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FILED
APR 07 2008
A. C. J. C.

IN THE MATTER OF

RICHARD M. SASSO
JUDGE OF THE MUNICIPAL COURT

SUPREME COURT OF
NEW JERSEY
ADVISORY COMMITTEE ON
JUDICIAL CONDUCT

DOCKET NO. ACJC 2007-162

Civil Action

ANSWER TO FORMAL COMPLAINT

The Respondent, by way of Answer to the Formal Complaint filed herein, says:

1. The Respondent admits the allegations contained in paragraph 1.

2. The Respondent admits the allegations contained in paragraph 2.

3. The Respondent admits the allegations contained in paragraph 3.

AS TO COUNT I

4. The Respondent hereby repeats his answers to each and every allegation contained in paragraphs 1 through 3 and incorporates same herein.

5. The Respondent admits the allegations contained in paragraph 5 except to deny that he presided over Court sessions while "under the influence of drugs and/or alcohol".

6. The Respondent admits the allegations contained in paragraph 6 except to deny that any Court session was cancelled due to Respondent's "impaired condition".

7. The Respondent admits the allegations contained in paragraph 7 except to deny that he presided over Court while "under the influence of drugs and/or alcohol" or that he was "in an impaired" condition.

8. The Respondent denies the allegations contained in paragraph 8.

AS TO COUNT II

9. The Respondent hereby repeats his answers to each and every allegation contained in paragraphs 1 through 8 and incorporates same herein.

10. The Respondent admits his presence at Torpedo's Go-Go Bar in Bound Brook, New Jersey on November 29, 2007 but denies the remaining allegations set forth in paragraph 10 of the Complaint herein.

11. The Respondent admits being transported to the police station in Bound Brook and calling his friend, Russell Leffert, for transportation but denies the remaining allegations contained in paragraph 11 of the Complaint.

12. The Respondent denies the allegations contained in paragraph 12.

13. The Respondent denies the allegations contained in paragraph 13.

AS TO COUNT III

14. The Respondent hereby repeats his answers to each and every allegation contained in paragraphs 1 through 13 and incorporates same herein.

15. The Respondent denies that he has repeatedly sanctioned attorneys or litigants for appearing late as alleged in paragraph 15 but admits the content of Rule 1:2-4 as stated therein.

16. The Respondent denies the allegations contained in paragraph 16.

17. The Respondent denies the allegations contained in paragraph 17.

AS TO COUNT IV

18. The Respondent hereby repeats his answers to each and every allegation contained in paragraphs 1 through 17 and incorporates same herein.

19. The Respondent admits that he presided over the matter of State v. Lisa Brown in the Watchung Municipal Court on July 12, 200, which was a criminal case, and that a bench warrant was issued for her failure to appear in Court but denies the remaining allegations set forth therein.

20. The Respondent admits that Ms. Brown eventually arrived in Court, at 10:45, and identified herself to the Court. The Respondent is without sufficient to admit or deny the contents of the transcript but denies that he ever became upset or yelled loudly at Ms. Brown except to

attempt to be heard over voice during their colloquy. The Respondent admits that Ms. Brown was held in contempt of Court by reason of her conduct before the Court.

21. The Respondent admits the allegations contained in paragraph 21.

22. The Respondent admits questioning Ms. Bombelyn about her interaction with his staff wherein she had threatened the Court staff resulting in a call to the Judge during the day. The Respondent is without sufficient information to form a belief as to the accuracy of the transcript reproduced in paragraph 22.

23. The Respondent denies that he pressed Ms. Bombelyn in a belligerent manner but is without sufficient information to form a belief as to the accuracy of the portions of the transcript that are contained in paragraph 23. The Respondent admits that Ms. Bombelyn was sanctioned for contempt of Court.

24. The Respondent denies the allegations contained in paragraph 24 except to admit that attorney Bombelyn was sanctioned for contempt of Court.

25. The Respondent admits that attorney Bombelyn filed an appeal which resulted in the sanctions being vacated but is without sufficient information to form a belief as to the remaining allegations contained in paragraph 25.

26. The Respondent admits the allegations contained in paragraph 26.

27. The Respondent admits that Mr. Roberson return to Court after a fine had been imposed but denies any sarcasm in any conversation with Mr. Roberson and, in fact, offered to vacate his plea which the defendant declined to accept. The Respondent is without sufficient information to form a belief as to the accuracy of the alleged conversation reported with a "unidentified speaker".

28. The Respondent denies the allegations contained in paragraph 28.

29. The Respondent denies the allegations contained in paragraph 29.

AS TO COUNT V

30. The Respondent hereby repeats his answers to each and every allegation contained in paragraphs 1 through 29 and incorporates same herein.

31. The Respondent admits that he presided over a matter involving Tina Sears in Warren

Township Municipal Court on May 9, 2006 and that Ms. Sears was detained after saying "f____ you" in a crowded Court room. The Respondent denies the remaining allegations contained in paragraph 31.

32. The Respondent admits that Ms. Sears was held in contempt of Court and sentenced to a period of incarceration which was vacated the next morning after Ms. Sears apologized to the Court for her conduct.

33. The Respondent admits holding Ms. Sears in contempt of Court but denies the remaining allegations contained in paragraph 33.

34. The Respondent admits presiding over the matter of State v. Lisa Brown as set forth in Count IV above and that Ms. Brown was sanctioned for contempt of Court but denies the remaining allegations set forth in paragraph 34.

35. The Respondent denies the allegations contained in paragraph 35.

AS TO COUNT VI

36. The Respondent hereby repeats his answers to each and every allegation contained in paragraphs 1 through 35 and incorporates same herein.

37. The Respondent admits that upon the recommendation of the Municipal Prosecutor and an analysis of the individual charges pending against high school students, he has frequently imposed lesser penalties where assurances were provided that the individual defendant, as opposed to a family member, would pay such fines. Any reduction in the fine was also based upon the financial ability of the individual student defendant. This applied to all high school students for all schools throughout, not just to local students.

38. The Respondent denies the allegations contained in paragraph 38.

AS TO COUNT VII

39. The Respondent hereby repeats his answers to each and every allegation contained in paragraphs 1 through 38 and incorporates same herein.

40. The Respondent admits that he has consulted with members of the Watchung Chemical Fire Company without compensation. The Watchung Chemical Fire Company is not a municipal

entity but, rather, a non-profit corporate entity existing on private donations.

41. The Respondent denies that he drafted the by-laws but admits that he did discuss the by-laws with representatives of the Watchung Chemical Fire Company as set forth in paragraph 41.

42. The Respondent denies the allegations contained in paragraph 42.

43. The Respondent denies the allegations contained in paragraph 43.

WHEREFORE, the Respondent demands judgment the Formal Complaint herein and declaring that he has not violated the Canons of the Code of Judicial Conduct as alleged therein.

The Respondent further denies that he has violated Rule 2:15-8(a)(1) and Rule 2:15-8(a)(6) of the New Jersey Rules of Court.

BORRUS, GOLDIN, FOLEY, VIGNUOLO,
HYMAN & STAHL, P.C.
Attorneys for Respondent

ANTHONY B. VIGNUOLO

Dated: April 2, 2008

I certify that the within pleading has been filed within the time prescribed by the Rules of Court.

BORRUS, GOLDIN, FOLEY, VIGNUOLO,
HYMAN & STAHL, P.C.
Attorneys for Respondent

ANTHONY B. VIGNUOLO

Dated: April 2, 2008

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