

JUL 22 2026

COURT OF JUDICIAL DISCIPLINE
OF PENNSYLVANIACOMMONWEALTH OF PENNSYLVANIA
COURT OF JUDICIAL DISCIPLINE

IN RE:

Michael Fanning	:	
Court of Common Pleas	:	
First Judicial District	:	3 JD 2026
Philadelphia County	:	

RESPONDENT MICHAEL FANNING'S PETITION
TO VACATE THE ORDER OF INTERIM SUSPENSION WITHOUT PAY

AND NOW comes Respondent, The Honorable Michael Fanning, by and through his undersigned counsel, and respectfully petitions this Honorable Court to vacate the Interim Suspension Without Pay Order of March 12, 2026.

1. On or about March 11, 2026, the Judicial Conduct Board filed its Petition for Relief for Interim Suspension Without Pay pursuant to Article V, §18(d)(2) of the Pennsylvania Constitution, Rule 701 of the Court of Judicial Discipline Rules of Procedure, and Rule 13(A) of the Judicial Conduct Board Rules of Procedure. The Petition alleged that Respondent had been charged in Municipal Court Docket Nos. MC-51-CR-0004241-2026 and MC-51-CR-0004242-2026 and requested that this Court suspend Respondent without pay pending disposition of those criminal proceedings.

2. On or about March 12, 2026, this Honorable Court granted the Judicial Conduct Board's Petition imposing an Interim Suspension Without Pay.

3. The sole factual predicate for the Petition and the Court's Order was the pendency of the criminal prosecutions.

4. The criminal proceedings have now concluded. The official dockets in MC-51-CR-0004241-2026 and MC-51-CR-0004242-2026 reflect that the cases are CLOSED and that every charge was WITHDRAWN on July 16, 2026. (See Exhibit "A" attached hereto).

5. Accordingly, there are no criminal charges pending against Respondent.

6. Article V, §18(d)(2) of the Pennsylvania Constitution authorizes interim suspension while qualifying criminal charges are pending. Because those proceedings have terminated and all charges have been withdrawn, the constitutional basis for the interim suspension no longer exists.

7. Continued suspension without pay is therefore unsupported by Article V, §18(d)(2), and the interim order should be dissolved. Nothing herein seeks disposition of any separate disciplinary proceeding; Respondent requests only dissolution of the extraordinary interim remedy predicated upon pending criminal charges.

WHEREFORE, Respondent respectfully requests that this Court dissolve the Interim Suspension Without Pay, immediately reinstate Respondent to judicial service, restore salary and benefits prospectively, and grant such other relief as the Court deems just and proper.

Respectfully submitted,

July 21, 2026

By: Charles M. Gibbs
Charles M. Gibbs Esquire
McMonagle, Perri, McHugh
Mischack & Davis, P.C.
PA Supreme Court ID# 310023
1845 Walnut Street, 19th Floor
Philadelphia, PA 19103
Attorneys for the Respondent

**COMMONWEALTH OF PENNSYLVANIA
COURT OF JUDICIAL DISCIPLINE**

IN RE:

Michael Fanning	:	
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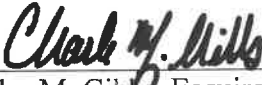
PROOF OF SERVICE

In compliance with Rule 122(D) of the Court of Judicial Discipline Rules of Procedure, on or about July 21, 2026, a copy of this Petition to Vacate the Order of Interim Suspension without Pay was sent by USPS Overnight Delivery and via email to Elizabeth A. Flaherty, counsel for the Judicial Conduct Board at the following address:

Ms. Elizabeth A. Hoffheins, Esquire
Judicial Conduct Board
Pennsylvania Judicial Center
601 Commonwealth Avenue, Suite 3500
P.O. Box 62525
Harrisburg, PA 17106

