



Portfolio Media, Inc. | 111 West 19th Street, 5th floor | New York, NY 10011 | www.law360.com
Phone: +1 646 783 7100 | Fax: +1 646 783 7161 | customerservice@law360.com

NJ Judge Freed Of Charges That She Harbored Fugitive Beau

By Jeannie O'Sullivan

Law360 (March 1, 2018, 12:32 PM EST) -- A New Jersey state court judge accused of hindering the apprehension of her fugitive boyfriend when he was wanted for armed robbery was absolved of the remaining charges in her indictment Thursday, just as her case was about to go to trial in Superior Court.

Superior Court Judge Robert B. Reed granted the Somerset County Prosecutor's Office's motion to dismiss two counts of hindering against Judge Carlia M. Brady, who has been suspended amid accusations that she interfered with the apprehension or prosecution of Jason Pronnicki in June 2013. An official misconduct charge against Judge Brady was previously dismissed.

Judge Reed's decision comes the day after a **state appeals panel ruled** that Pronnicki — who was ultimately sentenced to 10 years in prison for the armed robbery of a pharmacy — cannot be compelled to testify at Brady's trial because he asserted a legitimate claim of his constitutional right against self-incrimination. Jury selection, which began Feb. 12, had been scheduled to continue Thursday.

The "victimization" of Judge Brady has ended, one of her attorneys, Timothy R. Smith of Caruso Smith Picini PC, told Law360.

"This was a flawed and malicious prosecution that was predicated upon an unconstitutional theory," Smith said, adding that his client "deserves to be returned to the bench."

Somerset County Prosecutor's Office spokesman Jack Bennett had no comment on Thursday's development.

Prosecutors alleged Judge Brady let Pronnicki into her Woodbridge, New Jersey, home on two occasions in June 2013 and let him reclaim some clothing while he had a warrant out for his arrest. She was indicted in 2015 on a count of official misconduct and two counts of hindering the apprehension or prosecution of Pronnicki. A trial court in March 2016 dismissed the official misconduct charge and upheld the hindering charges, which was affirmed by a state appellate panel in September 2016.

In making a case for the hindering allegations, prosecutors said Judge Brady didn't alert the police when she knew Pronnicki was coming to her house, didn't call soon enough after he arrived and didn't give enough information in messages she left.

Her defense team **had countered** that Judge Brady and Pronnicki, who was staying with a relative at the time, made a conscious decision to avoid one another and that there was no affirmative obligation of an individual to report the whereabouts of a fugitive.

Brady joined Middlesex County's Civil Division in April 2013, according to her biography on the New Jersey judiciary website. Prior to her appointment as a judge, Brady was member of Stark & Stark's accident and personal injury group and also worked for Picillo Caruso & O'Toole and Peckar & Abramson PC.

Smith, Judge Brady's attorney, said he wanted to thank Assistant Somerset County Prosecutor W. Brian Stack for "bringing some semblance of sanity to yet another rogue prosecution."

Noting that Judge Brady's defense was a firmwide effort, Smith credited the "expertise" of co-counsel Stephen Kflowitz and the "resolve and tenacity" of colleague Wolodymyr P. Tyshchenko.

The state is represented by Somerset County Assistant Prosecutor W. Brian Stack.

Judge Brady is represented by Timothy R. Smith, Steve Kflowitz and Wolodymyr P. Tyshchenko of Caruso Smith Picini PC.

The case is State of New Jersey v. Carlia M. Brady, indictment number 15-05-00240, in the Superior Court of New Jersey, County of Somerset.

--Additional reporting by Bill Wichert. Editing by Emily Kokoll.

All Content © 2003-2018, Portfolio Media, Inc.