

COMMONWEALTH OF PENNSYLVANIA
COURT OF JUDICIAL DISCIPLINE

IN RE:

Mark A. Wilson :
Magisterial District Judge : 1 JD 2017
Magisterial District 27-1-02 :
27th Judicial District :
Washington County :

RECEIVED AND FILED
COURT OF
JUDICIAL DISCIPLINE
2017 APR 28 A 11:19

OMNIBUS PRETRIAL MOTION

Magisterial District Judge Mark A. Wilson, by and through his undersigned attorney, hereby files the foregoing Omnibus Pretrial Motion pursuant to C.J.D.R.P. 411.

1. On December 11, 2012, Washington County Assistant District Attorney (ADA) Joseph Carroll approved the private criminal complaint of John and Shirley Amon charging Robert L. Kepics with theft by deception, 18 Pa.C.S. § 3922(a)(1) (F3).

2. At the time ADA Carroll approved the felony charge of theft by deception against Mr. Kepics, he did not know that Kepics was the Mayor of Monongahela, Pennsylvania.

3. On December 11, 2012, according to the Complaint, presiding Judge Mark A. Wilson issued a warrant for Kepics' arrest, which was *mandatory* under Pa.R.Crim.P. 509(2)(a) regardless of whether charges are initiated by private criminal complaint or police complaint.

4. Later that same day, according to the Complaint, Kepics was arrested by Constable Walter P. Fronzaglio and brought before Judge Wilson for preliminary arraignment. The Complaint alleges that Judge Wilson imposed a monetary bail condition of \$5,000 and that Kepics was remanded to the county jail until he was released on bond later that same day.

5. According to interviews of Mr. Amon conducted by Board investigator Douglas K. Miller – disclosed to the undersigned pursuant to C.J.D.R.P. 411(E) (mandatory disclosure of exculpatory evidence) – Mr. Amon stated: “MDJ Wilson never encouraged them one way or the

other about which option (civil or criminal) to choose. He never filled out any documents for them. He simply gave them the form to fill out when AMON said that he wanted to file a criminal charge. AMON believed that this would be the only way that they would ever get their money back.” Mr. Amon also added: “MDJ Wilson is a good judge and that he has done nothing wrong in connection with the Kepics matter.” See Exhibit A.

6. According to interviews of ADA Carroll conducted by Board investigator Douglas K. Miller – disclosed to the undersigned pursuant to C.J.D.R.P. 401(D) – ADA Carroll stated: “MDJ WILSON never seemed to be advocating for the private criminal complaint (that is, favoring a criminal over a civil case).” ADA Carroll “believed that the complaint had criminal merit” and “reiterated that MDJ Wilson was not pushing for him to sign the complaint.”

7. When ADA Carroll learned from news broadcasts that Kepics was the Mayor of Monongahela, everything changed.¹ ADA Carroll informed Washington County District Attorney Eugene A. Vittone of the situation. According to investigative reports prepared by Board investigator Douglas K. Miller, DA Vittone then called Monongahela Chief of Police Brian Tempest, and told Chief Tempest: “What did you do to your Mayor? Did you arrest your Mayor?” Chief Tempest replied: “No, you did.” Immediately prior to his call from DA Vittone, Chief Tempest received phone calls from Mayor Kepics (his boss) and Kepics’ wife Nancy Kepics, in an effort to use his authority as Mayor to get himself released from jail.

8. On December 14, 2012, Washington County District Attorney Eugene A. Vittone sent a letter to Judge Wilson withdrawing the criminal charge against Kepics. Shortly thereafter, according to ADA Carroll, DA Vittone demoted him because of his actions in the Kepics case.

¹ Indeed, ADA Carroll told Investigator Miller: “If [I] had known that the prospective defendant in the complaint was the Mayor, [I] never would have approved it without discussing it first with District Attorney Gene Vittone.”

9. On February 7, 2013, Kepics' attorney Steven M. Toprani – the former District Attorney of Washington County – filed a Petition to Expunge Criminal Records/Booking Photos in the Washington County Court of Common Pleas. DA Vittone consented to the petition.

10. Later that same day, the Washington County Court of Common Pleas granted the petition and issued an Order requiring the destruction of all records of the case in the possession of Judge Wilson as well as other criminal justice agencies.

11. Judge Wilson promptly destroyed all of his records in the Kepics case in compliance with the Order.

Motion To Dismiss
Doctrine Of Laches

12. The averments set forth above are incorporated by reference as though fully set forth herein.

13. On June 5, 2013, nearly four months *after* he had Judge Wilson's file of his case destroyed, Kepics filed a Confidential Request for Investigation with the Board.

14. In his Confidential Request for Investigation, Kepics took issue with Judge Wilson's official actions in the handling of his criminal case – the official record of which had been expunged at Kepics' request months earlier.

15. Laches may be invoked in disciplinary proceedings for professional misconduct. *In re Lokuta*, 964 A.2d 988 (Pa.Ct.Jud.Disc. 2008). "Laches bars relief when the plaintiff's lack of due diligence in failing to timely institute an action results in prejudice to another." *Commonwealth ex rel. Pennsylvania Attorney General Corbett v. Griffin*, 946 A.2d 668, 676-677 (Pa. 2008). "Such evidence may include establishing that a witness has died or become unavailable, *that substantiating records were lost or destroyed*, or that the defendant has changed

his position in anticipation that the opposing party has waived his claims.” *Commonwealth ex. rel. Baldwin v. Richard*, 751 A.2d 647, 651 (Pa. 2000) (emphasis supplied).

16. Laches may be applied not only to the lack of due diligence of the Board, but also the lack of due diligence of the alleged victim in reporting the matter to the Board. *Lokuta*, 964 A.2d at 1131 (quoting *Lyness v. Commonwealth State Board of Medicine*, 561 A.2d 362, 370 (Pa.Cmwlt. 1989) (“We are persuaded that in applying the equitable doctrine of laches in a disciplinary proceeding, the requirement of undue delay may be fulfilled by proving that a *victim* unjustifiably delayed in reporting an incident to the Board.”)) (emphasis in original).

17. Kepics’ four-month delay in filing his Confidential Request for Investigation with the Board was unjustified.

18. Judge Wilson did nothing to contribute to Kepics’ unjustified delay.

19. Kepics lack of diligence in filing his Confidential Request for Investigation against Judge Wilson resulted in prejudice to Judge Wilson. All of Judge Wilson’s records in the Kepics case have been expunged. It is difficult to comprehend how Judge Wilson can be expected to defend himself against allegations arising from the exercise of his official actions in the Kepics’ matter when all records of those official actions have been destroyed.

WHEREFORE, Judge Wilson respectfully requests that this Court dismiss Count 1 (¶ 107), Count 2 (¶¶ 123, 127-130), Count 3, Count 4, Count 5 (as to Section A), Count 6 (¶¶ 169-170), and Count 7 (as to Section A) pursuant to the doctrine of laches.

Motion To Dismiss
C.J.D.R.P. 411(d)(3)

20. The averments set forth above are incorporated by reference as if fully set forth herein.

21. On June 19, 2013, the Board requested a complete copy Judge Wilson's file in *Commonwealth v. Robert Kepics*, CR-416-2012.

22. Six days later, on June 25, 2013, Judge Wilson responded to the Board's request, indicating *inter alia* that the Kepics case file had been expunged by court order.

23. The expungement of the official case file in the Kepics case made it all the more important for the Board to conduct a prompt investigation of the request for investigation.

24. However, the Board waited until April 8, 2015, before beginning its investigation of Kepics' request – a delay of nearly two years since the filing of the request.

25. Moreover, the Board waited until June 6, 2016, before voting to commence a full investigation of the request – a cumulative delay of three years since the filing of the request.

26. Thereafter, the Board waited until October 07, 2016, before notifying Judge Wilson of the accusation in its Notice of Full Investigation – a cumulative delay of three years and four months since the filing of the request.

27. "The Judicial Officer may challenge the validity of the charges on any legal ground including . . . that the Board violated the procedures governing it." C.J.D.R.P. 411(d)(3).

28. The Internal Operating Procedures of the Judicial Conduct Board of Pennsylvania that were effective on June 5, 2013, in relevant part, provide:

IOP 4.01 EXPEDITIOUS RESOLUTION OF COMPLAINTS

It is the policy of the Board that each and every matter shall be brought to a prompt, efficient and fair conclusion commensurate with the available resources of the Board and its staff. Urgent priority shall be assigned to matters that involve the potential for extreme prejudice to the administration of justice, as well as to matters having an immediacy factor such as complaints involving political campaign issues.

J.C.B.I.O.P. 4.01 (eff. 1/1/10).

29. The Internal Operating Procedures of the Judicial Conduct Board of Pennsylvania that became effective on January 1, 2016, in relevant part, provide:

IOP 3.04 EXPEDITIOUS RESOLUTION OF COMPLAINTS

It is the policy of the Board that each and every matter shall be brought to a fair conclusion as promptly as possible, consistent with the character of the matter and the resources of the Board and its staff.