Respectfully submitted,

July 21, 2026

By: 
Charles M. Gibbs, Esquire
McMonagle, Perri, McHugh
Mischack & Davis, P.C.
PA Supreme Court ID# 310023
1845 Walnut Street, 19th Floor
Philadelphia, PA 19103
Attorneys for the Respondent

**COMMONWEALTH OF PENNSYLVANIA
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Michael Fanning	:	
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First Judicial District	:	3 JD 2026
Philadelphia County	:	

VERIFICATION

I, Charles M. Gibbs, Esquire, counsel for the Honorable Michael Fanning, verify that the facts set forth in the foregoing Petition are true and correct to the best of my knowledge, information, and belief. I understand that the statements made in this petition are subject to the penalties of 18 Pa. C.S. §4904, regarding unsworn falsification to authorities.

Respectfully submitted,

July 21, 2026

By: 
Charles M. Gibbs, Esquire
McMonagle, Perri, McHugh
Mischack & Davis, P.C.
PA Supreme Court ID# 310023
1845 Walnut Street, 19th Floor
Philadelphia, PA 19103
Attorneys for the Respondent

**COMMONWEALTH OF PENNSYLVANIA
COURT OF JUDICIAL DISCIPLINE**

IN RE:

Michael Fanning	:	
Court of Common Pleas	:	
First Judicial District	:	3 JD 2026
Philadelphia County	:	

CERTIFICATE OF COMPLIANCE

I certify that this filing complies with the provisions of the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania that require filing confidential information and documents differently than non-confidential information and documents.

Respectfully submitted,

July 21, 2026

By: *Charles M. Gibbs*
Charles M. Gibbs, Esquire
McMonagle, Perri, McHugh
Mischack & Davis, P.C.
PA Supreme Court ID# 310023
1845 Walnut Street, 19th Floor
Philadelphia, PA 19103
Attorneys for the Respondent

EXHIBIT "A"

MUNICIPAL COURT OF PHILADELPHIA COUNTY

DOCKET



Docket Number: MC-51-CR-0004242-2026

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

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v.

Michael Fanning

CASE INFORMATION

<u>Judge Assigned:</u> <u>OTN:</u> U 354002-5 <u>LOTN:</u> <u>Initial Issuing Authority:</u> <u>Arresting Agency:</u> Philadelphia Pd <u>Complaint/Citation No.:</u> 2608012121-0004242 <u>County:</u> Philadelphia <u>Case Local Number Type(s)</u> Originating Docket Number District Control Number Originating Document Number	<u>Date Filed:</u> 03/10/2026 <u>Initiation Date:</u> 03/10/2026 <u>Originating Docket No:</u> MC-51-CR-0004242-2026 <u>Final Issuing Authority:</u> <u>Arresting Officer:</u> Bardales, Angel L. <u>Incident Number:</u> 2608012121 <u>Township:</u> Philadelphia City <u>Case Local Number(s)</u> MC-51-CR-0004242-2026 2608012121 2608012121-0004242
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RELATED CASES

<u>Related Docket No</u>	<u>Related Case Caption</u>	<u>Related Court</u>	<u>Association Reason</u>
Consolidated Defendant Cases			
MC-51-CR-0004241-2026	Comm. v. Fanning, Michael	MC-01-51-Crim	Same District Control Number and Primary Participant

STATUS INFORMATION

<u>Case Status:</u> Closed	<u>Status Date</u>	<u>Processing Status</u>	<u>Arrest Date:</u> 03/10/2026
	07/16/2026	Completed	
	03/10/2026	Awaiting Trial	
	03/10/2026	Awaiting Status Hearing	

CALENDAR EVENTS

<u>Case Calendar</u>	<u>Schedule</u>	<u>Start</u>	<u>Room</u>	<u>Judge Name</u>	<u>Schedule Status</u>
<u>Event Type</u>	<u>Start Date</u>	<u>Time</u>			
Preliminary	03/10/2026	5:26 pm	B08		Scheduled
Arraignment					
Trial	03/25/2026	9:00 am	906	Judge Wendy L. Pew	Cancelled
Trial	04/21/2026	10:00 am	806		Moved
Trial	04/21/2026	1:00 pm	1008	Senior Judge Jeffrey K. Sprecher	Moved
Trial	06/16/2026	1:00 pm	806		Cancelled
Status	07/16/2026	2:00 pm	806		Scheduled

