

Judicial Conduct Board
Commonwealth of Pennsylvania
Joseph A. Massa, Jr., Chief Counsel
717-234-7911

Press Release

August 7, 2008

TO: Media/Press

FROM: Judicial Conduct Board/Joseph A. Massa, Jr., Chief Counsel

**SUBJECT: Filing of Formal Charges
James M. DeLeon
Criminal Division
Philadelphia Municipal Court**

**JUDICIAL CONDUCT BOARD INITIATES FORMAL PROCEEDINGS
CONCERNING PHILADELPHIA MUNICIPAL COURT JUDGE
JAMES M. DELEON**

HARRISBURG, August 7, 2008 –The Judicial Conduct Board has announced today that it has instituted formal proceedings against James M. DeLeon, Philadelphia Municipal Court Judge, Philadelphia County, Pennsylvania. A Board Complaint has been filed with the Court of Judicial Discipline in Harrisburg, charging four (4) counts of misconduct, including allowing a social relationship to influence his judicial conduct, lending the prestige of his office to advance the private interests of others, engaging in *ex parte* communications and bringing the judicial office into disrepute.

In accordance with the rules which govern proceedings before the Court of Judicial Discipline, Judge DeLeon 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 one or more of the charges have been proven by clear and convincing evidence, it will schedule a Sanctions Hearing to determine what sanctions should be imposed upon the judge for violating the Code of Judicial Conduct and the Pennsylvania Constitution. Possible sanctions include reprimand, suspension, removal from office and restriction of future judicial employment.

A copy of the Board Complaint is attached to this press release. For more information about the Judicial Conduct Board, please visit our website at www.jcbpa.org.

Counsel: Joseph A. Massa, Jr., Esquire, Chief Counsel

Respondent's Samuel C. Stretton, Esquire

Contact: Daniel T. Reimer, Esquire, Assistant Counsel
Judicial Conduct Board

Note: Board Complaint attached.

(This information may also be found on www.jcbpa.org)

END

COMMONWEALTH OF PENNSYLVANIA
COURT OF JUDICIAL DISCIPLINE

RECEIVED AND FILED
COURT OF
JUDICIAL DISCIPLINE
OF PENNSYLVANIA

2008 AUG - 7 A 11: 07

In re:

James M. DeLeon, :
Criminal Division :
Philadelphia Municipal Court :
Philadelphia County :
:

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IMPORTANT NOTICE

TO: THE HONORABLE JAMES M. DeLEON:

The Pennsylvania Judicial Conduct Board has determined that there is probable cause to file formal charges against you for conduct proscribed by Article V, §§ 17 and 18 of the Constitution of the Commonwealth of Pennsylvania. 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. 302(B).

You are hereby notified, pursuant to C.J.D.R.P. No. 302(E), 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.

FORMAL CHARGES

AND NOW, this 7th day of August, 2008, comes the Judicial Conduct Board of the Commonwealth of Pennsylvania (hereinafter "Board") and files this Board Complaint against The Honorable James M. DeLeon (hereinafter "Respondent"), Judge of Criminal Division of the Philadelphia Municipal Court, Philadelphia County, Pennsylvania, alleging that the Respondent has violated the Code of Judicial Conduct and the Constitution of the Commonwealth Article V, § § 17(b) and 18(d)(1) as more specifically delineated herein.

1. This action is taken pursuant to the authority of the Board under Article V, § 18 of the Constitution of the Commonwealth of Pennsylvania, which grants the Board the authority to determine whether there is probable cause to file formal charges, and, when it concludes that probable cause exists, to file formal charges, against a justice, judge, or magisterial district judge, for proscribed conduct and to present the case in support of such charges before the Court of Judicial Discipline.

2. From January 1988 to present, and at all times relevant hereto, the Respondent has served as a Philadelphia Municipal Court Judge, Philadelphia County, Pennsylvania, with an office currently located at 1311 Criminal Justice Center, 1301 Filbert Street, Philadelphia, Pennsylvania 19107. As a Municipal Court Judge, he is, and at all times relevant hereto, was subject to all the duties and responsibilities imposed on him by the Code of Judicial Conduct.

3. In or around August 2005, Respondent attended an informal social event at an establishment in Center City Philadelphia, at which members of the Romanian Community were present.

4. While at this event, Respondent was introduced to George Sfedu (hereinafter "Sfedu"), Consul General of Romania to the City of Philadelphia.

5. Sfedu informed Respondent that he was having personal problems with an individual/neighbor named Lee Corley (hereinafter "Corley").

6. Sfedu related to Respondent his belief and concern that Corley was having unwanted verbal contact with Sfedu's teenage daughter, and Sfedu advised Respondent that he wanted this contact to cease.

7. Respondent offered to help and instructed Sfedu to have his wife, attorney Susan Satkowski (hereinafter "Satkowski"), call Respondent's chambers to obtain a "stay away order."

8. Subsequently, on or about September 7, 2005, Satkowski called Respondent's chambers and spoke with Respondent's secretary, Linda Carter (hereinafter "Carter").

9. Satkowski explained the purpose of her telephone call and provided Carter with the names and addresses of herself, her daughter and Corley.

10. Carter spoke with Respondent, and the latter instructed Carter to prepare, sign and send a "Stay Away Order" to both Satkowski and Corley.

