

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: BLAIR

PRIVATE
CRIMINAL COMPLAINT



COMMONWEALTH OF PENNSYLVANIA
VS.

DEFENDANT:

NAME and ADDRESS

Anthony J. Zaroni, Esquire

118 South Juliana Street

Bedford, PA 15522

(Fill in defendant's name and address)

Magisterial District Number: 24-3-03
District Justice Name: Hon.
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 type="checkbox"/> Hispanic <input type="checkbox"/> Native American <input type="checkbox"/> Unknown	Defendant's Sex <input type="checkbox"/> Female <input checked="" 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 Sicker(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, Pennsylvania

in Blair County County on or about May 10, 2001

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

Beverly Mears, Esquire

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.)

As a result of a July 14, 2000 custody order criminally constructed by Judge Hiram Carpenter this complainant hired Attorney Anthony Zaroni on March 30, 2001 to file a legal brief in the Superior Court at the cost of \$2700. On April 19, 2001, Attorney Zaroni bargained with and advised this complainant that in exchange for dropping the active appeal before the Superior Court he would avoid further litigation and be expeditiously and voluntarily afforded shared physical and legal custody of his daughter by the guardian ad litem and the blessing

Defendant's Name: _____

Docket Number: _____



PRIVATE CRIMINAL COMPLAINT

of the Blair County Court.

Once this complainant left his appeal deadline expire on April 23, 2001, the renewed shared custody of his daughter did not come to fruition. Instead this complainant was forced to acquiesce to an arduous program of supervised visits with his daughter. Despite the quality supervised visit reports generated over a period of three months, this complainant was precluded from gaining custody of his daughter and found himself being reintroduced to the family court system by Attorney Zanoni in a vain and protracted attempt to gain custody of his daughter. To date this complainant has virtually gained no legal ground under the professional guidance of Attorney Anthony Zanoni. And ultimately Attorney Zanoni's conspiratorial and deceptive acts has defrauded this complainant of his legal rights and entire \$2700 retainer for the Superior Court appeal, plus additional cash payments amounting to thousands of dollars.

In the capacity of legal representation for this complainant, Attorney Anthony Zanoni has acted out a course of conduct in violation of Pennsylvania statutes 18 Pa C.S.A. Chapter 39. Theft and Related Offenses [subtitle 3922. Theft by Deception. Subsection (a)] 18 Pa C.S.A. Chapter 51. Obstructing Governmental Operations [subtitle 5101.] 18 Pa C.S.A. Chapter 9. Inchoate Crimes [subtitle 903. Criminal Conspiracy subsections (a) (b) (c) to commit 5101].

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 _____ and _____
of the see above paragraph (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.

August 8, 2003

Robert L. Hearn, Jr.
(Signature of Complainant)

District Attorney's Office ☐ Approved☒ Disapproved

because: facts alleged do not constitute crimes charged, civilly resolved, available and motive of complaint questioned, one as a matter of policy

(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.

David Eden 8/13/03

SEAL

(Magisterial District)

(Issuing Authority)

NOTICE OF PERSONS SIGNING CRIMINAL COMPLAINT

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 accounting 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 the person. Only complaints supported by a complete and detailed affidavit of the facts will be considered for approval. Use the back of this form to write the facts on.

TO BE COMPLETED BY THE COMPLAINANT

Complainant's

Name: Robert Gene Kearns, Jr.
Address: RR#3 Box 254 A1
Hollidaysburg, PA 16648
Phone: (814) 696-3022
Date: August 8, 2003

Defendant's

Name: Attorney Anthony Zaroni
Address: 118 South Juliana Street
Bedford, PA 15522
Phone: (814) 623-1772
Time: _____

Location of Incident: Allegheny Street, Hollidaysburg

COMPLAINANT'S VERSION OF THE FACTS MUST GO ON THE REVERSE SIDE OF THIS FORM.

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 Pa Crimes Code (18 PA. C. S. 4904) relating to unsworn falsification to authorities.

August 8, 2003
Date

Robert G. Kearns, Jr.
Complainant

Offense or Offenses:

Theft by Deception, Criminal Conspiracy, Obstruction of Justice

This private criminal complaint originates from the matter of Lou Ann Frederick -vs- Robert Kearns, Jr. [Docket No. 96 GN 2139] in the Common Pleas Court of Blair County, Pennsylvania.

In reaction to a custody order issued by Judge Hiram Carpenter on July 14, 2000 this defendant in the above captioned matter filed a Notice of Appeal in the Superior Court of Pennsylvania on August 9, 2000.

In the pursuit of quality legal and technical advice to aid this complainant's filing of an effective brief before the Pennsylvania Superior Court this defendant (hereafter referred to as the complainant) made an appointment with Attorney Anthony Zaroni for consultation. On March 30, 2001 I met with Attorney Zaroni to discuss his appeal and legal brief due on April 23, 2001. Ultimately the discussion led into other matters regarding the complainant's custody case before Judge Hiram Carpenter. During that time I fully apprised Attorney Zaroni of the details of my custody case including that the hearing transcripts had been extensively altered by Judge Hiram Carpenter and his court reporters to cover-up for and/or justify the unethical conduct and vicious abuse of this complainant's child by Blair County Children and Youth Services and various practitioners of the psychiatric profession.

