

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
STATE BOARD OF MEDICINE**

Commonwealth of Pennsylvania	:	
Bureau of Professional and	:	Docket No. 2386-49-17
Occupational Affairs	:	
	:	
v.	:	File No. 17-49-11632
Roy C. Monsour, M.D.	:	
Respondent	:	

OPINION AND ORDER CONTINUING TEMPORARY SUSPENSION

This case was delegated by the Pennsylvania State Board of Medicine (“the Board”) to a hearing examiner for the Bureau of Professional and Occupational Affairs for the purpose of conducting a preliminary hearing to determine if there is *prima facie* evidence to support the temporary suspension of the license to practice Medicine of Respondent, Roy C. Monsour, M.D., License No. MD038199E. An Order of Temporary Suspension (“Preliminary Order”) was issued by the Board’s Probable Cause Screening Committee on December 11, 2017, pursuant to Section 40(a) of the Medical Practice Act, Act of December 20, 1985, P.L. 457, No. 112 (the “Act”), at 63 P.S. §422.40(a).

The preliminary hearing took place as scheduled on January 5, 2018 in Harrisburg, Pennsylvania before Hearing Examiner David M. Green. Bridget K. Guilfoyle, Esquire appeared at the hearing on behalf of the Commonwealth. Anthony Patterson, Esquire represented Respondent at the hearing. The Commonwealth presented its case-in-chief through the admission into the evidence of the December 11, 2017 Petition for Immediate Temporary Suspension and Preliminary Order (collectively, Exhibit C-1) and a certified copy of a Police Criminal Complaint, Affidavit of Probable Cause and criminal court docket entries (collectively, Exhibit C-2). Respondent offered into evidence the court docket entries relating to his divorce and custody

litigation with his former wife, who is the mother of the victim in the criminal proceeding (Exhibit R-1). The criminal charges filed against Respondent are the basis of the Commonwealth's petition.

Section 40(a) of the Act, § 422.40(a), authorizes the Board to temporarily suspend the license of a licensed physician as follows:

422.40. Temporary and automatic suspensions

- (a) **Temporary suspensions.**--A license or certificate issued under this act may be temporarily suspended under circumstances as determined by the board to be an immediate and clear danger to the public health and safety. The board shall issue an order to that effect without a hearing, but upon due notice, to the licensee or certificate holder concerned at his or her last known address, which shall include a written statement of all allegations against the licensee or certificate holder. The provisions of section 9 (*footnote omitted*) shall not apply to temporary suspension. The board shall thereupon commence formal action to suspend, revoke or restrict the license or certificate of the person concerned as otherwise provided for in this act. All actions shall be taken promptly and without delay. Within 30 days following the issuance of an order temporarily suspending a license, the board shall conduct or cause to be conducted a preliminary hearing to determine that there is a prima facie case supporting the suspension. The licensee or certificate holder whose license or certificate has been temporarily suspended may be present at the preliminary hearing and may be represented by counsel, cross-examine witnesses, inspect physical evidence, call witnesses, offer evidence and testimony and make a record of the proceedings. If it is determined that there is not a prima facie case, the suspended license shall be immediately restored. The temporary suspension shall remain in effect until vacated by the board, but in no event longer than 180 days.

63 P.S. § 422.40(a)

The Commonwealth's Petition alleged that Respondent has been criminally charged with one (1) count of *Indecent Assault, victim under 13 years of age*, a third-degree felony; one (1) count of *Indecent Assault without consent of other person*, a second-degree misdemeanor in violation of 18 Pa.C.S. §3126(a)(1); one (1) count of *Endangering the Welfare of a Child*, a third-degree felony in violation of 18 Pa.C.S. § 4304(a)(1); and one (1) count of *Corruption of Minors*,

a third-degree felony in violation of 18 Pa.C.S. § 6301(a)(1)(ii),

The only issue at the preliminary hearing was whether there existed a *prima facie* case supporting the continuation the temporary suspension of Respondent's license. Although the term "*prima facie*" is not defined by the Act, it is a relatively low threshold. Black's Law Dictionary defines the term *prima facie*, in part, as "a fact presumed to be true unless disproved by some evidence to the contrary." Black's Law Dictionary, 1189 (6th ed. 1990). A *prima facie* case is a determination of sufficient evidence, if accepted as true, which would warrant allowing a case to go to the finder of fact. See, *Shah v. State Board of Medicine*, 589 A.2d 783, 796 (Pa. Cmwlth. 1991), *petition for allowance of appeal denied*, 600 A.2d 197 (Pa. 1991), *quoting Commonwealth v. Wojdak*, 502 A.2d 359, 466 A.2d 991 (1983).

