

Press Release

January 2, 2015

TO: Media/Press

FROM: Judicial Conduct Board

**SUBJECT: Dawn L. Vann
Magisterial District Judge
Magisterial District 32-1-21
Delaware County
1 JD 2015**

Harrisburg. The Judicial Conduct Board today filed formal charges by Board Complaint in the Court of Judicial Discipline against Magisterial District Judge Dawn L. Vann of Delaware County. The Board Complaint alleges violations of the Pennsylvania Rules Governing Standards of Conduct of Magisterial District Judges and the Pennsylvania Constitution. The Board also filed a Petition for Relief seeking interim suspension of Judge Vann based on the allegations of judicial misconduct set forth in the Board Complaint.

Under the Pennsylvania Constitution, Judge Vann, as the subject of the charges, is presumed innocent in all proceedings before the Court of Judicial Discipline. The Judicial Conduct Board has the burden of proving the charges filed in the Court of Judicial Discipline by clear and convincing evidence. The Court of Judicial Discipline may address the Petition for Relief seeking interim suspension of Judge Vann, with or without pay, prior to a hearing.

In accordance with the rules which govern proceedings before the Court of Judicial Discipline, Judge Vann has an opportunity to respond to the charges, obtain and inspect the evidence which forms the basis of the allegations, and the right to a public trial before the Court of Judicial Discipline.

Upon completion of the trial, if the Court determines that the charges have been proven by clear and convincing evidence, it will schedule a Sanctions Hearing to determine what sanctions should be imposed. Possible sanctions include reprimand, suspension, or removal from office.

Counsel

Board: Elizabeth A. Flaherty, Esquire

Respondent: Michael J. Malloy, Esquire

Contact

Robert A. Graci, Chief Counsel

The Board Complaint and the Petition for Relief (without Board Complaint) are attached.
For more information about the Judicial Conduct Board, please visit our website at www.jcbpa.org.

END

**COMMONWEALTH OF PENNSYLVANIA
COURT OF JUDICIAL DISCIPLINE**

IN RE:

Dawn L. Vann :
Magisterial District Judge :
Magisterial District 32-1-21 :
Delaware County : 1 JD 2015

RECEIVED

JAN 02 2015

COURT OF JUDICIAL DISCIPLINE

IMPORTANT NOTICE

TO: DAWN L. VANN

You are hereby notified that the Pennsylvania Judicial Conduct Board has determined there is probable cause to file formal charges against you for conduct proscribed by Article V, §§ 17(b) and 18(d)(1) of the Constitution of the Commonwealth of Pennsylvania and Rules 2B and 8 of the Rules Governing Standards of Conduct of Magisterial District Judges. The Board's counsel will present the case in support of the charges before the Pennsylvania Court of Judicial Discipline.

You have an absolute right to be represented by a lawyer in all proceedings before the Court of Judicial Discipline. Your attorney should file an entry of appearance with the Court of Judicial Discipline within fifteen (15) days of service of this Board Complaint in accordance with C.J.D.R.P. No. 110.

You are hereby notified, pursuant to C.J.D.R.P. No. 302(B), that should you elect to file an omnibus motion, that motion should be filed no later than thirty (30) days after the service of this Complaint in accordance with C.J.D.R.P. No. 411.

You are further hereby notified that within thirty (30) days after the service of this Complaint, if no omnibus motion is filed, or within twenty (20) days after the dismissal of all or part of the omnibus motion, you may file an Answer admitting or denying the allegations contained in this Complaint in accordance with C.J.D.R.P. No. 413. Failure to file an Answer shall be deemed a denial of all factual allegations in the Complaint.

COMPLAINT

AND NOW, this 2nd day of January, 2015, comes the Judicial Conduct Board of the Commonwealth of Pennsylvania (Board) and files this Board Complaint against the Honorable Dawn L. Vann (Judge Vann), Magisterial District Judge for Magisterial District 32-1-21, Delaware County, Pennsylvania. The Board alleges that Judge Vann violated the Constitution of the Commonwealth of Pennsylvania, Article V, §§ 17(b) and 18(d)(1) and the Rules Governing Standards of Conduct of Magisterial District Judges, delineated more specifically as follows:

1. Article V, § 18 of the Constitution of the Commonwealth of Pennsylvania grants to the Board the authority to determine whether there is probable cause to file formal charges against a judicial officer in this Court, and thereafter, to prosecute the case in support of such charges in this Court.

2. Since October 19, 2007, Judge Vann has continuously served as the Magisterial District Judge for Magisterial District Court 32-1-21, of the Thirty-second Judicial District, Delaware County, Pennsylvania, encompassing the City of Chester, Wards 2-1, 2-3, 3, 4, 5, 6, 7, and 8.

3. As a Magisterial District Judge, Judge Vann is, and was at all times relevant hereto, subject to all the duties and responsibilities imposed on her by the Constitution of Pennsylvania and the Rules Governing Standards of Conduct of Magisterial District Judges.

4. This matter was investigated by the Board as a result of Confidential Requests for Investigation filed with the Board at File Nos. 2013-170 and 2011-520.

5. As a result of its investigation, the Board concluded that there was probable cause to file formal charges in this Court against Judge Vann.

