MDJ Tidd's Court.
249. May 7, 2013 Memo to Magisterial District Judges and Staff from Debra French, DCA, regarding Security Assessment Survey.

250. Magisterial District Court Security Assessment Survey.
251. June 4, 2013 facsimile from David W. Tidd, Esquire/bsa to Debra French, DCA regarding Security Assessment Survey
252. May 30, 2013 email from Kyle R. Ramberger to Debra French, cc to Mary Beth Marschik; Rebecca J. Brandt, regarding "Northampton County MDJ Security Enhancements."
253. June 13, 2013 Memo to Magisterial District Judges and Staff from Debra French, DCA regarding Security Enhancements.
254. June 28, 2013 SimplexGrinnell Quotation for District Court 03-2-04.
255. July 26, 2013 Purchase Order P31271 from SimplexGrinnell to District Court 03-2-04.
256. April 11, 2016 email from Debra French to Stephen G. Baratta, regarding "Sign in DC 03-2-04".
257. April 18, 2016 Memo to Debra French, DCA, from Stephen G. Baratta, P.J., regarding MDJ Tidd's Video/Audio Equipment.
258. April 15, 2016 letter to the Honorable Stephen G. Baratta, PJ, from Thomas B. Darr, Court Administrator of PA, cc to Samuel Stretton, Esquire.
259. April 18, 2016 email from Debra French to Stephen G. Baratta, regarding "Audio Equipment in MDJ Tidd's Court."
260. April 12 2016 email from Debra French to Stephen G. Baratta, regarding "Letter to Atty. Stretton."
261. April 14, 2016 letter to Honorable Stephen G. Baratta, PJ, from Samuel C. Stretton, regarding receipt of Judge Baratta's April 14, 2016 letter.
262. April 18, 2016 letter to Samuel C. Stretton, Esquire from Stephen G. Baratta, cc to John Morganelli, District Attorney, Thomas Darr, Court Administrator of PA, Judges of Northampton County, regarding Judge David Tidd - Your letter of April 14, 2016.
263. Typewritten note from Debra French with the judges' names, court addresses and phone numbers for those courts which are getting the access control devices and CCTVs.

264. April 11, 2016 letter to Samuel C. Stretton, Esquire from Stephen G. Baratta, cc to John Morganelli, District Attorney, Thomas Darr, Court Administrator of PA, Judges of Northampton County, regarding Judge David Tidd – Your letter of April 5, 2016.
265. April 11, 2016 Memo to Stephen Baratta, PJ, from Debra C. French, DCA, regarding Audio Recording in MDJ Tidd's Court.
266. April 11, 2016 email from Debra French to Stephen G. Baratta.
267. Log excerpt from February 13, 2012
268. April 18, 2016 letter to John Morganelli, District Attorney from Stephen G. Baratta, PJ.
269. April 22, 2016 email from Debra French to Stephen G. Baratta, regarding "Letter to DA."
270. March 31, 2016 complaint by Constable Seeds and Schoenenberger, regarding Interference, obstruction, hindering, conspiracy and theft at District Court 03-2-04.
271. April 5, 2016 typed notes by Debra French.
272. April 13, 2016 email from Cassandra Bettler to Debra French regarding Warrants.
273. April 15, 2016 Internal Correspondence from Debra French, DCA to President Judge Stephen Baratta, regarding Constable Costs Sheets for Seeds & Schoenenberger.
274. May 2, 2016 letter to Honorable Stephen G. Baratta from Samuel C. Stretton, Esquire.
275. May 9, 2016 letter to Samuel Stretton, Esquire from Stephen G. Baratta.
276. February 16, 2016 letter to David W. Tidd, Esquire from Stephen G. Baratta, cc Jill Cicero, Court Administrator, Debra French, DCA.
277. February 12, 2016 facsimile from David W. Tidd, Esquire to David Kutz, Director of Human Resources, AOPC, cc Craig E. Simpson, Esquire, Chief Robert W. Shupp, Chief Guy L. Lesser, Richard H. Yetter III, Hon. Stephen G. Baratta, P.J., regarding Notice of Resignation effective March 1, 2016.

278. February 23, 2016 email from David Kutz to Debra French, regarding MDJ Tidd Letters.
279. February 18, 2016 letter to David Kutz, Director of Human Resources from David W. Tidd, Esquire, regarding Rescission of Notice of Resignation.
280. February 18, 2016 letter to Honorable David W. Tidd, Esquire from David W. Kutz, Director of Human Resources, cc Gregory E. Dunlap, Esquire, Michelle A. Davis, acknowledging receipt of letter rescinding his resignation.
281. March 2, 2016 email from Debra French to Stephen G. Baratta, regarding Fax From MDJ Tidd.
282. February 29, 2016 facsimile from David W. Tidd, Esquire to D. French.
283. March 2, 2016 email from Debra French to Stephen G. Baratta regarding MDJ Tidd's List of Cases.
284. March 3, 2016 letter to Samuel Stretton, Esquire from Stephen G. Baratta, regarding Magisterial District Judge David W. Tidd.
285. May 10, 2016 letter to Elizabeth A. Flaherty, Esquire from Samuel C. Stretton, Esquire acknowledging receipt of Supplemental Notice of Investigation.
286. May 11, 2016 email (with attachments) from Debra French to Toni Schreffler, regarding Emails Regarding MDJ Tidd.
287. May 12, 2016 letter to Elizabeth A. Flaherty from Samuel C. Stretton, Esquire with Judge Baratta's May 9, 2016 letter attached.
288. May 12, 2016 email from Debra French to Toni Schreffler with attached March 6, 2015 memo to Magisterial District Judge Tidd, regarding Night duty.
289. May 11-12, 2016 email exchanges between MDJ Tidd, Debra French, and Judge Baratta regarding the transfer of Cassandra Bettler and Tracie Drayton, forwarded to Toni Schreffler on May 12, 2016.
290. Minor Judiciary Education Board (MJEB) Curriculum for the Supplemental Practicum Program, January 10-14, 2011.
291. Minor Judiciary Education Board (MJEB) Program 2010-2011.

292. Minor Judiciary Education Board (MJEB) Program 2011-2012.
293. Minor Judiciary Education Board (MJEB) Program 2012-2013.
294. Minor Judiciary Education Board (MJEB) Program 2013-2014.
295. Minor Judiciary Education Board (MJEB) Program 2014-2015.
296. Minor Judiciary Education Board (MJEB) Program 2015-2016.
297. May 13, 2016 letter to Elizabeth A. Flaherty from Samuel C. Stretton, Esquire, asking if Judge Tidds resigns, will the Board stop its investigation.
298. May 13, 2016 email from Debra French to Toni Schreffler with attached documents that were requested at her Deposition on May 10, 2016.
299. May 13, 2016 email from Debra French to Toni Schreffler with attached staff evaluations.
300. May 18, 2016 letter to Samuel C. Stretton, Esquire from Elizabeth A. Flaherty, Deputy Counsel, attempting to schedule another deposition of MDJ Tidd.
301. June 13, 2016 Response to Supplemental Notice of Full Investigation.
302. Deposition transcript of MDJ David W. Tidd, taken by Elizabeth A. Flaherty on June 14, 2016.
303. August 19, 2014 facsimile from District Judge Lorinda L. Hinch to MDJ Tidd, regarding Ethics Inquiry with attached June 26, 2014 Response to Ethical Inquiry #2014-13.
304. Report of Interview of Officer Michael Dattilio by Investigator Paul Fontanes, dated July 5, 2016.
305. Report of Interview of Sergeant Jeffrey Johnston by Investigator Paul Fontanes, dated July 7, 2016.
306. July 7, 2016 letter to Elizabeth Flaherty, Esquire from Samuel C. Stretton, Esquire, Judge Tidd wants another opportunity to appear.
307. July 8, 2016 email from Debra French to Toni Schreffler regarding rumors that MDJ Tidd made agreement with JCB to resign.

308. Report of Interview of Officer Daniel Bencsics by Investigator Jack Harlacker, dated July 6, 2016.
309. Report of Interview of Officer Matt Messinger by Investigator Jack Harlacker, dated July 8, 2016.
310. July 15, 2016 email thread beginning with Debra French to Toni Schreffler and Jack Harlacker, regarding MDJ Tidd calling French saying the JCB suspended him as of Tuesday, July 19, 2016; forwarded to Sam Stretton by Elizabeth Flaherty.
311. July 23, 2016 letter to the Honorable Tom Wolf from MDJ David W. Tidd, Esquire, resigning as of July 25, 2016.
312. Report of Interview of Chief Robert Shupp by Investigator Paul Fontanes, dated July 19, 2016.
313. July 25, 2016 email from Elizabeth A. Flaherty to Debra French regarding Judicial Personnel Change
314. July 26, 2016 letter to Elizabeth A. Flaherty, Esquire from Samuel C. Stretton, Esquire, with enclosed resignation letter of Judge Tidd to bring to Board's attention.
315. July 2, 2013 Order issued by P.J. Stephen Baratta transferring *Cavalry SPY I, LLC v. Deborah Repash*, CV 84-2013 to District Court 03-2-01.
316. Report of Interview of Judge Kimberly McFadden by Investigator Jack Harlacker, dated July 15, 2016.
317. *Jose E. Nieves and Maria del Pilar Nieves*, 06-20168-REF, Chapter 13 Standing Trustee's Final Report and Account.
318. *Michael John Ziegler, Sr. and Leslie Ann Ziegler*, 12-10338-ref, Chapter 7 Schedules A-J.
319. *Franklin E. Craig*, 13-10958-ref, Chapter 13 Schedules A-J.
320. *Tyrone Anthony Deschler and Lonna Lee Deschler*, 13-17187-ref Chapter 7 Schedules A-J.
321. *Gilberto Cruz and Diane Cruz*, 13-16686-ref Chapter 7 Schedules A-J.
322. Docket, *DeWire Dental v. Gilberto Cruz*, C-0048-CV-2013-11220.
323. *Deborah Ann Repash*, 13-16669-ref, Chapter 13 Schedules A-J.

324. *Deborah Ann Repash*, 13-bk-16669, Chapter 13 Standing Trustee's Final Report and Account.
325. *Joseph Francis Killo*, 14-19140-ref, Chapter 7 Schedules A-J.
326. *Jennifer Frey*, 14-15734-ref, Chapter 7 Schedules A-J.
327. *Paul Edward Getz, Jr.*, 15-11144-ref, Chapter 7 Schedules A-J.
328. *Ian Rea Salva Cortez*, 13-9031-ref, Chapter 7 Schedules A-J.
329. *Kathleen Marie Pagel*, 13-11036-mdc, Chapter 7 Schedules A-J.
330. Docket, *Society Hill at Saucon Valley v. Maria Nieves*, MJ-03204-CV-0000134-2010.
331. Case file, *Society Hill at Saucon Valley v. Maria Nieves*, MJ-03204-CV-0000134-2010.
332. Docket, *Society Hill at Saucon Valley v. Maria Nieves*, C-0048-CV-2011-03782.
333. Docket, *Society Hill @ Saucon Valley v. David II Nieves, Maria Nieves*, MJ-03204-CV-0000053-2011.
334. Transfer of *Society Hill at Saucon Valley v. David Nieves II and Maria Nieves*, MJ-03204-CV-0000053-2011.
335. Board Transcription of August 28, 2014 audio.
336. Board Transcription of May 19, 2015 audio.
337. Board Transcription of February 19, 2016 audio.
338. Docket and case file, *Commonwealth v. Christina Ann Ridner*, MJ-03204-CR-0000081-2015.
339. Docket and case file, *Commonwealth v. Frank Dennis Hazeltine, Jr.*, MJ-03204-CR-0000088-2015.
340. Docket and case file, *Commonwealth v. Spencer Logan Beaver*, Mj-03204-CR-0000083-2015.
341. Docket, *Commonwealth v. Terah A. Richardson*, MJ-03204-TR-0003997-2011.

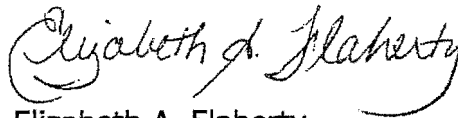
342. Case file, *Commonwealth v. Terah A. Richardson*, MJ-03204-TR-0003997-2011.
343. August 17, 2016 email thread between Toni Schreffler to Debra French regarding Brenda Anthony.
344. Docket, *Commonwealth v. Doniyor Vahabjanovich Hodjimetov*, MJ-03204-CR-0000137-2014.
345. Case file, *Commonwealth v. Doniyor Vahabjanovich Hodjimetov*, MJ-03204-CR-0000137-2014.
346. Redacted Incident Report by Officer Tim Piotrowski, Incident No. 20140523M1919, Reference No. 141767.
347. Report of Interview of Kyle Ramberger (with attachments) by Investigator Jack Harlacker, dated September 22, 2016.
348. Report of Interview of Tracie Drayton by Investigator Paul Fontanes, dated September 26, 2016.
349. Report of Interview of Krystal Allman by Paul Fontanes, dated September 26, 2016.
350. Docket, *Commonwealth v. Patrick Sean Butler*, MJ-03204-CR-0000198-2014.
351. September 28, 2016 email from Mary Beth Marschik to Elizabeth Flaherty regarding clarifying point.
352. September 26, 2014 Note Report by Toni Schreffler regarding telephone call from unidentified female caller.
353. May 19, 2015 Note Report by Toni Schreffler regarding telephone call from Brenda Anthony.
354. May 28, 2015 Note Report by Toni Schreffler regarding telephone call with Brenda Anthony.
355. June 2, 2015 Note Report by Toni Schreffler regarding telephone call from Brenda Anthony.
356. November 2011 Calendar Daily List.
357. December 2011 Calendar Daily List.

358. January 2012 Calendar Daily List.
359. March 2012 Calendar Daily List.
360. April 2012 Calendar Daily List.
361. October 2012 Calendar Daily List.
362. December 2012 Calendar Daily List.
363. November 2012 Calendar Daily List.
364. February 2013 Hearing Book.
365. June 2013 Calendar Daily List.
366. October 2013 Calendar Daily List.
367. November 2013 Calendar Daily List.
368. March 2014 Hearing Book.
369. July 2014 Hearing Book.
370. August 2014 Hearing Book.
371. October 2014 Hearing Book.
372. May 2015 Hearing Book.
373. Report of Interview of Matthew D. Bergey by Investigator Paul Fontanes, dated October 6, 2016.

Samuel C. Stretton, Esquire
Page **26** of **26**
October 7, 2016

Additionally, I am formally requesting that you provide reciprocal discovery as per the parameters of Court of Judicial Discipline Rule 401, including any and all reports, notes, memoranda, or the like, pertaining to witness interviews relevant to the matter before the Court conducted by any investigator(s) retained by the Respondent. This discovery request includes the identification and address of any investigator(s) utilized and witness(es) interviewed.

Very truly yours,



Elizabeth A. Flaherty
Deputy Counsel



Melissa L. Norton
Assistant Counsel

EAF/MLN/tis
Enclosures

Hand Delivery on October 7, 2016



**COMMONWEALTH OF PENNSYLVANIA
JUDICIAL CONDUCT BOARD**

PENNSYLVANIA JUDICIAL CENTER
601 COMMONWEALTH AVENUE, SUITE 3500
P.O. BOX 62525
HARRISBURG, PA 17106-2525
WWW.JCBPA.ORG

HONORABLE ROBERT A. GRACI
CHIEF COUNSEL

September 21, 2016

717-234-7911

Samuel C. Stretton, Esquire
301 W. High Street
P.O. Box 3231
West Chester, PA 19381

Re: In re: *In Re: Former MDJ David W. Tidd*, 3 JD 2016

Dear Mr. Stretton:

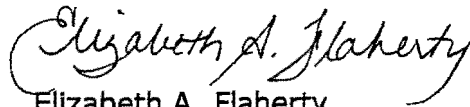
Pursuant to C.J.D.R.P. No. 401(E), please find enclosed copies of the following which may be exculpatory to your client:

1. Report of Interview of Officer John Bowlby by Investigator Sean P. Brennan, dated May 29, 2015.
2. Report of Interview of Officer David Roxberry by Investigator Sean P. Brennan, dated May 30, 2015.
3. Report of Interview of Corporal Timothy Connell by Investigator Sean P. Brennan, dated May 31, 2015.
4. Report of Interview of Officer James Connell by Investigator Sean P. Brennan, dated June 6, 2015.
5. Report of Interview of Officer Domenic Feagnago by Investigator Sean P. Brennan, dated June 11, 2015.
6. Report of Interview of Mark Minotti, Esquire by Investigator Sean P. Brennan, dated June 11, 2015.
7. Report of Interview of Joseph Melhem III by Investigator Sean P. Brennan, dated June 15, 2015.
8. Report of Interview of Karen Palazzo, Esquire by Investigator Sean P. Brennan, dated June 16, 2015.


Exhibit B

9. Redacted Report of Interview of Tracie Drayton by Investigator Sean P. Brennan, dated February 12, 2016.
10. Letter from Samuel C. Stretton to Elizabeth A. Flaherty dated April 27, 2016, with attached August 10, 2011 letter to F.P. Kimberly McFadden from Eric D. Becker, M.D.
11. Report of Interview of Sergeant Jeffrey Johnston by Investigator Paul Fontanes, dated July 7, 2016.
12. September 10, 2016 *Morning Call* online article, "Hellertown council fires police officer charged in DUI crash."
13. May 3, 2016 *Saucon Source* online article, "Hellertown Police Officer Terminated for DUI Back on the Job."
14. Report of Interview of Officer Timothy Piotrowski by Investigator Paul Fontanes, dated August 18, 2016.

Very truly yours,



Elizabeth A. Flaherty
Deputy Counsel



Melissa L. Norton
Assistant Counsel

EAF/MLN/tis
Enclosures

UPS Delivery
Tracking No. 1Z Y4X 745 019896 1380

SAMUEL C. STRETTON
ATTORNEY AT LAW
301 South High Street
P.O. Box 3231
West Chester, PA 19381-3231

610-696-4243
FAX 610-696-2919

March 17, 2016

Elizabeth A. Flaherty, Esquire
Deputy Counsel
Judicial Conduct Board
Pennsylvania Judicial Center
601 Commonwealth Ave., Suite 3500
P.O. Box 62525
Harrisburg, PA 17106

Re: District Judge David W. Tidd
Magisterial District Court No. 03-2-04
Judicial Conduct Board File Nos. 2014-510, 2015-227,
2015-237, 2015-285, 2015-286 and 2015-421

Dear Ms. Flaherty:

Confirming my earlier letter and telephone conversations, please be advised I represent the Respondent, Judge David Tidd. I will respond initially to your numbered paragraphs on Judge Tidd's behalf. Judge Tidd will fully cooperate. Once you have had a chance to review this, he and I would like to meet with you and he is certainly willing to come up for a deposition or an informal meeting. You will have his full and complete cooperation.

I believe once you read this response, you will see that the allegations are not accurate. Also, as I pointed out to you before, it is somewhat upsetting that whoever was keeping records on him waited for almost four or five years before sending them to you. It is very difficult to respond to matters, particularly on specific cases that occurred in 2011, 2012 and 2013 when it is now 2016. Many of these files are in storage and are not readily available.

Also, as you know, I raised the statute of limitations and the doctrine of laches for many of these complaints. I am by this letter re-raising these issues also.

¹
Exhibit C

1. Admitted.
2. Admitted.
3. Admitted.

IMPROPER ATTIRE

4. Denied as stated. All hearings where there was evidence taken, were conducted in the Respondent's Courtroom. The Respondent always wears his judicial robe in the Courtroom. If a matter isn't going to a hearing, but is going to result in a plea or a withdrawal, then the Respondent often handles it at his counter. The reason he does that is because of the layout of his District Court. He has one of the smallest District Courts of any District Judge. He has no security. The county refuses to even give him a telephone when he is on the bench and there is no 911 button. Some police officers have told the Respondent that his Courthouse security is dangerous and nonexistent. To get to his Courtroom, he has to walk into the public area. Similarly his staff would have to do so. Therefore, unless there is an actual hearing where evidence is going to be taken, Judge Tidd usually sits at a desk behind the counter in the area where his staff also sits. When people come in, he usually asks if there has been a resolution and if there is, he will accept it and fill out the paperwork at the counter, standing there without putting his judicial robe on. He finds this to be an efficient and effective way and also a good procedure because of the lack of security in his office.

5. Admitted the judge did have a meeting with President Judge McFadden. There were two meetings in either 2011 or 2012. Both times she met with him and with the Court Administrator. When the Respondent met with the President Judge, she told him to wear the robe and not to curse. The Respondent asked for specifics and some guidance and she would not give him any and then told the Respondent to leave. He was never given any specific warnings at either meeting. He was never told not to work at the counter or anything of that nature. The present writer of this response on behalf of the Respondent has tried hundreds of District Court cases of all types (civil, traffic, summary trials and preliminary hearings). Many District Judges stand at their counter to resolve things if the case is not going to a hearing. Most of the judges who stand at the counter do not wear their robes. Therefore, the Respondent's practice is not uncommon. I have attached a memo from Attorney George

Heitzzman about his experience with another judge and the use of his counter (see Exhibit "B").

6. Denied as stated. As noted in the answer to number 4, Judge Tidd always wore his robe when he was in the Courtroom. It is agreed that the Respondent at the time did not wear his robe when he was standing at the counter helping to do the paperwork and/or accepting pleas to reduce sentences that were agreed upon. He did occasionally wear his robe at the counter. He thought he didn't wear his robe at the counter. No one told him he had to wear his robe at the counter to his recollection. Further, as noted, there were security concerns and at times he did not want to stand out, which he would have, if he had been standing at the counter with his judicial robe on. In any event, this has been corrected now. From now on I have told the Respondent to wear his judicial robe for all matters, whether it is a hearing or accepting a reduced plea. I told him everything of that nature is to be done in the Courtroom. I told him to have a staff member stand beside the bench, as other judges do, and then he can hand the paperwork over. Therefore, this issue has now been resolved. This was the first time it has been brought to the Respondent's attention and he has resolved the matter by now doing everything in the Courtroom.

7. Denied as stated. Police Officer Matt Messinger was the son of one of the secretaries (Diane Kale) of Judge Tidd. Officer Messinger had a bad habit of never appearing or always appearing late for hearings. His mother/secretary would often cover for him. But, Judge Tidd never had a hearing in the Courtroom where he didn't have the robe on. He never had a hearing that wasn't in the Courtroom. But Judge Tidd admits he did not wear his robe at the counter for the reasons expressed above.

HEARINGS AND WAIVERS HELD AT COUNTER, NOT IN COURTROOM

8. Admitted the Respondent sits at a desk normally in the reception area because of the security issues in his very small District Court. See answers to 4, 5, 6 and 7.

9. Because the area is so small when people walk in, it is the judge's practice to greet them or ask what case they are appearing for.

10. Admitted that the Respondent does not conduct hearings, but resolves cases at the hearing if there are deals that were presented. As noted in the answers above, the

Respondent does so primarily because of security, but this has been the practice in his county. He did have a small conference room where a restrained defendant could be kept. But, there was a problem if there were multiple restrained defendants. They would have to be put in either the Courtroom or the public area. As a lawyer, Judge Tidd has practiced in the past in other District Courts and many of the District Judges have done the same at the counter. It is easier to handle certain matters at the counter, particularly with defendants who are in custody because there is no place in his Courtroom for security.

11. Denied as stated. The Respondent conducts hearings and has always been willing to conduct hearings. In fact, he has conducted hearings regularly over the years. He never encourages defendants to waive their preliminary hearings. Criminal defendants have their lawyers and it is their decision. The Respondent does tell criminal defendants if they are a first offender with charges that are not violent, such as driving under the influence, he reminds all people that in his county, one cannot apply for A.R.D. if they do not waive their preliminary hearing and submit their application at the time. If someone is eligible for A.R.D., but goes through the preliminary hearing, then the District Attorney's practice is to deny them A.R.D. even though they would otherwise be eligible.

