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SUPREME COURT OF NEW JERSEY
ADVISORY COMMITTEE ON
JUDICIAL CONDUCT

DOCKET NO. ACJC 2004-266

IN THE MATTER OF
:
JOHN PARAGANO,
:
FORMER JUDGE OF THE
:
MUNICIPAL COURT
:

ANSWER

RECEIVED

NOV 23 2005

ACJC

Joseph W. Spagnoli, Esq., attorney for John Paragano ("Respondent"), says:

COUNT I

1. Respondent admits the allegations contained in paragraphs one, two and thirteen of the Complaint.
2. Respondent has no knowledge of the allegations contained in paragraphs three, four, five, six, seven, eight, nine, ten, eleven and twelve of the Complaint and leaves complainant to its proofs in the case.

COUNT II

1. Respondent admits the allegations contained in paragraphs seven, eight and nine of the Complaint.

2. Respondent leaves the complainant to its proofs as to paragraphs one, two, three, four, five and six of the Complaint.

WHEREFORE, Respondent denies that the conduct violated the Canons of the Code of Judicial Conduct and requests dismissal of the Complaint.



Joseph W. Spagnoli, Esq.
Attorney for Respondent, John Paragano

Dated: November 21, 2005

JOSEPH W. SPAGNOLI
ATTORNEY AT LAW

JOSEPH W. SPAGNOLI
LORI SPAGNOLI
CERTIFIED BY THE SUPREME COURT OF
NEW JERSEY AS CRIMINAL TRIAL ATTORNEYS

190 NORTH AVENUE EAST
CRANFORD, NEW JERSEY 07016
(908) 497-0031

April 3, 2006

Patrick J. Monahan, Jr., Esq.
The ACJC
P. O. Box 037
Trenton, New Jersey 08625-0037

Re: ACJC 2004-266 (John Paragano)

Dear Mr. Monahan:

On this date as you probably realize I received a letter and a voluminous package of discovery from John A. Tonelli, Chief Investigator. I reviewed the contents with my client and after discussing it with him and his wife we thought it more appropriate to admit the allegations contained in the complaint and hereby withdraw the previously filed answer.

We are of the opinion that there will not be a necessity to call any of the witnesses listed in the March 27, 2006 letter and would be more than willing to have the committee render a fair and just decision based on the conduct and realization that nothing like this has ever happened. Mr. Paragano did complete 27 sessions of anger management and six weeks of alcohol counseling with a certified alcohol counselor as part of the disposition before Judge Ahto prior to his guilty plea to driving under the influence of alcohol, along with a dismissal of simple assault and criminal mischief.

We therefore admit the allegations contained in the complaint served on November 10, 2005 and set forth some items in mitigation of punishment which we would ask that you consider.

Mr. Paragano has married the young lady whose name is contained in the two page letter of March 27, 2006, Ms. Prior, and they have been very happy as a married couple since July 2005.

They are obviously not looking to have their family placed on display once again and have the embarrassment of any unfortunate publicity arising out of this incident which was very much out of character for Mr. Paragano.

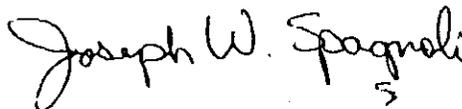
Incidentally, please realize that there has never been an incident such as this before with my client and on this particular occasion he had been taking prescribed medication in addition to some alcohol while out to dinner.

As you probably are aware, once the incident occurred Mr. Paragano was suspended from his position as municipal court judge in Union Township, Union County, New Jersey and remained suspended until the case was disposed of in the Morris County Superior Court with a guilty plea to driving under the influence of alcohol. He then resigned from his position. Therefore, he is no longer sitting as a municipal court judge and lastly as you probably also realize a substantial amount of publicity was generated as a result of this incident which has now calmed down and we are simply seeking to resolve the matter as fair and as quickly as possible.

Lastly, it is my understanding that this admission and ultimate disposition pertains only to this case and it does not result in a new matter before attorney ethics.

We would be happy to address the committee as to an penalty if they deem it appropriate.

Very truly yours,



Joseph W. Spagnoli

JWS/cs