Part A: First Police Investigation

6. Judge Vann's life-long friend is Loretta Burton Handy.
7. Judge Vann has a close relationship with Loretta Burton Handy's daughters, Mikia Riley and Mitiesha Handy.
8. Judge Vann admits that she has a closer relationship with Mikia Riley, who is the older sister, than she does with Mitiesha Handy.
9. Mikia Riley refers to Judge Vann as her aunt, calls her "Ms. Dawn," socializes with her at family gatherings and talks with her by telephone on an intermittent basis.
10. William Riley, Jr. and Mikia Riley are married, but separated. By Court Order they share legal and physical custody of their 10 year old son (Son).
11. Mikia Riley is also mother to a 12 year old daughter (Daughter).
12. William Riley, Jr. resides at 918 Lloyd Street, Chester, PA 19013 with his parents, William Riley, Sr. and Doloris Riley.
13. Mikia Riley resides at 3443 Vista Lane, Upland, PA 19015.
14. Son and Daughter live with Mikia Riley at 3443 Vista Lane and visit with William Riley, Jr. and his parents at 918 Lloyd Street on a regular basis.
15. On September 13, 2011, Son and Daughter were visiting with William Riley, Jr. at 918 Lloyd Street.
16. On September 13, 2011, Mikia Riley and Mitiesha Handy drove to 918 Lloyd Street to pick up Son and Daughter.
17. Upon arrival at 918 Lloyd Street, Mikia Riley approached William Riley, Jr. and asked him about his argument with Mitiesha Handy that occurred earlier that same day at a local gas station.

18. Mikia Riley and William Riley, Jr. began to argue.
19. Doloris Riley, mother of William Riley, Jr. came out of the house and told William Riley, Jr. to go inside.
20. William Riley, Jr. entered the house through the back door, exited from the front door onto Tenth Street and began to walk down Tenth Street.
21. Mikia Riley and Mitiesha Handy got back in their car and drove around to Tenth Street where Mikia Riley got out of the vehicle and again argued with William Riley, Jr.
22. Tree branches that measured approximately three inches in diameter by two to three feet long were at the curbside of Tenth Street due to tree trimming performed by municipal workers.
23. Some of the individuals involved in the argument wielded the tree branches although the participants remember the facts differently.
24. Doloris Riley stated that when she became aware that the argument had resumed, she came out of the front door of her home, observed Mikia Riley and Mitiesha Handy striking William Riley, Jr. with tree branches and attempted to stop the altercation.
25. William Riley, Jr. stated that Mikia Riley and Mitiesha Handy both struck him with tree branches and Doloris Riley attempted to stop them.
26. Mikia Riley denied that she and Mitiesha Handy picked up tree branches to strike William Riley, Jr. Instead, Mikia Riley asserted that Doloris Riley picked up a tree branch when she tried to stop the argument.
27. Mikia Riley stated that she cut her index finger when she fell over the pile of branches.

28. William Riley, Sr., a former Chester City police officer, heard the commotion from inside the house. He went outside, separated the individuals and called the police for assistance.

29. During the escalating argument, Mikia Riley called Judge Vann on her cell phone and spoke with her about the escalating argument at 918 Lloyd Street.

30. Judge Vann called 911 and reported an assault at 918 Lloyd Street.

31. On September 13, 2011, Chester City Police were dispatched to 918 Lloyd Street to investigate a domestic assault.

32. Chester City Police Officers German Sabillon and Charles Harris responded to the call at 918 Lloyd Street.

33. Officer Sabillon was the officer in charge of the investigation at 918 Lloyd Street.

34. Prior to September 13, 2011, Officer Sabillon had never met William Riley, Sr. nor worked on the same police force with him.

35. While Officer Sabillon was in the process of interviewing the individuals involved in the domestic dispute, Mikia Riley was speaking with Judge Vann on her cell phone.

36. Mikia Riley told Judge Vann that the police officers were on the scene at 918 Lloyd Street.

37. Officer Sabillon told Mikia Riley to get off the cell phone.

38. Judge Vann heard Officer Sabillon tell Mikia Riley to get off the telephone.

39. Mikia Riley told Officer Sabillon that William Riley, Jr. assaulted her and repeatedly asked that Officer Sabillon file criminal charges against him.

40. Officer Sabillon did not observe any evidence of domestic violence against Mikia Riley.

41. Officer Sabillon determined that Mikia Riley's claims were not credible.

42. Officer Sabillon did not have an opportunity to interview William Riley, Jr. who left the scene for fear of being arrested.

43. During the course of the police investigation, none of the parties reported to Officer Sabillon that they incurred any injuries as a result of the domestic dispute.

44. During the course of the police investigation, Officer Sabillon did not observe that any of the parties were injured.

45. Officer Sabillon determined that there was not probable cause to file criminal charges or to seek the issuance of arrest warrants.

46. Officer Sabillon advised each of the parties that they may file private criminal complaints.

47. On September 13, 2011, Judge Vann was on night shift duty at her district court, housed on the second floor of the Chester Police Station, 160 East 7th Street, Chester, PA 19013.

48. Soon after Judge Vann began the night shift duty, she spoke with Mikia Riley by telephone about the domestic dispute at 918 Lloyd Street. Judge Vann called 911 and reported the domestic dispute.

49. When Judge Vann heard Officer Sabillon tell Mikia Riley to get off the phone, she called the "scope," the police officer in the cell block on the first floor of the Chester Police Station, and requested that Officer Sabillon call her at her courtroom.

50. At the conclusion of the investigation of the domestic dispute at 918 Lloyd Street, Officer Sabillon returned to his police vehicle where Chester City Police Captain Chubb contacted him and advised him that Judge Vann requested that Officer Sabillon call her at her courtroom.

51. Officer Sabillon called Judge Vann per her request.

52. Judge Vann told Officer Sabillon that she was the individual speaking with Mikia Riley by telephone during his investigation of the domestic dispute at 918 Lloyd Street.

53. Judge Vann asked Officer Sabillon to file a police criminal complaint against William Riley, Jr.

54. Officer Sabillon refused to comply with Judge Vann's request.

55. Officer Sabillon informed Judge Vann that the parties may file private criminal complaints.

56. In October, 2011, Officer Sabillon went to Judge Vann's district court because of his appearance in another matter scheduled before her.