A. Prioritization Of Investigations

Urgent priority shall be given to matters based on consideration of the level of the judiciary involved, the danger of extreme prejudice to the administration of justice, and where the matter has garnered great public interest or notoriety through media coverage.

J.C.B.I.O.P. 3.04 (eff. 1/1/16).

30. The Board violated I.O.P. 4.01 (eff. 1/1/10) and I.O.P. 3.04 (eff 1/1/16) by not conducting a prompt investigation of Kepics' complaint.

31. The Board's delay in conducting its investigation of the Kepics' complaint was unjustified, particularly in light of the Board's allegations in its Complaint that Judge Wilson's conduct in the Kepics case was "so extreme that it brought disrepute upon the judicial office itself" and that it "prejudiced the proper administration of justice." Complaint, Counts 6-7.

32. Judge Wilson has suffered prejudice as a result of the Board's delay. While the full extent of such prejudice will not be known until the undersigned's investigation is complete, Judge Wilson is now required to defend himself in this matter while running for re-election.

33. Judge Wilson did nothing to contribute to the Board's delays outlined above.

WHEREFORE, Judge Wilson respectfully requests that this Court dismiss Count 1 (§ 107), Count 2 (§§ 123, 127-130), Count 3, Count 4, Count 5 (as to Section A), Count 6 (§§ 169-170), and Count 7 (as to Section A) pursuant to C.J.D.R.P. 411(d)(3).

Motion For Discovery
C.J.D.R.P. 401

34. The averments set forth above are incorporated by reference as though fully set forth herein.

35. Both the undersigned and counsel for the Board have engaged in a good-faith exchange of correspondence in an effort to resolve all discovery issues. See Exhibit B.

36. While the Board has provided the undersigned with a substantial amount of discovery, the Board has refused to prepare a specific written response to each of the fifteen categories of documents requested by the undersigned in his discovery letter.

37. Moreover, the Board has refused to provide the undersigned with a log identifying with reasonable particularity all information responsive to the undersigned's discovery requests that is being withheld and the basis for non-production.

38. As a result, the undersigned cannot determine whether there is a good-faith basis for challenging the Board's conclusory assertion that the undersigned has received all discovery to which he is entitled under C.J.D.R.P. 401.

39. Among the undersigned's discovery requests is a request for: (a) All exculpatory evidence relevant to the Board's proceedings in JCB 2013-370 and JCB 2016-571, including any evidence of the Board's violations of its own procedures; and (b) Records of all proceedings before the Board concerning Judge Wilson, including but not limited to meeting minutes, subpoenas, testimony, and memoranda.

40. In response to these requests, the Board provided a heavily-redacted excerpt of the minutes of the Board's meetings on June 6, 2016 (approving the Notice of Full Investigation) and February 6, 2017 (authorizing the filing of the complaint). There is no explanation for the redactions, which comprise the vast majority of the information in the minutes. See Exhibit C.

41. Judge Wilson has the right to challenge whether the Board violated the procedures governing its operation. See In re Hasay, 686 A.2d 809, 816-817 (Pa. 1996) (“We emphatically reject the assertion that the board’s compliance with its rules of procedure is absolutely beyond judicial review. The rules exist in part to insure that due process is accorded judicial officers subject to investigation and prosecution by the board.... Every minor or technical violation of the board's rules may not be a denial of due process, and the appropriate remedy may be a minor matter; nonetheless, the guarantee of due process requires that the board's procedures be reviewable.”); C.J.D.R.P. 411(d)(3).

42. Judge Wilson’s right to mount such a challenge would ring hollow if he was not entitled to the discovery he has requested from the Board, particularly where he is challenging the Board’s delay in the investigation that led to the filing of a Complaint against him.

43. The undersigned has also requested all written or verbal complaints received by the Board regarding Judge Wilson, including but not limited to JCB File 2013-370 and 2016-571. This request included the identity of the complainant(s) and date(s) of receipt.

44. While the Board has provided the undersigned with a copy of the Confidential Request for Investigation submitted by Mayor Kepics in JCB File No. 2013-370, it has refused to produce evidence of any other requests or other complaints against Judge Wilson.

45. Judge Wilson has the right to discover whether any of the other defendants identified in Section B of the Complaint ever filed complaints about their treatment before him.

WHEREFORE, Judge Wilson respectfully requests that this Court issue an Order requiring the Board to prepare a formal response to each of the undersigned’s discovery requests, accompanied by a log identifying with reasonable particularity all information responsive to the undersigned’s discovery requests that is being withheld and the basis for non-production. Judge

Wilson also respectfully requests the right to file a supplemental pre-trial motion based on the undersigned's review of the Board's response/log, including but not limited to a motion for additional discovery. Judge Wilson also respectfully requests that this Court order the Board to comply with his discovery requests outlined in paragraphs 39 and 43, and that any documents withheld be described with reasonable particularity along with the basis for non-production.

Motion For Admission To Judicial Diversion Program

46. The averments set forth above are incorporated by reference as though fully set forth herein.

47. Judge Wilson seeks admission into the Judicial Diversion Program established by this Court in *In re Domitrovich*, No. 1 JD 14 (2016).

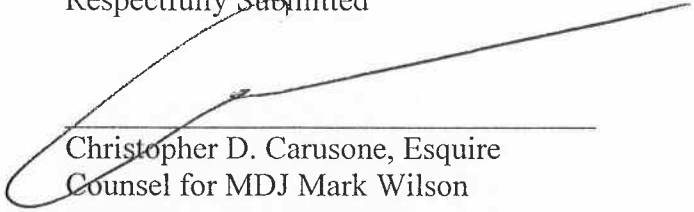
48. Judge Wilson has no prior imposition of discipline.

49. The Complaint does not contain allegations of criminal charges, corruption, or other conduct where the presumptive sanction is suspension or removal.

50. Although Judge Wilson maintains his innocence, he is willing to comply with a Judicial Diversion Program plan if he is afforded the privilege of admission to the program.

WHEREFORE, Judge Wilson respectfully requests that the Court schedule a hearing for his entry into the Judicial Diversion Program.

Respectfully Submitted



Christopher D. Carusone, Esquire
Counsel for MDJ Mark Wilson

COHEN SEGLIAS PALLAS
GREENHALL & FURMAN P.C.
240 North Third Street
Seventh Floor
Harrisburg, PA 17011
(717) 234-5530 (Phone)
(717) 585-6585 (Fax)

Date: April 28, 2017

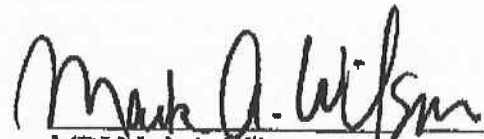
COMMONWEALTH OF PENNSYLVANIA
COURT OF JUDICIAL DISCIPLINE

IN RE:

| | | |
|------------------------------------|---|-----------|
| Mark A. Wilson | : | |
| Magisterial District Judge | : | 1 JD 2017 |
| Magisterial District 27-1-02 | : | |
| 27 th Judicial District | : | |
| Washington County | : | |

VERIFICATION

I hereby verify that I have read the foregoing Omnibus Pretrial Motion and that it is true and correct to the best of my knowledge, information, and belief subject to the penalties set forth in 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities)


 MDJ Mark A. Wilson

Date: April 28, 2017



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

March 30, 2017

HONORABLE ROBERT A. GRACI
CHIEF COUNSEL

717-234-7911

Christopher D. Carusone, Esquire
Chohen Seglias Pallas Greenhall & Furman PC
240 North Third Street, 7th Floor
Harrisburg, PA 17101

Re: In re: *MDJ Mark A. Wilson*, 1 JD 2017

Dear Mr. Carusone:

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 John C. Amon by Investigator Douglas K. Miller, dated April 8, 2015.
2. Redacted Report of Interview of John C. Amon by Investigator Douglas K. Miller, dated May 27, 2015.

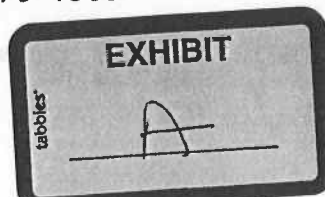
Very truly yours,

Elizabeth A. Flaherty
Deputy Counsel

Colby J. Miller
Assistant Counsel

EAF/CJM/tis
Enclosures

UPS Delivery
Tracking No. 1Z Y4X 745 01 9479 4889



Judicial Conduct Board
Report of Interview

Interview of: JOHN C. AMON
JCB File: 13-370
Interview by: DOUGLAS K. MILLER
Interview Date/Time: April 8, 2015 / 10:50 a.m.