12. Denied as stated. As noted, Judge Tidd was called in to meet with the President Judge. When he went in, he was told essentially two things. First, he was to wear his judicial robe and second, not to curse. The Respondent asked for specifics and asked to discuss this further, but he was dismissed and the President Judge did not answer his questions nor did the President Judge give any specifics. Therefore, the Respondent was never told to wear his robe at the counter. In fact, many other judges in his county do not wear their robes at the counter and many judges in many other counties do not. (See the aforementioned letter of George Heitzman, Exhibit "B").

13. Denied. Judge Tidd did not routinely conduct hearings at his counter. Any hearings were conducted in his Courtroom. But, he did accept reduced pleas or agreed upon pleas or preliminary hearing waivers at his counter for the reasons discussed above, including the security reasons.

14. Denied. It is emphatically denied. The only traffic matters that Judge Tidd would handle at the counter were if the police officer and the defendant had reached an agreement. The

Respondent would then accept the plea and fill out the paperwork at the counter.

15. Denied. Judge Tidd does not know if Officer Bencsics has ever had a hearing in his Courtroom or not, but it is denied that he conducts hearings at the counter. He does receive reduced pleas at the counter, as do many of the other judges.

As noted above, I have reviewed these matters with Judge Tidd and from now on, he will conduct all matters involving the Court, including pleas, waivers, etc., from the bench despite the security concern and other reasons. He would have done that before if someone had given him specific instructions.

EX PARTE COMMUNICATIONS AT COUNTER BEFORE
OTHER PARTY ARRIVES AT COURT

16. Denied. As noted, Judge Tidd is an industrious and diligent judge. He gets to work normally at 7:00 a.m. or 7:30 a.m. every day. As discussed above, he sits at a desk or table in the area where the staff sits because of concerns with security. Because the District Court is so small, when people come in, the Respondent normally greets them. He never discusses the cases outside the presence of the other party. The only thing he does is to advise criminal defendants who are first offenders of the fact that if they are interested in A.R.D., they have to apply that time and waive the preliminary hearing. He gives no advice.

17. Denied. The Respondent does not work out deals. On the contrary, he has accepted deals at the counter if the police officer and the defendant have reached an agreement. If not, that hearing is then heard in his Courtroom that day.

18. Emphatically denied. The Respondent does not rule on matters before the other party has arrived. He can think of no such case and none was specifically given. But, many times police officers are running late or don't appear, but will call in. If a police officer doesn't appear, a case can be dismissed or continued. Many times, to save court time, the Respondent will have the police officer and the defendant speak by telephone and work something out. If the police officer says that he is willing to do something and the defendant, who is present, agrees, then the Respondent will accept the plea and move forward.

19. Emphatically denied. The Respondent has never negotiated pleas. The only time pleas are presented is if the officer agrees. When an officer is not there, but the officer calls in and indicates a willingness to work out a deal with the client, then the plea is accepted.

20. Denied as stated. What the Respondent does is what has been the practice in his county for years. If the officer calls and is not going to be present, a negotiated deal can be worked out if the officer is willing to do so. The Respondent has done that at times, as have other District Judges in his county.

21. Denied. The Respondent doesn't negotiate pleas with defendants. The negotiations are done by the officer. The Respondent will not negotiate and has not negotiated.

22. Denied as stated. The Respondent does not negotiate pleas with defendants to a lesser charge. The Respondent will only accept that if the officer proposes it and advises the Court that is acceptable.

23. Denied as stated. When a police officer is present with the defendant, the Respondent often asks before a hearing whether or not a plea has been worked out. If the officer says yes, then it is taken. If the officer says no, then the case goes to a hearing in the Courtroom.

24. Denied as stated. It is admitted that many times charges are reduced to lesser offenses sometimes with lesser fines. But that is not what the Respondent does. The Respondent does not negotiate pleas. He would only accept the reduced plea if the officer proposed it and the defendant agrees.

25. Emphatically denied. No specifics have been provided. Police officers at times would be arriving late or not able to get to Court on a timely basis. If the officer made an offer over the telephone to the court staff or the defendant and the defendant accepted the offer, the Respondent would then accept it with the officer's consent. Denied that the judge worked out deals without the officer. The Respondent does not work out deals.

26. Denied as stated. If an officer is running late for court, the judge has several options. The case can be continued or the case can be dismissed since the officer hasn't appeared

timely. Many times, the officer will advise the judge's staff or the judge that he is willing to reduce the charges so there doesn't have to be another hearing. If the officer states that and the defendant accepts it, then the judge will accept it. Otherwise, a new date will be given.

27. Denied as stated because the judge has no recollection a year and three-quarters later of what happened in this case. The judge handles approximately 5,000 cases/hearings a year. Unless there is something specific provided, he is not in a position to recall. If timely complaints were made, then these matters could be addressed appropriately. But the Respondent has no recollection of anything about the Clark case and would need more information. Therefore, these allegations are denied.

IMPROPER Demeanor

28. Denied. It is denied that the Respondent treats his court staff in a discourteous fashion. In fact, the Respondent does out of his way to try to help his staff. He actually has lent his staff money. On one occasion, the Respondent lent Brenda Anthony \$750.00 since she needed the money for some personal issue and she has never to this day paid him back. To the Respondent's knowledge, he got along with his staff.

29. Denied. The Respondent does not curse, belittle or yell frequently at staff. Sometimes if the staff doesn't do something right, the Respondent will express his irritation.

30. Denied as stated. Specific incidents have to be given. But, the following should be pointed out. When the judge was just with his staff, at times he felt he could talk freely with them. He thought they were supportive of him. At times, perhaps talking informally with staff, he would use the "f" word or things like that. But he considered those discussions among acquaintances and friends. No one ever told him they were upset. But, the Respondent does not routinely use curse words and rarely does so. The Respondent will never do so again.

31. Denied. The Respondent has no recollection of hovering over staff on computer entries. There perhaps were busy times where the Respondent was impatient and wanted to get computer entries, but he has no recollection of yelling at staff for taking too long with the computers.

32. Denied. Denied that the Respondent created a difficult and hostile work environment. To his knowledge, no one has ever complained to EEOC or to the affirmative action officer and no lawsuit or complaint was ever filed to his knowledge. The Respondent though he had a good working relationship with his staff and, as noted, personally helped them on some personal matters.

33. Denied. The Respondent was absolutely and totally unaware that the staff had complained to the court administration about his conduct. No one ever told the Respondent and he was not aware.

34. Admitted once in 2011 and once in 2012, the Respondent was called in to meet with the President Judge, Judge McFadden and Court Administrators. The Respondent denies it was three times and contends it was only two times. There were no specifics given and no one ever mentioned any judicial misconduct. As noted, the only thing he was told was to wear his robe and not to curse. The Respondent asked for specifics and none were given.

35. Denied. There were only two meetings and the last one was in 2012. Denied there was an improved demeanor toward the staff. On the contrary, the Respondent always acted appropriately toward his staff.

36. Denied there were two to three meetings. There were only two meetings. Denied that the Respondent treated his staff in an inpatient, rude and discourteous fashion.

37. The February 13, 2012 meeting was the last time that that the Respondent ever met with President Judge McFadden on any of these issues. Denied that he was questioned as noted. He was told about his robe and he was told not to curse. He said he didn't and asked for specifics and none were given. As to not scheduling hearings in the afternoon and the Respondent not being available, the Respondent does not remember that being discussed. But the Respondent was always available. The Respondent stays until his hearings are done. He then leaves, goes home and then to his private law office around 3:00 p.m. The Respondent will immediately return to the Courthouse if needed. The Respondent puts his judicial office first.

38. Denied. Judge Tidd has no recollection of Judge McFadden telling him that his judicial office has to take priority over his law practice. As noted, that is not his

recollection of the meeting. The meeting referred to occurred four years ago. There is absolutely no reason why these matters should sit around until February of 2016 when recollections fade and specifics are not recalled. But the Respondent always gave his judicial office priority over his law practice. He has a very limited law practice. His law practice is limited to bankruptcy law. The Respondent is always present in his Courthouse. He usually the first to arrive at his District Court at 7:30 a.m. See answer to number 13. When he leaves, it is usually to go to his private practice. If there are hearings that go longer than 3:00 p.m., the Respondent stays.

39. Denied as stated. As noted, the Respondent recalls only two meetings when he met with Judge McFadden and the last was February 13, 2012. Again, as noted, what the Respondent recalls being told was to wear his robe and not to curse. When he asked for specifics, none were given and the Respondent was told to leave.

40. Judge McFadden mentioned that she was considering filing with the Judicial Conduct Board. But the Respondent asked for specifics and none were given. He heard nothing more. It is now four years later.

41. Denied. It is denied that the Respondent routinely engaged in misconduct. Second, it is denied that he received repeated warnings from the President Judge and Court Administrators. As noted, the last meeting was in February of 2012. He never received any memos, letters or anything from Judge McFadden or anyone else on these issues.

42. Absolutely and emphatically denied. The Respondent never, to his knowledge, made any crude statements or improper comments about defendants, detectives or police officers. Specific examples would have to be provided, but the Respondent has no recollection of doing that. The Respondent got along with most of these people.

43. Denied as stated. This example involved something on January 23, 2012 (four years and one month ago). If this occurred, it should have been raised and complained about then, when the Respondent would have a recollection of this. The Respondent never said, to his knowledge, about anyone that, "She's as dumb as a fucking pile of dirt." The Respondent does not recall saying that at all. The Respondent may have expressed some irritation, but he does not recall saying that

and it is very unfair years and years later to ask him to recall that. He does not recall.

44. Denied as stated. The Respondent doesn't have much recollection. He does remember a defendant who was wearing pants very low and he told the Defendant to pull up his or her pants into the proper position. The Respondent does not remember saying, "I really don't need to see his fucking ass crack while I'm eating lunch." The Respondent has no recollection of saying that. Again, that was almost four years ago. If he did say it, someone should have made a complaint on a timely basis.

45. The Respondent does recall at one time having a conversation with one of his staff members telling them that in essence he was the boss and they had to follow his instructions. He did use the term "don't let the tail wag the dog." He didn't say the word "fucking." He recalls apologizing to the staff member for addressing her that way. It was a bad day for him. The Respondent had just had lung removal surgery a few weeks before. He was in great pain. The Court Administrator would not give him coverage.

46. The Respondent does not remember this particular incident. But there was one staff member during that time period who would always answer with a grunt or a huh or something like that. The Respondent never knew what she was saying, whether it was yes or no. The Respondent does recall one time when he got a huh from her, saying words to the effect that you have to say yes or no, not huh to me, so I can understand what you are saying. I am going to have a fit if you continue saying huh without using yes or no. As to the rest of the allegation, the Respondent does not recall. But he did reprimand one staff member for not using the King's English and mumbling in essence, so he couldn't understand her.

47. The Respondent does remember this, but doesn't remember the language as stated. Essentially, the defendant was with his attorney at the counter and was going to do an A.R.D. waiver. The Respondent was talking to the defendant, who was standing right beside his attorney. The defendant just stood there staring blankly at the Respondent and never responded. The Respondent later spoke to the lawyer and suggested that the lawyer talk to the client and tell the client that kind of conduct would not be acceptable in the Court of Common Pleas. The Respondent did tell the lawyer to talk to the client/defendant because the defendant was not acknowledging he

even understood what a waiver was despite the Respondent trying to explain it to him. The Respondent essentially said to either tell him or else we will do a hearing, but I am trying to do him a favor so he understands it is a waiver and gets the benefit of the A.R.D. program. This is done with the lawyer being present. There is nothing wrong with a judge stating the above.

48. Denied as stated. This was during the election year. The Respondent had been told by a police officer that his campaign opponent was speaking about the Respondent and stating he had been talking to the Respondent's staff and that complaints were being filed against the Respondent with the Judicial Conduct Board. The Respondent was upset his opponent was saying he was speaking to the Respondent's staff and they were telling him about the inter-workings of the Court. Obviously, no staff should do that. Staff should be loyal to their judicial officer. When the Respondent came in the office that morning, no one else was present except he and the staff. He locked the front door because he wanted to talk to the staff privately without the public being there. As noted earlier in this letter, the Courtroom is very small and there is no privacy. The Respondent essentially told the staff that they should not be talking to his judicial opponent, but more importantly, that everything that goes on in his Courtroom is confidential and they should not be talking to third parties about it. The Respondent did not rant and rave, but he was very firm and suggested that was a breach of their duties and responsibilities by talking to his opponent about the court operations. This was perfectly permissible and the right thing for the Respondent to do.

49. Denied as stated. Election Day was May 19, 2015 and this was a very hard-fought election. The Respondent had told his staff not to schedule any cases for Election Day since he wanted to be at the polls all day because he was not certain he was going to win the election. The staff had been told two months ahead of time. When the Respondent received a call Election Day that there were cases scheduled, he was shocked because he was standing at a polling place and a lot of people were coming and this was a very important polling place for him. As a result, the Respondent came in right away to try to deal with this. He did express his anger at the staff. He later found out that Brenda Anthony, the person who made that schedule, was supporting his election opponent. Apparently this was her way of trying to create problems for the Respondent's election. There is other evidence of Brenda Anthony's support of this opponent, which can be provided if needed. When the

Respondent came in, he was upset. The Respondent did say to his staff, words to the effect that he was upset and are you fucking kidding me, this is fucking unbelievable. Frankly, the Respondent had a right to be angry. This was Election Day and the staff knew it. They had been instructed not to schedule any cases. They apparently did that intentionally to hurt the Respondent and the Respondent had every right to be angry and tell them.

There was one attorney who came, Attorney Minotti. Since he was there, the Respondent was told that the attorney and the police officer had worked out a deal to reduce the charges. The Respondent agreed to accept it and then left to go back to his election duties. Other than remembering there was a deal, which the Respondent accepted, the Respondent does not remember the specifics.

50. The Respondent has no recollection whether that officer was present or not on Election Day. The Respondent was very upset when he came in because it was clearly misconduct by his staff in not following his specific orders not to schedule cases that day.

51. As noted above, when the Respondent was leaving, Attorney Minotti appeared. The Respondent was advised by Attorney Minotti that there was a deal. Attorney Minotti had apparently spoken to the officer and the judge then agreed to accept the deal.

52. Admitted to this extent. The Judicial Conduct Board began their investigation and talked to a lot of people. These investigations were supposed to be confidential. But, there was nothing confidential about the investigation since everyone was talking about it and all of the information was coming back to the Respondent that people were being spoken to by the Judicial Conduct Board's investigator. The Respondent was not aware of any complaints or investigation against him until he started hearing it from the various people. He then spoke to staff members, attorneys and police officers who had been contacted and asked them about the investigation. In essence, he asked what was going on, which would be a normal response.

53. Admitted the Respondent did speak to his staff and officers when he heard there the JCB was investigating him to try to find out specifics. He was surprised that there was an investigation since he had no forewarning of it. He did inquire

with the staff if they knew about it and what they said and asked if they had any specifics.

54. Admitted. The Respondent was shocked when he found out that he was being investigated and started to ask people. That would certainly be a normal reaction.

55. Admitted. The Respondent was very upset with Ms. Anthony. The Respondent found that she had been supporting his opponent and she was the architect of the Election Day scheduling mess. He just felt uncomfortable around her and wanted someone else he could feel comfortable with.

56. Admitted she was transferred. The Respondent did not tell staff not to communicate with Ms. Anthony. He didn't say they couldn't communicate, but he asked them not to communicate with her about how to do things in his Court. He was not satisfied with how Ms. Anthony performed her duties and he didn't want the new staff to learn bad habits.

57. Admitted the Respondent did tell a staff member not to call a former staff member, Diane Kale. He did not want them to call former staff for advice because he did not think she had done a good job. Ms. Kale was the mother of Police Officer Messinger. She had covered up for her son many times. Her son was often late or didn't appear since he apparently had family and child custody matters. The Respondent did not want people to learn her bad habits. She was very, very close to the former judge. If the Respondent didn't do it the ways of the former judge, then in her mind, he was wrong.

58. Denied as stated. The Respondent didn't yell and scream at his staff on many occasions. There were times when he told them when they did things wrong, but it wasn't that often. Further, Police Officer Messenger was almost never present. Many times he would call in and work deals with the defendants by phone or have his mother cover for him.

59. Denied. The Respondent does not recall saying, "Why are you acting like a bitch?" on many occasions.

60. Denied. It is denied that the Respondent talked about his personal life when he was sitting at the desk in the staff area while the Court days were scheduled. The Respondent did not talk about his personal life. But, there were times when he would receive a telephone call from his wife and the Respondent would speak to her. For the longest time, he had no phone since

the County would not provide it. At his own expense, he had to move the phone from the conference room to his office.

ASSIGNING PERSONAL ERRANDS TO COURT STAFF

61. Denied as stated. The Respondent did not have his court staff perform personal errands. But, if they were going out to lunch or going to the store to get something to eat, sometimes he would ask if they would mind buying something for him and then he would give them money for a soda or lunch. He denies that his staff was asked to install a baby seat or return video equipment. There were times when they were going to the local store for a sandwich where he would ask them to pick up some food for him since he was working. But that was only because they were going in the first place. There is nothing wrong with that and judges do it all the time. He once asked Officer Johnston to help him with a car seat for his child since he was the Child Safety Officer.

IRREGULAR ATTENDANCE AT WORK AND NON-CREDIBLE
EXCUSES FOR ABSENCES

62. Emphatically denied. Specifics would have to be provided.

63. Admitted.

64. Denied. The staff did not have to spend the rest of the day adjusting the schedule.

65. Admitted the Respondent took the day off because his wife had a doctor's appointment and he wanted to be with her. The appointment involved her pregnancy.

66. Admitted, but the following must be said. The Respondent and his wife went to the doctor's office that very morning. He received good news that his wife was pregnant and the pregnancy seemed to be going fine. The Respondent had taken off that morning to go with his wife. His wife was so happy, as was he, about the news of the pregnancy. As a result, they decided to go to the shore in the afternoon. The Respondent hadn't intended to go to the shore. He took the day off because of his wife's doctor's appointment. But after they got the good news and felt so good about it, they did a natural human thing...they went to the shore. There was nothing wrong with that and there was no misrepresentation. As you can see, there are some staff members who apparently do not like the judge and

will try to twist anything. Keep in mind, this was four years ago and there is no reason that suddenly it should appear as a complaint now.

APPEARED TO BE UNDER THE INFLUENCE OF PRESCRIPTION MEDICATION

67. Denied. To the Respondent's knowledge, he was not affected adversely by prescription medications. No staff ever said anything to him and there is no reason they should be tracking these incidents. The Respondent had been ill. He had lung surgery in 2014. He was on a painkiller for a period of time. He also has serious Crohn's disease and has to take medication for that regularly. Neither of these medications affected his cognitive ability.

68. Denied. The Respondent mentioned he was taking only Robaxin. He was not taking three painkillers. He does not recall specific medications.

69. Denied. The Respondent never slept in his chair in the Courtroom. At times the Respondent would go to his private office and, if he was not having hearings, he would sleep for brief periods of time when he was tired. But he never slept in the public area in his office.

70. The Respondent has no recollection of what happened four years and one month ago. The Respondent has no recollection of this.

71. Denied. To the Respondent's knowledge, that never occurred, he has no recollection of it, and that was four years and one or two months ago. If there were concerns, someone should have brought these matters to the attention of the Respondent or the Judicial Conduct Board in 2012, not in 2016.

72. Denied. The Respondent has no recollection of that and it never happened to his knowledge. That alleged incident occurred about three years ago and, again, there is no reason why this should suddenly be brought up in February of 2016.

DISPARAGING REMARKS ABOUT INDIVIDUALS
BASED ON ETHNICITY AND RACE

73. Absolutely and emphatically denied. Specifics would have to be provided.

74. Denied. This alleged incident occurred about three years ago and the Respondent does not have any clear recollection. But the Respondent never said words to the effect that this idiot doesn't understand English. The Respondent never made such a comment in front of the staff or anyone else. He has no recollection of this and, if he did, why did it take three years to bring this to anyone's attention?

75. Denied. The Respondent is not prejudiced and not a racist. To his knowledge, he never made any such statements. If examples are provided, the Respondent will review those, but the Respondent has no recollection of making such statements.

76. Denied. The Respondent once stated only to his staff that he didn't particularly think much of body piercing and tattoos. But that was only in conversation with his staff privately.

77. Denied as stated. What actually happened was as follows. There was a District Judge in Bethlehem who was Spanish speaking. She apparently stopped doing marriages for Hispanic couples in her district. As a result, many of the Hispanic couples would come to Judge Tidd or some of the other District Court Judges. Someone would call his staff who spoke English and set the wedding ceremony up. When the Hispanic couples arrived, no one spoke English and it created a problem getting the wedding done properly and it was slowing down the Courtroom schedule. Finally, the Respondent had enough of it and decided not to do any weddings. He did not want to appear to be discriminating against Hispanic people, so he just told his staff that he was not going to perform any weddings. There was no discriminatory motive. It had everything to do with the failure of the court system to provide interpreters and/or sending people over who could not speak English.

HANDLING TRAFFIC CITATIONS WITHOUT DEFENSE
COUNSEL OR POLICE OFFICERS PRESENT

78. Admitted there was a hearing. The Respondent has a vague recollection of this case, although it happened over four years ago. Attorney Joachim was not present and was running very late for Court. The Respondent's recollection is that the attorney called in and the Respondent agreed to wait for him. The Respondent asked if he had talked to the officer about working a deal. The Respondent's recollection at this late date is the officer, who was present, spoke to Attorney Joachim and worked a deal to reduce the charges. Once the charges were

reduced and everything was agreed upon, the Respondent then accepted the agreement. The Respondent does not have a full recollection of the above other than what was stated. As to specific languages, he has no recollection. It is interesting the reference to quoted language. It seems as if someone was recording what the Respondent said and, of course, that would be illegal.

79. Denied. The Respondent has no knowledge or recollection of that. In fact, if one looked at the Respondent's hearings, 99% of the time people are found guilty because the evidence would support such a finding. There was no indication that the Respondent was finding people not guilty on a regular basis.

80. Denied. The Respondent has no recollection of that. The Respondent would never accept a plea to a lesser charge unless the officer had agreed and worked it out with the defendant. The Respondent has no recollection of ever doing that.

81. Denied. The Respondent had no problem conducting hearings and has conducted many hearings. Like every District Judge, he is willing to accept negotiated pleas. Negotiated pleas are really the only way to efficiently run a Courtroom. Police officers and defendants often work out negotiated pleas.

82. Denied. As noted above, anytime the Respondent is in his Courtroom, he wears his robe. He wears his robe whether the person is represented or unrepresented. But, when he is standing at the counter, the Respondent does not normally wear his robe. That was discussed in the beginning paragraphs.

83. Denied as stated. The Respondent has no recollection and does not have the files. He would have to look at the files before he could respond. May of 2012 was three years and ten months ago. If there was a complaint, it should have been made timely. The Respondent did have a practice when there were multiple defendants. He often did this if there were arrests from an underage drinking party. He tried to list them all for the same day for the purpose of making sure they were all treated the same. As to the allegations here, the Respondent has absolutely no recollection of this or any disparate treatment.

84. Denied as stated. The Respondent has no recollection what the officer is talking about. As stated, the Respondent's

practice was never to dismiss the case unless the officer didn't appear timely. There were times when cases were called and the officer didn't appear or call in, then the case would be dismissed. Every District Judge does that. If the officer doesn't appear, the case is often dismissed after a period of waiting for the office to appear. But the Respondent has no idea when, where and how he cannot respond to this without specifics and files.