DEFENDANT INFORMATION

<u>Date Of Birth:</u>	11/13/1965	<u>City/State/Zip:</u> Philadelphia, PA 19114
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MUNICIPAL COURT OF PHILADELPHIA COUNTY

DOCKET



Docket Number: MC-51-CR-0004242-2026

CRIMINAL DOCKET

Court Case

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v.

Michael Fanning

CASE PARTICIPANTS

<u>Participant Type</u>	<u>Name</u>
Defendant	Fanning, Michael

BAIL INFORMATION

Fanning, Michael					Nebbia Status: None
<u>Bail Action</u>	<u>Date</u>	<u>Bail Type</u>	<u>Originating Court</u>	<u>Percentage</u>	<u>Amount</u>
Set	03/10/2026	Unsecured	Municipal Court		\$100,000.00
Change Non-Monetary Conditions	04/17/2026	Unsecured	Municipal Court		\$100,000.00

CHARGES

<u>Seq.</u>	<u>Orig Seq.</u>	<u>Grade</u>	<u>Statute</u>	<u>Statute Description</u>	<u>Offense Dt.</u>	<u>OTN</u>
1	1	M2	18 § 2701 §§ A	Simple Assault	03/09/2026	U 354002-5
2	2	M2	18 § 2705	Recklessly Endangering Another Person	03/09/2026	U 354002-5

DISPOSITION SENTENCING/PENALTIES

<u>Disposition</u>	<u>Disposition Date</u>	<u>Final Disposition</u>
<u>Case Event</u>	<u>Offense Disposition</u>	<u>Grade</u> <u>Section</u>
<u>Sequence/Description</u>	<u>Sentence Date</u>	<u>Credit For Time Served</u>
<u>Sentencing Judge</u>	<u>Incarceration/Diversiory Period</u>	<u>Start Date</u>
<u>Sentence/Diversion Program Type</u>		
<u>Sentence Conditions</u>		

Proceed to Court

Preliminary Arraignment	03/10/2026	Not Final
1 / Simple Assault	Proceed to Court	M2 18 § 2701 §§ A
2 / Recklessly Endangering Another Person	Proceed to Court	M2 18 § 2705

Withdrawn

Status	07/16/2026	Final Disposition
1 / Simple Assault	Withdrawn	M2 18 § 2701 §§ A
2 / Recklessly Endangering Another Person	Withdrawn	M2 18 § 2705

COMMONWEALTH INFORMATION

Name: Philadelphia County District Attorney's
Office
District Attorney

Supreme Court No:

Phone Number(s):
215-686-8000 (Phone)

Address:
3 South Penn Square
Philadelphia, PA 19107

ATTORNEY INFORMATION

Name: Fortunato N. Perri Jr.
Private

Supreme Court No: 052719

Rep. Status: Active

Phone Number(s):
215-981-0999 (Office)

Address:

