

# Brady Cleared of Harboring Boyfriend as Hindering Counts Are Tossed

Superior Court Judge Robert Reed granted a motion by the Somerset County Prosecutor's Office to drop two counts of hindering apprehension against Carlia Brady Thursday, just as a jury was being selected in the 4-year-old case.

By [Charles Toutant](#) | **UPDATED** Mar 01, 2018 at 07:53 PM



Carlia Brady

Suspended Superior Court Judge Carlia Brady has been cleared of charges that she harbored her boyfriend as a fugitive after prosecutors dropped the last remaining counts against her.

Superior Court Judge Robert Reed granted a motion by the Somerset County Prosecutor's Office to drop two counts of hindering apprehension against Brady Thursday, just as a jury was being selected in the 4-year-old case. A charge of official misconduct against Brady was dropped in March 2016, and [the Appellate Division affirmed that ruling](#) in September 2017.

The charges were dropped in light of [an Appellate Division ruling](#) finding that Brady's ex-boyfriend, Jason Prontnicki, could not be compelled to testify at her trial. Prontnicki was the prosecution's only witness, said Brady's lawyer, Timothy Smith of Caruso Smith Picini in Fairfield.

Brady, a fledgling judge who was assigned to Middlesex County Superior Court in February 2013, was arrested by Woodbridge police in June 2013 for allegedly failing to turn in Prontnicki even though she knew he was wanted in connection with the robbery of an Old Bridge pharmacy. [She was placed on suspension from her position](#) after the arrest.

The Woodbridge Police Department and prosecutors claimed Brady failed to call police soon enough when he came to her home. The case was handled by the Somerset County Prosecutor's Office to prevent a conflict with prosecutors in Middlesex, where she was a judge.

"The victimization of Carlia Brady has ended," Smith said. "She was raked over the coals because some rogue cops were out to get a judge. She was the victim of a false arrest, a false charge, a false indictment and a malicious prosecution."

"The complaint alleged she committed hindering by virtue of not immediately calling police when she became aware of the whereabouts of her live-in boyfriend. That was the theory. However, that is not the law—there is no such obligation. So this case was, at all times, based on a flawed theory of prosecution and it was based on what the Woodbridge police wanted the law to be as opposed to what it was," Smith said.

Appellate Division Judges Mitchel Ostrer and Jack Sabatino, ruling on Wednesday, reversed a trial court order compelling Prontnicki to testify about his interactions with Brady just before her arrest in June 2013. Prontnicki, who was convicted in connection with the pharmacy robbery, but has appealed, cited his privilege against incriminating himself. The appeals court said Prontnicki's right to avoid self-incrimination remains viable even after his conviction.

Brady was arrested in June 2013 and was suspended from the bench. She was confirmed and assigned to the Middlesex County Superior Court in February 2013, becoming the first New Jersey judge born in the Philippines. Before becoming a judge, she practiced with Stark & Stark in Lawrenceville.

A judiciary spokeswoman did not provide a response on Thursday to a question about whether Brady would be allowed to return to the bench.

"She deserves to be returned to the bench. She did nothing wrong, either criminally, ethically or morally. Her conduct was in conformance with the law and she should be returned," Smith said.

Besides Smith, Brady was represented by Steve Kafowitz and Wolodymyr Tyshchenko, also of Caruso Smith Picini.

The Somerset County Prosecutor's Office did not respond to a reporter's questions about the case on Thursday.

<https://www.law.com/njlawjournal/2018/03/01/brady-cleared-of-harboring-boyfriend-as-hindering-counts-are-tossed/?kw=Brady%20Cleared%20of%20Harboring%20Boyfriend%20as%20Hindering%20Counts%20Are>

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