85. Denied. Officer Messinger was the son of one of the Respondent's former secretaries, who almost never appeared or was always late. When the officer would appear, the Respondent always asked, as he asked all officers, whether the case was going to trial or whether there was any resolution. If the officer reported a resolution, then the plea was accepted. If not, a hearing would be held.

86. Denied as stated. The Respondent needs specifics. His practice was to always let the officer work out the deal. It is possible that Officer Messinger was late as he normally was. It is possible the defendant could have volunteered or said something. But the Respondent would not accept deals unless the officer worked it out with the client. The Respondent at times would ask defendants if they want a hearing or were concerned with points. He would then refer them to the office.

87. Denied. The Respondent would not call the officer about a case. The only time the Respondent would speak to Officer Messinger was if the officer didn't show up on time. That was his normal practice. At times Officer Messinger would then call into the Court or the Respondent would ask that Officer Messinger be contacted. Sometimes if he was late, the Respondent would have him speak to the defendant and work out a plea. But if the officer didn't agree, then the case would be listed for trial or dismissed if the officer was not going to arrive timely.

88. Denied as stated. The Respondent has no recollection of this. This was almost a year ago and the Respondent handles thousands of cases. Without specifics, the Respondent cannot recall. But his practice would not have been to do that. The Respondent would never deny a hearing if the officer wanted a hearing.

89. Denied. The Respondent has no recollection. The Respondent, as noted, would not do any pleas or anything without

lawyers being present. At times, defendants would waive their right to counsel. The Respondent would need specifics to be able to respond to this. The Respondent would not take a plea without an attorney being present unless there was a full and complete waiver, and he would not take the plea unless the police officer agreed to it. But pro se defendants waive all the time and sign a waiver of counsel. Like most judges, if there is a signed waiver, he does not wait for the officer.

90. Denied. The Respondent did not take pleas by defendants by telephone. He has no recollection of this and would have to see the records.

FAILURE TO CONDUCT HEARINGS IN PROPER MANNER

91. Denied. The Respondent was always ready and willing to have hearings, although he always asked if there has been any resolution.

92. Denied as stated. At times, the Respondent would conduct preliminary arraignments at the counter if no one else was present in the area. Therefore, if other members of the public were present, then the Respondent would do the arraignment in the Courtroom.

93. Denied as stated. If a defendant decided to waive a preliminary hearing, the Respondent would then accept the waiver. The Respondent would have the defendant sign the waiver form and, of course, the Respondent's staff would then prepare the paperwork. That is how every District Judge handles preliminary hearing waivers.

94. Once the Respondent accepted the waiver, the staff would fill the paperwork out and then present the paperwork for the defendant to sign. But that is what every judge Mr. Stretton has ever been before does. Mr. Stretton would talk to the judge with the client. A waiver would occur. The client then goes with Mr. Stretton to the Court's window. The staff, five to twenty minutes later, provides the paperwork. The paperwork is signed and then the defendant leaves. The judge does not come out for the signing of the paperwork. Almost every District Justice in the Commonwealth of Pennsylvania that Mr. Stretton has been before has done it that way for the last 43 years.

95. Denied. The Respondent never said that and has no problem doing hearings. But, like every Court, if every case

went to a hearing, the Courts would become incredibly backlogged.

96. Denied. The Respondent doesn't attempt to convince pro se defendants to waive hearings. But he does tell them if they are eligible for A.R.D., that they might consider waiving their hearing and apply for A.R.D. He routinely continued cases when the Defendant did not understand.

97. Admitted that when a person is there and a case is scheduled for trial, the Respondent asks them what they want to do, i.e., if they want a hearing or want a waiver. He also asks if they want an attorney. If they want an attorney, the Respondent will usually continue the hearing for an attorney. There are sometimes when a case has been continued several times and then it must go forward and the defendant has to make a decision. If they waive their right to an attorney or decided not to get one, then they have to make their decision. Every judge does that.

98. Denied as stated. There was a time when the polycom was not working, so the respondent would then do some of the arraignments by telephone. Court Administration then called the Respondent and told him not to do it that way and the judge stopped. A rule was then passed that arraignments could not be done by telephone. The Respondent always did the arraignments as instructed. This case occurred four years ago and there have been no complaints about that since.

99. Denied. The Respondent always explained the complaint to the defendant and asked the defendant if they had an attorney, and if not, advised them to get an attorney. He routinely asks if they know what they are charged with.

100. Denied. The Respondent would never do this without an officer being present. The Respondent has no recollection of this particular event. But, in his county, it is common practice on night duty to do the arraignment if the officer was available, but the defendant had a copy of the criminal charges.

101. Denied as stated. The Respondent really does not recall this case, so he cannot answer this. But there were some times in the past when the Respondent would sign and fax it back to the Court.

102. The Respondent has no recollection one way or other and doesn't have the file.

103. The Respondent has no recollection of the case or that conversation.

104. Denied. The Respondent conducts preliminary hearings in his Courtroom. He does not hold preliminary hearings at the counter.

105. Denied. The Respondent does not conduct hearings at the counter. The Respondent has never heard the term "the drive-through judge."

106. Denied. The Respondent emphatically denies that allegation and always informs defendants of their right to an attorney and the criminal charges.

107. Denied. Specifics have to be provided. The Respondent never tries to do it the quickest way. He wants to make sure everything is done right, and then he routinely sends the paperwork out.

108. Denied. The Respondent conducts the arraignments the appropriate way with the proper advice, telling them to get an attorney, etc. These allegations are denied. Specific dates and times should be provided.

109. Denied. Specifics have to be given. Further, Mr. Stretton has sat through many arraignments with District Judges over the years and an arraignment normally takes about two to three minutes unless there are extraordinarily serious charges. There is a form that has to be filled out with information. The judges usually receive the bail recommendation from the bond agency. The criminal complaint is always given to a defendant and is summarized. It does not take long at all.

110. Admitted. It is admitted that the Respondent accepts agreed upon pleas on traffic matters at the counter. See answers 1-5 and the issues with security in the Courtroom.

111. Denied. The Respondent has absolutely no recollection of that incident. Specifics would have to be provided with names, date, etc.

ABUSE OF OFFICE/POWER/DISCRETION

112. Admitted. The Respondent had seen his doctor and had an extremely high PSI reading and was concerned that he might have cancer.

113. Admitted with the following qualifications. It must be kept in mind this was November of 2011. The Respondent had been in office for about a year and $\frac{3}{4}$ at that point. He had this cancer scare as a result of that test. What he did was tell the staff that if there were agreements for pleas and waivers, to accept the paperwork so the people wouldn't have to come back. He told the staff obviously to reschedule for anyone who wanted a hearing. He did that because the issue involving his health had arisen shortly before. It later turned out he did not have cancer, but at the time, he didn't know. Having said that, it must be pointed out that the Respondent did what he has seen many other judges do over the years. In fact, some judges still do this to his knowledge. The Respondent no longer does this. He understands that if there are going to be waivers or pleas, the judge has to be present. But this was back in 2011. Obviously, someone should have said something to him back in 2011 when it occurred or a timely complaint should have been made. This and many of these other complaints are far beyond the statute of limitations and doctrine of laches.

114. Denied. This matter occurred four years and one month ago. Obviously, the statute of limitations and laches should apply. But, more importantly, the Respondent, Judge Tidd, has no recollection. He has not recollection of this and no recollection of saying and acting annoyed because someone asked to have a hearing, and no recollection of saying no one was going to get a fair hearing or words to that effect. This is absolutely and emphatically denied by him. The real question is, if he really did something like this, why didn't people complain? The staff was there for years and they never said a word to him. Apparently they were complaining to the Court Administrator or to the President Judge, but no one said anything to the Respondent. He did have two meetings with the President Judge, who refused to give any specifics.

115. Denied. The Respondent has no recollection of that. As noted, sometimes the Respondent would sleep in his office between hearings if he was tired or wasn't feeling well. But he has no recollection of something that occurred four years and one month ago.

116. Denied. The Respondent has no recollection of this, which occurred four years and one or two months ago. The

Respondent admits sometimes he would go into his private office and sleep for a period of time, but not normally when there were ongoing hearings. But the Respondent has no recollection and no one complained to him about it.

117. Denied. The Respondent has no recollection of that.

118. Denied. The Respondent has no recollection of that. This allegedly occurred four years and one month ago. If there was such a problem, a complaint should have been made at the time.

119. Denied as stated. Attorney Andres is a good friend of the Respondent. The Respondent has no recollection of this, but it is very possible he may have said something in teasing to him, complaining about the hearing, but it was a tease. Again, this occurred four years and one month ago. Why was this not raised before? As you can see, someone was keeping book but no one was telling the Respondent. If someone had asked the Respondent, this could have been easily explained if, in fact, he said that.

120. Denied since the Respondent has no recollection of this. This was over four years ago. The Respondent has absolutely no recollection. It is interesting that specific times are noted. Someone was obviously keeping book, but why didn't anyone say anything to the judge if there were concerns?

121. The Respondent has no recollection of this, but the police station was a block from his office.

122. Again, this was four years ago and the Respondent has no real recollection. But the Respondent does not fill out search warrants. The blank areas are to be filled out by the police officers and presented.

123. Denied. The Respondent has a vague recollection about a landlord in his office building. This was disclosed to the officer. It was so long ago the Respondent has no idea what the outcome was and whether the case was dismissed, but everyone was advised of the conflict. This was about three years ago. He recalls telling the office if there was a deal, he would take it. If no deal had been worked out, he would then transfer the case.

124. Denied as stated. The Respondent does not have any recollection of this particular incident.

125. Denied as stated. The Respondent never said that. When someone requests a hearing, the Respondent gives it to them. It is possible the Respondent might have said something to the effect that he was surprised that someone would want a hearing for driving under the influence.

126. Admitted. That is the way the Respondent was taught to handle the landlord/tenant folders. No one told him to the contrary.

127. Denied as stated. The Respondent would have to see the specifics. He does not recall changing dispositions. It is possible there could have been a time where someone showed up later and had an excuse and things were changed. But that would have only been done after a consultation with the police. Sometimes a change was made without the police officer, but the police officer was properly informed of the new date.

128. Denied. To the Respondent's knowledge and recollection, he always told the defendants about waivers, whether it was at the counter or in his Courtroom.

POLITICAL CAMPAIGN CONDUCT

129. Admitted.

130. Admitted.

131. Admitted.

132. Denied. The Respondent knew Leslie Repyneck. She had been a former client. His recollection was he asked her why she was doing this to him, and told her to have a good day.

133. See answer to number 132.

134. Denied. The Respondent did not argue with Leslie Repyneck. He made the one statement and left. His statement is perfectly permissible in a campaign. This is a clear First Amendment right to talk that way.

135. Denied.

136. Admitted.

137. Admitted.

138. The Respondent did see Ms. Repyneck there and had a brief conversation with her.

139. Denied. The Respondent does not remember exactly what she said, but he denies that he confronted her.

140. Admitted that the Respondent denied what she suggested to him.

141. Denied. The Respondent does not remember saying that.

142. Admitted the Respondent did not agree with Ms. Repyneck's summary of the incident because it was not true.

143. Denied. Judicial Counsel has to be very careful about complaints of contact between candidates during a campaign. There are First Amendment rights in campaigns.

CONFLICT OF INTEREST: BANKRUPTCY AND CREDIT CASES

144. Denied.

145. Denied. The Respondent never used his Court position to get clients in his bankruptcy practice. The Respondent emphasized bankruptcy law and it was well known in the community that he was a bankruptcy lawyer. At times, potential clients came to the Respondent for representation and if the Respondent learned there was a civil case pending in his Courtroom, he then had the case transferred to another judge.

146. Denied as stated. To the Respondent's knowledge, there was no bankruptcy case that he handled where he had a hearing and entered judgment against the person who later became his bankruptcy client, except one case. That case was Ian Cortez, where the Respondent had a hearing according to the Opinion (Exhibit "A"). But, there were some cases where his office entered a default judgment. Let me explain. When a civil suit in Small Claims Court is filed against someone, they are served and asked by the notice to advise whether they intend to defend or contest the case. If they intend to contest, they have to file a notice that they will appear and contest. If that occurs, then there is a hearing. But, if the person does not send the notice in, then two things happen on the date of the hearing. If the person still appears at the hearing to contest, the Court would reschedule and set another date. The reason is because the Plaintiff's lawyer would not have appeared

because he was not given notice of intent to defend. If no notice of intent to defend is filed and the person does not appear on the date of the hearing, then the Respondent never sees the file. Default judgments are entered by his staff. There are no court hearings because the person didn't appear and the Plaintiff's lawyer wasn't there. A faxed signature stamp of the Respondent is then placed on the default judgment. As a result, there were several cases where a person came to the Respondent for a bankruptcy matter and there had been a default judgment entered by his court. The Respondent was not aware of the default judgment when he took on the bankruptcy case. The situation I described where a default judgment was entered through the Respondent's District Court and later the person came to the Respondent for representation was very, very rare. It must be emphasized that in almost every default judgment, the Respondent was not aware that his office had entered it when the persons came to him seeking his advice because he was a local attorney specializing in bankruptcy law.

147. Admitted, but some more explanation is needed. Although it is true that the Respondent did enter judgment in favor of the plaintiff, Dewire Dental, there was no hearing. What happened was that the case was listed for trial and the defendant, Mr. Cruz, had filed a Notice of Intent to Contest. It is possible that Mr. Cruz did not then appear, and so a judgment was entered in favor of the plaintiff. Unfortunately, because of the passage of time (this case apparently was in his Court somewhere around 2010-2011), the Respondent had no recollection and he no longer has the file. Therefore, he cannot answer with any specificity. Under Local District Judge Rule 319, if the defendant does not appear, then a judgment can be entered. In any event, Mr. Cruz did not come to the Respondent to represent him on a bankruptcy until November 9, 2012, which apparently was some time long after the judgment as far as I can determine from the material you provided. The Respondent, on his calendar in his law office, notes the source of the referral of the client. On Mr. Cruz, the Respondent's calendar for November 9, 2012 notes that Mr. Cruz came to his office pursuant to the Clipper magazine and Easy Pages, which is a telephone directory. In other words, Mr. Cruz came to the Respondent totally independent of him being the judge and the Respondent would have had no knowledge that a default judgment had been entered a year or two before. There certainly was no solicitation in Court.

148. Admitted the Respondent represented Ms. Nieves in bankruptcy. Unfortunately, because of the extreme passage of

time, the Respondent cannot find the bankruptcy file. Also, because of the passage of time, the Respondent does not have the District Court file, which occurred apparently in 2010. The Respondent vaguely remembers Ms. Nieves, but does not recall this particular circumstance. Further, normally a bankruptcy order to discharge the matters would not take 5 or 6 years. Further, normally post-petition debt, i.e. debt that occurred after 2006, would not be included as part of the bankruptcy. Therefore, the facts do not seem right, but the Respondent, without the file, is not in a position to give any further information.

149. Admitted the Respondent met with Judge McFadden and Deputy Court Administrator French in August of 2011. As noted from the earlier responses in this letter, the Respondent recalls two meetings. At one meeting, there was very little said other than, wear your robe and don't curse. When specifics were requested, none were given. There was a second meeting or perhaps this was the first meeting, depending on the timing of the two meetings, where the Nieves case was set forth. Because the Respondent cannot locate the file, he is not sure of the facts in the Nieves matter. Assuming that paragraph 148 is correct, that the Respondent filed a bankruptcy petition in 2006, there must have been a second bankruptcy petition in 2010 or 2011. What the Respondent remembers is that he met with Ms. Nieves and she handed him a pink piece of paper, which was the form appeal from a default judgment to the Court of Common Pleas. That piece of paper does not list what Court in which the judgment was entered. Subsequently, the Respondent had spoken to the civil attorney for Ms. Nieves, an attorney named Laura Tobey. Ms. Tobey explained to the Respondent that the default judgment was out of his Court. That was the first that the Respondent became aware of that fact. The Respondent then transferred the case to another District Judge. He then did proceed with the bankruptcy. Judge McFadden, to his recollection, was satisfied with his explanation at the time. The Respondent also obtained a letter from the District Judge's Ethics Committee, which is attached and marked as Exhibit "A" to this answer. Please note that the Respondent was told there were two times he had to recuse in that letter. First, if he represented a bankruptcy client who then appeared as a party before him. To his knowledge, he has always recused under those circumstances. The second situation would be if he had a proceeding as a judge where the party whom the Respondent later came to represent on a bankruptcy situation. In that situation the letter said he had to be aware of Rule 10 and make full disclosures. The old Rule 10, as you are aware, forbids

information acquired by the District Judge from being used or disclosed for any other purpose. There was no preclusion for him taking the case, particularly when he transferred the matter out of Court. Unfortunately, without the files, I cannot be any more specific at this point in time and that is one of the problems when people wait 4-6 years before they file complaints.

150 and 151. Admitted that Capital One filed a civil complaint. The Respondent does not have the underlying file because it is no longer in his judicial office since those files have been removed because of the passage of time. The Respondent did meet with Ms. Ziegler on December 13, 2012. His appointment book reflects the meeting was at 6:00 p.m. It reflects that she was from a referral, which apparently the referral was from her civil lawyer. On the Respondent's calendar, he has in parentheses, "could be a conflict." The Respondent did meet with her. He then, because of the conflict, asked that the President Judge assign another District Judge to handle the case. That was done. He did that pursuant to the letter of advice, which is attached and marked as Exhibit "A", which he was following. Once the case was out of his Court, he then pursued the bankruptcy petition. There does not appear to be any wrongdoing here. The case was transferred out of his Court and he didn't use any personal information and the case was not solicited because he was the District Judge. The file is now with the office it was transferred to.

152. It is difficult to answer these allegations due to the passage of time and files not being available. Apparently Mr. Cortez had three separate cases filed against him over a period from 2010 to 2012. During this time period, there was some dispute among District Judges in Northampton County whether or not a judgment could be entered for a defendant if the plaintiff failed to appear. At some point, the Respondent started to enter judgments for the defendant when the plaintiffs actually failed to appear. An appeal was taken by the lawyer to the Court of Common Pleas. A year later, on May 22, 2013, Mr. Cortez came in to meet with the Respondent about a bankruptcy proceeding. Unfortunately on that day, the Respondent might have had a temporary secretary because there is no listing on his calendar as to the source of any of the clients that came in that day. At that point in time, there were no cases pending. The Respondent then proceeded with the bankruptcy petition. The Respondent believed he complied. He is not sure even though the case was closed before him as a judge, whether or not he had it transferred to anyone else because he doesn't have the file.

153. The Respondent met with Ms. Pagel a year later on December 6, 2013. She arrived in the late afternoon. The Respondent's calendar reflects that it was a local referral. He does remember when she came in, she told him that she drove by his office all the time, looked him up and noted he did bankruptcy cases, so she came to him. The judgment that was entered in his Courtroom, was a default judgment, so he was not aware when he took on the case, that the default judgment had been entered by his Court. To his knowledge, she didn't come to him because he had been the judge because she probably didn't know who he was. As noted, default judgments are done when the defendant does not appear, and then a default judgment is entered. The underlying case was not transferred because the case was long over. The Respondent has no recollection, but he assumes he either transferred it or nothing else was done because the case was a dead file at that point. But without the ability to look at the file, the Respondent cannot say for sure.

154. On November 30, 2012, Ms. Craig met with the Respondent in his law office about a bankruptcy. His calendar reflects she came in at 10:00 a.m. The source of the referral reflected on his calendar was the Yellow Pages from the phone book. Therefore, she came to him because of his listing as a bankruptcy lawyer in the Yellow Pages. The Respondent was not aware that he had entered a default judgment against Ms. Craig. Again, this is by recollection and it must be kept in mind this occurred three to three and a half years ago. There is no good excuse for delaying raising these issues for such a period of time. He doesn't have the Court file, but he is assuming that there was a default judgment entered against Ms. Craig in his Court because she didn't appear and had given no Notice of Intent. Therefore, the Respondent's District Court would have entered the default judgment. As a result, he would not have been aware that the default judgment was out of his Court. If he had been aware, he would have asked the Court to have transferred the judgment to another District Court.

155. Apparently default judgments were entered on the two cases against Deschler by the Respondent's office. Again, as noted from the above descriptions, the Respondent would not have known. If there was no intent to defend filed, then a default judgment would be entered through his office. The Respondent would not even know or recall the name of the person. According to the Respondent's calendar, on August 13, 2013, he met with Ms. Deschler at 4:00 p.m. His calendar doesn't reflect the source of the referral. The Respondent will have to call her to find out. But he had no knowledge or recollection his office

had entered a default judgment. If he had known that, he would have transferred the default as he had done on the other cases. Again, it is very difficult to piece together what happened on a few cases three or four years before. That is why it is so unfair to wait all these years and then drop these kinds of complaints. The Respondent, as an attorney, was handling 100 to 200 bankruptcy petitions a year, if not more. As a judge, he was handling approximately 4,000 to 5,000 cases a year. Unless he has an absolute photographic memory, no one is going to remember these matters unless something stands out.

156. This case was referenced and answered in the answer to paragraph 147. The Respondent is assuming there was only one bankruptcy case, but he does not have a clear recollection. Admitted the Respondent filed a bankruptcy petition in July of 2013 and an Amended Petition was filed apparently in October of 2013. The Respondent does not have the file that was referenced in his judicial office where it is noted there was a ruling in favor of the dental company. Without having the file on an event that occurred two and a half years ago, the Respondent does not have any recollection of entering judgment against Mr. Cruz at that time. Perhaps it was a default judgment and he wasn't even aware of it. Further, it would be very difficult to conceive that the Respondent would have entered a judgment against Mr. Cruz with a pending bankruptcy because that is prohibited. Unfortunately, without the advantage of his file, which is not readily available through his judicial office, the Respondent cannot be more specific. During this time period, the Respondent was trying to follow through with the advice given in the letter, which is attached and marked as Exhibit "A" in terms of ethics. If he had been aware that this case was in his Court, he would have transferred it out immediately. Without the file, he cannot say what happened. If he didn't transfer it out, it was apparently because he didn't realize it was the same person and it was a mistake. It should also be noted, the Respondent has gone back to get the records of his requests on all the cases that should be transferred to another District Judge. The Respondent saved every one of those. Shortly after Brenda Anthony, his former court staff person left, none of these transfer letters can be found. Other things also went missing shortly after she left. The Respondent reported missing files and documents to the Court Administration and also raised the concern that Ms. Anthony had taken records or destroyed records. Unfortunately, the Court Administration did nothing.

157. Admitted that Deborah Repash was sued in the Respondent's District Court. On August 31, 2012, she came to the Respondent's law office to represent her in a bankruptcy proceeding. She obtained the Respondent's name from the Clipper magazine. As noted, the bankruptcy complaint was not filed until June of 2013. As soon as the complaint was filed, the Respondent complied with the opinion letter, which is attached and marked as Exhibit "A", and asked the Court to transfer the civil case to another District Judge. Admitted that the Respondent filed the bankruptcy petition in 2013. But, it was his understanding he was able to do so because of the opinion letter. It must be kept in mind that the Respondent at all times was trying to follow the rules. He was notifying Courts of the conflicts, etc. Obviously, he wasn't trying to hide anything.