57. Judge Vann called Officer Sabillon into her office and apologized to him for her conduct on September 13, 2011 when she called him on the telephone to discuss his investigation of, and potential charges arising from, the domestic dispute between Mikia Riley, a close family friend, and William Riley, Jr.

Part B: Second Police Investigation and Criminal Charges

58. After the altercation at 918 Lloyd Street, on September 13, 2011, Mikia Riley and Daughter went to Crozer Chester Medical Center, Upland, Pennsylvania.

59. At the hospital, Mikia Riley received medical treatment for a one centimeter laceration of her right index finger.

60. While at the hospital, Mikia Riley requested that hospital personnel call the Chester Police Department to report that her injuries were the result of an assault at 918 Lloyd Street.

61. Hospital personnel called the Chester Police Department regarding Mikia Riley.

62. Chester City Police Captain Chubb instructed Officer Joshua DeWees to respond to the call from Crozer Chester Medical Center regarding Mikia Riley's allegation of an assault against her at 918 Lloyd Street.

63. Prior to September 13, 2011, Officer DeWees had never met William Riley, Sr. nor worked on the same police force with him.

64. Captain Chubb told Officer DeWees that Officer Sabillon already investigated the altercation at 918 Lloyd Street and told all the parties that they may file private complaints.

65. In the evening of September 13, 2011, Officer DeWees went to Crozer Chester Medical Center to investigate Mikia Riley's complaint of domestic abuse.

66. Mikia Riley told Officer DeWees that William Riley, Jr. assaulted her.

67. Officer DeWees did not obtain a hospital medical report about the alleged injuries sustained by Mikia Riley.

68. On September 13, 2011, Officer DeWees advised Mikia Riley that she may file a private criminal complaint against William Riley, Jr. and Doloris Riley.

69. On September 14, 2011, Mitiesha Handy filed a written statement about the alleged assault of Mikia Riley by William Riley, Jr. and Doloris Riley at the Chester City Police Department.

70. On September 14, 2011, Judge Vann called the Chester City Police Station. She spoke with Officer Dingler and asked to speak with Officer DeWees.

71. Officer DeWees was not on duty on September 14, 2011.

72. Judge Vann asked Officer Dingler to contact Officer DeWees and request that he return her call.

73. Officer Dingler called Officer DeWees and told him that Judge Vann requested that he return her call.

74. Officer DeWees did not return Judge Vann's call.

75. Officer DeWees returned to work on September 15, 2011 and saw the September 14, 2011 written statement filed by Mitiesha Handy.

76. On or about September 17, 2014, Judge Vann approached Officer Dingler who was picking up bail papers behind the service window at the District Court and asked if Officer DeWees was on duty.

77. Officer Dingler confirmed that Officer DeWees was working that day, September 17, 2011.

78. Upon her request, Officer Dingler called Officer DeWees and asked him to call Judge Vann; however, upon her request, Officer Dingler permitted Judge Vann to use his phone to speak with Officer DeWees.

79. During their telephone conversation on or about September 17, 2011, Judge Vann asked Officer DeWees to draft arrest warrants against William Riley, Jr. and Doloris Riley.

80. Officer DeWees agreed to draft the arrest warrants for William Riley, Jr. and Doloris Riley.

81. Officer DeWees prepared the police criminal complaint and the accompanying affidavit against William Riley, Jr. He signed both documents and dated them September 13, 2011, the actual date of the domestic dispute at 918 Lloyd Street.

82. On approximately September 17, 2011, Officer DeWees printed the police criminal complaint and affidavit against William Riley, Jr. and placed them in the Chester Police Department mail bin for delivery to Judge Vann's district court.

83. The criminal charges against William Riley included Conspiracy - Simple Assault; Possession of Instrument of Crime with Intent; Prohibited Offensive Weapons; Simple Assault (3 counts); Aggravated Assault (3 counts); Recklessly Endangering Another Person (3 counts); Harassment (3 counts); Endangering Welfare of Children; and Disorderly Conduct (3 counts). *Commonwealth v. William Riley, Jr.*, Docket No. MJ-32121-CR-0000741-2011.

84. Officer DeWees prepared the police criminal complaint and accompanying affidavit against Doloris Riley. He signed both documents and dated them September 13, 2011, the actual date of the domestic dispute at 918 Lloyd Street.

85. On approximately September 17, 2011, Officer DeWees printed the criminal complaint and affidavit against Doloris Riley and placed them in the Chester Police Department mail bin for delivery to Judge Vann's district court.

86. The criminal charges against Doloris Riley included one count each of Conspiracy - Simple Assault; Possession of Instrument of Crime with Intent;

Prohibited Offensive Weapons; Simple Assault; Aggravated Assault; Recklessly Endangering Another Person; Harassment; Endangering Welfare of Children; and Disorderly Conduct. *Commonwealth v. Doloris Riley*, Docket No. MJ-32121-CR-0000742-2011.

87. On September 19, 2011, the police criminal complaint and affidavit against William Riley, Jr. were filed in Judge Vann's district court.

88. On September 19, 2011, the police criminal complaint and affidavit against Doloris Riley were filed in Judge Vann's district court.

Part C: Failure to Timely Recuse

89. On September 19, 2011, Judge Vann certified that the criminal complaint submitted by Officer DeWees against William Riley, Jr. for his conduct during the September 13, 2011 domestic dispute with Mikia Riley, was complete and executed properly. She also signed the accompanying affidavit of probable cause as sworn and subscribed by Officer DeWees, although he did not appear before her at the time of signing.

