

**COMMONWEALTH OF PENNSYLVANIA
COURT OF JUDICIAL DISCIPLINE**

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OF PENNSYLVANIA

MAY 14 2024

RECEIVED AND FILED

IN RE:

Judge Anthony Saveikis :
Magisterial District Court :
District 05-3-17 : 1 JD 2024
Allegheny County :

JUDICIAL CONDUCT BOARD PRETRIAL MEMORANDUM

AND NOW, this 14th day of May, 2024, comes the Judicial Conduct Board of the Commonwealth of Pennsylvania (Board) by and through undersigned counsel, and files this Pretrial Memorandum, as follows:

A. TRIAL WITNESSES

The Board may call some or all of the following witnesses at trial:

1. The Honorable Kim Berkeley Clark
Senior Judge
Family Law Center
440 Ross Street, Suite 526
Pittsburgh, PA 15219

Senior Judge Clark, former President Judge of Allegheny County, will testify regarding the instances giving rise to the Board's investigation, her meetings with Judge Saveikis and subsequent actions taken, and her subsequent contact to the Board regarding his conduct.

2. Tammie Kelley
Board Investigator
Judicial Conduct Board of Pennsylvania
601 Commonwealth Avenue, Suite 3500
Harrisburg, PA 17106

Investigator Kelley will testify regarding the process of the Board's investigation into Judge Saveikis's conduct.

3. Sergeant Matthew Mineard – Allegheny County Police
875 Greentree Road
10 Parkway Center

Pittsburgh, PA 15220

Sgt. Mineard will testify to the authenticity of exhibits obtained from Allegheny County Police and the investigation into Judge Saveikis's conduct with Z.H.

4. Detective Michael Feeney – Allegheny County Police
875 Greentree Road
10 Parkway Center
Pittsburgh, PA 15220

Det. Feeney will testify to the authenticity of exhibits obtained from Allegheny County Police and the investigation into Judge Saveikis's conduct with W.B.

5. W.B.
Confidential address to be provided under separate cover

W.B. will testify regarding paragraphs 4 through 8 of the Board's complaint.

6. D.M.
Confidential address to be provided under separate cover

D.M. will testify regarding paragraphs 11 through 16 of the Board's complaint.

7. Z.H.
Confidential address to be provided under separate cover

Z.H. will testify regarding paragraphs 17 through 29 and 33 of the Board's complaint.

8. Janet Craig
Findlay Township Board of Supervisors
1271 US-30
Clinton, PA 15026

Ms. Craig will testify that she does not recall telling Judge Saveikis that Z.H. "*did not seem interested in working*" nor that she was averse to having minors complete community service assignments at the Findlay Fair, contrary to the assertions in paragraph 21 of Judge Saveikis's Answer and New Matter. Ms. Craig will also testify that she was not aware that Judge Saveikis was removing Z.H. from the festival grounds.

9. Sara Weese
473 Hebron Road
Imperial, PA 15126

Ms. Weese will testify that she was present as a supervisor of the community service students at the Findlay Fair at the time that Z.H. was performing his community service. Ms. Weese will testify that no one advised her that Z.H. was to be leaving the fairgrounds during his scheduled shift.

10. Laura Burns
Findlay Township Activity Center
310 Main Street
Imperial, PA 15126

Ms. Burns will testify that she was present as Z.H.'s supervisor while he was completing his community service shift. Ms. Burns will testify that she had several conversations with Judge Saveikis during the fair and that she was not asked about removing Z.H. from the festival grounds or notified of his return.

B. EXHIBITS

The Board may introduce some or all of the following exhibits at trial, in its case in chief:

1. A true and correct copy of the letter dated November 30, 2022, sent by then-President Judge Kim Berkeley Clark regarding Judge Saveikis's conduct with W.B. and Z.H. and her meetings with Judge Saveikis regarding same.
2. A true and correct copy of the Notice of Full Investigation dated June 2, 2023, issued to Judge Saveikis.
3. A true and correct copy of the Findlay Township Police Department Incident Report Form FT-18-05140 detailing the initial interview with W.B. and his mother and the decision to forward the matter to the Allegheny County Police Department.
4. A true and correct copy of the Allegheny County Police Department Incident Report CR-003064-18 detailing the investigation of the incident with W.B. and interviews conducted subsequent to the initial report.
5. Photographs from the interior of Janoski's Country Restaurant showing the freezer area.