158. Mr. Kilo came to the Respondent through the internet.

159. On February 19, 2015, Heidi Trexler met with the Respondent in his law office in reference to retaining him on a bankruptcy matter. His calendar references that she met him around 4:00 p.m. The source of the referral noted on his calendar was word of mouth. The Respondent noted also he quoted her a fee of \$1,250.00 on his calendar. The judgment that was entered against Ms. Trexler by the judge was done in March of 2014, almost a year before she sought his services. The Respondent, without the file, has no recollection whether it was a default judgment or a judgment after a hearing. But when she came to him, he was not aware or had no recollection that he had entered a judgment against her and, therefore, took on the bankruptcy petition. If he had been aware, he would have asked to have the matter transferred. Since the records are not available, the Respondent has no recollection and his unable to find whether he made the request or not because now the records are all missing.

160. In reference to Jennifer Frey, she met with the Respondent in his law office on March 7, 2014. His calendar reflects she went to the Respondent because she was a friend of his wife for 15 years. The Respondent took on her bankruptcy, then the suit was filed in his Court. The Respondent, complying with Exhibit "A", asked that the case be transferred out of his Court to another District Judge, and the case was transferred. The Respondent then proceeded with the bankruptcy, as he believed he was entitled to do based on the aforementioned opinion letter.

161. On February 10, 2014, the Respondent met with Paul Getz at 5:00 p.m. His calendar reflects that Mr. Getz came to him through phone book advertisements. The Respondent, when the lawsuit was filed in 2015, notified the Court Administrator that he was representing the person in the bankruptcy proceeding, and the case was transferred to another District Judge. That was done consistent with the letter of advice from the District Judges Ethics Committee, which is attached and marked as Exhibit "A". On all of these bankruptcy matters, it appears the Respondent acted appropriately and properly and consistent with the advice provided. It appears that all of the complaints should be dismissed since there are no violations.

VIOLATIONS OF THE RULES

The Respondent emphatically denies violating the charged Rules of Judicial Conduct.

162(a.) See answers above. But the specific date would be unknown, particularly with the passage of time.

(b.) See above answers. Also, attached and marked as Exhibit "C" are copies of the calendar entries that reflect when the person came to the Respondent's law office and the source of the referral. There are other names included in the entries and the attorney/client privilege must be respected. Also included in Exhibit "C" are the transfer requests on cases to show that the Respondent routinely transferred matters to other District Courts. There are also other documents of other relevance, many involving transfers in conflicts of interest, requests to the Court Administrator for more supplies, complaints about office staff working for his opponent, etc. All of that is part of Exhibit "C". Also included in Exhibit "C" is the average case load.

(c.) See answers to the specific bankruptcy clients and see the calendars. Each includes the source of the referral as referenced in the answers in the above paragraphs.

(d.) See the calendars that are attached as Exhibit "C" and the answers, which note the specific dates and times.

(e.) The Respondent would have informed each client he was a District Judge if they told him of any pending case.

(f.) The Respondent does not know the answer to that because of the passage of time. But when he became aware of the

matters, he would have discussed and told them about pertinent issues.

(g.) The Respondent at this late time, does not know. He is not sure if pleas were given at the time of the consultation or when they were received.

(h.) Based on the advisory opinion, it appears that would not be applicable. The Respondent followed the advisory opinion, which is attached and marked as Exhibit "A".

(i.) Due to the passage of time, it is hard to answer, but 90% of the time, the Respondent was retained at the time of consultation. Sometimes a person does not become a client until sometime after. The Respondent would have to go through the files to be more specific.

163. Denied. The Respondent never used his Court listings to solicit clients for his law practice. As noted from the answers from 147 to 162, the Respondent's office, for almost every case, kept a record of the source of the client's referral. All of them were from people that he knew, his wife knew, or the Yellow Pages or the Clipper magazine, etc. He never solicited clients from the Court listings ever.

164. Denied. The Respondent did not utilize his Court or anyone on his Court staff to solicit clients. It is possible that someone who knew the Respondent or worked for the Respondent could have, on their own, told a client that the Respondent did bankruptcy law, but he is not aware of that. The Respondent never solicited and tried to keep a strict dividing wall between his judicial office and his bankruptcy law practice. The Respondent would almost never go to his law practice until the afternoon and he was always on call. That is, subject to come back if there was a need for a hearing or something of that nature. If there was a call for a warrant or an arraignment, the Respondent would return. His law office was only about two miles away from his judicial office.

165. As to most of the individuals listed in paragraphs 147 to 162, the Respondent did not know them. But he did know Ms. Frey. He knew her personally and she was a longtime friend of his wife.

166. Denied as stated. The Respondent was very diligent in seeking an opinion as to what to do if a case was in his Court and he was representing the person. As seen, he was given

advice and as part of that advice, he could continue as long as he had the case transferred to another judge (See Exhibit "A"). He diligently and religiously complied with this advice. That is why he sent all the letters (which are now missing) requesting the transfers. Therefore, he had a valid basis and belief.

167. Denied as stated. First, the Respondent sought an Opinion (Exhibit "A"), which has been discussed. In those cases, when he saw the conflict, he immediately moved to transfer the cases if the case fit within one of the two categories in Exhibit "A". In any case where a criminal defendant appeared before the Respondent, who then had a bankruptcy issue, the Respondent refused to take their bankruptcy case. He refused if the criminal case was pending. The Respondent only took bankruptcy cases with pending civil cases when he transferred the civil case from his Court consistent with the Opinion, which is attached and marked as Exhibit "A". The respondent did recognize the potential conflict and that is why he asked for advice. He also had discussed the matter with the President Judge and apparently they all agreed because they would then transfer the cases.

168. Denied. The Respondent clearly represents conflicts. But, this has been fully explained in the answers to paragraphs 147 and 156.

169. The Respondent in his law practice has a computer system. But, he did not have in his law office the names of every person who appeared in his District Court because that would be almost impossible. The Respondent was very hesitant to ask his staff at the Court to look up information for his private practice. Essentially, he relied on his clients. The Respondent asks his clients if they have any suit pending or judgments entered and relies on his clients' answers. He now also checks website listings and District Justice filings.

170. The Opinion of the Special Court is attached and marked as Exhibit "A". The Opinion is a little broader than just one case, but the Respondent has religiously followed that Opinion, as noted above.

171. The Respondent does not have that letter. After Ms. Anthony left, all of the transfer letters that would apply to the cases listed in this letter are missing. There are other transfer letters that are still there. The Respondent complained to the Court Administrator and they didn't have

copies either. But the Respondent cannot provide a copy because the letters are missing and presumably taken by Ms. Anthony, who again, is presumed to be the source of many of these complaints that apparently she was collecting for years and years and finally decided to send over to the Judicial Conduct Board.

Finally, there is no reason to have stated in bold print that the Respondent should not retaliate. The Respondent has not retaliated against anyone. But, some of these people clearly should not be working for him because they have absolutely no loyalty to him and apparently have undermined him and/or kept undermining him wrongly and kept records on him without ever giving him an opportunity to explain or respond on a timely basis. It is a very unhealthy situation.

Having responded to the numbered paragraphs, the Respondent would ask for a dismissal of these charges since they are not accurate and there was no violation. First, as noted, the Respondent specifically raises doctrine of laches as well as statute of limitations. Many of the allegations are very old.

The Respondent is a very hardworking and diligent judge. He is well respected by many lawyers and police officers in the area. Many lawyers and police officers will be witnesses on his behalf at any trial if it goes that far. The Respondent also has a part time bankruptcy practice. The Respondent was admitted to practice law in 2001. He has never been disciplined as an attorney and has never been disciplined before as a judge. He was elected as a District Judge in 2009 and started serving in 2010. He was recently re-elected. The Respondent also continues with his part time law practice.

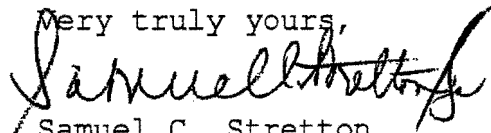
These above allegations are very unfair since it is clear people were keeping records, but no one told the Respondent or warned the Respondent. The suggestion that he was told in 2011 and 2012 during two short meetings by the President Judge is just not accurate. Since then, no one has said anything to him. Yet, there is page after page with quotations and specific dates. It is very clear what is happening. There is not any judge alive who could withstand that kind of scrutiny. If I wanted to get a judge and sat in their Courtroom or had other people sit in their Courtroom for years and took detailed notes, there is not any judge in the world who doesn't have a bad day, doesn't raise their voice, at times, doesn't get irritated with their staff, or at times comes in late, etc. That is what is happening here. The Respondent emphatically denied the allegations. He conducted a good Court. His cases are handled

timely. There is no backlog. His office has been recently audited and given good results with all funds accounted for.

The investigation demonstrates that many of the allegations that are made are not supported by the officers. In fact, witnesses will testify to the contrary. All of this will developed at trial.

The Respondent will fully cooperate, but these allegations and charges should be dismissed as unwarranted, as not supported by sufficient evidence and not timely made pursuant to the doctrine of laches and the statute of limitations.

Very truly yours,



Samuel C. Stretton

SCS:jac

Enc.

Cc: Honorable David W. Tidd

VIA FEDERAL EXPRESS, OVERNIGHT DELIVERY

LANCASTER COUNTY MAGISTERIAL DISTRICT COURT 02-3-09

JAYNE F. DUNCAN, Esquire
District Justice



Telephone
717-387-4330
or 653-1888

920 South Spruce Street
PO Box 511
Elizabethtown, PA 17022-0511

David W. Tidd, Esquire
516 Main Street
Hellertown, PA 18055

September 25, 2011

RE: Response to Ethical Inquiry #2011-11
Inquiry date September 2, 2011

Dear Judge Tidd:

I am in receipt of your letter of September 2, 2011. As I understand your inquiry; you currently serve as a Magisterial District Judge, in addition you maintain a private law practice. A portion of your law practice is devoted to work in the US Bankruptcy Court. The specific purpose of your letter is to clarify your ethical responsibilities should bankruptcy issues relate to civil matters filed before you or other Magisterial District Judges.

An analysis of the issues raised in your inquiry requires a review of three of the Rules Governing the Standards of Conduct of Magisterial District Judges. First, I would direct your attention to Rule 14: "Prohibited Practices of Attorney Magisterial District Judges". This Rule states what purports to be an exclusive list of prohibited practices, see also the Note following Rule 14; "This rule contains all of the prohibitions on the practice of law by attorney magisterial district judges that were thought necessary". According to the language of Rule 14, the practice of bankruptcy law is not prohibited.

Although not raised in your inquiry, I would urge a review of Rule 10: "Information Acquired in Judicial Capacity". You should be cautious to not allow any perception that prospective clients were influenced by a previous appearance in your court.

Finally, I would suggest a review of the language of Rule 8: "Disqualification", which identifies the circumstances under which you are required to recuse yourself from hearing any matter. In particular, Rule 8A (2), requires disqualification if the attorney magisterial district judge has served as an attorney in any matter coming before him.

In sum, I believe that there are two situations to be considered: in the first, you represent a bankruptcy client who, at a later date, is party to an MDJ proceeding. In that case you would be required to recuse yourself from the MDJ proceeding. In the second situation, you have a proceeding as an MDJ with a party that later comes to you for representation in a bankruptcy matter. In that situation you

Exhibit "A"

should be highly aware of the prohibitions identified in Rule 10, not only as an actual violation, but also mindful that the mere appearance of impropriety is prohibited. As always, full disclosure to all concerned parties is the general rule in matters of this type.

Please be advised that this opinion will be circulated among the members of the Ethics and Professionalism Committee. In the event that a majority of members disagree with the advice given I will notify you within twenty (20) days.

Please note also that the Ethics and Professionalism Committee of the Special Court Judges Association is designated as the approved body to render advisory opinions regarding ethical concerns of Magisterial Court Judges and other Special Court Judges.

Although such opinions are not, per se, binding upon the Judicial Conduct Board, action taken in reliance thereon and pursuant thereto, shall be taken into account in determining whether discipline should be recommended or imposed.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jayne F. Duncan".

Jayne F. Duncan, Esquire
Ethics and Professionalism Committee
Of the Special Court Judges Association

Cc: Ethics Comm



Samuel Stretton <strettonlaw.samstretton@gmail.com>

MDJ practice

1 message

George A Heitzman <heitzmanlaw@gmail.com>

Fri, Mar 11, 2016 at 6:39 AM

To: SAMUEL C STRETTON <strettonlaw.samstretton@gmail.com>, DAVID W TIDD JD <dwtidd@gmail.com>

Sam

Yesterday I appeared before MDJ Hawke

I had a client in prison who was being brought out in order to have bail set and waive his preliminary hearing.

When I arrived, the MDJ was in the secretarial area behind the counter. He was not wearing his robe.

The MDJ told me he was getting the paperwork ready and we waited a bit for my client to be brought in by a constable.

When my client arrived he and I stood on one side of the counter, MDJ Hawke on the other, and all the paperwork was signed. It was done in an efficient and pleasant manner.

I never saw a robe, and I was never in the court room.

George A Heitzman

Sent from my iPhone

Exhibit 'B'

September 2013 October 2013 November 2013 December 2013

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Tuesday August 13

225/140

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1:00	John Brunner	610-346-7796		
1:15				
1:30	MARYLOUISE Gnaflin	610-393-4195	Bky	RJ from Stan Mrazek's office
1:45				
2:00	Anna - energetic air			
2:15				
2:30				
2:45				
3:00	Christopher Klotz	610-653-0977	Bky Ch. 7	Clipper <small>5:00 PM - 8:00 PM</small>
3:15				
3:30	Robert Linda Rossomay	610-253-2473	current 13 client who wants to know if pay	
3:45				
4:00	Lonna Deschler	484-695-5234	Bky	
4:15				
4:30	Heather Allenbrock	610-844-6932	Bky with first 4 hrs ago w/ you	
4:45				
5:00	Paine, Sabre	484-538-4905	Staff Sale	VP
5:15			will call to r/s!	
5:30	Tammy Len	610-691-5413	grandparents' visitation	
5:45				
6:00	Shella Brewer	610-370-8579	1st Bky Consult	no consult sheet
6:15			relation 8/6	
6:30	Jeremy King	732-257-4947	Per D.H. swe ca. on a week	
6:45				
7:00	Jesse Koehler	484-788-4007		
7:15				
7:30				
7:45				

NOTES

Schubert

10 February Monday

41/324

November 2013							December 2013							January 2014							February 2014																																						
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3:30	Elaine Edwards-Bern	610-858-1092	BKV	yellow page
3:45				
4:00	Rich Adams	610-739-2463	Support	Kim Culver's Husb.
4:15				
4:30	Veronica / 507-5	484-501-6050	BKV	yo
4:45		HS from 2/3		
5:00	Paul Geitz	610-863-3330	BKV	phone book
5:15				
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NOTES

7 March Friday

66/299

December							2013							January							2014							February							2014							March							2014												
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9:00	Tom Wainwright	610-393-8562	Bky	
9:15				
9:30	Jennifer Frey	140-657-9321	Bky	Friends w/ Vera
9:45				
10:00	Louis Smith	215-287-0989	Bky	Clipper
10:15				
10:30	Nana Marples	494-358-7461	Divorce	
10:45				
11:00	Franca Plozzi	908-283-0132	debt settlement	
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3:30	Carol Verditti	908-479-6461	emergency	
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NOA
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called 3-4-16

- she drove by office
after & looked me
up 40 sec of handling

TKL

March 2015 April 2015 May 2015 June 2015
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Thursday February 19

Chinese New Year 50/315

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3:30	Prognosis Preliminary Hearing		
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4:00	Heidi Trexler	215-868-8792	Blky
4:15			Word of mouth quoted \$1250.00
4:30	John Chiatini	610-554-0402	Blky
4:45			Cliffers
5:00	Randall Bolmer	908-689-3587	Blky
5:15			T.H. \$1000
5:30	Eddie Diaz	347-523-1277	Divorce
5:45	Greg Gant	610-815-3227	Jessica Rodriguez
6:00	Jeff Fertig	845-222-1627	Blky
6:15			Internet Search
6:30			(lives in town)
6:45			\$1500
7:00			
7:15			
7:30			
7:45			

NOTES

8/31/12

Ch. 7
\$1500

Deborah Ann Repash
2226 Nursery Lane
Hellertown, PA 18055
484-725-9853

- daughter's bank acct was frozen due to judgment against Mother
- Credit card debt \$21,882.84
- \$450 to \$650 /wk depending on overtime - Husband
- Wife earns \$900 gross mo.; disabil. \$922
- 2 children → 29 yrs old; 23 yrs old
- Own home; \$1486/mo; \$68k + \$74k = mortg.
- 5 or 6 mos behind on 1st mortg.
- 2 or 3 mos behind on 2nd mortg.
- Trying for modif.
- Debt only her name

her
name not
in real estate

8-31-12 \$300 - cash

Allyson PA
3-H-16
Phonewall

DE-200

September 2012							October 2012							November 2012							December 2012						
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336/31

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7:30	Lunch from Christine Piper		
8:00			
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9:00	Paul Apria	will call us T/C	
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10:00	Dawn Craig	267-718-4218	dky v.p.
10:15			
10:30	Ms. Roberts	616-837-2935	t/c - expunging record
10:45			
11:00	Bob Kocher	610-653-7270	go over ads
11:15			
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1:30	VICKY	610-972-0409	per DWT (Ads)
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2:00	Jeffery Ehrie	610-428-7930	Custody
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22 May Wednesday

142/223

February 2018							March 2018							April 2018							May 2018						
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3-10-18 confirmed local & saw offsite & checked it off

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2:00	Mr. NADLET	617-810-4930	DR
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2:30	Mr. NADLET	617-810-4930	DR
2:45		David	
3:00	John Sturges		
3:15			
3:30	Jan Carter	816-472-3020	BK
3:45			
4:00	TRACI PERGIA	267-375-9151-0	BK/Distance
4:15			
4:30	ANDREW VASSIS	615-175-5201	might discuss w/...
4:45			
5:00	Flora S. W.	610-704-3221	number of hearing...
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NOTES

5-22-13

CL7

Jan Salva Cortez
150 Front St.

11950-

Hellertown, PA 18055

818-472-3082 (c)

January 2012 February 2012 March 2012 April 2012
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Tuesday December 13

34718

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4:00	Mary Holmes	610-419-2570	YR - debt settlement
4:15			
4:30	Michael Breisch	610-439-3318	key - local
4:45			
5:00	Ismelda Sosa	484-530-4085	adoption YR
5:15			
5:30	Michael Breisch	610-439-3318	key Y.P.
5:45			
6:00	Leslie Zepher	703-872-7066	local
6:15			
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9 November Friday

314/52

August 2012							September 2012							October 2012							November 2012						
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M 10:00	Christine Perez	481-353-3024	Bky	Facebook
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M 10:30	Alex Turchanik	610-402-6670	RK	Cliper
10:45				
M 11:00	Tarlan Bains	610-283-7390	Bky	yp
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11:45				
12:00				
12:15				
M 12:30	Patricia Paff	610-654-4431	Divorce	Y.P.
12:45				
M 1:00	Gilbert Cruz	610-739-8144	Bky	Cliper - eos. pgs
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C 1:30	Frank Soletti	610-201-4804	Bky	Cliper
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M 4:15	Fernando Milan	610-333-3722	Bky	Y.L.
C 4:30	Michelle Klumper	610-570-0499	OKO mtg	var DUT
4:45				
5:00				
5:15				
5:30				
5:45				
C 6:00	Troy Carr	610-746-0349	Bky - Per DUT	online
6:15				
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NOTES

5 December Monday

339/26 Ashura

September 2011							October 2011							November 2011							December 2011							
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18	19	20	21	22	23	24	16	17	18	19	20	21	22	20	21	22	23	24	25	26	18	19	20	21	22	23	24	
25	26	27	28	29	30		23	24	25	26	27	28	29	27	28	29	30				25	26	27	28	29	30	31	
							30	31																				

HOUR				
7:00	REMINDER			
7:30	DAVE call Renee Smith (182-3000)			
8:00	RE-ARD NOA (of DUL)			
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1:00	Mark Barabona	484-350-0720	BKJ	yellow pgs
1:15				
1:30	Bea Stohaber	610-250-6427	BKJ	Y.P
1:45				
2:00	Mrs. Stevenson (Wilkin) - CUSTODY			
2:15				
2:30	Mr. Radowski	484-809-4968	Refund: pl on full not 2010	
2:45				
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4:00	Tom Lonardo			
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5:00	Linford Bowler	Emergency Signing	15-264-5622	
5:15				
5:30	Jan Drosnock			
5:45				
6:00	Robert Cruz	484-767-3458	BKJ	Y.P
6:15				
6:30	Tom Rieker	484-767-6355	BKJ - 12 th Acl. led	Knows 1000
6:45	JUL Wintley	610-985-0128	Tipre Shares	
7:00				
7:15				
7:30				
7:45				

YES

November 2014							December 2014							January 2015							February 2015						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
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9	10	11	12	13	14	15	14	15	16	17	18	19	20	11	12	13	14	15	16	17	8	9	10	11	12	13	14
16	17	18	19	20	21	22	21	22	23	24	25	26	27	18	19	20	21	22	23	24	15	16	17	18	19	20	21
23	24	25	26	27	28	29	28	29	30	31				25	26	27	28	29	30	31	22	23	24	25	26	27	28
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Thursday October 23

HOUR				
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4:00	ERIC NEWMAN	215-390-0929	BKI	11/11/14
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4:30	Joseph K...	484-523-5020	Ch...	
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*Confirmed internet
v. 3-7-16
phone
wall*

IN THE COURT OF COMMON PLEAS OF NORTHAMPTON COUNTY, PENNSYLVANIA

CIVIL

PHYLLIS BIRK

vs.

WILLIAM H BIRK

)
)
)
) LT 30-14
)
)

ORDER OF COURT

AND NOW, this 29th day of July 2014, the above-captioned case is transferred from Magisterial District Court 03-2-04 to Magisterial District Court 03-2-01 due to a possible conflict of interest.

BY THE COURT,



Stephen G. Baratta, P.J.

District Judge Manwaring
District Judge Tidd

IN THE COURT OF COMMON PLEAS OF NORTHAMPTON COUNTY, PENNSYLVANIA

CRIMINAL

COMMONWEALTH OF PENNSYLVANIA)

v.)

ROBERT E. LINNEY)

) TR. 2872-2014
)
)



ORDER OF COURT

AND NOW, this 9th day of December 2014, the above captioned case is transferred from District Court 03-2-04 to District Court 03-2-11 due to a possible conflict of interest.

BY THE COURT,

STEPHEN BARATTA, P. J.

Magisterial District Court 03-2-04
Magisterial District Court 03-2-11

IN THE COURT OF COMMON PLEAS OF NORTHAMPTON COUNTY, PENNSYLVANIA

CRIMINAL

COMMONWEALTH OF PENNSYLVANIA)	TEMPORARY ASSIGNMENT
)	
vs.)	
)	
WILLIAM H BIRK)	NT 74-14

ORDER OF COURT

AND NOW, this 9th day of April 2014, the above-captioned case is transferred from Magisterial District Court 03-2-04 to Magisterial District Court 03-2-10 due to a possible conflict of interest.

BY THE COURT,



Stephen G. Baratta, P.J.

District Judge Tidd
District Judge Matos Gonzalez

IN THE COURT OF COMMON PLEAS OF NORTHAMPTON COUNTY, PENNSYLVANIA

CRIMINAL

COMMONWEALTH OF PENNSYLVANIA)

v.)


) OTN T416310-6

TODD ROBERT DESMOND)

ORDER OF COURT

AND NOW, this 20th day of May 2014, the above captioned case is transferred from District Court 03-2-04 to District Court 03-2-11 due to a possible conflict of interest.

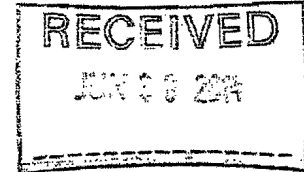
BY THE COURT,



STEPHEN G. BARATTA, P. J.