90. On September 19, 2011, Judge Vann certified that the police criminal complaint submitted by Officer DeWees against Doloris Riley for her conduct during the September 13, 2011 domestic dispute between William Riley, Jr. and Mikia Riley was complete and executed properly. She also signed the accompanying affidavit of probable cause as sworn and subscribed by Officer DeWees, although he did not appear before her at the time of signing.

91. On September 19, 2011, Judge Vann issued the arrest warrants for William Riley, Jr. and Doloris Riley.

92. Judge Vann did not request that the police criminal complaints and accompanying affidavits against William Riley, Jr. and Doloris Riley be transferred to another MDJ for a determination as to whether the requested arrest warrants should be issued.

93. The Chester Police Department did not serve the warrants on William Riley, Jr. and Doloris Riley at their home address of 918 Lloyd Street.

94. Independent of service by the Chester Police Department, Doloris Riley and William Riley, Jr. learned that there were active arrest warrants pending against them. On September 23, 2011, Doloris Riley and William Riley, Jr. turned themselves in at the Chester Police Department.

Part D: Transfer of Preliminary Arraignments

95. On September 22, 2011, Judge Vann personally spoke with Magisterial District Judge Robert A. Blythe and requested that he preside over the preliminary arraignments of William Riley, Jr. and Doloris Riley.

96. MDJ Blythe declined to handle the preliminary arraignments of William Riley, Jr. and Doloris Riley because of his prior work relationship with William Riley, Sr.

97. Judge Vann told MDJ Blythe that William Riley, Jr. had a prior arrest record.

98. MDJ Blythe told Judge Vann to get a bail interviewer for the preliminary arraignment phase of the case.

99. MDJ Blythe arranged for the Honorable C. Walter McCray III in Brookhaven to conduct the preliminary arraignment.

100. Judge Vann refused to send the police criminal complaints to Judge McCray until William Riley, Jr. and Doloris Riley were in police custody.

101. Judge Vann arranged for the Honorable Richard J. Cappelli to conduct the Preliminary Arraignment.

102. Judge Vann did not tell Judge Cappelli that Judge Blythe recommended using a bail interviewer in the preliminary arraignments of William Riley, Jr. and Doloris Riley.

103. Sometime prior to the Preliminary Arraignment, Judge Vann told Judge Cappelli that William Riley, Jr. posted a threat against her on Facebook and provided him with a copy of the posting.

104. During the September 23, 2011 video Preliminary Arraignment of William Riley, Jr., Judge Cappelli set bail at \$250,000 monetary.

105. William Riley, Jr. was unable to post bail and was incarcerated at Delaware County Prison.

106. During the September 23, 2011 video Preliminary Arraignment, Judge Cappelli set bail at \$5,000 unsecured for Doloris Riley.

107. Doloris Riley posted bail and was not subjected to incarceration.

108. On September 23, 2011, sometime after William Riley, Jr. and Doloris Riley surrendered to the authorities, Judge Vann submitted requests for continuances in the criminal cases against William Riley, Jr. (Docket No. MJ-32121-CR-0000741-11) and Doloris Riley (Docket No. MJ-32121-CR-0000742-11). She noted on each Application for Continuance form that the reason for the request for continuance was recusal.

109. When Officer DeWees filed the police criminal charges against William Riley, Jr. and Doloris Riley in her district court, Judge Vann failed to call Court Administration to report a conflict of interest and the necessity for her recusal.

110. When Officer DeWees filed the police criminal complaints and affidavits against William Riley, Jr. and Doloris Riley in her district court, Judge Vann failed to call President Judge Kenney to report a conflict of interest and the necessity for her recusal.

111. According to Docket Nos. MJ-32121-CR-0000741-11 and MJ-32121-CR-0000742-11, on October 5, 2011, the cases *Commonwealth v. William Riley, Jr.* and *Commonwealth v. Doloris Riley* were transferred from Judge Vann's district court to the district court of the Honorable Leonard McDevitt.

112. At the time of the Preliminary Hearing, Attorney Ronald Goldblatt represented William Riley, Jr. and Doloris Riley.

113. On October 27, 2011, Judge McDevitt presided over the Preliminary Hearing for Doloris Riley and dismissed all of the charges against her.

114. On October 27, 2011, Judge McDevitt presided over the Preliminary Hearing for William Riley, Jr. Judge McDevitt dismissed all of the charges except Simple Assault (2 counts); Harassment (2 counts); and Disorderly Conduct (2 counts) and reduced bail to \$5,000.

115. On December 22, 2011, Judge Frank T. Hazel presided over William Riley, Jr.'s criminal hearing in the Court of Common Pleas of Delaware County and entered an Order granting the District Attorney's Application for Nolle Prosequi of all the remaining charges.

Part E: Facebook Posting

116. One or two days prior to September 23, 2011, when William Riley, Jr. turned himself in at the Chester Police Department, he posted the words, "Fuck Judge Vann" on Facebook.

117. The Facebook posting included a photograph of a man pointing a handgun toward the camera.

118. On September 23, 2011, Judge Vann called Detective Thomas Worrilow of the Delaware County Criminal Investigation Department and reported that William Riley, Jr. threatened her on Facebook.

119. Judge Vann requested that Detective Worrilow file a police criminal complaint against William Riley, Jr. for the Facebook posting which she perceived to be a "threat" against her.

120. During the initial stage of the investigation of the Facebook matter, Detective Worrilow advised Judge Vann that she may file a private criminal complaint against William Riley, Jr.

121. Judge Vann did not file a private criminal complaint against William Riley, Jr.

122. During the investigation of the Facebook matter, Judge Vann called Detective Worrilow and claimed that William Riley, Jr. was released from jail and that she feared for her safety. At that time, Detective Worrilow confirmed that William Riley, Jr. was still incarcerated.