6. A true and correct copy of the Childline Report regarding the report of incident with W.B.
7. A true and correct copy of the North Fayette Call Summary Report dated August 24, 2022, identified as Call Number C22-0013875, regarding the initial report of Z.H.'s mother to a school resource officer, and subsequent narrative.
8. A true and correct copy of the Allegheny County Police Department Activity Report – Canvass Report ACPD22011707 detailing efforts to obtain photographs and video of Judge Saveikis and Z.H. during the fair and at Our Diner.
9. A true and correct copy of the Allegheny County Police Department Activity Report – Interview Report ACPD 22011707 detailing the interview of Z.H. on September 20, 2022.
10. A true and correct copy of the Findlay Township Police Department Incident Report Form FT-22-03566 detailing the initial call to Findlay Township regarding Z.H. and the subsequent decision to forward the matter to Allegheny County Police Department.
11. A true and correct copy of the Township of Findlay Internal Communication August 24, 2022, detailing the complaint regarding Z.H. and the decision to turn the matter over to Allegheny County Police for further investigation.
12. A true and correct copy of the Township of Findlay Internal Communication August 29, 2022, detailing efforts to obtain video and/or photographic evidence of Judge Saveikis's movements at the Findlay Fair and interactions with Z.H.
13. A true and correct copy of text messages between Z.H. and his mother informing her that Judge Saveikis had taken him from his community service assignment.
14. A true and correct copy of the UJS docket sheet for **Commonwealth v. Z.H.**, MJ-05317-NT-0000111-2022, filed on April 5, 2022.
15. A true and correct copy of the UJS docket sheet for **Commonwealth v. D.M.**, MJ-05317-NT-0000092-2022, filed on March 23, 2022.
16. A true and correct copy of text messages exchanged between D.M. and Judge Saveikis.

C. STIPULATIONS

It can reasonably be expected that opposing counsel will agree to the following stipulations:

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. From January 7, 2002, to January 26, 2024, Judge Saveikis served as Magisterial District Judge for Magisterial District 05-3-17, Allegheny County, Pennsylvania.
3. On November 24, 2018, W.B., age 17, was approached by Judge Saveikis while working at Janoski's Country Restaurant (now Lu-Lou's Roadhouse).
4. On the above date, Judge Saveikis approached W.B., took his hand, and began asking him personal questions regarding, for example, the date of his eighteenth birthday and where he lived.
5. Judge Saveikis entered into a closed freezer area with W.B., to pick out items for purchase.
6. While in the freezer, Judge Saveikis instructed W.B. on how to ice the pastries that he had ordered.
7. This incident was reported to the Findlay Township Police Department on November 24, 2018, at which time the incident was referred to the Allegheny County Police Department (ACPD) for further investigation.

8. At the conclusion of their investigation the ACPD forwarded the results to the Allegheny County District Attorney's Office, which declined to file charges in this incident.
9. The above incident was also reported to Allegheny County President Judge Kim Berkeley Clark, who met with Judge Saveikis and cautioned him regarding this incident.
10. On March 23, 2022, juvenile defendant D.M., age 17 at the time charges were filed, was cited with purchase of alcoholic beverages by a minor, a summary offense, docketed at MJ-05317-NT-92-2022 in Judge Saveikis's district.
11. On July 19, 2022, D.M. appeared before Judge Saveikis to address his citation, at which time Judge Saveikis ordered that he attend four Alcoholics Anonymous meetings and complete 25 hours of community service at "McSummerfest," a community fair.
12. D.M. completed his community service hours at the local fairgrounds.
13. Judge Saveikis was present at the fair when D.M. was completing his hours.
14. During the pendency of D.M.'s court case, the charges for which were dismissed on October 25, 2022, Judge Saveikis visited Coen Markets, where D.M. was employed, on a number of occasions.
15. During the pendency of D.M.'s court case, Judge Saveikis texted D.M. on his personal cell phone, inquiring about his whereabouts if he did not find him at Coen Markets.
16. On October 25, 2022, the charges against D.M. were dismissed after completion of the aforesaid conditions.

