

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**UNITED STATES OF AMERICA** : **CRIMINAL NO. 13-**  
**v.** : **DATE FILED:**  
**H. WARREN HOGELAND** : **VIOLATIONS:**  
: **18 U.S.C. § 371 (conspiracy to commit**  
: **wire and mail fraud - 1 count)**  
: **18 U.S.C. § 1341 (mail fraud - 1 count)**  
: **18 U.S.C. § 2(a) (aiding and abetting)**

**INFORMATION**

**COUNT ONE**

**THE UNITED STATES ATTORNEY CHARGES THAT:**

At all times pertinent to this Information:

1. Defendant H. WARREN HOGELAND was a Senior Magisterial District Judge on Philadelphia Traffic Court (“Traffic Court”). Defendant HOGELAND took the bench on January 2, 2006, after serving as a Magisterial District Judge in Bucks County, Pennsylvania. As Senior Magisterial District Judge, HOGELAND was eligible to accept, and accepted, assignments at Traffic Court when his services were requested.
2. Traffic Court judges presided over and adjudicated moving violations, commonly referred to as traffic tickets or citations, occurring within Philadelphia, and issued by the Philadelphia Police Department, the Pennsylvania State Police, and other police entities. Traffic Court was responsible for the collection of fines and court costs resulting from guilty pleas and findings of guilty for violations of the Pennsylvania Motor Vehicle Code.
3. The moneys received from the fine portion of a guilty adjudication were

equally divided between the City of Philadelphia and the Commonwealth of Pennsylvania. The moneys received from the costs portion of a guilty adjudication were distributed to the following funds for the City of Philadelphia: (1) City Cost; (2) City Cost 2 and 3; (3) Live Stop; and for the Commonwealth of Pennsylvania: (4) E.M.S.; (5) MCARE; (6) J.C.P. (Judicial Computer Project); and (7) A.T.J. (Access to Justice).

4. From in or about August 2009 to in or about July 2011, at Philadelphia, in the Eastern District of Pennsylvania and elsewhere, defendant

**H. WARREN HOGELAND,**

conspired and agreed with others known to the United States Attorney, to commit an offense against the United States, that is,

(a) to knowingly take and receive from an authorized depository for mail matter, and cause to be delivered by mail, according to the direction thereon, Traffic Court paperwork, for the purpose of executing a scheme to defraud and to obtain money from the City of Philadelphia and the Commonwealth of Pennsylvania by means of false and fraudulent pretenses, representations and promises, in violation of Title 18, United States Code, Section 1341;

**Manner and Means**

It was part of the conspiracy that:

5. Defendant H. WARREN HOGELAND and others known to the United States Attorney, manipulated Traffic Court cases outside the judicial process in order to achieve favorable outcomes on traffic citations to benefit friends, family members, other associates, and local politicians. This manipulation, or “ticket fixing,” consisted of obtaining continuances of

trial dates in order to “judge shop,” dismissing tickets outright, finding the ticketholder not guilty, or adjudicating the ticket in a manner to reduce fines and costs, which would have gone to the Commonwealth of Pennsylvania, and avoid the assignments of points to a driver’s record.

**OVERT ACTS**

**Acts Related to Citation No. V02490762, Issued on 10/14/10**  
**(Ticket to K.M.)**

1. On or about October 14, 2010, K.M., the son of former judge Kenneth Miller, charged elsewhere, was issued a citation by a Philadelphia police officer for passing traffic at approximately 60 mph in a 45 mph zone, which carried a fine of \$25 and costs of \$126.50.

2. Thereafter, Kenneth Miller mailed information pertaining to K.M.’s citation to William Hird.

3. On or about December 14, 2010, Kenneth Miller contacted William Hird, charged elsewhere, about this citation and said “that thing for my son is tomorrow” to which Hird responded “I know.” Speaking in code to one another to signal that Miller’s son did not need to attend the trial, Hird stated that “I don’t think anybody is going to that party.” To clarify, Miller stated, “I’ll tell him [K.M.] that the meeting is cancelled.”

4. On or about December 15, 2010, defendant H. WARREN HOGELAND adjudicated K.M.’s citation as not guilty despite the fact that K.M. did not appear in court.

All in violation of Title 18, United States Code, Section 371.

**COUNT TWO**

**MAIL FRAUD**

**THE UNITED STATES ATTORNEY FURTHER CHARGES:**

1. Paragraphs 1 through 3 of Count One and the Overt Acts of Count One are realleged here.

**THE SCHEME**

2. From in or about August 2009, through in or about July 2011, defendant

**H. WARREN HOGELAND,**

and others known to the United States Attorney, devised and intended to devise a scheme to defraud, and to obtain money and property by means of false and fraudulent pretenses, representations and promises.

3. Between October 14, 2010 and December 15, 2010, in the Eastern District of Pennsylvania and elsewhere, defendant

**H. WARREN HOGELAND,**

for the purpose of executing the scheme described above, and aiding and abetting its execution, having devised a scheme to defraud the City of Philadelphia and Commonwealth of Pennsylvania, and to obtain money and property by means of false and fraudulent pretenses, representations, and promises, for the purpose of executing the scheme to defraud, knowingly took, received, and aided and abetted the taking and receiving, from an authorized depository for mail matter, and caused to be delivered, and aided and abetted the delivery of, by the United States mail, according to directions thereon, a mailing from Kenneth Miller to William Hird

concerning the fixing of a Traffic Court citation that had been issued to K.M.

All in violation of Title 18, United States Code, Sections 1341 and 2(a).

  
Peter F Schenck for  
**ZANE DAVID MEMEGER**  
**UNITED STATES ATTORNEY**