JOHN C. AMON, date of birth [REDACTED] was interviewed by appointment at his residence. AMON is retired. He formerly worked for U. S. Steel; after that, he worked for fourteen years for an armored car company. Present during the interview was AMON's wife, SHIRLEY ANNE AMON, date of birth [REDACTED]

I told AMON that the Judicial Conduct Board (JCB) is investigating a complaint against Magisterial District Judge (MDJ) MARK WILSON, in connection with the arrest of ROBERT KEPICS over a debt owed to AMON and his wife. AMON provided the following information:

ROBERT ("BOBBY") KEPICS, the second-term Mayor of Monongahela, PA, grew up in close proximity to the AMONs in their neighborhood. KEPICS's parents (now deceased) were best friends with AMON and his wife, and KEPICS actually considered the AMONs to be his other mom and dad.

MARK WILSON is the District Judge in Monongahela, PA. WILSON was a police officer in Monongahela for about twenty years before becoming a magistrate. AMON has never appeared in front of WILSON for anything, and he never knew him personally—just by sight to say hello.

In 2011, KEPICS came to AMON and his wife and asked to borrow money from them, because he said he was going to lose his parents' house. He was going to lose the house for unpaid taxes and for other expenses. KEPICS sat on the AMONs' front porch and "cried like a baby." AMON and his wife agreed to loan KEPICS a couple thousand dollars. Subsequent to that, KEPICS returned and told AMON that this was not enough and that he needed to borrow more money. They tore up the first check that AMON had given KEPICS, and they gave him another check for a total of \$3,935.00. This was on April 26, 2011, and KEPICS signed a receipt for the money. At the time, AMON told KEPICS that they expected this loan to be repaid, because AMON has three children of his own, and this money would eventually be theirs. KEPICS agreed.

Sometime after the loan, KEPICS sold his house, and he made a few payments to AMON which amounted to \$1,400. But he then stopped paying entirely. AMON offered to set up a payment plan for KEPICS. KEPICS agreed to that, but he never followed through on it. AMON did not want to approach KEPICS through KEPICS's wife, nor did he want to contact KEPICS at the Mayor's office. However, he continued to make efforts to get KEPICS to contact him. KEPICS

simply ignored all these efforts and refused to come see the AMONs about the loan. AMON wrote letters to KEPICS, and KEPICS responded by mail. AMON advised that, if KEPICS had simply been decent enough to come see them, they probably would have cut the amount that he owed, and they would have made arrangements for him to pay on a payment plan. KEPICS just ignored them.

In light of that, AMON and his wife went to see the local magistrate, MARK WILSON. They explained the situation to WILSON, and he told them that they had two options. They could file a civil suit against KEPICS, and, if they won, a lien would be placed against KEPICS's house. AMON didn't want that option, because he didn't think that this would ever result in their getting their money back. (AMON advised that when KEPICS originally came to them about a loan, another man who had sued KEPICS civilly had already filed a lien on KEPICS's house. KEPICS told AMON that this man couldn't get his money, because you "can't get blood out of a rock.") The second option described by the magistrate was a criminal complaint. WILSON said that a criminal complaint would have to be approved by the Sheriff's Office. WILSON said that he did not have the authority to approve the filing of a complaint. AMON chose this second option.

MDJ WILSON gave them a form to complete, which they took home with them. They had kept all receipts, letters, and documents related to this loan, and they used these materials to put details into the complaint form. When it was completed, they took it back to the magistrate's office and gave it to WILSON. Sometime after that, they received a telephone call from a Deputy Sheriff, who said that their criminal complaint had been accepted. AMON and his wife had no further contact with MDJ WILSON or with any other officials after that point. They have had no contact with anyone from the District Attorney's Office. (Sometime after KEPICS was charged, AMON read that the Deputy he had talked with had been let go by the Sheriff. Although it was not stated, AMON has heard that he was terminated because the Sheriff thought that he shouldn't have accepted the complaint against KEPICS.)

When KEPICS was arrested on the criminal complaint, it was in the newspapers. At that time, AMON read that there was some kind of feud between KEPICS and MDJ WILSON. AMON knows nothing about this alleged feud, and he had never heard of it from anyone else before.

AMON said that MDJ WILSON never encouraged them one way or the other about which option (civil or criminal) to choose. He never filled out any documents for them. He simply gave them the form to fill out when AMON said that he wanted to file a criminal charge. AMON believed that this would be the only way that they would ever get their money back.

After the charges were filed, KEPICS called AMON and paid him back the money that was owed. He didn't even come to AMON, but made AMON come to the Mayor's office in Monongahela to pick up the money. On December 17, 2012, KEPICS gave AMON a check for \$2,340. In AMON's view, KEPICS paid this money only because he was charged in the criminal complaint. Up until that time, he had refused to talk to them about the loan.

When KEPICS paid the loan back, he acted as if everything was AMON's fault. AMON said that KEPICS acted "ignorantly." AMON has been told by people that KEPICS even made the AMONs look bad on his Facebook page.

AMON believes that MDJ MARK WILSON does a good job as a judge, and he does not think that WILSON did anything wrong in this matter.

At the conclusion of the interview, AMON permitted me to scan all documents which they had in their possession regarding the loan to KEPICS. (Copies are attached to a separate report.)

Judicial Conduct Board
Report of Interview

Interview of: JOHN C. AMON
JCB File: 13-370
Interview by: DOUGLAS K. MILLER
Interview Date/Time: May 27, 2015 / 12:15 p.m.

JOHN C. AMON, date of birth October 22, 1938, 413 Carroll Street, New Eagle, PA 15067, telephone 724-258-5816, was interviewed without appointment at his residence. (AMON was interviewed previously on April 8, 2015.)

I told AMON that I had some follow-up questions that had arisen during the investigation subsequent to our initial interview.

I asked AMON to state again what happened when he and his wife went to Magisterial District Judge (MDJ) MARK WILSON's office concerning the debt owed to them by Monongahela Mayor BOB KEPICS. AMON and his wife merely wanted to get their money back from KEPICS. When they spoke to MDJ WILSON about the situation, WILSON told them that they could file a civil action against KEPICS to recover the money. AMON and his wife did not want that option, because they knew that someone else had already filed a civil suit against KEPICS over a debt, that a lien had been placed on KEPICS's house, but that the person who sued never got their money. AMON asked the magistrate if there were any other options. MDJ WILSON told them that they could file a criminal complaint. WILSON did not have an opinion on which option AMON should choose, and he never suggested to them which one he thought was best. He told them that a criminal complaint would have to be approved. (AMON thought that the magistrate said it would have to be approved by the Sheriff's Office. When I asked if WILSON might have said the District Attorney's Office instead, AMON said that was possible.) AMON chose to file a criminal complaint, because he did not think a civil action would result in getting their money back.

MDJ WILSON provided a paper for them to fill out. AMON cannot recall when he completed the paperwork. However, when it was completed, he gave it to one of the women on the magistrate's staff, not to MDJ WILSON himself. He asked what would happen next, and the woman said that the complaint would have to be approved.

I showed AMON a copy of the Private Criminal Complaint in case #CR-416-12, *Commonwealth v. Robert Kepics*, dated June 11, 2012, and an attached Private Criminal Complaint Worksheet. AMON said that the worksheet was filled out by him and his wife and was provided to the magistrate's office. (A copy is attached to this report.)

I asked AMON what he thought would happen as a result of the criminal complaint. He didn't know exactly what would happen, because he doesn't know law. However, he recalled being told by someone (not the magistrate) that KEPICS would be arrested if the debt was not paid back.

I asked AMON for his response to the following version of events:

- About a day after KEPICS was released from jail, AMON called KEPICS at home during the day. AMON told KEPICS that he had called MDJ WILSON when he heard that KEPICS had been arrested. WILSON told AMON, "I told you I'd put him in jail." When he said this, MDJ WILSON was laughing.

AMON said that those statements are a "bald-faced lie." Except for a call in which KEPICS arranged for AMON to come to the Mayor's Office to receive repayment of the debt, AMON has had no telephone conversations with KEPICS about this matter.

- When AMON called MDJ WILSON, he told WILSON that he wanted to withdraw the criminal charges, but MDJ WILSON laughed.

AMON said that this is another lie. He has never seen, called, or otherwise spoken to MDJ WILSON since going to his office to talk about getting their money back. On the day that KEPICS was arrested, however, AMON got a telephone call from KEPICS's wife, saying that KEPICS had been arrested. AMON went to MDJ WILSON's office, but KEPICS was already gone from the office. AMON talked to one of the women on the staff. AMON said that, if KEPICS had still been present at WILSON's office, he would have asked to have the charges dropped.

- AMON told KEPICS during the above-described telephone call that he had gone to the magistrate's office to file a civil case, but MDJ WILSON personally handed AMON a Private Criminal Complaint, which the AMONs thought was the form for a civil case. AMON told KEPICS that they did not know they were signing a criminal complaint. AMON told KEPICS, "BOBBY, I didn't think this would put you in jail. I'm sorry this happened."