17. On April 5, 2022, juvenile defendant Z.H., age 14 at the time charges were filed, was cited with harassment – subject other to physical contact, a summary offense, docketed at MJ-05317-NT-111-2022 in Judge Saveikis's district.
18. On August 16, 2022, Z.H. appeared before Judge Saveikis for a summary hearing, at which time a diversionary disposition was suggested.
19. Z.H. was ordered to complete 2 shifts at the Findlay Fair, complete a Teen Accountability Class, and bring proof of completion to his next hearing, scheduled for September 27, 2022;
20. If the aforesaid conditions were successfully completed, it was agreed that the citation would be dismissed.
21. On August 20, 2022, Z.H. was present at the Findlay Fair for his community service assignment.
22. While Z.H. was working, Judge Saveikis sought Z.H. out.
23. Judge Saveikis showed Z.H. around the festival, introducing him to various persons who were in attendance.
24. At approximately 11:30 a.m. Judge Saveikis removed Z.H. from the festival in his personal vehicle to eat lunch offsite.
25. Judge Saveikis did not ask permission of Z.H.'s parents to remove him from the festival.
26. Judge Saveikis and Z.H. proceeded to a restaurant known as Our Diner and stayed there for approximately 45 minutes.
27. Judge Saveikis paid for Z.H.'s lunch.

28. After leaving Our Diner, Judge Saveikis drove Z.H. to Coen Markets, where he purchased a drink for Z.H.
29. During their interaction, Judge Saveikis referred to Z.H. as a "red-bone," referring to his mixed-race heritage.
30. This incident was reported to Z.H.'s School Resource Officer, who related the incident to the Findlay Township Police Department.
31. Findlay Township Police Department referred the incident to ACPD for any further investigation.
32. Following the conclusion of ACPD's investigation into this matter, the results of said investigation were forwarded to the Allegheny County District Attorney's Office, which again declined to file charges against Judge Saveikis.
33. The District Attorney's Office reported this incident to President Judge Kim Berkeley Clark, who again cautioned Judge Saveikis about his behavior.
34. During the pendency of the Board's investigation, Judge Saveikis has been prohibited from hearing cases involving minors.
35. Following the incident described, on September 27, 2022, Judge Saveikis presided over the dismissal of Z.H.'s citation as agreed at his initial hearing.

D. DISCOVERY CERTIFICATION

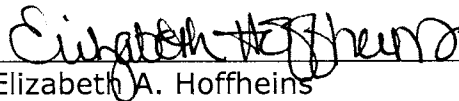
The Board, by and through undersigned counsel, hereby certifies that it has provided to Judge Saveikis all materials required to be exchanged under C.J.D.R.P. No. 401(D)(1).

E. EXCULPATORY EVIDENCE CERTIFICATION

The Board, by and through undersigned counsel, hereby certifies that it has provided to Judge Saveikis all materials required to be exchanged under C.J.D.R.P. No. 401(E).

Respectfully submitted,
MELISSA L. NORTON
Chief Counsel

By:



Elizabeth A. Hoffheins
Deputy Counsel

Attorney ID No. 209623
Judicial Conduct Board
Pennsylvania Judicial Center
601 Commonwealth Avenue, Suite 3500
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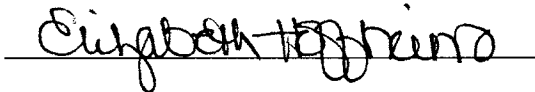
IN RE:

Judge Anthony Saveikis :
Magisterial District Court : 1 JD 2024
District 05-3-17 :
Allegheny County :

CERTIFICATE OF COMPLIANCE

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

Submitted by: Judicial Conduct Board of Pennsylvania

Signature: 

Name: ELIZABETH A. HOFFHEINS
Deputy Counsel

Attorney No.: 209623

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PROOF OF SERVICE

In compliance with Rule 122 of the Court of Judicial Discipline Rules of Procedure, on May 14, 2024, a copy of the *Judicial Conduct Board Pretrial Memorandum* was sent by USPS First Class mail to Judge Saveikis's attorney(s), Robert Del Greco, David Shrager, and Samuel Stretton at the following addresses:

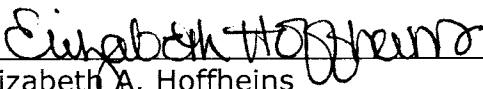
Robert Del Greco, Esquire
Dickie, McCamey & Chilcote, P.C.
PPG Place 2
Suite 400
Pittsburgh, PA 15222

David Shrager, Esquire
Shrager Defense Attorneys
437 Grant Street, 617
Frick Building
Pittsburgh, PA 15219

Samuel C. Stretton, Esquire
103 S. High St.
West Chester, PA 19382

Respectfully submitted,

DATE: May 14, 2024



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