



COMMONWEALTH OF PENNSYLVANIA

VS.

DEFENDANT:

NAME and ADDRESS

Ms. Brenda Prosser
423 Allegheny Street
Blair County Courthouse
Hollidaysburg, Pa 16648

(Fill in defendant's name and address)

Magisterial District Number:

24-3-03

District Justice Name and Address:

ELIZABETH A. DOYLE ESQ.

Address:

**311 UNION STREET
HOLLIDAYSBURG, PA**

16648

Telephone: (**814 693-3210**)

Docket No.:

Date Filed:

OTN:

(Above to be completed by court personnel)

Notice: Under PA Rules of Criminal Procedure, your complaint may require approval by the District Attorney before it can be accepted by the magisterial district court. If the District Attorney disapproves your complaint, you may petition the court of common pleas for review of the District Attorney's decision.

Fill in as much information as you have.

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

I, Robert G. Kearns, Jr.

(Name of Complainant - Please Print or Type)

do hereby state: (check the appropriate box)

1. ☒ 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 the Blair County Courthouse
(Place-Political Subdivision)
Situated at Hollidaysburg, Pa.

in Blair County on or about August 2000 and December 2000

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

Brenda Prosser and Sally A. Zeek, and Hiram A. Carpenter.

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.)

Brenda Prosser was hired in late August or early September as a replacement stenographer for Christa Miloro who had left Judge Carpenter's employ on August 18, 2000. Ms. Prosser had inherited the job to produce transcript's of the proceedings Frederick vs. Kearns docket # 96 GN 2139 set for appeal before the Superior Court of Pennsylvania. Ms. Prosser was not involved with the actual recording of the proceedings.

On December 20, 2000 I went to the Blair County Court to purchase an April 6, 2000 transcript and the April 20, transcript of the above captioned custody proceedings. At that time I had asked Ms. Prosser if Judge Hiram Carpenter had the April 20, transcript in his possession at any time. Ms. Prosser



PRIVATE CRIMINAL COMPLAINT

Defendant's Name:

Docket Number:

forthrightly told my brother and I that no one had the transcript but her. She claimed it had been kept locked away in her file cabinet until it was filed with the prothonotary. Ms. Prosser assured me that she did her best to transcribe the testimony from Christa Miloro's audio tapes.

I had purchased those two transcripts that were transcribed by Ms. Prosser. Both had been certified by Brenda Prosser and filed in the Blair County Courts Prothonotary's Office. Upon this complainant's examination of those transcripts it came to his attention they were replete with major errors which included numerous deletions, revised testimony and new dialogue. The alterations were so flagrant there was no question it was the act of sabotage by a person or persons with access to the transcripts during their production.

In the course of producing the transcripts in this matter of Frederick vs. Kearns (docket # 96 GN 2139) Ms. Prosser has violated the Pennsylvania statutes 18 Pa C.S.A. 4911. Tampering with public records or information. 18 Pa C.S.A. 4910. Tampering with or fabricating physical evidence. 18 Pa C.S.A. 903. Criminal Conspiracy. 18 Pa C.S.A. 4304. Endangering Welfare of Children. *to commit 4911. P.K.* 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 (refer to above paragraph) and _____ of the _____ (Section) _____ (Subsection) _____ (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.

January 13, 2001

Robert E. Prosser Jr.

(Signature of Complainant)

District Attorney's Office

☐

Approved

☒

Disapproved

because:

as a matter of police, alleged defendant is protected by judicial immunity. motive of officer is suspect and complaint lacks probable cause.

(Name of Attorney for Commonwealth - Please Print or Type)

(Signature of Attorney for Commonwealth)

(Date)

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

(Magisterial District)

(Issuing Authority)

SEAL

NOTICE TO PERSON SIGNING CRIMINAL COMPLAINTS

Pennsylvania Rules of Criminal Procedure provide that when a person who is not a Police officer wishes to sign a complaint charging another with a criminal offense, other than a summary offense, the complaint must first be submitted to the District Attorney's Office for approval or disapproval.

In order to assist the District Attorney's Office in reviewing your complaint, you must print or type, on this form a complete account of the events leading up to and including the criminal act you wish to complain about. This affidavit must indicate names, addresses and your own opinion as to the motives of the person complained about as well as an indication of your prior contacts, if any, with this person. Only complaints supported by a complete and detailed affidavit of the facts will be considered for approval.

TO BE COMPLETED BY COMPLAINANT

COMPLAINANT'S

NAME: Robert C. Kearns, Jr.

ADDRESS: RR#3 Box 254 A1

Hollidaysburg, Pa 16648

PHONE: 814-696-3022

DEFENDANT'S

NAME: Ms. Brenda Prosser

ADDRESS: 423 Allegheny Street

Blair County Courthouse

PHONE: Hollidaysburg, Pa 16648

814-693-3070

DATE: _____

TIME: _____

LOCATION OF INCIDENT: Blair County Courthouse

COMPLAINANT'S VERSION OF THE FACTS ON REVERSE SIDE OF THIS PAGE.

I further certify that these criminal proceedings are filed from proper motives and are not being brought for the purpose of collecting a civil obligation. On charges for Bad Checks (4105) and Theft of Leased Property (3932) proper legal notice has been given as required by said sections. I ask that a warrant of arrest or a summons be issued and that the accused be required to answer the charges I have made.

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.

January 2, 1997

Robert C. Kearns, Jr.
Complainant

Offense or Offenses . . .

Tampering with public records or information. Criminal conspiracy..

Tampering with or fabricating physical evidence. Endangering welfare of children.