Concluding the consultation meeting Attorney Zaroni asked this complainant if I really wanted to file the brief myself. Since the effectiveness of the brief would have decided the fate of my daughter's life I exhibited reluctance about filing the brief pro se. I told Attorney Zaroni that I really didn't feel comfortable about it and would prefer that someone with broader legal knowledge and experience do the job. Attorney Zaroni asked if the legal costs were part of my apprehensions? I told him that was part of it since I was told by other people that it would take approximately \$5,000.00 to have an attorney pursue the appeal. Another reason was I didn't think I could find an attorney who would be willing to jump into this case due to the wide spread publicity and criminal conduct of the court. Attorney Zaroni told me that he could do the job for \$2,700.00. Feeling a sense of relief and somewhat uplifted by his gallant offer, I told Attorney Zaroni that if is willing to file the brief for \$2,700.00 he has got the job.

On Saturday, March 31, this complainant and his brother delivered to Attorney Zaroni a cash payment in the amount of \$2,480.00 with the understanding that \$200.00 balance was owed for filing the brief in Superior Court. Also, as requested we had delivered copies of the pleadings of my custody case and some of the transcripts. During the following two weeks this complainant or a member of his family periodically delivered to Attorney Zaroni copies of the transcripts from the hearings. As Attorney Zaroni suggested I marked each transcript where the alterations had taken place and had given him pages of accompanying transcript corrections .

On April 19, 2001 Attorney Zaroni asked to meet with this complainant concerning the appeal in Superior Court. During the meeting Attorney Zaroni told me that he has not completed the brief which was due in just three days. Instead Attorney Zaroni asked if I would consider dropping the appeal in exchange for the reinstatement of the original shared custody scheme as before Judge Hiram Carpenter's order. Attorney Zaroni's

just have a judge rule on the contempt petition. Attorney Zaroni's secretary informed me that Attorney Zaroni preferred and requested that a hearing be scheduled to fully address the contempt petition.

On February 28, 2003 this complainant received a hearing date of May 14, 2003 to address the petition for the plaintiff's contempt of a court order. Allegedly this date was the earliest that Judge William Henry would be available to hear the case.

On March 19, 2003 this complainant received his very first itemized billing statement from Attorney Zaroni with the starting entry date of November 18, 2002. In essence Attorney Zaroni completely exhausted the remaining \$275.00 of the original \$2,480.00 retainer, plus an additional \$100.00 sent to Attorney Zaroni on January 30, 2003, and included a billing statement for an additional \$266.25 to be paid in full immediately.

On March 28, 2003 this complainant paid Attorney Zaroni the bill in full and sent him an accompanying letter requesting that his services would not be necessary at the May 14, 2003 contempt hearing.

On May 14, 2003 at 10:00 a.m. Attorney Zaroni's office left a telephone message with this complainant's sister reminding her to contact me that a contempt hearing was scheduled for May 15, 2003 at 11:30 a.m. At 10:25 a.m. this complainant received a telephone call from Attorney Zaroni's secretary asking me if he I was ready for the contempt hearing tomorrow May 15, 2003 at 11:30 a.m.. I told her yes, but the hearing is today May 14, 2003, at 11:30 a.m. not the 15th. Seeming surprised the secretary told me that she will check her schedule book for the time and date. When she returned she confirmed that the actual date was May 14, 2003. She further told me that Attorney Zaroni told her to call me to make sure that I was aware of my hearing scheduled for May 15, 2003. Adding to the confusion the secretary then informed me that Attorney Zaroni had just received the plaintiff's answer to the contempt petition yesterday (May 13, 2003). She warned me that I should be prepared because the plaintiff was denying everything across the board.

During the course of the May 14, 2003 hearing this complainant requested a continuance on the grounds that he was just notified at 10:30 a.m this morning that an answer had been filed against the contempt petition whereby not giving me adequate time to prepare a defense. Inquisitively, "Judge Reilly" asked the plaintiff's attorney when the answer was actually filed. Paula Aigner responded that she had filed and sent Attorney Zaroni the answer to the contempt petition on May 5, 2003 and she could not offer any explanation why Attorney Zaroni had not't received a copy of the answer before May 13, 2003.

On May 14, 2003 this complainant contacted counselor Dr. Brady to advise him that he may resume the counseling with this complainant and his daughter. Several days later Dr. Brady returned the call and advised me that he no longer desired to attempt the counseling with me or my daughter.

Pursuant to 234 Pa. Code Rule 504. Contents of Complaint. (Does not require a motive be offered for defendant's criminal conduct).