Magisterial District Court 03-2-04
Magisterial District Court 03-2-11

IN THE COURT OF COMMON PLEAS OF NORTHAMPTON COUNTY, PENNSYLVANIA



CRIMINAL

COMMONWEALTH OF PENNSYLVANIA)	TEMPORARY ASSIGNMENT
)	
vs.)	
)	TR 1701-14
WILLIAM H BIRK)	

ORDER OF COURT

AND NOW, this 30th, day of June 2014, the above-captioned case is transferred from Magisterial District Court 03-2-04 to Magisterial District Court 03-2-01 due to a conflict of interest.

BY THE COURT,



 Stephen G. Baratta, P.J.

District Justice Tidd
District Justice Manwaring

IN THE COURT OF COMMON PLEAS OF NORTHAMPTON COUNTY, PENNSYLVANIA

CRIMINAL

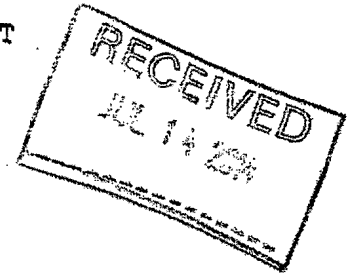
COMMONWEALTH OF PENNSYLVANIA)

TEMPORARY ASSIGNMENT)

vs.)

TR 2688-13)

CARA MALATICO)



ORDER OF COURT

AND NOW, this 14th day of July 2014, the above-captioned case is transferred from Magisterial District Court 03-2-04 to Magisterial District Court 03-2-10 due to a conflict of interest.

BY THE COURT,



Stephen G. Baratta, P.J.

District Justice Tidd
District Justice Romig-Gainer

IN THE COURT OF COMMON PLEAS OF NORTHAMPTON COUNTY, PENNSYLVANIA

CRIMINAL

COMMONWEALTH OF PENNSYLVANIA

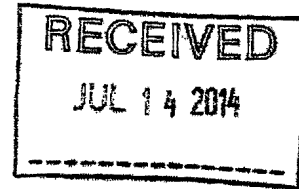
vs.

WILLIAM BIRK

)
)
)
)
)

TEMPORARY ASSIGNMENT

NT 151-14



ORDER OF COURT

AND NOW, this 14th day of July 2014, the above-captioned case is transferred from Magisterial District Court 03-2-04 to Magisterial District Court 03-2-01 due to a possible conflict of interest.

BY THE COURT,

Stephen G. Baratta, P.J.

District Judge Tidd
District Judge Manwaring

IN THE COURT OF COMMON PLEAS OF NORTHAMPTON COUNTY,
PENNSYLVANIA

CIVIL

COMMONWEALTH FCU

vs.

JENNIFER L FREY

)
)
)
)
)

CV 58-2014

ORDER OF COURT

AND NOW, this 22nd day of July, 2014, the above-captioned case is transferred from Magisterial District Court 03-2-11 to Magisterial District Court 03-2-04 due to a possible conflict of interest.

BY THE COURT,



Stephen G. Baratta, P.J.

District Judge Tidd
District Judge Romig-Passaro

RECEIVED
JUL 22 2014

IN THE COURT OF COMMON PLEAS OF NORTHAMPTON COUNTY, PENNSYLVANIA

CRIMINAL

COMMONWEALTH OF PENNSYLVANIA)

v.)

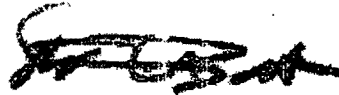
) TT 2880-15

KATIE ANN KUDERA)

ORDER OF COURT

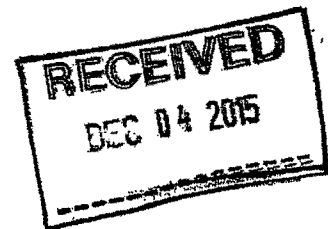
AND NOW, this 4th day of December 2015, the above captioned case is transferred from District Court 03-2-04 to District Court 03-2-11 due to a possible conflict of interest.

BY THE COURT,



STEPHEN BARATTA, P. J.

Magisterial District Court 03-2-04
Magisterial District Court 03-2-11



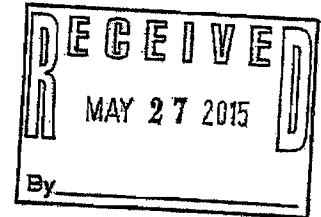
IN THE COURT OF COMMON PLEAS OF NORTHAMPTON COUNTY, PENNSYLVANIA

CRIMINAL

COMMONWEALTH OF PENNSYLVANIA)

v.)

RICHARD CODY FLUCK)



ORDER OF COURT

AND NOW, this 27th day of May 2015, the above captioned case (prior to criminal complaint being signed) is transferred from District Court 03-2-04 to District Court 03-2-11 due to a possible conflict of interest.

BY THE COURT,

STEPHEN BARATTA, P. J.

Magisterial District Court 03-2-04
Magisterial District Court 03-2-11

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF NORTHAMPTON



POLICE CRIMINAL COMPLAINT
COMMONWEALTH OF PENNSYLVANIA

VS.

Magisterial District Number: **03-2-04**

DEFENDANT:

(NAME and ADDRESS)

MDJ Non. **DAVID TIDD**
Address: **1404 WALTER STREET
BETHLEHEM, PA 18015**

RICHARD <small>First Name</small>	CODY <small>Middle Name</small>	FLUCK <small>Last Name</small>	<small>Gen.</small>
830 DETWEILER AVE HELLERTOWN, PA 18055			

Telephone: **(610)865-4010**

NCIC Extradition Code Type

- | | | | |
|--------------------------------------------------------|-----------------------------------------------|--------------------------------------------------------------------|--------------------------------------------------|
| <input type="checkbox"/> 1 - Felony Full | <input type="checkbox"/> 4 - Felony No Ext. | <input type="checkbox"/> B - Misdemeanor Limited | <input type="checkbox"/> E - Misdemeanor Pending |
| <input type="checkbox"/> 2 - Felony Ltd. | <input type="checkbox"/> 5 - Felony Pend. | <input type="checkbox"/> C - Misdemeanor Surrounding States | <input type="checkbox"/> Distance: _____ |
| <input type="checkbox"/> 3 - Felony Surrounding States | <input type="checkbox"/> A - Misdemeanor Full | <input checked="" type="checkbox"/> D - Misdemeanor No Extradition | |

DEFENDANT IDENTIFICATION INFORMATION

Docket Number	Date Filed 5-19-15	OTN/LiveScan Number	Complaint/Incident Number 20150518M4292	SID 41828978	Request Lab Service? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
GENDER	DOB 09/03/1987	POB	Adm. DOB	Co-Defendants? <input type="checkbox"/>	
<input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	AKA	First Name	Middle Name	Last Name	Gen.
RACE	<input checked="" type="checkbox"/> White	<input type="checkbox"/> Asian	<input type="checkbox"/> Black	<input type="checkbox"/> Native American	<input type="checkbox"/> Unknown
ETHNICITY	<input type="checkbox"/> Hispanic	<input checked="" type="checkbox"/> Non-Hispanic	<input type="checkbox"/> Unknown		
HAIR COLOR	<input type="checkbox"/> Gry (Gray)	<input type="checkbox"/> Red (Red/Auburn)	<input type="checkbox"/> SDY (Sandy)	<input type="checkbox"/> BLU (Blue)	<input type="checkbox"/> PLE (Purple)
	<input type="checkbox"/> BIK (Black)	<input type="checkbox"/> Ong (Orange)	<input type="checkbox"/> WHI (White)	<input type="checkbox"/> XXX (Ink./Bald)	<input type="checkbox"/> GRN (Green)
	<input type="checkbox"/> Bln (Blonde / Strawberry)				
EYE COLOR	<input type="checkbox"/> Blk (Black)	<input type="checkbox"/> Blu (Blue)	<input type="checkbox"/> BRO (Brown)	<input checked="" type="checkbox"/> GRN (Green)	<input type="checkbox"/> GRY (Gray)
	<input type="checkbox"/> HAZ (Hazel)	<input type="checkbox"/> MAR (Marron)	<input type="checkbox"/> PNK (Pink)	<input type="checkbox"/> MUL (Multicolored)	<input type="checkbox"/> XXX (Unknown)
Driver License	State PA	License Number	Expires	WEIGHT (lbs.)	
DNA	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	DNA Location			160
FBI Number	826362AEB	MNU Number	FL. HEIGHT in.		
Defendant Fingerprinted	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO				5 08
Fingerprint Classification					

DEFENDANT VEHICLE INFORMATION

Plate #	State	Hazmat <input type="checkbox"/>	Registration Sticker (MM/YY)	Comm'l Veh Ind. <input type="checkbox"/>	School Veh. <input type="checkbox"/>	Oth. NCIC Veh. Code	Reg. Same as Def. <input type="checkbox"/>
VIN	Year	Make	Model	Style	Color		

Office of the attorney for the Commonwealth Approved Disapproved because: _____

[(The attorney for the Commonwealth may require the complaint, arrest warrant affidavit, or both, be approved by the attorney for the Commonwealth prior to filing. See PA. R. Crim. P 507.)]

(Name of the attorney for the Commonwealth - Please Print or Type)

(Signature of the attorney for the Commonwealth)

(Date)

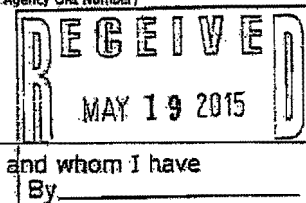
I, **INV MICHAEL DATTILIO**
(Name of the Affiant)
of **HELLERTOWN POLICE DEPARTMENT**
(Identify Department or Agency Represented and Political Subdivision)

208A/35182
PSR/MPDET - Assigned Affiant ID Number & Badge #
PA0480500
(Police Agency ORI Number)

do hereby state:

- I accuse the above named defendant who lives at the address set forth above
 I accuse the defendant whose name is unknown to me but who is described as

I accuse the defendant whose name and popular designation are unknown to me and whom I have therefore designated as John Doe or Jane Doe



with violating the penal laws of the Commonwealth of Pennsylvania at [**407**] **HELLERTOWN**
(Subdivision Code) (Place-Political Subdivision)
830 DETWEILER AVE HELLERTOWN

in **NORTHAMPTON** County [**48**] on or about **15 MAY 2015 AT 1552 HRS.**
(County Code)



POLICE CRIMINAL COMPLAINT

Docket Number	Date Filed	OTN/LiveScan Number	Complaint/Incident Number 20150518M4292
Defendant Name:	First RICHARD	Middle CODY	Last FLUCK

The acts committed by the accused are described below with each Act of Assembly or statute allegedly violated, if appropriate. When there is more than one offense, each offense should be numbered chronologically.

(Set forth a brief summary of the facts sufficient to advise the defendant of the nature of the offense(s) charged. A citation to the statute(s) allegedly violated, without more, is not sufficient. In a summary case, you must cite the specific section(s) and subsection(s) of the statute(s) or ordinance(s) allegedly violated. The age of the victim at the time of the offense may be included if known. In addition, social security numbers and financial information (e.g. PINs) should not be listed. If the identity of an account must be established, list only the last four digits 204 PA §§ 213. - 213.7.)

<input checked="" type="checkbox"/> Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903
-------------------------------------------------------------	-----------------------------------------------------	----------------------------------------------------------	------------------------------------------------------

<input checked="" type="checkbox"/> Lead?	1	780-113	A16	of the	35	1	M	3550	35A
	Offense #	Section	Subsection		PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code

PennDOT Data (if applicable)	Accident Number	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
-------------------------------------	------------------------	--------------------------------------	------------------------------------

Statute Description (Include the name of statute or ordinance):

PROHIBITED ACTS ; PENALTIES

Acts of the accused associated with this Offense:

POSSESSION OF CONTROLLED SUBSTANCE, DRUGS, DEVICE OR COSMETIC (M)

The Actor, RICHARD C. FLUCK (D.O.B. 09/03/1987), on or about, 15 MAY 2015, in the County of Northampton, knowingly or intentionally possessed a controlled or counterfeit substance, namely, HEROIN, the said actor not then and there being registered under the Controlled Substance, Drug, Device and Cosmetic Act, Act of April 14, 1972, or a practitioner registered or licensed by the appropriate State Board, in Violation of Section 780-113(a)(16) of the Controlled Substance, Drug, Device and Cosmetic Act, Act of April 14, 1972, as amended, 35 P.S. 780-113(a)(16)

<input type="checkbox"/> Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903
--------------------------------------------------	-----------------------------------------------------	----------------------------------------------------------	------------------------------------------------------

<input type="checkbox"/> Lead?	2	780-113	A16	of the	35	1	M	3550	35B
	Offense #	Section	Subsection		PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code

PennDOT Data (if applicable)	Accident Number	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
-------------------------------------	------------------------	--------------------------------------	------------------------------------

Statute Description (Include the name of statute or ordinance):

PROHIBITED ACTS ; PENALTIES

Acts of the accused associated with this Offense:

POSSESSION OF DRUG PARAPHERNALIA (M)

The Actor, RICHARD C. FLUCK (D.O.B. 09/03/1987), on or about, 15 MAY 2015, in the County of NORTHAMPTON, not being registered under the Controlled Substance, Drug, Device and Cosmetic Act, Act of April 14, 1972, nor a practitioner registered or licensed by the appropriate State Board, used or possessed with intent to use drug paraphernalia, namely, A HYPODERMIC NEEDLE TIPPED SYRINGE, for the purpose of packaging, preparing, storing, containing, concealing and ingesting or otherwise introducing into the human body, a controlled substance, namely, HEROIN, in violation of Section 13(a)(32) of the Controlled Substance, Drug, Device and Cosmetic Act, Act of April 14, 1972, as amended, 35 P.S. 780-113(a)(32)



POLICE CRIMINAL COMPLAINT

Docket Number	Date Filed 5-19-15	OTN/LiveScan Number	Complaint/Incident Number 20150518M4292
Defendant Name	First RICHARD	Middle CODY	Last FLUCK

- I ask that a warrant of arrest or a summons be issued and that the defendant be required to answer the charges I have made.
- I verify that the facts set forth in this complaint are true and correct to the best of my knowledge or information and belief. This verification is made subject to the penalties of section 4904 of the Crimes Code (18 PA C.C. 4904) relating to unsworn falsification to authorities.
- This complaint is comprised of the preceding page(s) numbered 1 through 2.

The acts committed by the accused, as listed and hereafter, were against the peace and dignity of the Commonwealth of Pennsylvania and were contrary to the Act(s) of Assembly, or in violation of the statutes cited. (Before a warrant of arrest can be issued, an affidavit of probable cause must be completed, sworn to before the issuing authority, and attached.)

18 MAY, 2015 (Date) [Signature] #28 (Signature of Affiant)

AND NOW, on this date May 19, 2015 I certify that the complaint has been properly completed and verified. An affidavit of probable cause must be completed before a warrant can be issued.

03-2-04 (Magisterial District Court Number) _____ (Issuing Authority)



CONFIDENTIAL



**Confidential Information Form
Criminal Complaint**

Complete the defendant's SSN information if known. If this form is submitted as part of a Police Criminal Complaint, the NCIC Cautions/Medical Conditions and Scars/Marks/Tatoos sections should also be completed if know.

Docket Number	Date Filed	OTN/LiveScan Number	Complaint/Incident Number 20150518M4292
Defendant Name	First RICHARD	Middle CODY	Last FLUCK

NCIC Cautions and Medical Conditions (check up to 9)				
<input type="checkbox"/> 00	<input type="checkbox"/> 20	<input type="checkbox"/> 50	<input type="checkbox"/> 70	<input type="checkbox"/> 01 - Other
<input type="checkbox"/> 05	<input type="checkbox"/> 25	<input type="checkbox"/> 55	<input type="checkbox"/> 80	
<input type="checkbox"/> 10	<input type="checkbox"/> 30	<input type="checkbox"/> 60	<input type="checkbox"/> 85	
<input type="checkbox"/> 15	<input type="checkbox"/> 40	<input type="checkbox"/> 65	<input type="checkbox"/> 90	

Scars, Marks, Tattoos (NCIC Codes)	
-----------------------------------------------	--

Confidential Information	
Name RICHARD CODY FLUCK	Social Security Number 194-70-1928
<input checked="" type="checkbox"/> Defendant	Financial Information:
<input type="checkbox"/> Other	

IN THE COURT OF COMMON PLEAS OF NORTHAMPTON COUNTY, PENNSYLVANIA

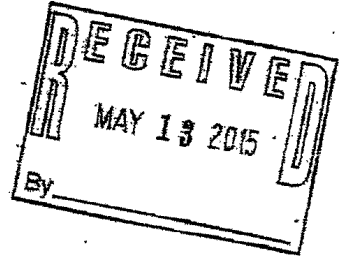
CRIMINAL

COMMONWEALTH OF PENNSYLVANIA)

v.)

RICHARD CODY FLUCK)

) TR 651-2015



ORDER OF COURT

AND NOW, this 8th day of May 2015, the above captioned case is transferred from District Court 03-2-04 to District Court 03-2-11 due to a possible conflict of interest.

BY THE COURT,

STEPHEN BARATTA, P. J.

Magisterial District Court 03-2-04

Magisterial District Court 03-2-11

IN THE COURT OF COMMON PLEAS OF NORTHAMPTON COUNTY, PENNSYLVANIA

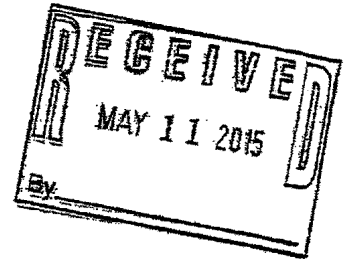
CRIMINAL

COMMONWEALTH OF PENNSYLVANIA)

v.)

RICHARD CODY FLUCK)

) TR 651-2015



ORDER OF COURT

AND NOW, this 8th day of May 2015, the above captioned case is transferred from District Court 03-2-04 to District Court 03-2-11 due to a possible conflict of interest.

BY THE COURT,

STEPHEN BARATTA, P. J.

Magisterial District Court 03-2-04
Magisterial District Court 03-2-11

IN THE COURT OF COMMON PLEAS OF NORTHAMPTON COUNTY, PENNSYLVANIA

CIVIL

DISCOVER BANK

vs

PAUL E. GETZ, JR.

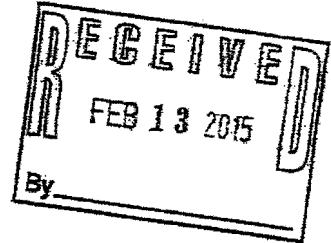
) TEMPORARY ASSIGNMENT

)

) CV 5-2015

)

)



ORDER OF COURT

AND NOW, this 13th day of February 2015, the above captioned case is transferred from District Court 03-2-04 to District Court 03-2-01 due to a possible conflict of interest.

BY THE COURT.

STEPHEN G. BARATTA, P.J.

Magisterial District Court 03-2-04
Magisterial District Court 03-2-01

Print Copy

Transaction Images

Transaction Det

Routing Transit

Debit / Credit

Amount

\$750.00

Item Front

DAVID W. TIDD
 VERA L. TIDD
 1576 COURTNEY CT
 HELLERTOWN, PA 18055

9-878
 30 4781 1511

DATE 3-17-14

PAY TO THE ORDER OF *Brenda Anthony* \$ 750.-
seven hundred fifty DOLLARS

NATIONAL PENN BANK
 www.natpennbank.com • 800-822-3321

MEMO

Item Back

TRN_DEBIT CRIVERA8 750.00
 Southside Bethlehem 4856 94004 4856 0110

Vertical text: INSTITUTION USE ONLY

Handwritten: *Bre Anthony*

Close Window

Christopher T. Spadoni
Attorney at Law

P.O. Box 522
1413 Easton Avenue
Bethlehem, PA 18018
Phone: (610) 867-3938
Fax: (610) 625-4788

February 17, 2016

Via Fax 610-865-4361
and Regular Mail

Honorable David W. Tidd
District Judge
1401 Walter Street
Bethlehem, Pa 18015

Dear Judge Tidd:

I was saddened to hear of your tenure as District Judge coming to an end.

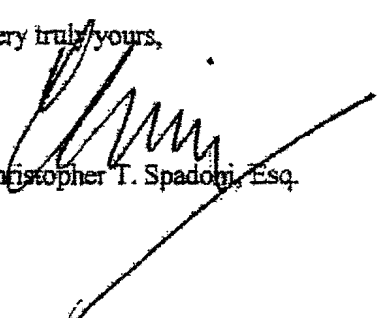
The Borough of Hellertown and the Township of Lower Saucon have benefited from your service as you have been nothing less than competent, fair, professional, and judicious.

I speak for myself and my clients and all have indicated their favorable impression of your courtroom. Their cases were heard promptly, you are always well prepared, and all matters were considered and adjudicated in a fair and equitable matter.

I offer my best regards and best wishes to you and your family.

✓ ALL THE BEST!

Very truly yours,


Christopher T. Spadoni, Esq.

CTS: ks

RECEIVED
FEB 17 2016

COMMONWEALTH OF PENNSYLVANIA



COUNTY OF NORTHAMPTON

DAVID W. TIDD, ESQ.

Magisterial District Judge

Magisterial District 03-2-04
1404 Walter Street
Bethlehem, PA 18015-5340

HELLERTOWN BOROUGH
LOWER SAUCON TOWNSHIP

OFFICE:

TEL 610-865-4010
FAX 610-865-4361

January 6, 2014

VIA FAX ONLY: 610-559-6702

Jill Cicero, Acting Court Administrator
Northampton County Government Center
669 Washington Street
Easton, PA 18042

RE: Rescission of 4th Staff Position

Dear Ms. Cicero:

Debra French informs me that the approval for the 4th staff member for this office has been "placed on hold" and that no reason was given to her for this decision.

I have been patiently waiting for both council and the budget committee to approve the much needed help of additional staff. This decision will most certainly affect the performance and morale of my current staff that have been doing added work in excess of the 3 years I have been asking for additional help.

While I realize this was not your decision, I respectfully request of you as acting Court Administrator that both the reason and the names of those responsible for same be forwarded to me so that I may request the decision be reversed and, if not, why the additional staff persons for Judges Taschner and Grifo will remain.

Your help in this matter is greatly appreciated.

Very truly yours,

A handwritten signature in black ink, appearing to read "D. W. Tidd", written over a horizontal line.

David W. Tidd, Esquire
Magisterial District Judge

DWT/bsa

COMMONWEALTH OF PENNSYLVANIA



COUNTY OF NORTHAMPTON

HELLERTOWN BOROUGH
LOWER SAUCON TOWNSHIP

DAVID W. TIDD, ESQUIRE
MAGISTERIAL DISTRICT JUDGE

Magisterial District 03-2-04
1404 Walter Street
Bethlehem, PA 18015-5340

OFFICE:
TEL 610-865-4010
FAX 610-865-4361

TO: Jill Cicero - Acting Court Administrator

FROM: David W. Tidd, Esquire/bsa

FAX #: 610-559-6702

DATE: January 6, 2014

RE: Rescission of 4th Staff Position

NUMBER OF PAGES INCLUDING THIS COVER SHEET: 2

TRANSMISSION VERIFICATION REPORT

TIME : 01/06/2014 12:43
NAME : DIST COURT 03 2 04
FAX : 5108654361
TEL :
SER.# : BROE2J370642

DATE, TIME	01/06 12:42
FAX NO./NAME	DEBBIE
DURATION	00:00:48
PAGE(S)	02
RESULT	OK
MODE	STANDARD ECM

COMMONWEALTH OF PENNSYLVANIA



COUNTY OF NORTHAMPTON

HELLERTOWN BOROUGH
LOWER SAUCON TOWNSHIP

DAVID W. TIDD, ESQ.
Magisterial District Judge

Magisterial District 03-2-04
1404 Walter Street
Bethlehem, PA 18015-5340

OFFICE:
TEL 610-865-4010
FAX 610-865-4361

June 10, 2014

VIA FACSIMILE ONLY: 610-559-6702

Debra French, Deputy Court Administrator
Court Administration
Northampton County Government Center
669 Washington Street
Easton, PA 18042

RE: 2014 Budget Requests

Dear Ms. French:

This letter is in response to your June 3, 2014 Memorandum regarding 2014 budget requests.