123. Upon completion of his investigation, Detective Worrilow informed Judge Vann that William Riley, Jr.'s Facebook posting was not a criminal violation.

Part F: Emergency Protection from Abuse

124. On September 14, 2011, Mikia Riley filed three separate petitions for Protection from Abuse (PFA) in Judge Vann's district court against William Riley, Jr. (Miscellaneous Docket No. MJ-32121-MD-0300120-2011), Doloris Riley (Miscellaneous Docket No. MJ-32121-MD-0300121-2011) and William Riley, Sr., (Miscellaneous Docket No. MJ-32121-MD-0300119-2011).

125. The dockets in all three cases cited in the preceding paragraph demonstrate that on September 14, 2011, the three Protection from Abuse petitions against William Riley, Jr., Doloris Riley and William Riley, Sr. were completed in Judge Vann's district court.

126. Judge Vann granted each of the three petitions filed by Mikia Riley and issued emergency PFA Orders against William Riley, Jr., Doloris Riley and William Riley, Sr.

127. The PFA Orders against William Riley, Sr. and Doloris Riley prohibited them from having contact with Mikia Riley and Son.

128. On September 14, 2011, William Riley, Jr. filed a Petition for a Temporary Protection from Abuse Order against Mikia Riley in the Court of Common Pleas of Delaware County. Judge Linda Cartisano granted the petition and entered a temporary PFA Order that same day.

129. On September 22, 2011, Judge John L. Braxton entered an Order continuing the temporary PFA against Mikia Riley.

Part G: Civil Action

130. William Riley, Jr. and Doloris Riley retained legal counsel to pursue a federal civil action against the individuals who caused the criminal charges to be filed against them, including Judge Vann.

131. Attorney Ronald Greenblatt represented the Plaintiffs. The Administrative Offices of Pennsylvania Courts (AOPC) represented Judge Vann and the courts.

132. On May 30, 2013, before the Civil Complaint was filed, the parties entered into a Settlement Agreement and Release of All Claims.

133. Under the terms of the agreement, the Defendants (Judge Vann, the Court of Common Pleas of Delaware County and every entity thereof) agreed to pay \$75,000 to the Plaintiffs, William Riley, Jr. and Doloris Riley.

Count 1

134. By virtue of some or all of the facts set forth at Parts A, B, C, D, E and F, Judge Vann violated Rule 2A of the Rules Governing Standards of Conduct of Magisterial District Judges and is therefore subject to discipline pursuant to Article V, § 18(d)(1) of the Pennsylvania Constitution.

135. Rule 2A provides:

Judges should respect and comply with the law and should conduct themselves at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary. Magisterial district judges shall not allow their family, social or other relationships to influence their judicial conduct or judgment. They shall not lend the prestige of their office to advance the private interest of others, nor shall they convey or permit others to convey the impression that they are in a special position to influence the judge.

136. The jurisprudence pertaining to the law of arrest, search and seizure under the Fourth Amendment to the United States Constitution and Article I, Section 8 of the Constitution of the Commonwealth of Pennsylvania provides that a magistrate must act in a neutral and detached manner when deciding impartially whether or not there is probable cause that an arrest warrant shall issue.

137. While serving as a Magisterial District Judge, Judge Vann failed to act in a neutral and detached manner when she issued the September 19, 2011 arrest warrant for William Riley, Jr. where the alleged victim, Mikia Riley, was a close family friend of Judge Vann.

138. While serving as a Magisterial District Judge, Judge Vann failed to act in a neutral and detached manner when she issued the September 19, 2011 arrest warrant for Doloris Riley where the alleged victim, Mikia Riley, was a close family friend of Judge Vann.

139. By her conduct of deciding there was probable cause for the issuance of, and in issuing the September 19, 2011 arrest warrant against William Riley, Jr., Judge Vann failed to respect and comply with the law.

140. By her conduct of deciding there was probable cause for the issuance of, and in issuing the September 19, 2011 arrest warrant against Doloris Riley, Judge Vann failed to respect and comply with the law.

141. By her conduct of deciding there was probable cause for the issuance of, and in issuing the September 19, 2011 arrest warrant against William Riley, Jr., Judge Vann failed to act in a manner that promotes public confidence in the integrity and impartiality of the judiciary.

142. By her conduct of deciding there was probable cause for the issuance of, and in issuing the September 19, 2011 arrest warrant against Doloris Riley, Judge Vann failed to act in a manner that promotes public confidence in the integrity and impartiality of the judiciary.

143. By her conduct of communicating with Officer Sabillon during the course of his investigation of the domestic dispute at 918 Lloyd Street, Judge Vann allowed her friendship with Mikia Riley to influence her judicial conduct and judgment.

144. By her conduct of asking Officer Sabillon to file criminal charges against William Riley, Jr., Judge Vann allowed her friendship with Mikia Riley to influence her judicial conduct and judgment.

145. By her conduct of communicating with Officer Sabillon, telling him that it was she who was on the phone with Mikia Riley during the investigation, and requesting that he file police criminal charges against William Riley, Jr., Judge Vann failed to conduct herself in a manner that promotes public confidence in the integrity and impartiality of the judiciary.

146. By her conduct of communicating with Officer Sabillon, telling him that it was she who was on the phone with Mikia Riley during the investigation, and requesting that he file police criminal charges against William Riley, Jr., Judge Vann did lend the prestige of her office to advance the private interest of Mikia Riley.

147. By her conduct of communicating with Officer DeWees prior to the filing of criminal charges, Judge Vann allowed her friendship with Mikia Riley to influence her judicial conduct and judgment.

