

COMMONWEALTH OF PENNSYLVANIA
COURT OF JUDICIAL DISCIPLINE

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IN RE: :
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 Dwight Shaner :
 Former Magisterial District Judge : No. 10 JD 15
 District Court 14-3-06 :
 Second Judicial District :
 Fayette County :

ORDER

AND NOW, this 16th day of August, 2016, the Court having conducted a Sanction Hearing on August 11, 2016, in consequence of having found that (1) Respondent's conduct in dismissing the criminal charges on December 13, 2011, as more specifically stated in Findings of Fact Nos. 6 & 7, and (2) Respondent's guilty plea on April 6, 2015, to one count of Hindering Apprehension or Prosecution, 18 Pa.C.S.A. §5105(A)(5), a misdemeanor of the second degree, amounted to:

- (a) a violation of former Rule 2A of the Rules Governing Standards of Conduct of Magisterial District Judges;
- (b) a violation of former Rule 13 of the Rules Governing Standards of Conduct of Magisterial District Judges;
- (c) such conduct that brings the judicial office into disrepute in violation of Article V, §18(d)(1) of the Pennsylvania Constitution;
- (d) such conduct that prejudices the administration of justice in violation of Article V, §18(d)(1) of the Pennsylvania Constitution; and
- (e) an automatic, derivative violation of Article V, §17(b) of the Pennsylvania Constitution.

The Respondent served as a Magisterial District Judge for Magisterial District Court 14-3-06, Fayette County, Pennsylvania, from January 6, 1986, until December 31, 2013, without incident. No other disciplinary or other conduct

related discretions have been brought to the Court's attention other than those stated above. Former MDJ Shaner retired from commissioned judicial service on December 31, 2013, and would ordinarily be eligible for service as a senior MDJ.

The Respondent did not contest the disciplinary charges filed against him but rather stipulated to the factual allegations of the Judicial Conduct Board's Complaint, which were necessary for a disposition of this case. Additionally, as stated above, the Respondent pleaded guilty in the criminal prosecution against him. Therefore, based upon these admissions by the Respondent, as well as his testimony before the Court at the time of the Sanction Hearing, the Court finds that the Respondent has accepted responsibility for his actions and has shown great remorse for this significant disciplinary transgression on his judicial record.

The Court HEREBY imposes the SANCTION OF REPRIMAND AND CENSURE and it is ORDERED that Respondent henceforth shall not be eligible to accept any assignments as a senior magisterial district judge.

PER CURIAM