AMON said that this is a lie. As related above, AMON and his wife knew that they were filing a criminal complaint. MDJ WILSON did nothing to deceive them, and he did not try to convince them that they should file a criminal complaint instead of a civil one.

I asked AMON if he was ever contacted by KEPICS's attorney. He recalled being called by somebody who wanted to know the details about what happened. He could not recall if this was KEPICS's attorney or if it was a Private Investigator.

I showed AMON copies of two newspaper articles (which were among the documents which AMON provided to me on April 8, 2015):

Valley Independent, December 13, 2012, page A3, "Mayor Kepics says financial situation should be a civil—not criminal—matter." In that article, it states: "AMON refused comment, only saying he hadn't intended for the charges to become public..."

Trib Total Media, December 19, 2012, "Monongahela mayor ends loan ordeal."
In that article, it states: "Asked about the charges, AMON said, 'I don't know how it became a criminal case.'"

I asked AMON if he recalled making those statements to the press. He believes that he probably did. He said that it is true that it was never his desire that the charges against KEPICS become public. Although not sure what would happen from the filing of his Private Criminal Complaint, AMON expected that KEPICS would probably appear in court and be told to repay the debt, and, if he didn't repay it, would then be sent to jail. AMON didn't expect KEPICS to be arrested immediately and the charges to be published in the newspaper.

I asked AMON if he had campaigned for MARK WILSON when WILSON ran for MDJ. He replied: "Me and BOBBY both did" (referring to KEPICS). However, AMON has never been personal friends with WILSON.

AMON is of the opinion that MDJ WILSON is a good judge and that he has done nothing wrong in connection with the KEPICS matter.

(Attachment follows.)

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF WASHINGTON



Private Criminal Complaint

| | |
|----------------|--|
| Mag. Dist. No: | MDJ-27-1-02 |
| MDJ Name: | Honorable Mark Wilson |
| Address: | 604-B Park Avenue Monongahela, PA 15063 |
| Telephone: | 724-258-5108 |

COMMONWEALTH OF PENNSYLVANIA
DEFENDANT: vs. NAME and ADDRESS

Robert Kepics
206 2nd Ave
Monongahela PA 15063

Docket No: CR 416-12
Case Filed: 12-11-12
OTN: T267459-3

Notice: Under Pa.R.Crim.P. 508, your complaint may require approval by the attorney for the Commonwealth before it can be accepted by the magisterial district court. If the attorney for the Commonwealth disapproves your complaint, you may petition the court of common pleas for review of the decision of the attorney for the Commonwealth.

Fill in as much information as you have.

| | | | |
|---|--|--------------------|---|
| Defendant's Race/Ethnicity <input checked="" type="checkbox"/> White <input type="checkbox"/> Black <input type="checkbox"/> Asian <input type="checkbox"/> Native American <input type="checkbox"/> Hispanic <input type="checkbox"/> Unknown | Defendant's Sex <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female | Defendant's D.O.B. | Defendant's SID (State Identification Number) |
| Defendant's A.K.A. (also known as) <u>ROBERT KEPICS</u> | Defendant's Vehicle Information Plate Number (MM/YY) | State | Registration Sticker |
| | | | Defendant's Driver's License Number State |

1. JOHN & SHIRLEY AMON
(Name of Complainant - Please Print or Type)

do hereby state: (check the appropriate box)

- 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 or nickname is unknown to me and whom I have therefore designated as John Doe

with violating the penal laws of the Commonwealth of Pennsylvania at New Eagle, Pennsylvania
(Place Political Subdivision)

in Washington County on or about 4-26-2011

Participants were: (if there were participants, place their names here, repeating the name of the defendant)

Robert Kepics

| |
|---|
| Defendant's Name : <u>ROBERT REPICS</u> |
| Docket Number : |



**Private Criminal
Complaint**

2. The acts committed by the accused were:

(Set forth a summary of the facts sufficient to advise the defendant of the nature of the offense charged. A citation to the statute allegedly violated, without more, is not sufficient. In a summary case, you must cite the specific section and subsection of the statute or ordinance 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.Code §§ 213.1 - 213.7)

THEFT BY DECEPTION

All of which were against the peace and dignity of the Commonwealth of Pennsylvania and contrary to the Act of Assembly, or in violation of 3922 and A1
(Section) (Subsection)
 of the PA Crimes Code
(PA Statute)

- 3. I ask that process be issued and that the defendant be required to answer the charges I have made.
- 4. 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.S. § 4904) relating to unsworn falsification to authorities.

12-4-12 Joseph E. Amos
(Date) (Signature of Complainant)

Office of the Attorney for the Commonwealth Approved Disapproved because: _____
Joseph E. Amos Joseph E. Amos 12-11-12
(Name of Attorney for Commonwealth - Please Print or Type) (Signature of Attorney for Commonwealth) (Date)

AND NOW, on this date 12/11/12, I certify that the complaint has been properly completed and verified.

27-1-02 Mark Hiskm SEAL
(Magisterial District) (Issuing Authority)

Mark Wilson
Magisterial District Judge
604B Park Avenue
Monongahela, PA 15063
724-258-5106

PRIVATE CRIMINAL COMPLAINT WORKSHEET

Affiant: Name JOHN + SHIRLEY AMON 15067
(person filing) Address 413 CARROLL ST, NEW-EAGLE, PA.
Phone # 724-258-5816

Defendant: Name ROBERT KEPICS
(filing against) Address 206-2nd AVE, MONONGAHELA, PA. 15063
Phone # 724-258-2957 (?) DISCONNECTED

Place of Occurrence 413 CARROLL ST, NEW-EAGLE, PA. 15067

Date of Incident APRIL 26, 2011

Statement of Facts:

ON 4-26-11 WE (JOHN + SHIRLEY AMON) LOANED ROBERT KEPICS \$39.35.00. ON 11-29-2011 ROBERT PAID US \$400.00. ROBERT SAID HE WAS GOING TO GET THE REST OF THE MONEY FROM HIS 401K. HE NEVER SHOWED UP OR EVEN HAD THE DECENCY TO CALL US. ON 1-6-12 (LETTER WE WROTE TO HIM) "IF YOU CAN'T GET ALL OF THE MONEY AT ONE TIME MAYBE WE CAN WORK OUT A PAYMENT PLAN." ON 1-11-12 (LETTER FROM BOB) "IF I CAN'T GET THE MONEY I OWE YOU, I WILL CONTACT YOU ABOUT A PAYMENT PLAN." HE NEVER GOT IN TOUCH! 3-1-12 ROBERT GOT MONEY BACK FROM INCOME TAX, + STATED HE WOULD GIVE US

Witnesses to the Incident: (give name, address & phone # if possible) (CONT'D. ON BACK)

List injuries that were sustained or property damage, if any

Do you expect the defendant will be filing charges against you from this incident?

Signature:

Date:

MONEY, BUT HE NEVER DID.

ON 7-10-12 WE WROTE & SENT A LETTER TO ROBERT STATING WE WOULD TAKE \$100.00 A MONTH.

ON 7-25-12 IN A LETTER TO US FROM ROBERT HE STATED HE WOULD TRY TO MAKE PAYMENTS OF \$100.00 MONTHLY.

WE HAVE RECEIVED 2 PAYMENTS OF \$100.00 EACH. ONE ON 8-8-12 AND ONE ON 9-12-12.

Christopher D. Carusone
Attorney At Law



240 North Third Street, 7th Floor
Harrisburg, PA 17101

T: 717.234.5530 | F: 717.585.6585
ccarusone@cohenseglias.com
www.cohenseglias.com

April 10, 2017

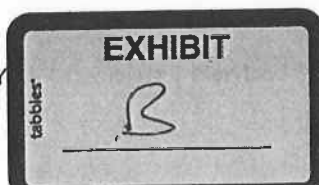
Elizabeth A. Flaherty, Deputy Counsel
Colby J. Miller, Assistant Counsel
Judicial Conduct Board
Office of Chief Counsel
Pennsylvania Judicial Center
601 Commonwealth Avenue, Suite 3500
P.O. Box 62525
Harrisburg, PA 17106-2525

Re: *In Re: MDJ Mark A. Wilson*
1 JD 2017

Dear Counsel:

I am hereby requesting the following information in discovery, regardless of form, within ten days of your receipt of this letter.

1. All exculpatory evidence relevant to the charges contained in the Complaint.
2. ~~All exculpatory evidence relevant to the Board's proceedings in JCB 2013-370 and JCB 2016-571, including any evidence of the Board's violation of its own procedures.~~
3. Records of all proceedings before the Board concerning Judge Wilson, including but not limited to meeting minutes, subpoenas, testimony, and memoranda.
4. All evidence relevant to the charges contained in the Complaint.
5. Names and addresses of all witnesses whom the Board intends to call at trial.
6. All documents the Board intends to present at trial.
7. Statements of all witnesses the Board intends to call at trial.
8. All presentations, course materials, outlines, documents or other information made available or provided to Judge Wilson by the Minor Judiciary Education Board or other body of the Pennsylvania Supreme Court or the Unified Judicial System regarding the setting of



Elizabeth A. Flaherty, Esquire

Colby J. Miller, Esquire

April 10, 2017

Page 2

bail, issuance of arrest warrants, and the standards of conduct governing Magisterial District Judges, including but not limited to the materials referenced in paragraphs 55-56 of the Complaint.