148. By her conduct of asking Officer DeWees to file criminal charges against William Riley, Jr. and Doloris Riley, Judge Vann allowed her friendship with Mikia Riley to influence her judicial conduct and judgment.

149. By her conduct of communicating with Officer DeWees and requesting that he file police criminal charges against William Riley, Jr. and Doloris Riley, Judge Vann failed to conduct herself in a manner that promotes public confidence in the integrity and impartiality of the judiciary.

150. By her conduct of communicating with Officer DeWees and requesting that he file police criminal charges against William Riley, Jr. and Doloris Riley, Judge Vann did lend the prestige of her office to advance the private interest of Mikia Riley.

151. By her conduct of seeking out another magisterial district judge to preside over the Preliminary Arraignments of William Riley, Jr. and Doloris Riley, Judge Vann failed to conduct herself in a manner that promotes public confidence in the integrity and impartiality of the judiciary because she knew the facts of the cases, encouraged the filing of criminal charges against the defendants, was biased in favor of the alleged victim, Mikia Riley and was prejudiced against William Riley, Jr. because of his criminal record and his Facebook posting.

152. By her conduct in transferring the Preliminary Arraignments of William Riley, Jr. and Doloris Riley to Judge Cappelli, Judge Vann failed to conduct herself in a manner that promotes public confidence in the integrity and impartiality of the judiciary because she knew the facts of the cases, encouraged the filing of criminal charges against the defendants, was biased in favor of the alleged victim, Mikia

Riley and was prejudiced against William Riley, Jr. because of his criminal record and his Facebook posting.

153. By her conduct of considering and granting the Emergency PFA Petitions filed by Mikia Riley against William Riley, Jr., Doloris Riley and William Riley, Sr., Judge Vann failed to conduct herself in a manner that promotes public confidence in the integrity and impartiality of the judiciary.

154. By her conduct of considering and granting the Emergency PFA Petitions filed by Mikia Riley against William Riley, Jr., Doloris Riley and William Riley, Sr., Judge Vann allowed her friendship with Mikia Riley to influence her judicial conduct and judgment.

155. As a result of all of the conduct enumerated in Paragraph Nos. 136 – 152, Judge Vann violated MDJ Rule 2A.

Count 2

156. By virtue of some or all of the facts set forth at Parts C, D, E and F Judge Vann violated Rule 8A(1) of the Rules Governing Standards of Conduct of Magisterial District Judges and is therefore subject to discipline pursuant to Article V, § 18(d)(1) of the Pennsylvania Constitution.

157. Rule 8 provides in pertinent part:

A. Magisterial district judges shall disqualify themselves in a proceeding in which their impartiality might reasonably be questioned, including but not limited to instances where:

(1) they have a personal bias or prejudice concerning a party, or personal knowledge of disputed evidentiary facts concerning the proceeding.

158. Judge Vann had a conflict of interest in deciding whether to issue arrest warrants against William Riley, Jr. and Doloris Riley because of her close relationship with, and bias in favor of Mikia Riley.

159. Judge Vann had a conflict of interest in deciding whether to issue arrest warrants against William Riley, Jr. and Doloris Riley because of her personal knowledge of disputed evidentiary facts concerning the criminal proceedings against William Riley, Jr. and Doloris Riley.

160. Despite her personal bias in favor of Mikia Riley and her personal knowledge of disputed evidentiary facts regarding the proceedings against William Riley, Jr. and Doloris Riley, Judge Vann failed to disqualify herself from deciding whether there was probable cause to issue the arrest warrants and failed to disqualify herself from the issuance of the arrest warrants, even though her impartiality could reasonably be questioned.

161. By her conduct of failing to disqualify herself from deciding whether there was probable cause to issue the arrest warrants and failing to disqualify herself from the issuance of the arrest warrants in the criminal proceedings against William Riley, Jr. and Doloris Riley, Judge Vann violated MDJ Rule 8A(1).

162. Judge Vann had a conflict of interest in considering and deciding the September 14, 2011 Emergency PFA Petitions filed by Mikia Riley against William Riley, Jr., Doloris Riley and William Riley, Sr. because of her close relationship with, and personal bias in favor of the alleged victim, Mikia Riley.

163. Judge Vann had a conflict of interest in considering and deciding each of the September 14, 2011 Emergency PFA Petitions filed by Mikia Riley against William Riley, Jr., Doloris Riley and William Riley, Sr. because of her personal

knowledge of disputed evidentiary facts concerning the September 13, 2014 domestic dispute at 918 Lloyd Street.

164. Despite her personal bias in favor of Mikia Riley and her personal knowledge of disputed evidentiary facts regarding the September 13, 2014 domestic dispute at 918 Lloyd Street, Judge Vann failed to disqualify herself from considering and deciding the PFA Petitions against William Riley, Jr., Doloris Riley and William Riley, Sr. even though her impartiality could reasonably be questioned.

165. By her conduct of failing to recuse from considering and deciding the PFA Petitions against William Riley, Jr., Doloris Riley and William Riley, Sr., Judge Vann violated MDJ Rule 8A(1).

166. Judge Vann had a conflict of interest regarding the transfer of the criminal cases against William Riley, Jr. and Doloris Riley prior to the Preliminary Arraignments because of her prejudice against William Riley, Jr. arising from his Facebook posting which she perceived as a personal threat.

167. Despite her personal prejudice against William Riley, Jr., Judge Vann failed to disqualify herself from facilitating the transfer of the criminal cases against William Riley, Jr. and Doloris Riley, even though her impartiality could reasonably be questioned.

168. By her conduct of facilitating the transfer of the criminal cases against William Riley, Jr. and Doloris Riley for Preliminary Arraignment, even though her impartiality could reasonably be questioned, Judge Vann violated MDJ Rule 8A(1).