Representing: Fanning, Michael

MUNICIPAL COURT OF PHILADELPHIA COUNTY

DOCKET



Docket Number: MC-51-CR-0004242-2026

CRIMINAL DOCKET

Court Case

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Michael Fanning

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ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	03/10/2026		Municipal Court - Philadelphia County
PARS Transfer			
2	03/10/2026		Connor, Lauren
Bail Set - Fanning, Michael			
4	03/10/2026		Municipal Court - Philadelphia County
Trial Scheduled 03/25/2026 9:00AM			
1	03/13/2026		Perri, Fortunato N. Jr.
Entry of Appearance			
1	03/17/2026		MC Criminal Listing Department
Trial Cancelled			
2	03/17/2026		MC Criminal Listing Department
Trial Scheduled 04/21/2026 10:00AM			
1	04/16/2026		Gibbs, Monica
Order Continuing Probation Pursuant to Act 44			
2	04/16/2026		MC Courtroom Operations
Trial Scheduled 04/21/2026 1:00PM			
4	04/16/2026	04/15/2026	Sprecher, Jeffrey K.
Order Granting Motion for Hearing			
1	04/17/2026		Sprecher, Jeffrey K.
Order to Comply			
2	04/17/2026	04/17/2026	Sprecher, Jeffrey K.
Order Granting Motion for Continuance			
3	04/17/2026		Sprecher, Jeffrey K.
Order Granting Motion for Modification of Bail - Fanning, Michael			
4	04/17/2026		Sprecher, Jeffrey K.
Order Granting Motion for Modification of Bail			

MUNICIPAL COURT OF PHILADELPHIA COUNTY

DOCKET



Docket Number: MC-51-CR-0004242-2026

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v.

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ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
5	04/17/2026		Sprecher, Jeffrey K.
Order Granting Motion for Continuance			
1	04/22/2026		MC Criminal Listing Department
Trial Scheduled 06/16/2026 1:00PM			
1	06/16/2026		Eisenhower, James
Order Scheduling Hearing			
4	06/16/2026		MC Criminal Listing Department
Trial Cancelled			
1	07/16/2026		Sprecher, Jeffrey K.
Withdrawn			

MUNICIPAL COURT OF PHILADELPHIA COUNTY

DOCKET



Docket Number: MC-51-CR-0004241-2026

CRIMINAL DOCKET

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v.

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CASE INFORMATION

<u>Judge Assigned:</u>	<u>Date Filed:</u> 03/10/2026	<u>Initiation Date:</u> 03/10/2026
<u>OTN:</u> U 354002-5	<u>LOTN:</u>	<u>Originating Docket No:</u> MC-51-CR-0004241-2026
<u>Initial Issuing Authority:</u>	<u>Final Issuing Authority:</u>	
<u>Arresting Agency:</u> Philadelphia Pd	<u>Arresting Officer:</u> Bardales, Angel L.	
<u>Complaint/Citation No.:</u> 2608012121-0004241	<u>Incident Number:</u> 2608012121	
<u>County:</u> Philadelphia	<u>Township:</u> Philadelphia City	
<u>Case Local Number Type(s)</u>	<u>Case Local Number(s)</u>	
Originating Docket Number	MC-51-CR-0004241-2026	
District Control Number	2608012121	
Originating Document Number	2608012121-0004241	

RELATED CASES

<u>Related Docket No</u>	<u>Related Case Caption</u>	<u>Related Court</u>	<u>Association Reason</u>
Consolidated Defendant Cases			
MC-51-CR-0004242-2026	Comm. v. Fanning, Michael	MC-01-51-Crim	Same District Control Number and Primary Participant

STATUS INFORMATION

<u>Case Status:</u>	<u>Status Date</u>	<u>Processing Status</u>	<u>Arrest Date:</u>
Closed	07/16/2026	Completed	03/10/2026
	03/10/2026	Awaiting Preliminary Hearing	
	03/10/2026	Awaiting Status Hearing	

CALENDAR EVENTS

<u>Case Calendar</u>	<u>Schedule</u>	<u>Start</u>	<u>Room</u>	<u>Judge Name</u>	<u>Schedule</u>
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Preliminary Arraignment	03/10/2026	5:26 pm	B08		Scheduled
Preliminary Hearing	03/25/2026	9:00 am	906	Judge Wendy L. Pew	Cancelled
Preliminary Hearing	04/21/2026	10:00 am	806		Moved
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Preliminary Hearing	06/16/2026	1:00 pm	806		Cancelled
Status	07/16/2026	2:00 pm	806		Scheduled

DEFENDANT INFORMATION

<u>Date Of Birth:</u>	11/13/1965	<u>City/State/Zip:</u>	Philadelphia, PA 19114
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MUNICIPAL COURT OF PHILADELPHIA COUNTY