9. All written or verbal complaints received by the Board regarding Judge Wilson, including but not limited to the complaints in JCB File Nos. 2013-370 and 2016-571. This request should be deemed to include the identity of the complainant(s) and the date(s) of receipt.

10. Any written confession or inculpatory statement of Judge Wilson, or the substance of any oral confession or inculpatory statement of Mark A. Wilson, and the identity of the person to whom the confession(s) or inculpatory statement(s) was made.

11. The circumstances of any identification of Judge Wilson by voice, photograph, in-person identification or other means.

12. Any tangible objects, including documents, photographs, fingerprints, or other tangible evidence.

13. Any results or reports of scientific tests, expert opinions, and written or recorded reports of any examinations of Judge Wilson.

14. The transcripts and recordings of any electronic surveillance, and the authority by which the said transcripts and recordings were obtained.

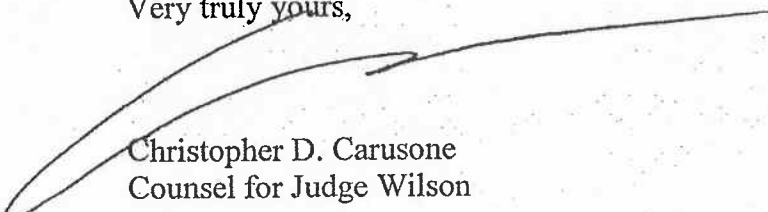
15. To the extent not requested above, the contents of your file in 2013-370 and 2016-571 and all other information in the Board's possession or control regarding Judge Wilson.

If you intend to withhold any documents or things requested in this correspondence, please identify such information with reasonable particularity and the basis for non-production.

This request should be deemed to be a continuing request pursuant to C.J.D.R.P. No. 404.

If you have any questions or concerns about this correspondence, please do not hesitate to contact me. Thank you in advance for your cooperation.

Very truly yours,



Christopher D. Carusone
Counsel for Judge Wilson



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

April 11, 2017

717-234-7911

Christopher D. Carusone, Esquire
Chohen Seglias Pallas Greenhall & Furman PC
240 North Third Street, 7th Floor
Harrisburg, PA 17101

In re: *MDJ Mark A. Wilson, 1 JD 2017*

Dear Mr. Carusone:

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

1. Redacted Confidential Request for Investigation verified by Robert Kepics and received on June 5, 2013, with attachments. (JCB File No. 2013-370)
2. Redacted Report of Interview of John C. Amon by Investigator Douglas K. Miller on April 8, 2015.
3. Redacted scanned documents from John and Shirley Amon provided to Douglas K. Miller on April 8, 2015.
4. Redacted Report of Interview of Robert L. Kepics by Investigator Douglas K. Miller on April 10, 2015.
5. Redacted Report of Interview of Joseph A. Carroll, Esquire, by Investigator Douglas K. Miller on April 10, 2015.
6. Redacted Report of Interview of Steven M. Toprani by Investigator Douglas K. Miller on April 14, 2015.
7. Report of Interview of James P. Rega II by Investigator Douglas K. Miller on April 15, 2015.
8. Redacted Report of Interview of Dennis P. Popojas, Esquire, by Investigator Douglas K. Miller on April 20, 2015.

9. Report of Interview of Eugene A. Vittone by Investigator Douglas K. Miller on April 22, 2015.
10. Redacted Report of Interview of Walter P. Fronzaglio by Investigator Douglas K. Miller on April 23, 2015.
11. Redacted Report of Interview of Chief Brian Tempest by Investigator Douglas K. Miller on May 5, 2015.
12. Report of Interview of Susan Banaszak-Catena by Investigator Douglas K. Miller on June 4-5, 2015.
13. Redacted Report of Interview of Annabelle Trapuzzano by Investigator Douglas K. Miller on June 8, 2015.
14. Redacted Report of Interview of Joseph A. Carroll by Investigator Douglas K. Miller on March 21, 2017.
15. Request for *Commonwealth v. Kepics*, MJ-27102-CR-0000416-2012 case file.
16. June 25, 2013 fax from MDJ Mark Wilson stating *Kepics* filed expunged by court order.
17. MDJ docket, *Commonwealth v. Ronald Zaladonis*, MJ-27102-CR-0000178-2015.
18. MDJ docket, *Commonwealth v. Amber Stanek*, MJ-27102-CR-0000179-2015.

19. Statement of OIG Investigator Susan Banaszak-Catena regarding June 1, 2015 conversation with MDJ Mark Wilson.
20. Notice of Full Investigation issued to the Honorable Mark A. Wilson by Chief Counsel Robert A. Graci, dated October 7, 2016.
21. Response to Notice of Full Investigation by Magisterial District Judge Mark Wilson, dated October 21, 2016.
22. Supplemental Response to Notice of Full Investigation by Christopher D. Carusone, Esquire, dated November 28, 2016.
23. Subpoena issued to the Honorable Mark A. Wilson to appear on November 16, 2016 at 10:30, to provide testimony.

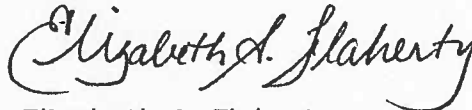
24. Letter to Christopher D. Carusone, Esquire from Chief Counsel Robert A. Graci notifying counsel of additional issues to be addressed at November 16, 2016 deposition, dated December 8, 2016.
25. Deposition transcript of the Honorable Mark A. Wilson, taken by Elizabeth A. Flaherty, Esquire, on Tuesday, December 13, 2016.
26. March 20, 2017 email thread between Toni Schreffler and Susan Davis regarding date MDJ Wilson was certified with attached copy of Bail-Understanding the Expectations of the Role of MDJs.
27. May 19, 2006 opinion, *In Re: Order Amending Rules of Criminal Procedure 529, 543, and 1011*, No. 344 Criminal Procedural Rules Docket No. 2, 2006 Pa. LEXIS 1260.
28. MJEB 2008 handout, Pa. Const. art. 1, § 14 – Prisoners to be bailable; habeas corpus.
29. Minor Judiciary Education Board (MJEB) 2009 Certification Class Criminal Procedure and Crimes Code Handout.
30. MJEB 2010 Bail PowerPoint – Bail, A Constitutional Right Protected by the Courts.
31. MJEB 2011 Certification Class – Criminal Procedure PowerPoint.
32. MJEB 2011 Bail Update PowerPoint by Nicholas J. Wachinski, Esquire.
33. March 22, 2017 email thread between Toni Schreffler and Susan Davis regarding MDJ Wilson's receipt of Bail Handout by Nicholas J. Wachinski, Esquire.
34. Private Criminal Complaints filed in 2009 at District Court 03-2-01.
35. Private Criminal Complaints filed in 2010 at District Court 03-2-01.
36. Private Criminal Complaints filed in 2011 at District Court 03-2-01.
37. Private Criminal Complaints filed in 2012 at District Court 03-2-01.
38. Private Criminal Complaints filed in 2013 at District Court 03-2-01.
39. Private Criminal Complaints filed in 2014 at District Court 03-2-01.
40. Private Criminal Complaints filed in 2015 at District Court 03-2-01.

April 11, 2017

41. Private Criminal Complaints filed in 2016 at District Court 03-2-01.
42. UJS Disposal Log – Non-Permanent Records for District Court 03-2-01 for 2006-2008.
43. Redacted June 6, 2016 Board Meeting Minutes authorizing the issuance of a Notice of Full Investigation to MDJ Mark A. Wilson.
44. Redacted February 6, 2017 Board Meeting Minutes authorizing the filing of Formal Charges and a Petition for Interim Suspension on Criminal Matters only against MDJ Mark A. Wilson.

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



Colby J. Miller
Assistant Counsel

EAF/CJM/tis
Enclosures

UPS Delivery, Tracking No. 1Z Y4X 745 01 9141 5714; 1Z Y4X 745 01 9460 7725

Christopher D. Carusone
Attorney At Law



240 North Third Street, 7th Floor
Harrisburg, PA 17101

T: 717.234.5530 | F: 717.585.6585
ccarusone@cohenseglias.com
www.cohenseglias.com

April 24, 2017

Elizabeth A. Flaherty, Deputy Counsel
Colby J. Miller, Assistant Counsel
Judicial Conduct Board
Office of Chief Counsel
Pennsylvania Judicial Center
601 Commonwealth Avenue, Suite 3500
P.O. Box 62525
Harrisburg, PA 17106-2525

*Re: In Re: MDJ Mark A. Wilson
1 JD 2017*

Dear Counsel:

I am writing to follow up on my letter to you on April 10, 2017, requesting fifteen categories of information in discovery in the above-captioned case. My letter also requested that you identify any responsive documents or things you intend to withhold from production and to describe them with reasonable particularity along with the basis for non-production.