I would like to request the following items be provided to this Court, if the 2014 budget allows:

1. Eight (8) new file cabinets.

At this time I would also request the ability to hire a 4th full-time person due to this Court's increased workload/caseload. It is my understanding that this position is still with Judge Baratta for his consideration.

Thank you.

Very truly yours,

A handwritten signature in black ink, appearing to read 'David W. Tidd'.

David W. Tidd, Esquire

DWT/bsa

**COUNTY OF NORTHAMPTON - COURT OF COMMON PLEAS
THIRD JUDICIAL DISTRICT
INTERNAL CORRESPONDENCE**

TO: All Magisterial District Judges

FROM: Debra C. French, Deputy Court Administrator *df*

DATE: June 3, 2014

RE: 2015 Budget Requests

We are approaching the period of budget preparation for the fiscal year 2015.

Please send any requests for office equipment or furniture in writing to me by June 17, 2014.

Should you not need any new office equipment, please complete the section below and return this memo to me.

I do not believe my office will need new office equipment for the fiscal year 2015.

Magisterial District Judge

TRANSMISSION VERIFICATION REPORT

TIME : 06/10/2014 08:25
NAME : DIST COURT 03 2 04
FAX : 6108654361
TEL :
SER.# : BRDE2J370642

DATE, TIME	06/10 08:25
FAX NO./NAME	DEBBIE
DURATION	00:00:18
PAGE(S)	01
RESULT	OK
MODE	STANDARD ECM

COMMONWEALTH OF PENNSYLVANIA



COUNTY OF NORTHAMPTON

HELLERTOWN BOROUGH
LOWER SAUCON TOWNSHIP

DAVID W. TIDD, ESQ.
Magisterial District Judge

Magisterial District 03-2-04
1404 Walter Street
Bethlehem, PA 18015-5340

OFFICE:
TEL 610-865-4010
FAX 610-865-4361

July 1, 2014

VIA FACSIMILE ONLY: (610) 559-6702

Ms. Jill Smith
Court Administrator
Northampton County Government Center
669 Washington Street
Easton, PA 18042

RE: Commonwealth vs. Cara Maiatico
Docket No.: TR-2688-2013
Citation No.: C0846329-1
Change of Venue Request

Dear Ms. Smith:

I am writing in regard to the above-captioned traffic citation. The Defendant and her Mother were in the Court on June 30, 2014 to address the above-citation and service of a warrant on same. As the Defendant and her Mother were leaving, Mother called me an "asshole" as she was unhappy with my answer regarding the serving of the warrant. Due to the above, I am respectfully requesting a change of venue.

Should you have any questions or need anything further, please do not hesitate to contact me. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to be 'D. W. Tidd', written over a white background.

David W. Tidd, Esquire
Magisterial District Judge

DWT/bsa

TRANSMISSION VERIFICATION REPORT

TIME : 07/01/2014 09:12
NAME : DIST COURT 03 2 04
FAX : 6108654361
TEL :
SER.# : BROE2J370642

DATE, TIME	07/01 09:12
FAX NO./NAME	DEBBIE
DURATION	00:00:19
PAGE(S)	01
RESULT	OK
MODE	STANDARD ECM

COMMONWEALTH OF PENNSYLVANIA



COUNTY OF NORTHAMPTON

DAVID W. TIDD, ESQ.

Magisterial District Judge

Magisterial District 03-2-04
1404 Walter Street
Bethlehem, PA 18015-5340

HELLERTOWN BOROUGH
LOWER SAUCON TOWNSHIP

OFFICE:
TEL 610-365-4010
FAX 610-365-4361

June 27, 2014

VIA FACSIMILE ONLY: (610) 559-6702

Ms. Jill Smith
Court Administrator
Northampton County Government Center
669 Washington Street
Easton, PA 18042

RE: Commonwealth vs. William H. Birk
Docket No.: TR-1701-2014
Citation No.: B9705962-0
Change of Venue Request

Dear Ms. Smith:

I am writing in regard to the above-captioned traffic citation. The Defendant has requested that his case be transferred due to a conflict of interest. Therefore, I am respectfully requesting a change of venue.

Should you have any questions or need anything further, please do not hesitate to contact me. Thank you.

Sincerely,

A handwritten signature in cursive script that reads "David W. Tidd/bsa".

David W. Tidd, Esquire
Magisterial District Judge

DWT/bsa

TRANSMISSION VERIFICATION REPORT

TIME : 06/27/2014 09:39
NAME : DIST COURT 03 2 04
FAX : 6108654361
TEL :
SER. # : BROE2J370642

DATE, TIME
FAX NO./NAME
DURATION
PAGE(S)
RESULT
MODE

06/27 09:38
DEBBIE
00:00:18
01
OK
STANDARD
ECM

COMMONWEALTH OF PENNSYLVANIA



COUNTY OF NORTHAMPTON

HELLERTOWN BOROUGH
LOWER SAUCON TOWNSHIP

DAVID W. TIDD, ESQ.
Magisterial District Judge
Magisterial District 03-2-04
1404 Walter Street
Bethlehem, PA 18015-5340

OFFICE:
TEL 610-865-4010
FAX 610-865-4361

September 3, 2014

VIA FACSIMILE ONLY: 610-559-6702

Debra French, Deputy Court Administrator
Court Administration
Northampton County Government Center
669 Washington Street
Easton, PA 18042

RE: Commonwealth vs. Joseph M. Herceg
Citation No.: C1639788-3
Docket No.: TR-1658-14

Dear Ms. French:

I am writing in response to your September 2, 2014 request for an explanation as to why the above-referenced defendant's hearing was held, disposition entered then vacated, and request made for change of venue.

On or about June 23, 2014, Defendant appeared in person to plead not guilty to Citation No. C1639788-3, a copy of which is attached for your review. Defendant refused to post collateral, claiming I previously represented him and allegedly owed him money. My staff informed me of Defendant's appearance and I, in the presence of staff, contacted my private office for a conflicts check as I had no recollection of Defendant. My private office secretary informed me that there was no record whatsoever of Defendant as a private client. I personally contacted Defendant by telephone to discuss these matters. During the conversation, Defendant and I resolved the collateral issue – collateral was waived – and the conflict issue was never reached. A hearing was then scheduled for July 28, 2014 and rescheduled to August 26, 2014.

Defendant received a full hearing on the matter and was found guilty. Defendant did not raise the conflict issue until after the hearing had concluded. Defendant raised the matter indirectly by wanting to discuss a refund of his alleged deposit with my firm. I replied that I would research the matter in an effort to dispatch him more readily as the hearing was quite contentious, all the while confident that there was no conflict.

Shortly thereafter, I contacted my private office to assure myself that there was no conflict; I was made uneasy that Defendant mentioned a financial relationship. I spoke with my associate and not the secretary I originally checked with. My associate immediately recalled

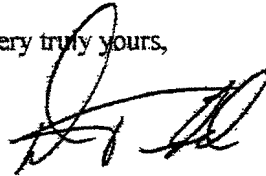
Debra French
Deputy Court Administrator
September 3, 2014
Page 2.

Defendant's name and recognized him as an inactive client from sometime in 2013.

Recognizing the appearance of a conflict of interest, I immediately instructed my staff to vacate the disposition pursuant to 42 Pa. C.S. §5505, a copy of which is also attached for your review. Then I dictated a request for a change of venue. This course of action was retroactively approved by Magisterial District Judges David Barton (412-885-2111) and Magisterial District Judge Lorinda Hinch (724-662-5230), both of the Minor Judiciary Ethics Committee.

Should you need any further information, please do not hesitate to contact this office.
Thank you.

Very truly yours,

A handwritten signature in black ink, appearing to read 'D. W. Tidd', written over a horizontal line.

David W. Tidd, Esquire

DWT/bsa
Attachments

C1639788-3

1. Magisterial District No. 03-2-04		TRAFFIC CITATION			2. District Number TR-1658-H	
3. Address of Magisterial District Office Walter St. Bethlehem, PA 18015 610-865-4010						
4. Driver Number 1		5. C.D.L. <input type="checkbox"/>	6. State <input checked="" type="checkbox"/> PA	7. DOB 7-26-37	8. Sex <input checked="" type="checkbox"/> M <input type="checkbox"/> F	
9. Defendant Name - First Last Joseph M. Mercog						
10. Defendant Address (Street-City-State-Zip Code) 1732 Mary St Bldg Bethlehem Pa 18017						
11. Veh. Reg. No. 3879333	12. Reg. Yr.	13. State <input checked="" type="checkbox"/> PA	14. Make Kia Soul	15. Type car	16. Color Green	
17. Veh. Reg. No.	18. Reg. Yr.	19. State <input checked="" type="checkbox"/> PA	20. Make	21. Type	22. Color	
23. Owner/Lessee or Carrier Name & Address Brian Dubois 300 William Penn Ave East 18015						
24. Charge <input checked="" type="checkbox"/> Maximum Speed Limits <input type="checkbox"/> Drivers Required to be Licensed <input type="checkbox"/> Careless Driving <input type="checkbox"/> Stop Signs & Yield Signs <input type="checkbox"/> Registration or Certification Not as Required <input type="checkbox"/> Driving Vehicle at Safe Speed <input type="checkbox"/> Unlawful Turnings <input type="checkbox"/> Traffic-Control Signals <input type="checkbox"/> Operation of Vehicle without Official Certificate of Inspection <input type="checkbox"/> Driving while Operating Privilege is Suspended or Revoked <input type="checkbox"/> Other						
25. Nature of Offense <input checked="" type="checkbox"/> Speeding 45 MPH Allowed 40 MPH <input type="checkbox"/> ROPS <input type="checkbox"/> Clocked <input type="checkbox"/> A.O.V. <input type="checkbox"/> Operating Vehicle with Expired Inspection <input type="checkbox"/> Operating Vehicle without Valid License <input type="checkbox"/> Operating Vehicle with Suspended/Revoked License <input type="checkbox"/> Operating Unregistered Vehicle <input type="checkbox"/> Violated 67 Pa. Code Ref. 49-CFR <input checked="" type="checkbox"/> Other Actual speed 54.3 = 30pts / 100						
				26. <input checked="" type="checkbox"/> STATUTE <input type="checkbox"/> ORDINANCE	PAE	
				27. SEC 3362	28. SUB SEC 60B	
				29. FINE 35	30. E.M.S. 10	
				31. GENERAL 45	32. COSTS 37.20	
				33. [C.R.A.T.] 10.00		
				34. TOTAL DUE \$137.20		
<input type="checkbox"/> Filed on Info. Received						
<input type="checkbox"/> Lab Services Requested						
Fines were doubled because: <input type="checkbox"/> Highway Safety Corridor <input type="checkbox"/> Active Work Zone						
35. Location 378 S / Sharon Williams Point						36. Zone 1
37. Route 378		38. Twp.-Boro.-City Lower Saucon Township		39. Code 210	40. Dir. of Travel N, S, E, W	
41. Date 6-17-14 8:37		42. Day Tues		43. County Northampton		44. Code 48
46. Defendant's Signature - Acknowledges Receipt of Citation <i>[Signature]</i>				47. Date 6-17-14		<input checked="" type="checkbox"/> Inmate <input type="checkbox"/> Field
48. I verify that the facts set forth in this citation are true and correct to the best of my knowledge, information and belief. This verification is made subject to the penalties of Section 4904 of the Criminal Code (18 Pa.C.S. § 4904) relating to unsworn falsification to authorities. OFFICER'S SIGNATURE <i>[Signature]</i> BADGE NO. 115						
49. Station Address of Police Officer 3700 Old Phila. Pike Bethlehem, PA 18015				50. ORI Number PA0481700		
51. Speed Timing Device Operator L. Shell		52. Miles Followed 5.40		53. Miles Traveled 1.75	54. Speed Timed	
55. Speed Equip. Serial No. 3874		56. Station Equip. Tested 5-15-14		57. Date Equip. Tested 5-15-14		
58. Accident Report No.		59A. Juvenile <input type="checkbox"/>	59B. Exempt Numbered <input type="checkbox"/>	60. Comm. Veh. <input type="checkbox"/>	61. Har. Mar. <input type="checkbox"/>	
62. Remarks/Subpoena List (610) 442-8886 JUN 18 2014						

NOTICE

If you plead guilty or are found guilty, points may be assessed against your driver's record. An accumulation of points may result in the suspension of your driving privilege. Also, your driving privilege WILL BE SUSPENDED if you plead guilty or are found guilty of certain offenses under the Vehicle Code, including but not limited to: 75 Pa.C.S. §§ 1371, 3341, 3345, 3367, 3718, 3733, 3734, 3736, subsequent convictions of 75 Pa.C.S. § 1501, a violation of 75 Pa.C.S. § 3361 when occurring in an active work zone and an accident report is submitted by the police, and a violation of 75 Pa.C.S. § 3362 when occurring in an active work zone.

Notes of Decisions

Fraud 2.
Judicial extensions of time 1

Judicial extensions of time

Absent fraud or its equivalent, judicial extensions of time are expressly prohibited by Judicial Code. *Aivazoglou v. Drevler Furnaces*, 613 A.2d 595, 438 Pa.Super. 411, Super.1992. Limitation Of Actions ⇐ 43

Judicial extensions of time are specifically prohibited by judicial code except to relieve fraud or its equivalent. *Com. v. Liptak*, 573 A.2d 559, 392 Pa.Super. 468, Super.1990. Criminal Law ⇐ 1069(6)

Suspension of injunction proceedings until timely filed petitions for clarification were acted upon, accompanied by tolling of time limitations, could not be construed as equivalent of an improper extension of time. *Sobers v. Shannon Optical Co., Inc.*, 473 A.2d 1035, 326 Pa.Super. 170, Super.1984. Action ⇐ 68

Fraud

Where party seeking leave to appeal nunc pro tunc demonstrates that delay in

filing appeal was precipitated by extraordinary circumstances involving fraud or the wrongful or negligent act of court official resulting in injury to that party, court may allow enlargement of time for appeal or appeal nunc pro tunc. *Com. v. Liptak*, 573 A.2d 559, 392 Pa.Super. 468, Super.1990. Criminal Law ⇐ 1069(6)

Alleged misrepresentations of police officer, who issued driver citation for driving with suspended license, concerning the lack of collateral consequences to driver from entry of guilty plea did not amount to fraud or a wrongful or negligent act of a "court official" so as to permit driver enlargement of time for appeal or appeal nunc pro tunc. *Com. v. Liptak*, 573 A.2d 559, 392 Pa.Super. 468, Super.1990. Criminal Law ⇐ 1069(6)

When act of assembly fixes time within which an appeal may be taken, courts are without power to extend the period or allow an appeal nunc pro tunc absent fraud or its equivalent or some breakdown in court's operation. *Com. v. Engbert*, 457 A.2d 121, 311 Pa.Super. 78, Super.1983. Criminal Law ⇐ 1069(1)

§ 5505. Modification of orders

Except as otherwise provided or prescribed by law, a court upon notice to the parties may modify or rescind any order within 30 days after its entry, notwithstanding the prior termination of any term of court, if no appeal from such order has been taken or allowed. 1976, July 9, P.L. 586, No. 142, § 2, effective June 27, 1978.

Historical and Statutory Notes

Official Source Note:

Substantially a reenactment of act of June 1, 1959 (P.L. 342) (No. 70), § 1 (12 P.S. § 1032). See 20 Pa.C.S. § 3521 (relating to rehearing; relief granted).

Prior Laws:

1959, June 1, P.L. 342, No. 70, § 1 (12 P.S. § 1032).
1939, June 19, P.L. 440, No. 250, § 1 (17 P.S. § 263).

Cross References

Motion to modify sentence, see Pa.R.Crim.P. Rule 720, 42 Pa.C.S.A.

Library References

Motions ⇐ 58.
Westlaw Topic No. 267.
C.I.S. Motions and Orders § 62.

COMMONWEALTH OF PENNSYLVANIA



COUNTY OF NORTHAMPTON

HELLERTOWN BOROUGH
LOWER SAUCON TOWNSHIP

DAVID W. TIDD, ESQUIRE

MAGISTERIAL DISTRICT JUDGE

Magisterial District 03-2-04
1404 Walter Street
Bethlehem, PA 18015-5340

OFFICE:
TEL 610-865-4010
FAX 610-865-4361

TO: Debra French, Deputy Court Administrator

FROM: David W. Tidd, Esquire /bsa

FAX #: 610-559-6702

DATE: 9/3/2014

RE: Commonwealth vs. Joseph M. Herceg

NUMBER OF PAGES INCLUDING THIS COVER SHEET: 5

TRANSMISSION VERIFICATION REPORT

TIME : 09/03/2014 10:04
NAME : DIST COURT 03 2 04
FAX : 6108654361
TEL :
SER.# : BROE2J370642

DATE, TIME
FAX NO./NAME
DURATION
PAGE(S)
RESULT
MODE

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DEBBIE
00:01:24
05
OK
STANDARD
ECM

COMMONWEALTH OF PENNSYLVANIA



COUNTY OF NORTHAMPTON

HELLERTOWN BOROUGH
LOWER SAUCON TOWNSHIP

DAVID W. TIDD, ESQ.
Magisterial District Judge
Magisterial District 03-2-04
1404 Walter Street
Bethlehem, PA 18015-5340

OFFICE:
TEL 610-865-4010
FAX 610-865-4361

December 16, 2014

VIA FACSIMILE ONLY: 610-559-6702
Debra French, Deputy Court Administrator
Court Administration
Northampton County Government Center
669 Washington Street
Easton, PA 18042

RE: Request for Office Telephone

Dear Ms. French:

This letter is to request a new telephone and installation for my office within the District Court. My office currently does not have a phone installed. Our current telephone model is Lucent Partner ACS 103G7.

Should you need any further information, please do not hesitate to contact this office. Thank you.

Very truly yours,

A handwritten signature in black ink, appearing to read 'D. W. Tidd', written over a horizontal line.

David W. Tidd, Esquire

DWT/bsa

TRANSMISSION VERIFICATION REPORT

TIME : 12/16/2014 10:18
NAME : DIST COURT 03 2 04
FAX : 6108654361
TEL :
SER.# : BR0E2J370642

DATE, TIME	12/16 10:18
FAX NO./NAME	61055967025105596702
DURATION	00:00:21
PAGE(S)	02
RESULT	OK
MODE	STANDARD ECM

COMMONWEALTH OF PENNSYLVANIA



COUNTY OF NORTHAMPTON

HELLERTOWN BOROUGH
LOWER SAUCON TOWNSHIP

DAVID W. TIDD, ESQ.
Magisterial District Judge

Magisterial District 03-2-04
1404 Walter Street
Bethlehem, PA 18015-5340

OFFICE:
TEL 610-865-4010
FAX 610-865-4361

August 12, 2015

VIA FACSIMILE ONLY: 610-559-6702

Jill Cicero, Court Administrator
Northampton County Government Center
669 Washington Street
Easton, PA 18042

RE: Request for Court Order Letters

Dear Ms. Cicero:

I am writing to request copies of all letters to Court Administration where in I requested a change of venue and the resulting Court Orders for the years 2010 through 2013.

Thank you.

Very truly yours,

A handwritten signature in black ink, appearing to read "David W. Tidd".

David W. Tidd, Esquire
Magisterial District Judge

DWT/clb

TRANSMISSION VERIFICATION REPORT

TIME : 08/12/2015 12:22
NAME : DIST COURT 03 2 04
FAX : 6108654361
TEL :
SER.# : BROE2J370642

DATE, TIME	08/12 12:22
FAX NO. /NAME	DEBBIE
DURATION	00:00:15
PAGE(S)	01
RESULT	OK
MODE	STANDARD ECM

COMMONWEALTH OF PENNSYLVANIA



COUNTY OF NORTHAMPTON

HELLERTOWN BOROUGH
LOWER SAUCON TOWNSHIP

DAVID W. TIDD, ESQ.
Magisterial District Judge

Magisterial District 03-2-04
1404 Walter Street
Bethlehem, PA 18015-5340

OFFICE:
TEL: 610-865-4010
FAX: 610-865-4361

June 16, 2015

VIA FACSIMILE ONLY: 610-559-6702
Debra French, Deputy Court Administrator
Court Administration
Northampton County Government Center
669 Washington Street
Easton, PA 18042

RE: 2016 Budget Request for Office Supplies

Dear Ms. French:

This letter is to request a new telephone and installation for my courtroom within the District Court. My courtroom currently does not have a phone installed. Our current telephone model is Lucent Partner ACS 103G7. I would also request the addition of 4 new filing cabinets.

Should you need any further information, please do not hesitate to contact this office.
Thank you.

Very truly yours,

A handwritten signature in black ink that reads "David W. Tidd / bsa". The signature is written in a cursive style.

David W. Tidd, Esquire

DWT/bsa

TRANSMISSION VERIFICATION REPORT

TIME : 06/16/2015 12:16
NAME : DIST COURT 03 2 04
FAX : 6188854361
TEL :
SER.# : BROE2J370642

DATE, TIME	06/16 12:16
FAX NO./NAME	DEBBIE
DURATION	00:00:15
PAGE(S)	01
RESULT	OK
MODE	STANDARD ECM

COMMONWEALTH OF PENNSYLVANIA



COUNTY OF NORTHAMPTON

DAVID W. TIDD, ESQ.

Magisterial District Judge

Magisterial District 03-2-04
1404 Walter Street
Bethlehem, PA 18015-5340

HELLERTOWN BOROUGH
LOWER SAUCON TOWNSHIP

OFFICE:
TEL 610-865-4010
FAX 610-865-4361

November 4, 2015

VIA FACSIMILE ONLY: (610) 559-6702

Débra French, Deputy Court Administrator
Northampton County Government Center
669 Washington Street
Easton, PA 18042

**RE: Heintzelman Funeral Home vs. Robert Rudolph Sr., Kristin Lakics-Seidler, Louis J. Lakics, Bonnie Lakics c/o Kristin Lakics-Seidler
Docket Number: MJ-03204-CV-91-2015
Change of Venue Request**

Dear Ms. French:

I am writing to request a change of venue for the above-referenced case due to the possible appearance of impropriety. The Plaintiff is my campaign committee chairman.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Tidd", written over a white background.

David W. Tidd, Esquire
Magisterial District Judge

DWT/clb

TRANSMISSION VERIFICATION REPORT

TIME : 11/04/2015 09:03
NAME : DIST COURT 03 2 04
FAX : 6108654361
TEL :
SER. # : BROE2J370642

DATE, TIME	11/04 09:03
FAX NO. /NAME	DEBBIE
DURATION	00:00:16
PAGE(S)	01
RESULT	OK
MODE	STANDARD ECM

COMMONWEALTH OF PENNSYLVANIA



COUNTY OF NORTHAMPTON

DAVID W. TIDD, ESQ.

