

PETITION  
FOR THE IMPEACHMENT OF  
JUDGE THOMAS PICCIONE,  
COURT OF COMMON PLEAS,  
LAWRENCE COUNTY, PENNSYLVANIA

CHIEF CLERK'S OFFICE  
2012 NOV 33 AM 10:41

Pursuant to the Pennsylvania State Constitution and Article VI--PUBLIC OFFICERS (Power of Impeachment -- Section 4.), (Trial of Impeachment Section--5.), and (Officers Liable to Impeachment--Section 6.); and Article V, Section 15 [Tenure of Justices, Judges and Justices of the Peace], and Section 17 [Prohibited Activities--Subsection (b)], and Section 18 [Suspension, removal, Discipline and Compulsory Retirement]-- Subsection (d): paragraph (5).

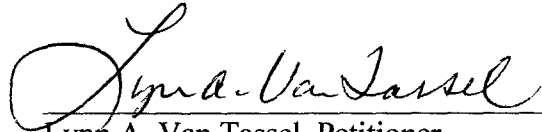
To investigate the charges made and brought hereunder by the undersigned Petitioner against The Honorable Thomas Piccione, Judge of the Court of Common Pleas, Lawrence County, Pennsylvania, as more fully set forth in the Petitioner's Affidavit in support of this Petition, attached hereto and made a part hereof as if fully set forth, implicating Judge Thomas Piccione of malfeasance, nonfeasance and felonious conduct in office so sadistic that it strikes at the very heart of the American justice system; further implicating his failure to uphold his sworn duties as protector of the Constitutions of the United States of America and the State of Pennsylvania, and the laws of the State; and implicating his failure to uphold and enforce the public policy of Pennsylvania for continued duty of child support from an obligor parent; and implicating his decisions to the contrary of said public policy in his official capacity as Common Pleas Court judge as violation of statutory and constitutional protections and liberties; and,

When warranted, to indict said Honorable Thomas Piccione for malfeasance, nonfeasance and felonious conduct in office, and to bind him over for trial on impeachment from office in the Senate of the State of Pennsylvania at the earliest possible time.

DATED this 29th day of November, 2012.

RESPECTFULLY SUBMITTED,

PETITIONER:

A handwritten signature in cursive script that reads "Lynn A. Van Tassel". The signature is written in black ink and is positioned above a horizontal line.

Lynn A. Van Tassel, Petitioner  
4324 Hillsville Road  
Pulaski, PA 16143  
(724) 964-8284 Home  
(724) 674-0446 Cell  
[lynnvantassel@yahoo.com](mailto:lynnvantassel@yahoo.com)

AFFIDAVIT OF PETITIONER

IN SUPPORT OF PETITION FOR IMPEACHMENT

STATE OF PENNSYLVANIA )

) ss.

COUNTY OF LAWRENCE )

1. I, Lynn A. Van Tassel, being duly sworn, upon oath, do hereby depose and state as follows:
2. I am a legal resident of Pulaski Township, Lawrence County, Pennsylvania.
3. I make this affidavit in support of my Petition for Impeachment of Judge Thomas Piccione, Common Pleas Court Judge of Lawrence County, Pennsylvania. The statements made in this Affidavit are based on my personal knowledge and the court records pertaining to my child support case.
4. I am the Plaintiff in a post-decree civil action in the Common Pleas Court in and for Lawrence County, Pennsylvania. (Van Tassel v. Van Tassel) case numbers 44 of 2011, D.R., number 176 of 2010, D.R. (Defendant) and number 503 of 2003, D.R., along with judgment case number 20288 of 2008, D.S.B.
5. In June 2009, Judge Piccione took over these cases from Judge John W. Hodge, who was a defendant in a federal suit initiated by the Plaintiff/Petitioner.
6. I am petitioning the Pennsylvania House of Representatives to redress grievances against Judge Thomas Piccione, who has misused his office and abused his power to criminally conceal, maintain and abet the judicial process, sanction Petitioner for statutorily protected behavior, issue a bench warrant for civil contempt and award a judgment and attorneys fees against Petitioner, incarcerate Petitioner – all while on appeal, then fake and forge criminal charges on a miscellaneous docket against Petitioner with no formal charges, hearing, etc., and continue to defy the legislative statutes, laws, rules, etc. in Petitioner's support cases.