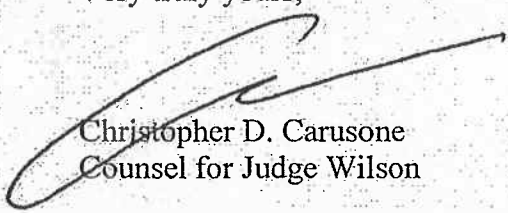
~~To date, you have not formally responded to this letter. While I greatly appreciate your~~ letter of April 11, 2017, as well as the 44 items of discovery described therein, I have no way of knowing whether you have provided all of the documents requested in my letter of April 10, 2017, particularly since you did not identify any documents you are withholding with reasonable particularity and the basis for non-production. That being said, it does appear clear that some of the items I requested are missing from your production, including but not limited to:

- Records of **all** proceedings before the Board concerning Judge Wilson, including but not limited to meeting minutes, **subpoenas, testimony, and memoranda.**
- Names and addresses of all witnesses whom the Board intends to call at trial.
- All documents the Board intends to present at trial.
- All written or verbal complaints received by the Board regarding Judge Wilson, including but not limited to the complaints in JCB File Nos. 2013-370 and 2016-571. This request should be deemed to include the identity of the complainant(s) and the date(s) of receipt.

Elizabeth A. Flaherty, Esquire
Colby J. Miller, Esquire
April 24, 2017
Page 2

I am requesting that you formally respond to my letter of April 10, 2017, no later than Thursday, April 27, 2017, to avoid having to litigate this issue. Thank you.

Very truly yours,



Christopher D. Carusone
Counsel for Judge Wilson



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

April 25, 2017

717-234-7911

Christopher D. Carusone, Esquire
Cohen Seglias Pallas Greenhall & Furman PC
240 North Third Street, 7th Floor
Harrisburg, PA 17101

Dear Attorney Carusone:

I am in receipt of your letter dated April 24, 2017. From the letter, I understand you believe that there has been an incomplete response to the discovery request contained in your previous letter dated April 10, 2017. I respectfully disagree.

The 44 items you received in our responsive letter dated April 11, 2017, and the exculpatory items you previously received in our letter dated March 30, 2017, are all the non-privileged evidence relevant to the charges contained in the Board Complaint required to be disclosed under Rule 401 of the Court of Judicial Discipline Rules of Procedure. As additional discovery, if any, becomes available, it will be provided to you expeditiously. Discovery is, of course, an ongoing process and obligation.

Concerning your request for information on all written or verbal complaints regarding Judge Wilson, the Board is under no obligation to provide Judge Wilson with such information. Any documents the Board intends to present at trial relevant to the charges present in 1 JD 2017 have been provided, or will be provided upon becoming available for disclosure. No information contained in any other complaint about Judge Wilson will be presented at trial, unless that information becomes relevant to rebut any assertions or information Judge Wilson presents in his defense. If such a moment arrives, Judge Wilson will be provided with the information prior to its presentation to the Court.

Conference Judge Michael Barrasse will issue a scheduling order for the disposition of any pretrial matters. Once he does, any information directed to be provided to Judge Wilson will be disclosed in a pre-trial memorandum, including:

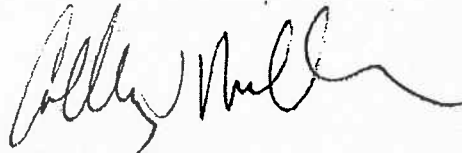
Mark D. Carusone, Esquire
Page 2 of 2
April 25, 2017

- the names and addresses of all witnesses intended to be presented at trial, and the subject of the testimony of each;
- a list of all exhibits intended to be introduced at trial;
- a list of stipulations to which opposing counsel can reasonably be expected to agree, including stipulations as to the authenticity of or admissibility of exhibits;
- a certification that the Board has furnished Judge Wilson with the materials required to be exchanged under C.J.D.R.P No. 401(E); and
- a certification that the Board has provided Judge Wilson with any exculpatory evidence relevant to the charges contained in the Board Complaint in accordance with C.J.D.R.P. No. 401(E).

At the pretrial conference, any remaining issues regarding discovery can be addressed.

If you have any additional questions or concerns, please feel free to contact us at your convenience.

Best Regards,



Colby J. Miller
Assistant Counsel

CJM/tis

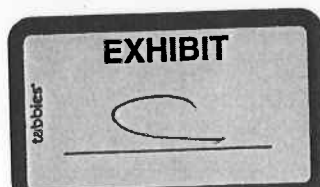
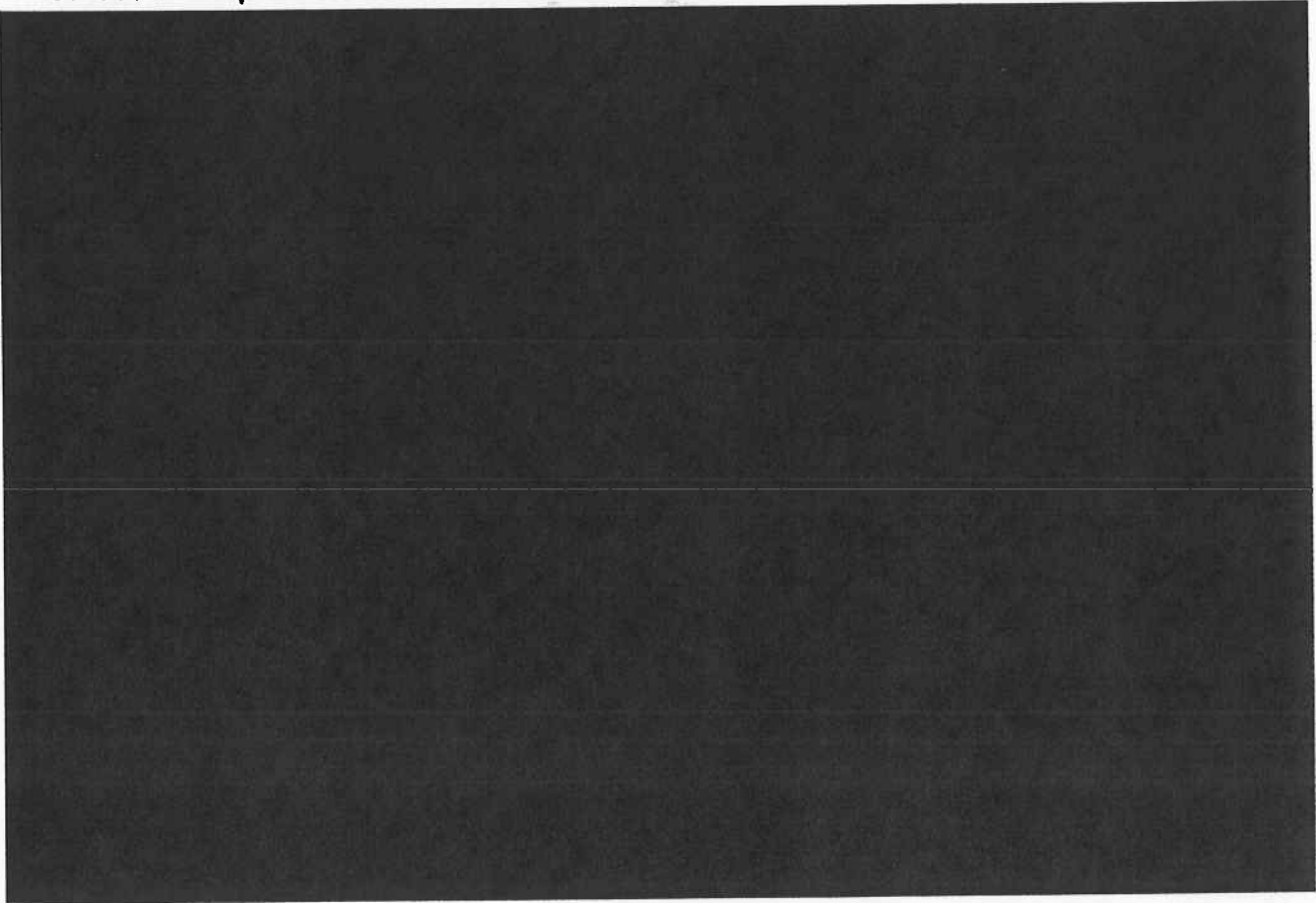
**COMMONWEALTH OF PENNSYLVANIA
JUDICIAL CONDUCT BOARD
MINUTES
MONDAY, FEBRUARY 6, 2017, 9:34 A.M.
BOARD OFFICES
601 COMMONWEALTH AVENUE, SUITE 3500
HARRISBURG, PA**

With ten members participating, Chair Schwartzman convened the February 6, 2017 meeting of the Judicial Conduct Board. The meeting commenced at 9:34 a.m. at the Board's offices, 601 Commonwealth Avenue, Suite 3500, Harrisburg, PA. Present were: Vice-Chair Frazier, Secretary Brobson, Members Beckley, Fizzano Cannon, Del Greco, Flack, Rashed, Shienvold and Steindel.