Count 3

169. By virtue of some or all of the facts alleged above in Parts A, B, C, D, E and F, Judge Vann violated Article V, § 17(b) of the Pennsylvania Constitution.

170. In pertinent part, Article V, § 17(b) provides:

Justices of the peace [magisterial district judges] shall be governed by rules or canons which shall be prescribed by the Supreme Court.

171. A violation of the Rules Governing Standards of Conduct of Magisterial District Judges is an automatic derivative violation of Article V, §17(b)(1).

172. Judge Vann violated Article V, § 17(b) as a direct result of her violations of Rules 2A and 8A(1) of the Rules Governing Standards of Conduct of Magisterial District Judges.

Count 4

173. By virtue of some or all of the facts alleged above in Parts A, B, C, D, E and F, Judge Vann violated the Administration of Justice Clause of Article V, § 18(d)(1) of the Pennsylvania Constitution.

174. Article V, § 18(d)(1) prohibits a judge from engaging in conduct which prejudices the proper administration of justice and provides in part:

A justice, judge or justice of the peace [magisterial district judge] may be suspended, removed from office or otherwise disciplined for . . . conduct which prejudices the proper administration of justice or brings the judicial office into disrepute, whether or not the conduct occurred while acting in a judicial capacity or is prohibited by law.

175. Judge Vann engaged in conduct which prejudiced the proper administration of justice when she communicated with Officers Sabillon and DeWees about the investigation of the domestic dispute at 918 Lloyd Street and the filing of criminal charges against William Riley, Jr and Doloris Riley.

176. Judge Vann engaged in conduct which prejudiced the proper administration of justice when she failed to timely recuse from the criminal cases

against William Riley, Jr. and Doloris Riley prior to her determination of the existence of probable cause and issuance of the arrest warrants against them.

177. Judge Vann engaged in conduct which prejudiced the proper administration of justice by failing to recuse from the criminal cases against William Riley, Jr. and Doloris Riley prior to her extensive efforts to personally arrange for the transfer of the Preliminary Arraignments to Judge Cappelli.

178. Judge Vann engaged in conduct which prejudiced the proper administration of justice when she failed to recuse from deciding the September 14, 2014 Emergency PFA Petitions filed by Mikia Riley against William Riley Jr., Doloris Riley and William Riley, Sr.

179. By her conduct enumerated in Paragraph Nos. 175-178, Judge Vann violated the Administration of Justice Clause of Article V, § 18(d)(1).

Count 5

180. By virtue of some or all of the facts alleged above in Parts A, B, C, D, E and F, Judge Vann violated the Disrepute Clause of Article V, § 18(d)(1) of the Pennsylvania Constitution.

181. Article V, § 18(d)(1) prohibits a judge from engaging in conduct which brings disrepute upon the judicial office itself and provides in part:

A justice, judge or justice of the peace [magisterial district judge] may be suspended, removed from office or otherwise disciplined for . . . conduct which prejudices the proper administration of justice or brings the judicial office into disrepute, whether or not the conduct occurred while acting in a judicial capacity or is prohibited by law.

182. Judge Vann engaged in conduct which brought the judicial office into disrepute when she communicated with Officers Sabillon and DeWees about the

investigation of the domestic dispute at 918 Lloyd Street and the filing of criminal charges against William Riley, Jr and Doloris Riley.

183. Judge Vann engaged in conduct which brought the judicial office into disrepute when she failed to timely recuse from the criminal cases against William Riley, Jr. and Doloris Riley prior to her determination of the existence of probable cause and issuance of the arrest warrants against them.

184. Judge Vann engaged in conduct which brought disrepute upon the judicial office when she failed to recuse from the criminal cases against William Riley, Jr. and Doloris Riley prior to her extensive efforts to personally arrange for the transfer of the Preliminary Arraignments to Judge Cappelli.

185. Judge Vann engaged in conduct which brought disrepute upon the judicial office when she failed to recuse from deciding the September 14, 2014 Emergency PFA Petitions filed by Mikia Riley against William Riley Jr., Doloris Riley and William Riley, Sr.

186. By her conduct enumerated in Paragraph Nos. 182-185, Judge Vann violated the Disrepute Clause of Article V, § 18(d)(1).

187. By all of the allegations of misconduct set forth above, Judge Vann engaged in conduct so extreme as to bring disrepute upon the judicial office itself in violation of the Disrepute Clause of Article V, § 18(d)(1).

WHEREFORE, Dawn L. Vann, Magisterial District Judge, is subject to disciplinary action pursuant to the Constitution of Pennsylvania, Article V, §18(d)(1).

Respectfully submitted,

ROBERT A. GRACI
Chief Counsel

DATE: January 2, 2015

By:


ELIZABETH A. FLAHERTY
Deputy Counsel
Pa. Supreme Court ID No. 205575

Judicial Conduct Board
601 Commonwealth Avenue, Suite 3500
Harrisburg, PA 17106
(717) 234-7911

**COMMONWEALTH OF PENNSYLVANIA
COURT OF JUDICIAL DISCIPLINE**

IN RE:

Dawn L. Vann	:	
Magisterial District Judge	:	
Magisterial District 32-1-21	:	
Delaware County	:	1 JD 2015

VERIFICATION

I, Elizabeth A. Flaherty, Deputy Counsel to the Judicial Conduct Board, verify that the Judicial Conduct Board found probable cause to file the formal charges contained in this Board Complaint. I understand that the statements made in this Board Complaint are subject to the penalties of 18 Pa.C.S.A. § 4904, relating to unsworn falsification to authorities.