7. Judge Piccione's tenure in presiding in the above matter began on or about June 2009, spanning to the present date. In the latest *de novo* hearing on November 6, 2012, Judge Piccione even stated on the record that "faking and forging of criminal charges on a miscellaneous docket" is a "crime" and advised Petitioner during her testimony that if she had "evidence" that she should "follow up" on it. See Exhibit A attached to this Petition for a copy of the Miscellaneous Docket in which Judge Piccione Ordered these charges to be entered in the computer for the Unified Judicial System website, where they remained published for over 3 months. This deliberate defamation of character almost cost Petitioner her job, and resulted in her not being able to return to work and loss of reputation and bargaining unit days in her union, as well as income.
  
8. Judge Thomas Piccione has demonstrated complete and total blatant bias and partiality – not even a mere appearance – and is now "double-dipping" against the Petitioner for support purposes while refusing to assess non-equitably distributed income from the defendant for support purposes from a retirement account that was cashed in prematurely. Judge Piccione refused to go back to the case prior to March 2010 for the Petitioner to fairly assess substantial income from the Defendant that has never been included for support purposes, yet has now ordered Domestic Relations to include income from Petitioner that has already been assessed once for support purposes during that time frame. Even more disturbing, the court has no jurisdiction, as the matter of Judge Piccione refusing to go back for Petitioner is on appeal in the exclusive jurisdiction of the Superior Court. This Judge is out of control and is deliberating and blatantly cheating a child out of a support obligation and continues to assess the custodial parent more and more fees for statutorily protected behavior. This Judge continues to act absent of or in excess of his jurisdiction, reward Defendant for lying under oath, and award attorney's fees to Defendant's counsel – who contributes heavily to this judge's election and re-election campaigns. Other counsel in the county have stated to Petitioner that opposing counsel in her case is "the golden boy" in front of this particular judge. A full and complete independent investigation into these matters is required to restore the public's confidence in the integrity of the judiciary. This judge is acting as the "personal collection agency" of this opposing counsel and his law firm – even though a "money judgment" was awarded. How many other firms have the taxpayer resources at their disposal to collect debts when they are legally bound to "execute" on judgments – not rely on extortion by the courts? This is, indeed, inappropriate and unconstitutional in light of federal law regarding the collection of money judgments. (Petitioner maintains the judgment is "void" and paid said judgment while filing "jurisdictional objections" to same and reserves her right to seek remedy in a federal forum.)
  
9. Defendant on November 6, 2012, testified under oath, in complete violation of the Doctrine of Judicial Estoppel, that this income he withdrew was non-marital. Yet,

Defendant previously testified in August 2007 that it was “an equitably distributed marital asset.” This is perjury. The Judge has and continues to be biased, insisting that it is Petitioner making a “mockery of the court” when, in fact, it is the Judge that sanctioned Petitioner for statutorily protected behavior, held Petitioner in civil contempt without any of the requisite procedural safeguards required by the U.S. Supreme Court, arrested her on a bench warrant while she was on appeal in Superior Court proceeding in forma pauperis (thereby not required to post bond to effect a supersedeas), released her “on bail” from civil contempt, and the list goes on and on . . . all leading up to her being charged with indirect criminal contempt on a miscellaneous docket without ever having a formal hearing. To this date, Petitioner has never had a bench warrant hearing – which is required by both Pa. Rules of Criminal and Civil Procedure within 72 hours! Judge Piccione even admitted that the faking and forging of criminal charges is a CRIME. Yet the transcript of December 7, 2011 and Exhibit A to this Petition both show that it was Judge Piccione that was directly responsible for this tragedy which demonstrate clear violations of the Code of Judicial Conduct. Judge Piccione needs to be charged with “felony records tampering” after a complete and full investigation of this matter by an independent agency such as the FBI Public Corruption Squad. Petitioner has it on good authority from a reliable source in the Courthouse that she is not the only person that the Lawrence County Court of Common Pleas and this particular Judge have done this to in Lawrence County.

10. The Court of Common Pleas and Judge Piccione have received numerous exhibits during the course of this litigation and a barrage of intervening controlling case law on the matter, yet choose to deliberately ignore it, defy the statutes and Pa. Rules of Civil Procedure, enter orders absent of or in excess of their jurisdiction, etc. The Court and this Judge are arrogant and believe they are above the law. This Judge believes he can defy, rather than defer, to the legislature and the rules and the law. Petitioner and her minor child have now been harmed in excess of \$20,000, as well as intentional defamation of character and emotional (and financial) distress to the minor child involved as a result of this lawless behavior.
11. Judge Piccione’s bias towards the Petitioner and her family is in violation of the Code of Judicial Conduct [Canon 3--section A--subsection (3)].
12. Judge Piccione states in numerous orders that Petitioner is making a mockery of the Court – yet he is the one who used the word “bail” over 69 times in the transcript of December 7, 2011 – yet there is no “bail” on civil contempt. Judge Piccione violated Petitioner’s right to due process on December 7, 2011 as the parties were before him to hear Petitioner’s Motion to transfer detention to house arrest or alternatively work release – yet the judge turned it into a “bail hearing.” See transcript of December 7, 2011. No

due process equates to unconstitutional behavior by this court. Due process requires both “notice” and a “meaningful opportunity to be heard or defend” and neither existed on December 7, 2011.