Member González was unable to attend the meeting due to her professional obligations and provided her proxy to Secretary Brobson.

Roll call was taken and Chief Counsel Graci advised that a quorum existed.

Staff present were: Chief Counsel Graci, Deputy Chief Counsel Puskas, Deputy Counsels Flaherty and Kleman, Assistant Counsels Miller and Norton, Administrative Coordinator Caruso and Special Contract Counsel McKenna.

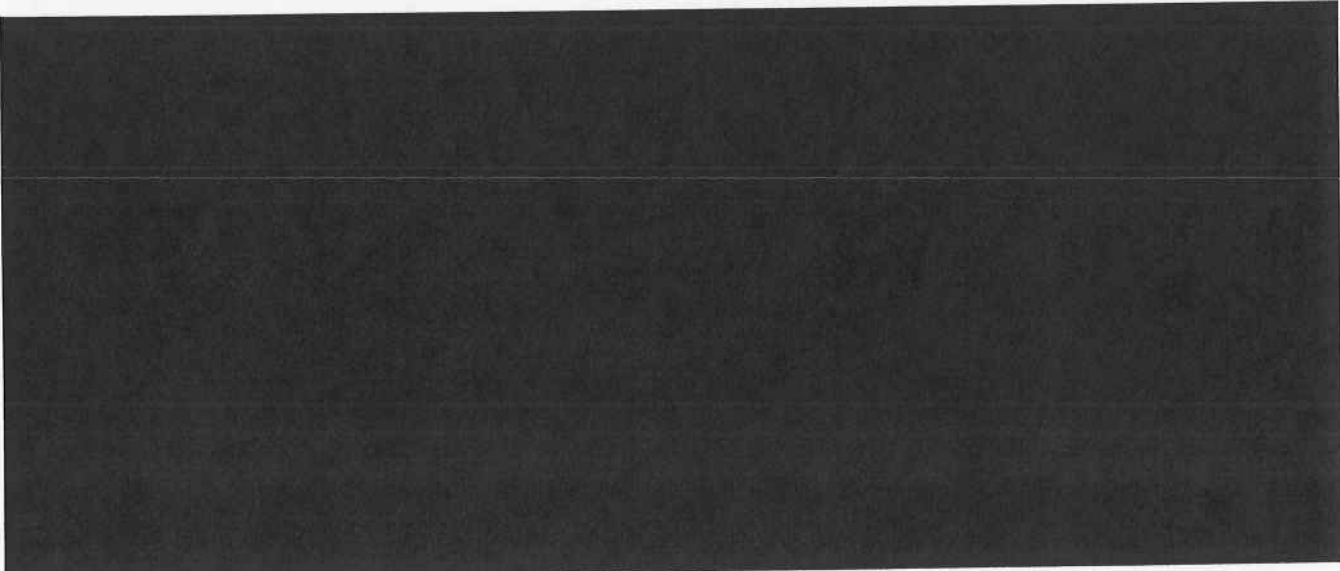


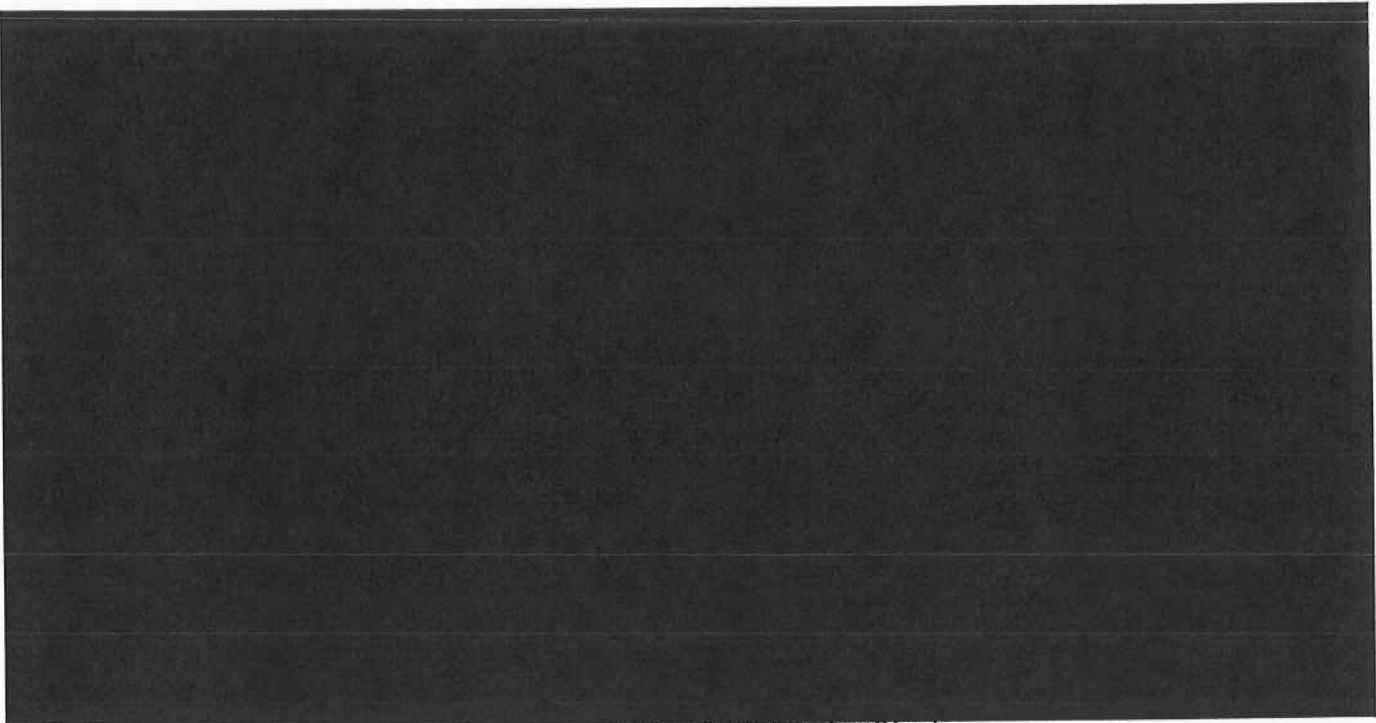


BOARD COMPLAINT AUTHORIZED

Concerning Magisterial District Judge Mark A. Wilson, Complaint Number 2013-370, Chair Schwartzman made a motion to file a board complaint based on a finding of probable cause of misconduct and charge both the due process issues regarding the setting of bail and the matter involving Mayor Kepics. Member Rashed seconded the motion. A roll call vote was taken and by a majority of the members eligible to vote, the motion carried.

Secretary Brobson made motion to move for interim suspension on criminal matters only. Member Flack seconded the motion. The motion carried unanimously.





Respectfully submitted,

Honorable P. Kevin Brobson
Board Secretary

Approved by the Board on

6th day of March 2017

PKB/RAG/prc

COMMONWEALTH OF PENNSYLVANIA
JUDICIAL CONDUCT BOARD
MINUTES
MONDAY, JUNE 6, 2016, 8:30 A.M.
NITTANY LION INN
STATE COLLEGE, PA

With nine members participating in person Chair Schwartzman convened the June 6, 2016 meeting of the Judicial Conduct Board. The meeting commenced at 8:30 a.m. at the Nittany Lion Inn, State College, PA. Present were: Vice-Chair Schelmer, Secretary Frazier, Members Beckley, Brobson, Fizzano Cannon, Flack and Steindel.

Member Del Greco provided his proxy to Vice-Chair Scheimer prior to the meeting.