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CASE PARTICIPANTS

<u>Participant Type</u>	<u>Name</u>
Defendant	Fanning, Michael

BAIL INFORMATION

Fanning, Michael

Nebbia Status: None

<u>Bail Action</u>	<u>Date</u>	<u>Bail Type</u>	<u>Originating Court</u>	<u>Percentage</u>	<u>Amount</u>
Set	03/10/2026	Unsecured	Municipal Court		\$100,000.00
Change Non-Monetary Conditions	04/17/2026	Unsecured	Municipal Court		\$100,000.00

CHARGES

<u>Seq.</u>	<u>Orig Seq.</u>	<u>Grade</u>	<u>Statute</u>	<u>Statute Description</u>	<u>Offense Dt.</u>	<u>OTN</u>
1	1	F1	18 § 2702 §§ A1	Aggravated Assault - Attempts to cause SBI or causes injury with extreme indifference	03/09/2026	U 354002-5
2	2	F2	18 § 2718 §§ A1	Strangulation - Applying Pressure to Throat or Neck	03/09/2026	U 354002-5
3	3	M2	18 § 2701 §§ A	Simple Assault	03/09/2026	U 354002-5
4	4	M2	18 § 2705	Recklessly Endangering Another Person	03/09/2026	U 354002-5

DISPOSITION SENTENCING/PENALTIES

Disposition

<u>Case Event</u>	<u>Disposition Date</u>	<u>Final Disposition</u>
<u>Sequence/Description</u>	<u>Offense Disposition</u>	<u>Grade Section</u>
<u>Sentencing Judge</u>	<u>Sentence Date</u>	<u>Credit For Time Served</u>
<u>Sentence/Diversion Program Type</u>	<u>Incarceration/Diversionary Period</u>	<u>Start Date</u>
<u>Sentence Conditions</u>		

Proceed to Court

	<u>Disposition Date</u>	<u>Final Disposition</u>
Preliminary Arraignment	03/10/2026	Not Final
1 / Aggravated Assault - Attempts to cause SBI or causes injury with extreme indifference	Proceed to Court	F1 18 § 2702 §§ A1
2 / Strangulation - Applying Pressure to Throat or Neck	Proceed to Court	F2 18 § 2718 §§ A1
3 / Simple Assault	Proceed to Court	M2 18 § 2701 §§ A
4 / Recklessly Endangering Another Person	Proceed to Court	M2 18 § 2705

Withdrawn

	<u>Disposition Date</u>	<u>Final Disposition</u>
Status	07/16/2026	
1 / Aggravated Assault - Attempts to cause SBI or causes injury with extreme indifference	Withdrawn	F1 18 § 2702 §§ A1
2 / Strangulation - Applying Pressure to Throat or Neck	Withdrawn	F2 18 § 2718 §§ A1
3 / Simple Assault	Withdrawn	M2 18 § 2701 §§ A
4 / Recklessly Endangering Another Person	Withdrawn	M2 18 § 2705

MUNICIPAL COURT OF PHILADELPHIA COUNTY

DOCKET



Docket Number: MC-51-CR-0004241-2026

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COMMONWEALTH INFORMATION

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Office
District Attorney

Supreme Court No:

Phone Number(s):
215-686-8000 (Phone)

Address:
3 South Penn Square
Philadelphia, PA 19107

ATTORNEY INFORMATION

Name: Fortunato N. Perri Jr.
Private

Supreme Court No: 052719

Rep. Status: Active

Phone Number(s):
215-981-0999 (Office)

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Representing: Fanning, Michael

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Order Granting Motion for Continuance			

MUNICIPAL COURT OF PHILADELPHIA COUNTY

DOCKET



Docket Number: MC-51-CR-0004241-2026

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ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
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Order Scheduling Hearing			
1	07/16/2026		Sprecher, Jeffrey K.
Withdrawn			