Magisterial District Judge

Magisterial District 03-2-04
1404 Walter Street
Bethlehem, PA 18015-5340

HELLERTOWN BOROUGH
LOWER SAUCON TOWNSHIP

OFFICE:
TEL 610-865-4010
FAX 610-865-4361

November 2, 2015

VIA FACSIMILE ONLY: (610) 559-6702

Debra French, Deputy Court Administrator
Northampton County Government Center
669 Washington Street
Easton, PA 18042

**RE: Maxi Motors Vs. Kevin L. Smith
Docket Number: MJ-03204-CV-99-2015
Change of Venue Request**

Dear Ms. French:

I am writing to request a change of venue for the above-referenced case as the Plaintiff is a potential witness in a case involving myself pending before the Judicial Conduct Board. I wish to avoid any appearance that my decision in the matter could be construed as an attempt to influence his testimony before the Board.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Tidd', written over a large, stylized flourish.

David W. Tidd, Esquire
Magisterial District Judge

DWT/clb

TRANSMISSION VERIFICATION REPORT

TIME : 11/02/2015 09:18
NAME : DIST COURT 03 2 04
FAX : 6108654361
TEL :
SER.# : BROE2J370642

DATE, TIME
FAX NO./NAME
DURATION
PAGE(S)
RESULT
MODE

11/02 09:18
DEBBIE
00:00:22
01
OK
STANDARD
ECM

COMMONWEALTH OF PENNSYLVANIA



COUNTY OF NORTHAMPTON

DAVID W. TIDD, ESQ.

Magisterial District Judge

Magisterial District 03-2-04
1404 Walter Street
Bethlehem, PA 18015-5340

HELLERTOWN BOROUGH
LOWER SAUGON TOWNSHIP

OFFICE:
TEL 610-865-4010
FAX 610-865-4361

October 26, 2015

VIA FACSIMILE ONLY: (610) 559-6702

Debra French, Deputy Court Administrator
Northampton County Government Center
669 Washington Street
Easton, PA 18042

**RE: Commonwealth vs. Ryan Michael Hollander
Docket Number - CR-259-15
OTN Number- L 976837-1
Change of Venue Request**

Dear Ms. French:

I am writing to request a change of venue for the above- referenced case. I have a conflict due to the possible appearance of impropriety. On Saturday October 24, 2015, I was contacted by a mutual acquaintance of the defendant and myself in an attempt to influence my decision in the upcoming preliminary hearing.

Thank you,

Sincerely,

A handwritten signature in black ink, appearing to read 'D. W. Tidd', written over a horizontal line.

David W. Tidd, Esquire
Magisterial District Judge

DWT/clb

TRANSMISSION VERIFICATION REPORT

TIME : 10/26/2015 10:45
NAME : DIST COURT 03 2 04
FAX : 6108654361
TEL :
SER.# : BR0E2J370642

DATE, TIME	10/26 10:44
FAX NO./NAME	DEBBIE
DURATION	00:00:37
PAGE(S)	01
RESULT	OK
MODE	STANDARD ECM

COMMONWEALTH OF PENNSYLVANIA



COUNTY OF NORTHAMPTON

DAVID W. TIDD, ESQ.

Magisterial District Judge

Magisterial District 03-2-04
1404 Walter Street
Bethlehem, PA 18015-5340

HELLERTOWN BOROUGH
LOWER SAUCON TOWNSHIP

OFFICE:
TEL 610-865-4010
FAX 610-865-4361

September 23, 2015

VIA FACSIMILE ONLY: (610) 559-6702

Debra French, Deputy Court Administrator
Northampton County Government Center
669 Washington Street
Easton, PA 18042

RE: **Commonwealth vs. Elizabeth Ann Weber**
Complaint/OTN No.: T 702489-4
Change of Venue Request

Dear Ms. French:

I have a conflict with the above-referenced case due to the fact that the victim is my dentist and the defendant is my dentist's assistant who has worked with me in the past.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Tidd'.

David W. Tidd, Esquire
Magisterial District Judge

DWT/clb

TRANSMISSION VERIFICATION REPORT

TIME : 09/23/2015 08:02
NAME : DIST COURT 03 2 04
FAX : 6108654361
TEL :
SER. # : BROE2J370642

DATE, TIME
FAX NO./NAME
DURATION
PAGE(S)
RESULT
MODE

09/23 08:02
DEBBIE
00:00:16
01
OK
STANDARD
ECM

~~1-10-16~~
District Court 03-2-04
1404 Walter Street
Bethlehem, PA 18015
Thank you.

My name is Anthony Libis and I appeared in front of MDJ David Tidd on Feb 17, 2016 for a landlord Tennant hearing where I was counter claiming unsafe conditions in the dwelling under Pugh v Holmes. My counter claim was generous being I legally was entitled to 6x one months rent but I subtracted the fictional amount the Landlord was claiming off of my claim being nice.

Once we were in the court room I thought it was weird that none of us were sworn in. Then I heard Judge Tidd call my landlord by his Nick name which was never mentioned before and leads me to believe they know each other outside of the court.

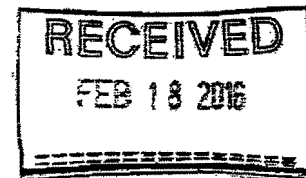
The last thing that really threw me for a loop was that none of my evidence was even heard, I had documents proving Landlord retaliation, photos of deficiencies, and case law but none was allowed to be heard. This doesn't surprise me being he also is in violation of Landlord Tenant act by saying the same day possession is filed is the same day the constable comes to kick us out. I have done hundreds of these cases as a property manager and it has always been 10 days after possession is filed the locks get changed.

Being that Judge Tidd is resigning and there are numerous ethics complaints against him along with suits against his bankruptcy firm, I am really not surprised this happened. All I want at this point is best case scenario I want an appeal in front of a different Judge, or at the very least my legally entitled extra 10 days to vacate my apartment and then I will just file civilly against my landlord at a later time.

Thank you for your time and consideration,

Anthony Libis
1416 e university ave unit 2
Bethlehem PA 18015
(570) 880-2797
Alibis1984@aol.com

Sent from my MetroPCS 4G LTE Android device



COMMONWEALTH OF PENNSYLVANIA



COUNTY OF NORTHAMPTON

DAVID W. TIDD, ESQ.

Magisterial District Judge

Magisterial District 03-2-04
1404 Walter Street
Bethlehem, PA 18015-5340

HELLERTOWN BOROUGH
LOWER SAUCON TOWNSHIP

OFFICE:
TEL 610-865-4010
FAX 610-865-4361

January 13, 2016

Ms. Debra French
Minor Judiciary Administrator
Northampton County Govt Center
669 Washington Street
Easton, PA 18042

RE: CR-4-2016 Commonwealth of Pennsylvania v. David Bermudez

Dear Ms. French:

This letter is to request a change of venue for the above-referenced case. I learned today that I represent the victims in said case in an unrelated civil matter.

Sincerely,

A handwritten signature in cursive script that reads "David W. Tidd" followed by a stylized flourish.

David W. Tidd, Esq.
Magisterial District Judge

DWT/tjd

TRANSMISSION VERIFICATION REPORT

TIME : 01/13/2016 13:55
NAME : DIST COURT 03 2 04
FAX : 6108654361
TEL :
SER. # : BROE2J370642

DATE, TIME	01/13 13:55
FAX NO./NAME	DEBBIE
DURATION	00:00:14
PAGE(S)	01
RESULT	OK
MODE	STANDARD ECM

IN THE COURT OF COMMON PLEAS OF NORTHAMPTON COUNTY, PENNSYLVANIA

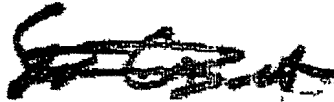
CRIMINAL

COMMONWEALTH OF PENNSYLVANIA))
)
v.)) OTN T741676-5
)
DAVID BERMUDEZ))

ORDER OF COURT

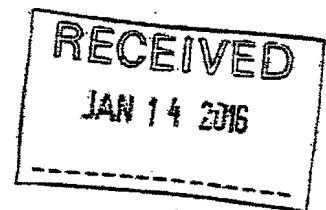
AND NOW, this 14th day of January 2016, the above captioned case is transferred from District Court 03-2-04 to District Court 03-2-11 due to a possible conflict of interest.

BY THE COURT,



STEPHEN BARATTA, P. J.

Magisterial District Court 03-2-04
Magisterial District Court 03-2-11



COMMONWEALTH OF PENNSYLVANIA



COUNTY OF NORTHAMPTON

HELLERTOWN BOROUGH
LOWER SAUCON TOWNSHIP

DAVID W. TIDD, ESQ.
Magisterial District Judge
Magisterial District 03-2-04
1404 Walter Street
Bethlehem, PA 18015-5340

OFFICE
TEL 610-865-4010
FAX 610-865-4361

January 15, 2016

VIA FIRST CLASS MAIL

Ms. Debra French
Minor Judiciary Court Administrator
Northampton County Government Center
669 Washington Street
Easton PA 18042

Dear Ms. French:

Per your instruction, I am outlining in letter form the complaints against Brenda Anthony I have been forwarding to you via email over the last several months.

As stated previously, during my primary campaign, Ms. Anthony forwarded information to my then campaign opponent, David Repyneck, that was of a confidential nature as defined in the Code of Conduct for Employees of the Unified Judicial System forwarded by President Judge Baratta. Additionally, Ms. Anthony engaged in prohibited political activity. Ms. Anthony attempted to aid Mr. Repyneck by scheduling me for hearings on Primary Election Day after my explicit instruction months earlier to keep that day on my calendar clear. Lastly, shortly after Ms. Anthony's departure from this office, I discovered all of my records of correspondence with Court Administration prior to 2014 are missing.

Please forward this to President Judge Baratta at your earliest convenience. I await your response and respectfully insist on a meeting with Judge Baratta to discuss.

Very Truly Yours,

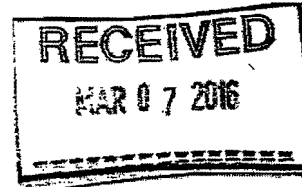
David W. Tidd, Esquire
Magisterial District Judge

DWT/tjd

**COUNTY OF NORTHAMPTON - COURT OF COMMON PLEAS
THIRD JUDICIAL DISTRICT
INTERNAL CORRESPONDENCE**

TO: Magisterial District Judges & Staff
FROM: Debra C. French, Deputy Court Administrator *DCF*
DATE: March 7, 2016
RE: 2015 Case Filing Statistics

Attached are the case filing statistics for 2015.



2015 Case Filing Statistics

Not certified by AOPC

MDJ	TRAFFIC	SUMMARY	CIVIL	CRIMINAL	TOTAL
Narlesky	4689	297	409	247	5642
Manwaring	3875	314	249	264	4702
Barner	4301	379	443	674	5797
Tidd	3048	207	171	331	3757
Grifo	1433	526	353	467	2779
Corpora	1258	154	311	171	1894
Capobianco	2558	399	375	201	3533
Taschner	2597	238	339	342	3516
Matos Gonz	1775	946	447	583	3751
Vacant	1969	578	392	398	3337
Yetter	1276	573	441	357	2647
Hawke*	2418	605	480	354	3857
Schlegel	3071	438	276	285	4070
Vacant	923	443	454	183	2003
	35,191	6097	5140	4857	51,285

*includes cases filed in DC 03-2-07 through June 2015.

3/3/16

CASE FILINGS PER SECRETARY (2015)			
MDJ	CASE FILINGS	NUMBER OF STAFF	CASE FILINGS/ STAFF MEMBER
NARLESKY	5642	5.75	981
MANWARING	4702	4.00	1176
BARNER	5797	4.00	1449
TIDD	3757	3.00	1252
GRIFO	2779	4.00	695
CORPORA	1894	3.00	631
CAPOBIANCO	3533	3.00	1178
TASCHNER	3516	4.00	879
MATOS GONZAL	3751	4.00	938
VACANT	3337	4.00	834
YETTER	2647	3.00	882
HAWKE*	3857	3.00	1286
SCHLEGEL	4070	3.50**	1163
VACANT	2003	3.00	668
	51,285	51.25	1001

*includes cases filed in DC 03-2-07 through June 2015.

**includes part time floater

3/3/16

2013 - 2015 AVERAGE CASELOAD

	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>TOTAL</u>	<u>AVERAGE</u>
NARLESKY	6753	5764	5642	18,159	6053
MANWARING	5254	4814	4702	14,770	4923
BARNER	6703	6382	5797	18,882	6294
TIDD	4357	4095	3757	12,209	4070
GRIFO	6649	2893	2779	12,321	4107
CORPORA	3024	2251	1894	7169	2390
CAPOBIANCO	3233	3287	3533	10,053	3351
TASCHNER	4375	3724	3516	11,615	3872
MATOS GONZ	4162	3503	3751	11,416	3805
VACANT	3601	3056	3337	9974	3325
YETTER	3441	3260	2647	9348	3116
HAWKE	2307	2443	3857*	8607	2869
SCHLEGEL	4757	3943	4070	12,770	4257
VACANT	2740	2279	2003	7022	2341

*Includes cases for 03-2-07 through June 2015.

**COUNTY OF NORTHAMPTON - COURT OF COMMON PLEAS
THIRD JUDICIAL DISTRICT
INTERNAL CORRESPONDENCE**

TO: All Magisterial District Judges

FROM: Stephen G. Baratta, P.J.

DATE: March 8, 2016

RE: Probationary Sentences Imposed by Magisterial District Judges

I was made aware by Court Administration that over the recent past, several sentences were imposed for summary offenses (and at least in one case of a Misdemeanor 3 offender) in which the MDJ imposed probation with the expectation that the Northampton County Adult Probation Department would pick up the case for supervision.

Clearly, an MDJ does have the ability to impose probationary sentences. However, the imposition of a probationary sentence does not mean that the case will be picked up and supervised by our Adult Probation Department. Historically, our Adult Probation Department has not provided active supervision of MDJ cases without the approval of the President Judge.

I understand that certain MDJ's are unhappy with this practice.

Currently our Adult Probation Department is supervising approximately 2,500 (non-DUI) cases in which the Probation Department is providing supervision (both parole and probation) for sentences imposed in Criminal Court. We have 11 Probation Officers I - our line staff. We also have 7 Probation Officers II providing specialized supervision such as GPS, community service, ARD, parole services and other cases requiring intensive community supervision. As you can tell by the numbers, our Probation Department already has very high caseloads. They are overworked and understaffed. We do not have enough staff to process short term offenders from the MDJs.

While any MDJ may place any of its summary offenders on probation, supervision of your defendants will have to be monitored by your office. Further, if there are violations of supervisory conditions imposed by an MDJ, these violations will have to be prosecuted in your office. Adult Probation will not be filing and prosecuting probation violations in MDJ cases. Thus, if you are requiring your offender to attend drug and alcohol counseling, mental health counseling, anger management or any other type of probationary services, you cannot expect Adult Probation to enforce and monitor the terms of your sentence, you will have to do so yourself.

With regard to Misdemeanor 3 defendants, we continue to support and encourage law enforcement and our MDJ's to exercise reasonable discretion to accept guilty pleas for minor matters, especially where a defendant does not have a significant criminal history. In most cases, the expectation for a sentence should be fines and costs. In such cases in which you believe it is necessary to place one of your defendants under probationary supervision, you should consider binding the case over for Criminal Court. For those cases where you prefer to keep the a case under your jurisdiction, with the intention to sentence the defendant to probationary supervision, you may contact the Office of Adult Probation to obtain a list of appropriate treatment providers generally used by our Adult Probation Department. However, monitoring compliance with your sentence will be your responsibility.

Please know that our Common Pleas Judges have been moving toward imposing fines with no supervision in most M-3 cases, because of the unreasonable burden that short term periods of incarceration and/or supervision place on both the prison and Probation Department.

Thank you for your attention to this matter.

SGB/mb

*Paid 0320f
2/23/16*

Debra French

From: Xerox Service Request
Sent: Tuesday, February 23, 2016 12:40 PM
To: Debra French
Subject: Assignment of IssueTrak Issue #122982: Phone Problem in DC 03-2-04 As Enterer, Submitter

== Please reply to this email with any correspondence related to this issue. Doing so will automatically update your Issue and ensure that all correspondence is properly documented. Please do not change the subject line of the email message.

The following Issue was assigned to you in IssueTrak:
To view this Issue in detail, click [HERE](#).

Issue #: 122982
Subject: Phone Problem in DC 03-2-04
Status: Open Assigned to Technician
Class: Service Catalogue
Issue Type: Xerox Services for Northampton County:
Subtype 1: Report a problem with my Telephone/Headset:
Priority: Normal
Severity: Normal 10hr Resp 14dy Res
Project:
Organization: Northampton County
Submitted By: French, Debra on 23-Feb-2016 +1 (610) 559-6704
Assigned To: Dickson, Michael on 23-Feb-2016 +1 (610) 829-6121
Next Action: *Unassigned*

Issue Description:

Submitted by direct email to xeroxsdexchange.

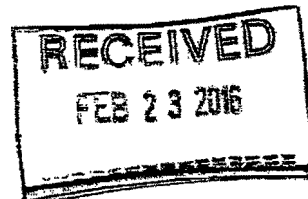
Two of the secretarial phones have problems. They cut in and out during phone calls.

DC 03-2-04

1404 Walter Street

Bethlehem, PA 18015

610-865-4010.



Notes:

****Note by Wieder, Heidi, 23-Feb-2016:**

Time qty 1.00 recorded for Line Item: Heidi Wieder.

I called in and spoke to Kathy Bettler she tells me that the phones are 3 Lines/Lucent phones. Kathy tells me that when they are using the phones, at times the phone will "cut out" causing them to lose calls. She tells me that at least 1 of the phone sets has been replaced before.

****Note by Wieder, Heidi, 23-Feb-2016:**

Time qty 0.08 recorded for Line Item: Heidi Wieder.

District 03-2-04

MDJ: David W. Tidd, ESQ

1404 Walter St

Bethlehem, PA 18015

Phone: (610)-865-4010

FAX: (610)-865-4361

COMMONWEALTH OF PENNSYLVANIA



JUDICIAL CONDUCT BOARD

PENNSYLVANIA JUDICIAL CENTER • 601 COMMONWEALTH AVENUE, SUITE 3500 • P.O. Box 62525 • HARRISBURG, PA 17106-0901 • 717-234-7911
WWW.JCBPA.ORG

September 30, 2016

Samuel C. Stretton, Esquire
301 W. High Street
P.O. Box 3231
West Chester, PA 19381

Re: In re: *In Re: Former MDJ David W. Tidd*, 3 JD 2016

Dear Mr. Stretton:

Pursuant to C.J.D.R.P. No. 401(E), please find enclosed a copy of the following which may be exculpatory to your client:

1. September 4, 2014 memo to PJ Stephen Baratta from Debra C. French, regarding Change of Venue, *Commonwealth v. Joseph Herceg*, MJ-03204-TR-1658-2014.

Very truly yours,

Handwritten signature of Elizabeth A. Flaherty in cursive.

Elizabeth A. Flaherty
Deputy Counsel

Handwritten signature of Melissa L. Norton in cursive.

Melissa L. Norton
Assistant Counsel

EAF/MLN/tis
Enclosures

UPS Delivery
Tracking No. 1Z Y4X 745 01 9237 4712

Exhibit D

**COUNTY OF NORTHAMPTON - COURT OF COMMON PLEAS
THIRD JUDICIAL DISTRICT
INTERNAL CORRESPONDENCE**

TO: President Judge Stephen Baratta
FROM: Debra C. French, Deputy Court Administrator *DCF*
DATE: September 4, 2014
RE: Change of Venue

MDJ Tidd requested a change of venue for a case involving a former client. You sent the case to MDJ Romig-Passaro. When she got the case information from MDJ Tidd's office, there was a note indicating that MDJ Tidd had heard the case and then after he made disposition, requested his staff to remove the disposition and request a change of venue.

This is something that is highly unusual and once MDJ Romig-Passaro brought the matter to my attention, I asked MDJ Tidd to provide a written explanation for his actions. His letter and documentation pertaining to the case are enclosed for your review.

Please advise if MDJ Romig-Passaro should schedule the hearing and enter a new disposition.

10/1/14 - Judge Baratta got back to me + said MDJ Romig-Passaro should hear the case since Tidd vacated his disposition. Delayed to Danielle Banks.

COMMONWEALTH OF PENNSYLVANIA



COUNTY OF NORTHAMPTON

HELLERTOWN BOROUGH
LOWER SAUCON TOWNSHIPDAVID W. TIDD, ESQ.
Magisterial District JudgeMagisterial District 03-2-04
1404 Walter Street
Bethlehem, PA 18015-5340OFFICE:
TEL 610-865-4010
FAX 610-865-4361

September 3, 2014

VIA FACSIMILE ONLY: 610-559-6702Debra French, Deputy Court Administrator
Court Administration
Northampton County Government Center
669 Washington Street
Easton, PA 18042RE: Commonwealth vs. Joseph M. Herceg
Citation No.: C1639788-3
Docket No.: TR-1658-14

Dear Ms. French:

I am writing in response to your September 2, 2014 request for an explanation as to why the above-referenced defendant's hearing was held, disposition entered then vacated, and request made for change of venue.

On or about June 23, 2014, Defendant appeared in person to plead not guilty to Citation No. C1639788-3, a copy of which is attached for your review. Defendant refused to post collateral, claiming I previously represented him and allegedly owed him money. My staff informed me of Defendant's appearance and I, in the presence of staff, contacted my private office for a conflicts check as I had no recollection of Defendant. My private office secretary informed me that there was no record whatsoever of Defendant as a private client. I personally contacted Defendant by telephone to discuss these matters. During the conversation, Defendant and I resolved the collateral issue - collateral was waived - and the conflict issue was never reached. A hearing was then scheduled for July 28, 2014 and rescheduled to August 26, 2014.

Defendant received a full hearing on the matter and was found guilty. Defendant did not raise the conflict issue until after the hearing had concluded. Defendant raised the matter indirectly by wanting to discuss a refund of his alleged deposit with my firm. I replied that I would research the matter in an effort to dispatch him more readily as the hearing was quite contentious, all the while confident that there was no conflict.

Shortly thereafter, I contacted my private office to assure myself that there was no conflict; I was made uneasy that Defendant mentioned a financial relationship. I spoke with my associate and not the secretary I originally checked with. My associate immediately recalled

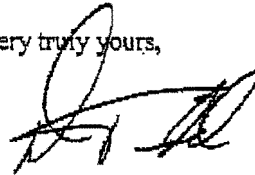
Debra French
Deputy Court Administrator
September 3, 2014
Page 2.

Defendant's name and recognized him as an inactive client from sometime in 2013.

Recognizing the appearance of a conflict of interest, I immediately instructed my staff to vacate the disposition pursuant to 42 Pa. C.S. §5505, a copy of which is also attached for your review. Then I dictated a request for a change of venue. This course of action was retroactively approved by Magisterial District Judges David Barton (412-885-2111) and Magisterial District Judge Lorinda Hinch (724-662-5230), both of the Minor Judiciary Ethics Committee.

Should you need any further information, please do not hesitate to contact this office.
Thank you.