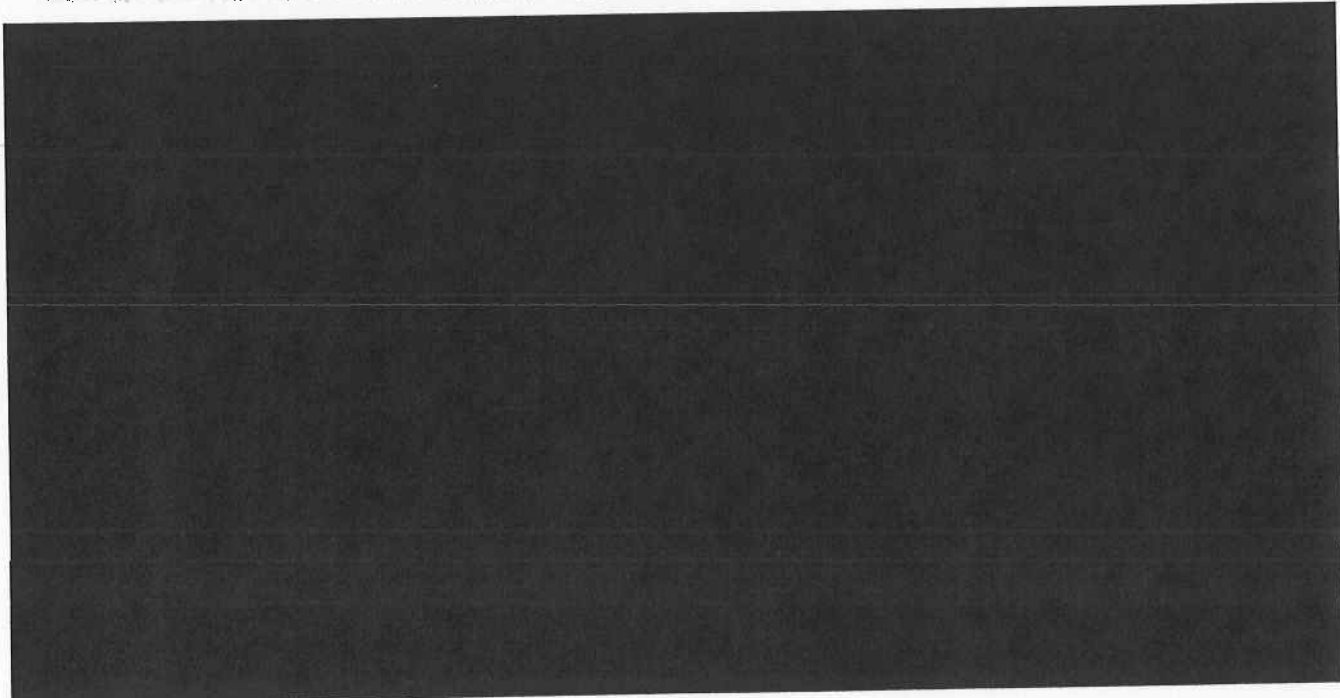
Chair Schwartzman presented a plaque to former Member Chief Eugene J. Dooley whose term expired on June 1, 2016.

Roll call was taken and Chief Counsel Graci advised that a quorum existed.

Staff present were: Chief Counsel Graci, Deputy Chief Counsel Puskas, Deputy Counsels Flaherty and Kleman, Assistant Counsels Miller and Norton, Administrative Coordinator Caruso and Special Board Contract Counsel McKenna.

Chief Counsel welcomed Assistant Counsels Miller and Norton to their first meeting of the Board.

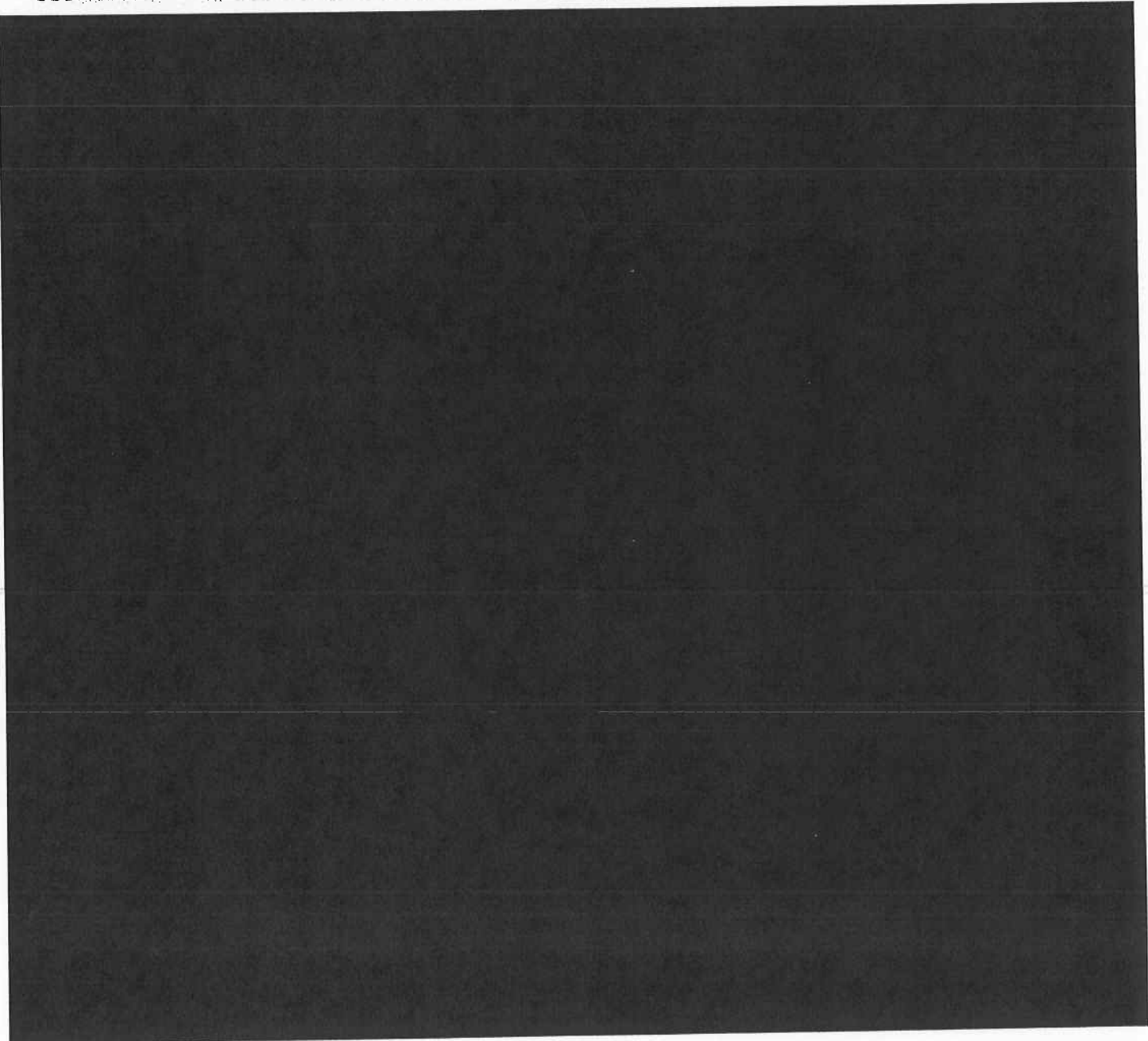
Due to technical problems, Member Rashed commenced participation at 8:45 a.m.





NOTICES OF FULL INVESTIGATION APPROVED

Concerning Magisterial District Judge Mark A. Wilson, Complaint Number 2013-370, Member Fack made a motion to issue a Notice of Full Investigation. Member Beckley seconded the motion. The motion carried unanimously.

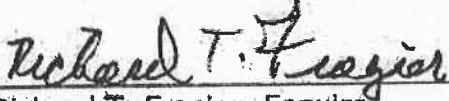




ADJOURNMENT

With no further business to bring to the Board's attention, the meeting adjourned at 2:32 p.m.

Respectfully submitted,


Richard T. Frazier, Esquire
Board Secretary

Approved by the Board on

8th day of August 2016

RTF/RAG/prc

COMMONWEALTH OF PENNSYLVANIA
COURT OF JUDICIAL DISCIPLINE

IN RE:

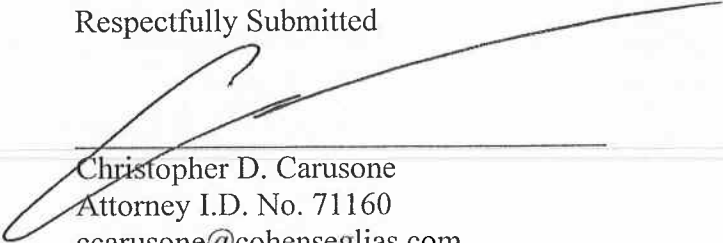
Mark A. Wilson :
Magisterial District Judge : 1 JD 2017
Magisterial District 27-1-02 :
27th Judicial District :
Washington County :

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing Omnibus Pretrial Motion on the persons identified below *via* first class mail pursuant to C.J.D.R.P. 110.

Elizabeth A. Flaherty, Deputy Counsel
Colby J. Miller, Assistant Counsel
Commonwealth of Pennsylvania
Judicial Conduct Board
Pennsylvania Judicial Center
P.O. Box 62525
Harrisburg, PA 17106-2525

Respectfully Submitted



Christopher D. Carusone
Attorney I.D. No. 71160
ccarusone@cohenseglias.com

COHEN SEGLIAS PALLAS
GREENHALL & FURMAN P.C.
240 North Third Street
Seventh Floor
Harrisburg, PA 17011
(717) 234-5530 (Phone)
(717) 585-6585 (Fax)

Date: April 28, 2017