13. The Order of November 17, 2011 incarcerating Petitioner for a “fixed, determinate sentence of 90 days,” setting “purge conditions” without delving into Petitioner’s current financial ability to comply, converting the previous orders to a “money judgment” and awarding additional attorney fees against Petitioner – all from “motion court” (not an evidentiary hearing) and at a time when the matter was on appeal is illegal, unconstitutional and demonstrates the arrogance and deliberate ignorance of this court and this judge, as he believes he is above the law. An appeal was taken to this order in December 2011 and this arrogant Judge Thomas Piccione has still, as of this date, not sent up the original record in the matter and is deliberately attempting to interfere in Petitioner’s appellate rights. This matter requires extensive investigation by an independent agency such as the FBI Public Corruption Squad or other agency.
14. The United States Supreme Court has clearly, and repeatedly, held that any judge who acts without jurisdiction is engaged in an act of treason. *U.S. v. Will*, 449 U.S. 200, 216, 101 S. Ct. 471, 66, L.Ed.2d 392, 406 (1980); *Cohens v. Virginia*, 19 U.S. (6 Wheat) 264, 404, 5 L.Ed 257 (1821).

#### Citations

Federal statutes Section 242 of Title 18 makes it a crime for a person acting under color of law to willfully deprive a person of a right or privilege protected by the Constitution or laws of the United States.

For the purpose of Section 242, acts under "color of law" include acts not only done by federal, state, or local officials within their lawful authority, but also acts done beyond the bounds of that officials lawful authority, if the acts are done while the official is purporting to or pretending to act in the performance of his/or her official duties. Persons acting under color of law within the meaning of this statute include police officers, prison guards and other law enforcement officials, as well as judges, care providers in public health facilities, and others who are acting as public officials. It is not necessary that the crime be motivated by animus toward the race, color, religion, sex, handicap, familial status or national origin of the victim.

15. Despite the overwhelming evidence supportive of this Petitioner’s prayer for inclusion of a prematurely withdrawn retirement account by Petitioner’s ex-husband to be used for support calculation, the Court deliberately abused its discretion and did not even look at the evidence before it stating it was a “pre-marital” asset. Instead, the Court ruled it an

“equitably distributed marital asset” and refused to include it in the support calculation, but now is assessing Petitioner twice on her income – in violation of the intervening controlling case law regarding the “double-dip” in support cases.

16. Judge Piccione’s copious and extensive violations of statute, constitutional protections, and case law mandates - and his entrenched and rampant bias and prejudice against a party (in this case, the Petitioner mother) as evidenced by ignoring credible and tangible evidence. against allegations which were themselves not supported by evidence and ultimately were proven fraudulent . Judge Piccione’s mishandling of this case throughout the referenced support proceeding demonstrates an extreme gender bias, inability or unwillingness to correctly, impartially and fairly apply the laws of Pennsylvania, and demonstrated a willingness to compromise the law and his official duties when called upon, whereby severely prejudicing this Petitioner mother's standing as an active, involved parent in her daughter's life. The fact that Judge Piccione is acting as a collection agency for the lawfirm of Verterano and Manolis, even after awarding them a “money judgment” for statutorily protected behavior, incarcerating mother, faking and forging criminal charges on a miscellaneous docket, publishing said charges on the Pennsylvania Unified Judicial Systems website – all because mother insists this Court follow the law, is outrageous and “shocks the conscience.”
17. As a consequence of Judge Piccione’s gross mishandling of the above support case, Petitioner is now behind on her bills, had to pay under duress a judgment in the amount of \$9,230 plus interest, \$780 for electronic monitoring for a crime she did not commit, be stripped searched and incarcerated for 6 days, lose wages and bargaining unit days in her union and almost lose her job, etc.
18. The legislature cannot sit back and state with certainty that it enacted and adopted the Act 1997-58 remedies to collect support more quickly whenever feasible and come into compliance with the federal mandate while at the same time allowing those parties who invoke these remedies to be punished financially and sentenced to incarceration, all the while court engages in criminal behavior by faking and forging charges against them all because they have pointed out the gross errors and blatant incompetence of the court. This Court and this Judge have taken a simple support matter and made it into a federal case.
19. Judge Henry’s rationale of this Petitioner father's "crimes" to warrant his biased imposition of these malevolent and severe penalties that are punitive in nature are: (a) being "angry" that Petitioner has pointed out the court’s numerous errors, and judicially sanctioning Petitioner for pointing out the court is condoning fraud and deceit; (b) for pointing out the court continues to act without jurisdiction; (c) for pointing out the court

is suborning and rewarding perjury and false testimony by the Defendant; (d) imposing support obligations on Petitioner twice for the same income; (e) giving credits to the Defendant who has the minor child only 3% of the time and refusing to grant an upward deviation, as the Defendant is enjoying a 30% presumption under the guidelines to which he is not entitled.