Respectfully submitted,

DATE: January 2, 2015



ELIZABETH A. FLAHERTY
Deputy Counsel
Pa. Supreme Court ID No. 205575

Judicial Conduct Board
601 Commonwealth Avenue, Ste. 3500
P.O. Box 62525
Harrisburg, PA 17106
(717) 234-7911

**COMMONWEALTH OF PENNSYLVANIA
COURT OF JUDICIAL DISCIPLINE**

IN RE:

Dawn L. Vann	:	
Magisterial District Judge	:	
Magisterial District 32-1-21	:	
Delaware County	:	1 JD 2015

PROOF OF SERVICE

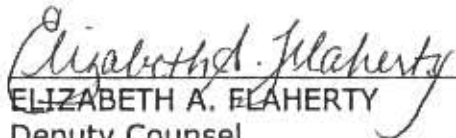
In compliance with Rule 122(d) of the Court of Judicial Discipline Rules of Procedure, on January 2, 2015, a copy of this Board Complaint was sent by certified mail to Judge Vann's counsel, Michael J. Malloy, Esquire, who agreed to accept service of this Board Complaint by email and at the following address:

Michael J. Malloy & Associates
10 Veterans Square
Media, PA 19063

Certified Mail No. 7161 7145 5373 0150 1702
Return Receipt Requested

Respectfully submitted,

DATE: January 2, 2015


ELIZABETH A. FLAHERTY
Deputy Counsel
Pa. Supreme Court ID No. 205575

Judicial Conduct Board
601 Commonwealth Avenue, Ste. 3500
P.O. Box 62525
Harrisburg, PA 17106
(717) 234-7911

**COMMONWEALTH OF PENNSYLVANIA
COURT OF JUDICIAL DISCIPLINE**

RECEIVED

JAN 02 2015

IN RE:

Dawn L. Vann :
Magisterial District Judge :
Magisterial District 32-1-21 :
Delaware County : 1 JD 2015

COURT OF JUDICIAL DISCIPLINE

PETITION FOR RELIEF FOR INTERIM SUSPENSION WITH OR WITHOUT PAY

AND NOW, this 2nd day of January, 2015, comes the Judicial Conduct Board of the Commonwealth of Pennsylvania (Board), by and through Robert A. Graci, Chief Counsel, and Elizabeth A. Flaherty, Deputy Counsel, and files this Petition Relief For Interim Suspension With or 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 and in support thereof, avers the following:

1. The Pennsylvania Constitution at Article V, § 18(d)(2) provides this Court with the authority to impose interim suspension as follows:

Prior to a hearing, the court may issue an interim order directing suspension, with or without pay, of any justice, judge or justice of the peace against whom formal charges have been filed with the court by the board or against whom has been filed an indictment or information charging a felony. An interim order under this paragraph shall not be considered a final order from which an appeal may be taken.

Pa. Const. art. V, § 18(d)(2).

2. From approximately October 19, 2007 until the present time, Judge Vann has served continuously, first as an appointed and subsequently as a duly elected, Magisterial District Judge for Magisterial District Court 32-1-21, of the

Thirty-second Judicial District, Delaware County, Pennsylvania, encompassing the City of Chester, Wards 2-1, 2-3, 3, 4, 5, 6, 7, and 8.

3. Contemporaneously with the filing of this Petition, Board Counsel is filing a Board Complaint against Judge Vann alleging five counts of judicial misconduct. A copy of the Board Complaint is attached hereto, made a part hereof and incorporated herein by reference as though set forth in full. **See** Attachment "A" (Board Complaint).

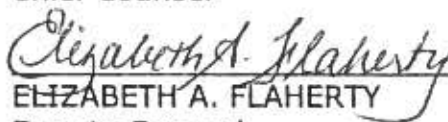
4. The allegations contained within the Board Complaint against Judge Vann undermine both public confidence in the judiciary and the reputation of the judiciary. If Judge Vann is permitted to continue to preside over cases presented in Magisterial District Court 32-1-21 during the pendency of the Board Complaint, the public's confidence in the judiciary will continue to erode.

WHEREFORE, it is respectfully requested that this Honorable Court enter an interim order suspending Judge Vann, either with or without pay, pending disposition of the Board Complaint filed against her and to grant such other relief as may be deemed appropriate.

DATE: January 2, 2015

BY:

Respectfully submitted,
ROBERT A. GRACI
Chief Counsel


ELIZABETH A. FLAHERTY
Deputy Counsel
Pa. Supreme Court ID No. 87637

Judicial Conduct Board
Pennsylvania Judicial Center
601 Commonwealth Avenue, Suite 3500
P.O. Box 62525
Harrisburg, PA 17106
(717) 234-7911

**COMMONWEALTH OF PENNSYLVANIA
COURT OF JUDICIAL DISCIPLINE**

IN RE:

Dawn L. Vann	:	
Magisterial District Judge	:	
Magisterial District 32-1-21	:	
Delaware County	:	1 JD 2015

PROOF OF SERVICE

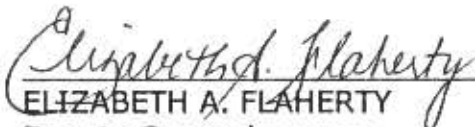
In compliance with Rule 122(d) of the Court of Judicial Discipline Rules of Procedure, on January 2, 2015, a copy of this Petition for Interim Suspension With or Without Pay was sent by certified mail to Judge Vann's counsel, Michael J. Malloy, Esquire, at the following address:

Michael J. Malloy & Associates
10 Veterans Square
Media, PA 19063

Certified Mail No. 7161 7145 5373 0150 1702
Return Receipt Requested

Respectfully submitted,

DATE: January 2, 2015


ELIZABETH A. FLAHERTY
Deputy Counsel
Pa. Supreme Court ID No. 205575

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