

**COMMONWEALTH OF PENNSYLVANIA
COURT OF JUDICIAL DISCIPLINE**

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JUDICIAL DISCIPLINE

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IN RE:

David W. Tidd :
Former Magisterial District Judge :
Magisterial District 03-2-04 : 3 JD 2016
Third Judicial District :
Northampton County :

JUDICIAL CONDUCT BOARD
SUPPLEMENTAL PRE-TRIAL MEMORANDUM

AND NOW, this 17th day of April, 2017, comes the Judicial Conduct Board of the Commonwealth of Pennsylvania (Board), by and through the undersigned counsel, pursuant to this Court's February 14, 2017 Order and files this Pre-trial Memorandum.

A. TRIAL WITNESS LIST

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

1. Deputy Court Administrator Debra French
Office of Court Administration
Court of Common Pleas of Northampton County
669 Washington Street
Easton, PA 18042

Following completion of her cross-examination by Mr. Stretton regarding Parts A, B, F, G, and H of the Board Complaint filed August 26, 2016, Board counsel will elicit additional testimony on re-direct examination.

2. President Judge Stephen Baratta
Court of Common Pleas of Northampton County
669 Washington Street
Easton, PA 18042

President Judge Baratta will testify regarding Parts A and B of the Board Complaint filed August 26, 2016, the audio-video recording system at District Court 03-2-04, and the 2016 changes pertaining to constables and the service and return of warrants at that district court.

3. Cassandra Bettler
District Court 03-2-04
1404 Walter Street
Bethlehem, PA 18015

Ms. Bettler will testify regarding Parts A, B, C, D, E, F, H and I of the Board Complaint filed August 26, 2016.

4. Officer Matthew Messinger
Slate Belt Regional Police Department
6292 Sullivan Trail
Nazareth, PA 18064

Officer Messinger will testify regarding Parts B, C, F and H of the Board Complaint filed August 26, 2016.

5. Officer Michael Dattilio
Hellertown Police Department
685 Main Street
Hellertown, PA 18055

Officer Dattilio will testify regarding Parts C and F of the Board Complaint filed August 26, 2016.

6. Officer Timothy Piotrowski
Hellertown Police Department
685 Main Street
Hellertown, PA 18055

Officer Piotrowski will testify regarding Parts B, C and F of the Board Complaint filed August 26, 2016.

7. Sergeant Jeffrey Johnston
Hellertown Police Department
685 Main Street
Hellertown, PA 18055

Sergeant Johnston will testify regarding Parts A, C, F and H of the Board Complaint filed August 26, 2016.

8. Officer Jared Gunshore
Lower Saucon Township Police Department
3700 Old Philadelphia Pike
Bethlehem, PA 18015

Officer Gunshore will testify regarding Parts C, F, and H of the Board Complaint filed August 26, 2016.

9. Leslie Ziegler Repyneck
2265 Silver Creek Road
Hellertown, PA 18055

Ms. Repyneck will testify regarding Part G of the Board Complaint filed August 26, 2016.

D. DISCOVERY CERTIFICATION

The Board, by and through undersigned counsel, hereby certifies that Judge Tidd has been furnished with all non-privileged evidence within the Board's possession relevant to the charges contained in the Board Complaint as required by C.J.D.R.P. 401(D)(1).

E. EXCULPATORY CERTIFICATION

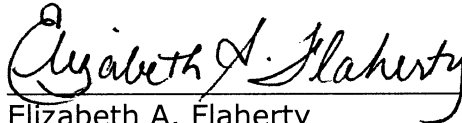
The Board, by and through undersigned counsel, hereby certifies that Judge Tidd has been provided with any and all exculpatory evidence relevant to the charges contained in the Board Complaint as required by C.J.D.R.P. 401(E).

Respectfully submitted,


ROBERT A. GRACI
Chief Counsel

DATE: April 17, 2017

BY:



Elizabeth A. Flaherty
Deputy Counsel
Pa. Supreme Court ID No. 205575



Melissa L. Norton
Assistant Counsel
Pa. Supreme Court ID No. 46684

Judicial Conduct Board
Pennsylvania Judicial Center
601 Commonwealth Avenue, Suite 3500
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Harrisburg, PA 17106
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PROOF OF SERVICE

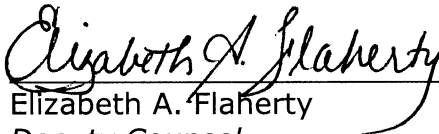
In compliance with Rule 122(F) of the Court of Judicial Discipline Rules of Procedure, on or about April 17, 2017, a copy of this *Judicial Conduct Board Supplemental Pre-Trial Memorandum* was sent by first-class mail and by email to former Magisterial District Judge Tidd's counsel, Samuel C. Stretton, Esquire, at the following address:

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

Respectfully submitted,
ROBERT A. GRACI
Chief Counsel

April 17, 2017

BY:


Elizabeth A. Flaherty
Deputy Counsel

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