20. Judge Piccione's malfeasance and nonfeasance in his judicial capacity and disregard of the laws is repugnant to the law and Code of Judicial Conduct. He has deprived the rights of this Petitioner and her daughter the protections provided by federal and state constitution and state statutes and risen to and beyond the level of impeachable offenses. He is a disgrace to and an abomination against the legislative goal of Pennsylvania, and the fundamental natural right to, preservation of the relationship between children of divorce and both parents. Judge Piccione's unlawful methods of adjudicating support cases destroys children, families and people's lives and should be impeached by the Pennsylvania State Legislature immediately.
21. Unfortunately, it is a sad day in Pennsylvania when Judge Piccione's judicial misconduct is not any longer the rare exception in our judiciary, but has become the silent rule. It appears that as the Pennsylvania state legislature has been lulled into a comatose slumber, the judicial branch of government has worked tirelessly like a thief in the night pilfering and corrupting our system of justice destroying one child at a time until it has become a disgraceful scourge on our society.

Thomas Jefferson has warned:

(Quote) "As for the safety of society, we commit honest maniacs to Bedlam, so judges should be withdrawn from their bench, whose erroneous biases are leading us to dissolution."

Frederick Douglas has warned:

(Quote) "Find out just what people will submit to, and you have found the exact amount of injustice and wrongdoing which will be imposed on them; and these will continue until they are resisted with either words or blows, or with both. The limits of tyrants are prescribed by the endurance of those whom they oppress."

Carl Schurz's profound statement sums up this situation we face today:

(Quote) "My country right or wrong; if right, to be kept right and if wrong, to be set right."

I am again asking that my state legislature take heed to the warnings of these wise men. This unbridled reign of terror being inflicted on an unsuspecting Pennsylvania citizenry



and its defenseless children by a self policing out of control judiciary body of our state government must be reined in through an honest and determined legislative investigation of the Lawrence County Court of Common Pleas.

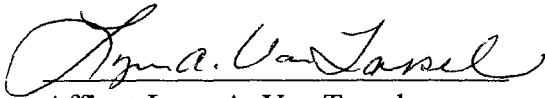
It could not possibly be the intent of this legislative body to enact laws, statutes, and rules to govern our judicial officers only to have them deliberately "defy" rather than "defer" to these laws, statutes and rules.

Petitioner is a veteran, and a single mother of three children, and her support obligation is a legal obligation by Defendant. No mother should be jailed and have money she doesn't have extorted by the court to reward a lying Defendant and his counsel under any circumstances. No person should ever have **CRIMINAL CHARGES FAKED AND FORGED AGAINST THEM WITHOUT DUE PROCESS**. I beg this legislative body to investigate, at its earliest possible convenience, as many others have met the same fate and something needs to be done to demonstrate that our elected judicial officials **MUST ABIDE** by the law and not be allowed to **ABUSE** their power to ignore it.

Imagine this Petitioner's surprise when the very body of law established to enforce the collection of her overdue child support instead sanctioned her for statutorily protected behavior, assessed more fees for her exercising her right of appeal (even though appeal was dismissed – Petitioner was sanctioned another \$2,544.50 in violation of Supreme Court law). This court has raped and pillaged **THIS** family for the last time.

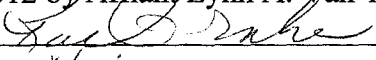
Petitioner reserves the right to amend and supplement this Petition for Impeachment as her case continues in the Lawrence County Court of Common Pleas before Judge Piccione should he continue to engage in additional **CRIMINAL** behavior and the matters that are currently pending in Superior Court.

FURTHER AFFIANT SAYETH NAUGHT.

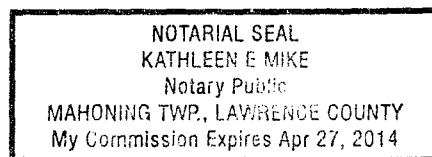


Affiant-Lynn A. Van Tassel

SUBSCRIBED AND SWORN TO BEFORE ME this twenty seventh day of November 2012 by Affiant/Lynn A. Van Tassel. Witness my hand and official seal.