Very truly yours,



David W. Tidd, Esquire

DWT/bsa
Attachments

COMMONWEALTH OF PENNSYLVANIA

C1639788-3

TRAFFIC CITATION

TR-1658-H

1. Magisterial District No. 03-2-04		2. Address of Magisterial District Office Walter St. Bethlehem, PA 18015 610-865-4010	
3. Driver Number		4. State PA	5. Sex M
6. Defendant Name Joseph M. Hecceg		7. Date 9-3-14	
8. Defendant Address Street-City-State-Zip Code 1328 Mary St. Bethlehem Pa 18017		9. Vehicle Reg. No. 389932J	
10. Reg. Yr. 13	11. State PA	12. Make Ford	13. Type Car
14. Reg. Yr. 13	15. State PA	16. Make Ford	17. Type Car
20. Owner/Lessor or Carrier Name & Address Crown Auto Sales 3600 William Penn Ave. Easton PA 18045			
21. Charge		22. Statute or Ordinance	
<input checked="" type="checkbox"/> Exceeding Speed Limits <input type="checkbox"/> Stop Signs & Yield Signs <input type="checkbox"/> Driving Vehicle as Safe Speed <input type="checkbox"/> Operation of Vehicle without Official Certification of Inspection <input type="checkbox"/> Driving while Operating Privilege is Suspended or Revoked <input type="checkbox"/> Other		<input checked="" type="checkbox"/> STATUTE PA 76 <input type="checkbox"/> ORDINANCE 27. SEC 3362 28. SUB SEC 20B 29. FINE 35 30. E.M.S. 10 31. GENERAL 45 32. COSTS 37.00 33. J.C.P.I.A.T. 10.00 34. TOTAL DUE \$137.00	
23. Nature of Offense <input checked="" type="checkbox"/> Exceeding 45 MPH Allowed 40 MPH <input type="checkbox"/> Operating Vehicle with Expired Inspection <input type="checkbox"/> Operating Vehicle with Suspended/Revoked License <input type="checkbox"/> Violated 67 Pa. Code Ref. 49 CR <input checked="" type="checkbox"/> Other Actual speed ca. 3 = 300 / 100			
Fines were doubled because: <input type="checkbox"/> Highway Safety Corridor <input type="checkbox"/> Active Work Zone			
24. Location 378 S / Shannon Williams Ault		25. Zone	
26. Route 378		27. Code 210	
28. Div. of Travel N/S E/W		29. Date 6-17-14	
30. County Northampton		31. Code 48	
32. Officer's Signature - Acknowledges Receipt of Citation L. Kelly		33. Date 6-17-14	
34. I verify that the facts set forth in this citation are true and correct to the best of my knowledge, information and belief. This verification is made subject to the penalties of Section 4904 of the Criminal Code (18 Pa.C.S. § 4904) relating to unsworn statements to authorities. OFFICER'S SIGNATURE: L. Kelly BADGE NO. 115			
35. Station Address of Police Officer 3700 Old Phila. Pike Bethlehem, PA 18015		36. ORI Number PA0481700	
37. Speed Timing Device Operator L. Kelly		38. Miles Traveled 1.75	
39. Speed Equip. Serial No. 3874		40. Date Equip. Tested 5-15-14	
41. Accident Report No.		42. Hazardous Material	
43. Remarks/Subpoena List (610) 442-8886			

NOTICE

If you plead guilty or are found guilty, points may be assessed against your driver's record. An accumulation of points may result in the suspension of your driving privilege. Also, your driving privilege WILL BE SUSPENDED if you plead guilty or are found guilty of certain offenses under the Vehicle Code, including but not limited to: 75 Pa.C.S. §§ 1371, 3341, 3345, 3387, 3718, 3733, 3734, 3736, subsequent convictions of 75 Pa.C.S. § 1501, a violation of 75 Pa.C.S. § 3381 when occurring in an active work zone and an accident report is submitted by the police, and a violation of 75 Pa.C.S. § 3382 when occurring in an active work zone.

LIMITATION OF TIME

42 Pa.C.S.A. § 5505

Notes of Decisions

Issue 2
Judicial extensions of time 1

Judicial extensions of time
Absent fraud or its equivalent, judicial extensions of time are expressly prohibited by Judicial Code. *Aivazoglou v. Drivas*, 613 A.2d 595, 418 Pa.Super. 468, Super.1992. *Limitation Of Actions*

Judicial extensions of time are specifically prohibited by judicial code except to relieve fraud or its equivalent. *Com. v. Liptak*, 573 A.2d 559, 392 Pa.Super. 468, Super.1990. *Criminal Law* ¶ 1069(6)

Suspension of injunction proceedings and timely filed petitions for clarification were acted upon, accompanied by tolling of time limitations, would not be construed as equivalent of an improper extension of time. *Sobars v. Shannon Optical Co., Inc.*, 473 A.2d 1035, 326 Pa.Super. 170, Super.1984. *Action* ¶ 51

fraud
Where party seeking leave to appeal nunc pro tunc demonstrates that delay in

filing appeal was precipitated by extraordinary circumstances involving fraud or the wrongful or negligent act of court official resulting in injury to that party, court may allow enlargement of time for appeal or appeal nunc pro tunc. *Com. v. Liptak*, 573 A.2d 559, 392 Pa.Super. 468, Super.1990. *Criminal Law* ¶ 1069(6).

Alleged misrepresentations of police officer, who issued driver citation for driving with suspended license, concerning the lack of collateral consequences to driver from entry of guilty plea did not amount to fraud or a wrongful or negligent act of a "court official" so as to permit driver enlargement of time for appeal or appeal nunc pro tunc. *Com. v. Liptak*, 573 A.2d 559, 392 Pa.Super. 468, Super.1990. *Criminal Law* ¶ 1069(6)

When act of assembly fixes time within which an appeal may be taken, courts are without power to extend the period or allow an appeal nunc pro tunc absent fraud or its equivalent or some breakdown in court's operation. *Com. v. Engler*, 457 A.2d 121, 311 Pa.Super. 78, Super.1983. *Criminal Law* ¶ 1069(1)

§ 5505. Modification of orders

Except as otherwise provided or prescribed by law, a court upon notice to the parties may modify or rescind any order within 30 days after its entry, notwithstanding the prior termination of any term of court, if no appeal from such order has been taken or allowed. 1976, July 9, P.L. 586, No. 142, § 2, effective June 27, 1978.

Historical and Statutory Notes

Official Source Note:
Substantially a reenactment of act of June 1, 1959 (P.L. 342) (No. 70), § 1 (17 P.S. § 1032). See 20 Pa.C.S. § 3521 (relating to rehearing, relief granted).

Prior Laws:
1959, June 1, P.L. 342, No. 70, § 1 (17 P.S. § 1032).
1939, June 19, P.L. 440, No. 250, § 1 (17 P.S. § 263).

Cross References

Motion to modify sentence, see Pa.R.Crim.P. Rule 720, 42 Pa.C.S.A.

Library References

Motions ¶ 58.
Westlaw Topic No. 267.
P.S. Motions and Orders § 62.

IN THE COURT OF COMMON PLEAS OF NORTEAMPTON COUNTY, PENNSYLVANIA

CRIMINAL

COMMONWEALTH OF PENNSYLVANIA)

v.)

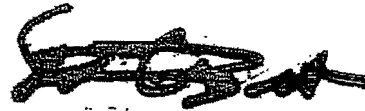
) OTN TR 1658-14

JOSEPH M. HERCEG)

ORDER OF COURT

AND NOW, this 26th day of August 2014, the above captioned case is transferred from District Court 03-2-04 to District Court 03-2-11 due to a possible conflict of interest.

BY THE COURT,



STEPHEN G. BARATTA, P. J.

Magisterial District Court 03-2-04
Magisterial District Court 03-2-11

COMMONWEALTH OF PENNSYLVANIA



COUNTY OF NORTHAMPTON

DAVID W. TIDD, ESQ.

Magisterial District Judge

Magisterial District 03-2-04
1404 Walter Street
Bethlehem, PA 18015-5340

HEILERTOWN BOROUGH
LOWER SAUCON TOWNSHIP

OFFICE:
TEL 610-865-4010
FAX 610-865-4361

August 26, 2014

VIA FACSIMILE ONLY: (610) 559-6702

Debra French, Deputy Court Administrator
Northampton County Government Center
669 Washington Street
Easton, PA 18042

RE: Commonwealth vs. Joseph M. Herceg
Docket No.: TR-1658-2014
Citation No.: C1639788-3
Change of Venue Request

Dear Ms. French:

I am writing in regard to the above-captioned citation. I am respectfully requesting a change of venue due to the Defendant being a current private client.

Should you have any questions or need anything further, please do not hesitate to contact me. Thank you.

Sincerely,

David W. Tidd, Esquire
Magisterial District Judge

DWT/bsa

please send to MDJ Romo - Passaro



Order Imposing Sentence

Mag. Dist. No:	MDJ-03-2-04
MDJ Name:	Honorable David W. Tidd
Address:	1404 Walter Street Bethlehem, PA 18015
Telephone:	610-865-4010

Commonwealth of Pennsylvania
v.
Joseph Marco Herceg

File Copy

Docket No: MJ-03204-TR-0001658-2014
Case Filed: 6/18/2014
OTN:

<u>Charge(s)</u>
75 § 3362 §§ A3-5 (Lead) Exceed Max Speed Lim Estb By 5 MPH

THIS IS TO NOTIFY YOU THAT:

On August 26, 2014, you were convicted of or pled guilty to violating the above charge(s) and I sentenced you to the following:

- Sentenced to Fines, Cost, and Restitution

Collateral Amount	\$0.00
Fines:	\$35.00
Costs:	\$110.50
Restitution:	\$0.00
Total	\$145.50
Paid to date:	\$0.00
Case Balance	\$145.50

You have the right to appeal to the Court of Common Pleas within 30 days for a trial de novo. If you choose to file an appeal, you must appear for the trial de novo in the Court of Common Pleas or your appeal may be dismissed. If you are found not guilty, any money previously paid in this case will be returned to you. If you have any questions, please call this office immediately.

August 26, 2014

Date

Magisterial District Judge David W. Tidd



*S-26-14 10AM MDT informed me to
undo Ct finding + have case
transferred.*

You can make case payments online through Pennsylvania's Unified Judicial System web portal. Visit the portal at <http://ujportal.pacourts.us> to make a payment.

File Copy Recipient List

Addressed To: Joseph Marco Herceg (Defendant)
1932 Mary St Apt #b10
Bethlehem, PA 18017

COMMONWEALTH OF PENNSYLVANIA



CITATION NO. C1639788-3

TRAFFIC CITATION

1. Magisterial District No. 03-2-04		3. District Number TR-1658-14	
3. Address of Magisterial District Office Walter St. Bethlehem, PA 18015 610-865-4010			
4. Driver Number 1		5. CCL <input type="checkbox"/>	6. Sex <input checked="" type="checkbox"/> M <input type="checkbox"/> F
9. Defendant Name - First Joseph		7. DOB 7-26-37	
10. Defendant Address (Street-City-State-Zip Code) 1950 Main St Bio Bethlehem Pa 18017			
11. Veh. Reg. No. 3899323	12. Reg. Yr. PA	14. Make Kia soul	15. Type car
17. Veh. Reg. No.	18. Reg. Yr.	19. State PA	20. Color Green
23. Owner/Lessor or Carrier Name & Address Born Dab Bdb 3600 William Penn Ave Easton Pa 18045			
24. Charge <input checked="" type="checkbox"/> Maximum Speed Limit <input type="checkbox"/> Stop Signs & Yield Signs <input type="checkbox"/> Driving Vehicle at Safe Speed <input type="checkbox"/> Operation of Vehicle without Official Certificate of Inspection <input type="checkbox"/> Driving while Operating Privilege is Suspended or Revoked <input type="checkbox"/> Other		26. <input checked="" type="checkbox"/> STATUTE <input type="checkbox"/> ORDINANCE PA2	
25. Nature of Offense <input checked="" type="checkbox"/> Speeding 45 MPH Allowed 40 MPH <input type="checkbox"/> Operated Vehicle with Expired Inspection <input type="checkbox"/> Operated Vehicle with Suspended/Revoked License <input type="checkbox"/> Violated 67 Pa. Code <input checked="" type="checkbox"/> Other Actual speed 50.3 = 30.3 / 40.0		27. SEC 3362	
		28. SIB SEC 213	
		29. FINE 35	
		30. E.M.S. 10	
		31. GENERAL 45	
		32. COSTS 37.20	
		33. J.C.P.A.T. 10.00	
		34. TOTAL DUE \$ 137.20	
<input type="checkbox"/> Filed on info. received <input type="checkbox"/> Lab Services Required			
35. Location 378 S / Sharon Williams Ault			
37. Route 378		38. Twp./Boro/City Lower Saucon Township	39. Code 210
41. Date 6-17-14		43. Day Mon	44. County Northampton
46. Defendant's Signature - Acknowledges Receipt of Citation <i>[Signature]</i>		47. Date 6-17-14	
48. I verify that the facts set forth in this citation and return and conform to the best of my knowledge, information and belief. This verification is made subject to the penalties of Section 4904 of the Consolidated Statutes (18 Pa.C.S. § 4904) relating to unsworn falsification to authorities. OFFICER'S SIGNATURE <i>[Signature]</i>		BADGE NO. 115	
49. Station Address of Police Officer 3700 Old Phila. Pike Bethlehem, PA 18015		50. ORI Number PA0481700	
51. Speed Timing Device Operator Lu Shella		52. Miles Followed 5.840	54. Speed Allowed 40
53. Speed Equip. Serial No. 3894		55. Section Equip. Tested 3-13-14	57. Date Equip. Tested
58. Accident Report No.		59. Injured <input type="checkbox"/> YES <input type="checkbox"/> NO	60. Property Damaged <input type="checkbox"/> YES <input type="checkbox"/> NO
62. Remarks/Subpoena List (610) 442-8886			

NOTICE

If you plead guilty or are found guilty, points may be assessed against your driver's record. An accumulation of points may result in the suspension of your driving privilege. Also, your driving privilege WILL BE SUSPENDED if you plead guilty or are found guilty of certain offenses under the Vehicle Code, including but not limited to: 75 Pa.C.S. §§ 1371, 3341, 3345, 3357, 3718, 3733, 3734, 3736, subsequent convictions of 75 Pa.C.S. § 1501, a violation of 75 Pa.C.S. § 3361 when occurring in an active work zone and an accident report is submitted by the police, and a violation of 75 Pa.C.S. § 3362 when occurring in an active work zone.

CERTIFICATION OF DISPOSITION

ADJUDICATION

(Circle Appropriate Code)

- Non-appearance Paid Fine and Costs 1
- Found Guilty **2**
- Found Not Guilty 3
- Pled Guilty (Prior to Hearing) 4
- Discharged 5
- Pled Guilty (at Hearing) 6
- Prosecution Withdrawn 7

Found Guilty of Speeding

_____ M.P.H. in a _____ M.P.H. Zone

SENTENCE

Fine.....	\$	35-
E.M.S.....	\$	10-
General Fund.....	\$	45-
Costs.....	\$	45.50
J.C.P./A.T.J.....	\$	10.00
Other.....	\$	
Total.....	\$	145.50
Date of adjudication.....		8-26-2014
Committed to.....		
Number of Days.....		

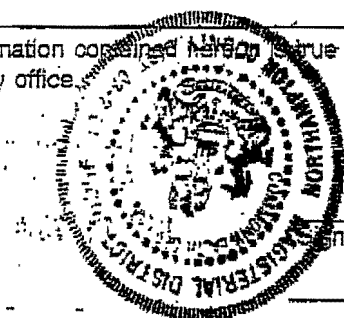
\$ _____ Paid in Full

_____ Installment Payments Allowed (Subject to
Modification by the Magisterial District Judge)

\$ _____ Per Installment

_____ 20 _____ Date Final Payment Must be Made

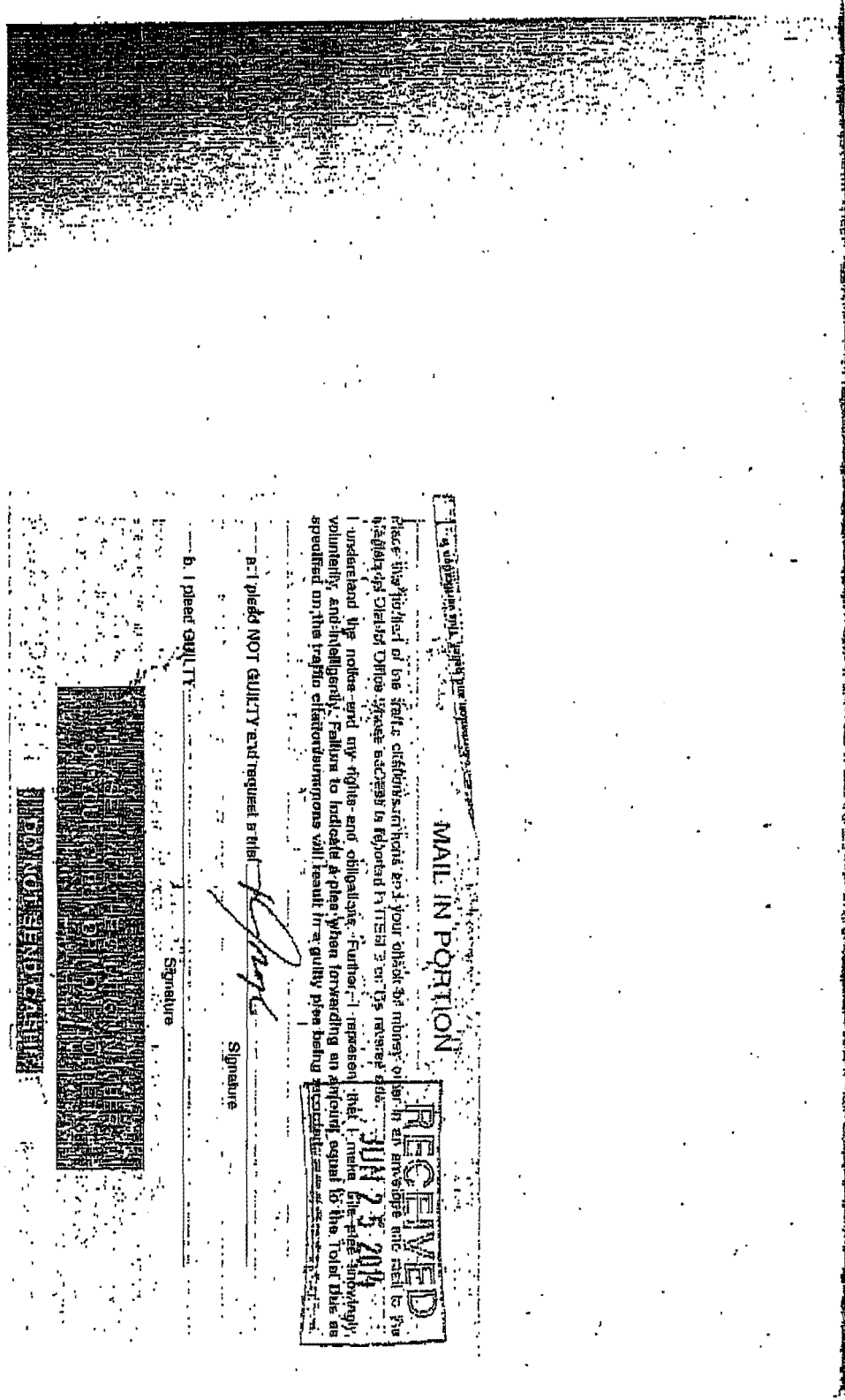
The information contained herein is true and correct and I have affixed the seal of my office.



Signature of Magisterial District Judge

03-2-04

Magisterial District Number



MAIL IN PORTION

Please sign for each of the state citations in both and your check for money order
for the District Office office address by report in item 3 on the reverse side
I understand the notice and my rights and obligations. Further, I represent that I make the plea knowingly,
voluntarily and intelligently. Failure to indicate a plea when forwarding an affidavit equal to the total due as
specified on the traffic citation/surcharge will result in a guilty plea being

RECEIVED
JUN 25 2014

a. I plead NOT GUILTY and request a trial

[Handwritten Signature]

Signature

b. I plead GUILTY

Signature



INDICATE HERE

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF NORTHAMPTON



Rescheduling Notice

Mag. Dist. No:	MDJ-03-2-04
MDJ Name:	Honorable David W. Tidd
Address:	1404 Walter Street Bethlehem, PA 18015
Telephone:	610-865-4010

Commonwealth of Pennsylvania
v.
Joseph Marco Herczeg

(610) 442-8886

File Copy

Docket No: MJ-03204-TR-0001658-2014
Case Filed: 6/18/2014
Comp/Clt #: C 1639788-3

<u>Charge(s)</u>
75 § 3362 §§ A3-5 (Lead) Exceed Max Speed Lim Estb By 5 MPH

A Summary Trial was previously scheduled on July 28, 2014 / 10:00 AM in the above-captioned case. It has been rescheduled to be held on/at:

Date: Tuesday, August 26, 2014	Place: Courtroom MDJ-03-2-04 1404 Walter Street Bethlehem, PA 18015 610-865-4010
Time: 9:30 AM	

Continuance requested by The Honorable David W. Tidd
Reason: Judge Unavailable
Comments: bsa

This court has received your plea of NOT GUILTY to the above summary violation(s). The sum of \$0.00 has been accepted as collateral for your appearance at trial.

You have the right to be represented by an attorney. You have the right to have any witnesses present. It is your responsibility to notify your attorney and/or witnesses of this trial date/time.

Failure to appear for your trial shall constitute consent to trial in your absence and if you are found guilty, the collateral deposited shall be forfeited and applied toward the fines and costs. You shall have the right to appeal within 30 days for a trial de novo.

If you have any questions, please call the above office immediately.
Should you fail to appear for your summary trial, a warrant may be issued for your arrest.

July 21, 2014

Date


Magisterial District Judge David W. Tidd



If you are disabled and require a reasonable accommodation to gain access to the Magisterial District Court and its services, please contact the Magisterial District Court at the above address or telephone number. We are unable to provide transportation. You can make case payments online through Pennsylvania's Unified Judicial System web portal. Visit the portal at <http://ujportal.pacourts.us> to make a payment.

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF NORTHAMPTON



Summary Trial Notice

Mag. Dist. No:	MDJ-03-2-04
MDJ Name:	Honorable David W. Tidd
Address:	1404 Walter Street Bethlehem, PA 18015
Telephone:	610-865-4010

Commonwealth of Pennsylvania
v.
Joseph Marco Hecceg

File Copy

Docket No: MJ-03204-TR-0001658-2014
Case Filed: 6/18/2014
Comp/Clt #: C 1639788-3

Charges	
75 § 3362 §§ A3-5 (Lead) Exceed Max Speed Lim Estb By 5 MPH	
A Summary Trial has been scheduled for the above captioned case to be held on/at:	
Date: Monday, July 28, 2014	Place: Magisterial District Court 03-2-04, Bethlehem 1404 Walter Street Bethlehem, PA 18015 610-865-4010
Time: 10:00 AM	

This court has received your plea of NOT GUILTY to the above summary violation(s). The sum of \$0.00 has been accepted as collateral for your appearance at trial.

You have the right to be represented by an attorney. You have the right to have any witnesses present. It is your responsibility to notify your attorney and/or witnesses of this trial date/time.

Failure to appear for your trial shall constitute consent to trial in your absence and if you are found guilty, the collateral deposited shall be forfeited and applied toward the fines and costs. You shall have the right to appeal within 30 days for a trial de novo.

If you have any questions, please call the above office immediately.
Should you fail to appear for your summary trial, a warrant may be issued for your arrest.

June 26, 2014

Date

Magisterial District Judge David W. Tidd



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File Copy Recipient List

Addressed To: Joseph Marco Herczeg (Defendant)
1932 Mary St Apt #b10
Bethlehem, PA 18017

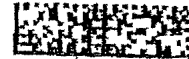
Willie Wilson Shelly Jr. (Arresting Officer)
Lower Saucon Police Dept
3700 Old Philadelphia Pk
Bethlehem, PA 18015

DAVID W. TIDD, ESQ.
District Court 03-2-04
1404 Walter Street
Bethlehem, PA 18015-5340

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08/26/2014
US POSTAGE

FIRST-CLASS MAIL

\$01.19⁰



ZIP 18015
041L10219527

MDJ Patricia Romig-Passaro
District Court 03-2-11
1214 Stefko Boulevard
Bethlehem, PA 18017

18017667501