11. The "Stay Away Order" was captioned *Commonwealth of Pennsylvania v. Lee Corley*, labeled "IN THE COURT OF COMMON PLEAS PHILADELPHIA COUNTY SEPTEMBER TERM 2005" and provided, *inter alia*:

"AND NOW, to wit this 7th day of September, 2005 defendant Mr. Lee Corley ... conducted unlawful activity in connection with or with regard to the following persons Susan E. Satkowski and minor child ... it is hereby ORDERED AND DECREED that the defendant is prohibited from any physical and/or verbal contact or intimidating the above mentioned person(s), family, friends, agents or acquaintances and that the defendant have no communication whatsoever, directly or indirectly, with the person(s) and/or place of business, except through an attorney. These penalties may be imposed whether the

violation complained of has been committed by you personally or caused or encouraged by you. Violation of this order will result in your arrest.”

12. The “Stay Away Order” was signed “DeLeon, J.”

13. Respondent’s secretary, as per Respondent’s instruction, mailed this Order to both Satkowski and Corley.

14. The “Stay Away Order” was not filed, docketed or otherwise made a part of any official record, and was not issued in connection with any pending criminal matter.

15. Prior to the issuance of the “Stay Away Order”, no notice was provided to Corley and no evidentiary or other hearing was conducted with regard to the Order.

16. Subsequent to receiving this “Stay Away Order”, Corley hired counsel, who sent written correspondence to Respondent dated September 29, 2005 and January 30, 2006, which *inter alia*, questioned the propriety of the court’s issuance of the “Stay Away Order.”

17. After receiving the January 30, 2006 letter from attorney Lawrence A. Mester (hereinafter “Mester”), Respondent instructed his secretary or other staff member to call Mester and inform him to appear with his client (Corley) in Respondent’s courtroom in Municipal Court on a day in which he was presiding.

18. On February 2, 2006, Mester and Corley appeared in front of Respondent and presented him with an “Order Vacating Order Dated September 7, 2005.”

19. After briefly discussing the matter with both Mester and Corley, Respondent signed the “Order Vacating Order Dated September 7, 2005” and handed Mester the original.

20. As with the original “Stay Away Order,” this second order was not filed, docketed or otherwise made a part of any official record, and was not issued in connection with any pending criminal (or civil) matter.

21. As with the original “Stay Away Order,” no notice was provided to the opposing party to this proceeding (i.e. Satkowski) prior to issuing the vacating order.

22. The allegations contained in paragraphs one (1) through twenty-one (21) of this Board Complaint subject the Respondent to discipline pursuant to Article V, § § 17(b) and 18(d)(1) of the Pennsylvania Constitution for the following reasons:

COUNT 1: Respondent has violated Article V, § 18(d)(1) of the Pennsylvania Constitution by engaging in conduct which brings the judicial office into disrepute.

COUNT 2: Respondent has violated Canon 2A of the Code of Judicial Conduct by failing to conduct himself in a manner that promotes public confidence in the integrity and impartiality of the judiciary.

COUNT 3: Respondent has violated Canon 2B of the Code of Judicial Conduct by allowing a social relationship to influence his judicial conduct or judgment and by lending the prestige of his office to advance the private interests of others.

COUNT 4: Respondent has violated Canon 3A(4) of the Code of Judicial Conduct by failing to accord all persons who were legally interested in the proceedings a full right to be heard according to law and by considering *ex parte* communications concerning this matter.

WHEREFORE, James M. DeLeon, the Municipal Court Judge named in these charges, is subject to disciplinary action pursuant to the Constitution of the Commonwealth of Pennsylvania, Article V, § 17(b) and § 18(d)(1).

Respectfully submitted,



Date: August 7, 2008

Daniel T. Reimer, Assistant Counsel
Pa. Supreme Court No. 68955

Judicial Conduct Board
301 Chestnut Street, Suite 403
Harrisburg, PA
(717) 234-7911

COMMONWEALTH OF PENNSYLVANIA
COURT OF JUDICIAL DISCIPLINE

In re:

James M. DeLeon,
Criminal Division
Philadelphia Municipal Court
Philadelphia County

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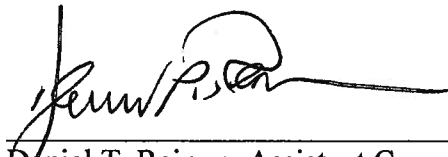
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VERIFICATION

I am Assistant Counsel for the Judicial Conduct Board and I am authorized to make this verification and file the foregoing *BOARD COMPLAINT*. I verify that the Judicial Conduct Board found probable cause to file the formal charges contained in the Board Complaint. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S Section 4904, relating to unsworn falsification to authorities.

Respectfully submitted,

Date: August 7, 2008



Daniel T. Reimer, Assistant Counsel
Pa. Supreme Court No. 68955

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Harrisburg, PA 17101
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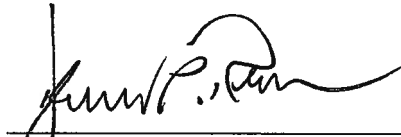
PROOF OF SERVICE

In compliance with Rule 122(D) of the Court of Judicial Discipline Rules of Procedure, on August 7, 2008 a copy of this *BOARD COMPLAINT* was sent by Certified Mail to counsel for the Respondent:

Samuel C. Stretton, Esquire
Attorney at Law
301 High Street
P.O. Box 3231
West Chester, PA 19381-3231

Certified Mail No. 7161 7145 5373 0040 7579
Return Receipt Requested

Respectfully submitted,



Daniel T. Reimer, Assistant Counsel
Pa. Supreme Court No. 68955

Date: August 7, 2008

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