  
\_\_\_\_\_  
NOTARY

My commission expires: 4.27.14



COURT OF COMMON PLEAS OF LAWRENCE COUNTY

DOCKET



Docket Number: CP-37-MD-000505-2011

MISCELLANEOUS DOCKET

Supervision Transfers

Commonwealth of Pennsylvania

Page 1 of 2

v.

Van Tassel, Lynn A.

CASE INFORMATION

Cross Court Docket Nos:

Judge Assigned:

Date Filed: 12/02/2011

Initiation Date: 12/02/2011

OTN:

Lower Court Docket No:

Initial Issuing Authority:

Final Issuing Authority:

Arresting Agency: Lawrence County District Attorney's Office

Arresting Officer: Affiant

Case Local Number Type(s)

Case Local Number(s)

STATUS INFORMATION

Case Status: Active

Status Date

Processing Status

12/02/2011

Awaiting Disposition

DEFENDANT INFORMATION

Date Of Birth:

City/State/Zip: Pulaski, PA 16143

CASE PARTICIPANTS

Participant Type

Name

Defendant

Van Tassel, Lynn A.

BAIL INFORMATION

Van Tassel, Lynn A.

Nebbia Status: None

Bail Action	Date	Bail Type	Percentage	Amount	Bail Posting Status	Posting Date
Set	12/02/2011	Nominal		\$1.00	Posted	12/02/2011

CHARGES

Seq.	Orig Seq.	Grade	Statute	Statute Description	Offense Dt.	OTN
1	1	IC	23 § 6114 §§A	Contempt For Violation of Order or Agreement	12/02/2011	

Recent entries made in the court filing offices may not be immediately reflected on these docket sheets. Neither the courts of the Unified Judicial System of the Commonwealth of Pennsylvania nor the Administrative Office of Pennsylvania Courts assume any liability for inaccurate or delayed data, errors or omissions on these reports. Docket Sheet information should not be used in place of a criminal history background check which can only be provided by the Pennsylvania State Police. Moreover an employer who does not comply with the provisions of the Criminal History Record Information Act may be subject to civil liability as set forth in 18 Pa.C.S. Section 9183.

EX. "A"

**COURT OF COMMON PLEAS OF LAWRENCE COUNTY**

**DOCKET**



Docket Number: CP-37-MD-0000505-2011

**MISCELLANEOUS DOCKET**

Supervision Transfers

Commonwealth of Pennsylvania

Page 2 of 2

v.

Van Tassel, Lynn A.

**COMMONWEALTH INFORMATION**

**ATTORNEY INFORMATION**

Name:

Name:

Supreme Court No:

Supreme Court No:

Rep. Status:

Phone Number(s):

**ENTRIES**

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	12/02/2011	12/02/2011	Piccione, Thomas M.
Courtesy Copy of Order of Court/Hrg Sched for December 7,2011; Nominal Bond 12/5/11 ca,da			
1	12/05/2011		Van Tassel, Lynn A.
\$1.00 Nominal Bond 12/5/11 ca,da			

**CASE FINANCIAL INFORMATION**

Last Payment Date: 12/05/2011

Total of Last Payment: -\$170.00

<b>Van Tassel, Lynn A.</b> Defendant	<u>Assessment</u>	<u>Payments</u>	<u>Adjustments</u>	<u>Non Monetary</u> <u>Payments</u>	<u>Total</u>
<b>Costs/Fees</b>					
Electronic Monitoring (Lawrence)	\$170.00	-\$170.00	\$0.00	\$0.00	\$0.00
Electronic Monitoring (Lawrence)	\$580.00	\$0.00	\$0.00	\$0.00	\$580.00
Costs/Fees Totals:	\$750.00	-\$170.00	\$0.00	\$0.00	\$580.00
Grand Totals:	\$750.00	-\$170.00	\$0.00	\$0.00	\$580.00

\*\* - Indicates assessment is subrogated

Recent entries made in the court filing offices may not be immediately reflected on these docket sheets. Neither the courts of the Unified Judicial System of the Commonwealth of Pennsylvania nor the Administrative Office of Pennsylvania Courts assume any liability for inaccurate or delayed data, errors or omissions on these reports. Docket Sheet information should not be used in place of a criminal history background check which can only be provided by the Pennsylvania State Police. Moreover an employer who does not comply with the provisions of the Criminal History Record Information Act may be subject to civil liability as set forth in 18 Pa.C.S. Section 9183.