At the hearing, Respondent objected to the contents of the complaint and affidavit of probable cause (Exhibit C-2) as being hearsay, and argued that these alone cannot serve as the basis of a finding of probable cause. However, those certified documents have been authenticated, and their admission into evidence satisfied the Commonwealth's *prima facie* burden, consistent with the Pa. Supreme Court's decision in *D'Alessandro v. Pa. State Police*, 594 Pa. 500, 937 A.2d 404 (2007).

Respondent sought to introduce two pages of the victim's 30-odd page testimony in another proceeding, by which he sought to attack the credibility of the victim's statements to the police set forth in the affidavit of probable cause. The Commonwealth's objection was sustained because, among other reasons, only an excerpt of the testimony was offered. Even were the entire transcript offered, the objection would be upheld because the weight and credibility of the evidence are not factors at the *prima facie* stage. *Shah, supra*. See also, *Cohen v. State Board of Medicine*, 676 A.2d 1277, 1280 (Pa. Cmwlth. 1996), *petition for allowance of appeal denied*, 684 A.2d 559 (Pa. 1996), citing *Shah*.

The Commonwealth's evidence supports a probable cause finding that Respondent presents an immediate and clear danger to the public health and safety. Accordingly, the following order is entered:

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
STATE BOARD OF MEDICINE**

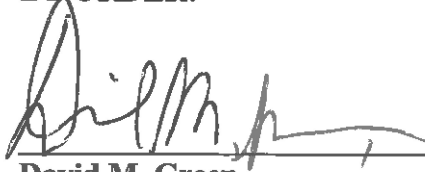
Commonwealth of Pennsylvania	:	
Bureau of Professional and	:	Docket No. 2386-49-17
Occupational Affairs	:	
	:	
v.	:	File No. 17-49-11632
Roy C. Monsour, M.D.	:	
Respondent	:	

ORDER

AND NOW, this 9th day of January, 2018, upon consideration of the documentary evidence presented at the January 5, 2018 preliminary hearing, which established a *prima facie* case supporting the allegations in the Commonwealth's Petition for Immediate Temporary Suspension, it is hereby **ORDERED** that the immediate temporary suspension of the license to practice Medicine in the Commonwealth of Pennsylvania of Respondent, Roy C. Monsour, M.D., License No. MD038199E, shall remain in effect, but in no event longer than 180 days, as required by the Section 40(a) of the Medical Practice Act, Act of December 20, 1985, P.L. 457, No. 112 (the "Act"), at 63 P.S. §422.40(a), unless otherwise ordered or agreed to by the participants.

The prothonotary shall mark this matter as closed.

BY ORDER:



David M. Green
Hearing Examiner

For the Respondent: Anthony Patterson, Esquire
304 Ross Street
Suite 505
Pittsburgh, PA 15129-2124

For the Commonwealth:

Bridget K. Guilfoyle, Esquire
Commonwealth of Pennsylvania
Governor's Office of General Counsel
Department of State
P.O. Box 69521
Harrisburg, PA 17106-9521

Date of mailing:

1/12/18



**COMMONWEALTH OF PENNSYLVANIA
GOVERNOR'S OFFICE OF GENERAL COUNSEL**

**David M. Green
Hearing Examiner**

davgreen@pa.gov

Anthony Patterson, Esquire
304 Ross Street
Suite 505
Pittsburgh, PA 15129-2124

**RE: *Commonwealth of Pa., BPOA v. Monsour, M.D.*
Docket No. 2386-49-17
File No. 17-49-11632**

Dear Mr. Patterson:

Enclosed is the Opinion and Order in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. M. Green'.

David M. Green
Hearing Examiner

DMG/dg
Enclosure
CC w/enclosure: Bridget K. Guilfoyle, Esquire



ORIGINAL
COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BEFORE THE STATE BOARD OF MEDICINE

PROSECUTORY

2017 DEC 11 AM 9:47

Department of State

**Commonwealth of Pennsylvania,
Bureau of Professional and
Occupational Affairs
vs.**

File No. 17-49-11632

**Roy C. Monsour, M.D.
Respondent**

Docket No. 2386 -49-17

ORDER OF TEMPORARY SUSPENSION AND NOTICE OF HEARING

AND NOW, this 11th day of December 2017, upon review of the Petition for Temporary Suspension of the license to practice medicine and surgery held by Roy C. Monsour, M.D. (*hereinafter* "Respondent"), license number MD038199E, filed by the Prosecuting Attorney for the Commonwealth of Pennsylvania, the State Board of Medicine (*hereinafter* "Board") makes the following findings and enters the following Order:

SUSPENSION ORDER

The Board finds the Prosecuting Attorney has alleged facts in the Petition, which, if taken as true, establish at each and every count that the Respondent's continued practice of medicine and surgery within the Commonwealth of Pennsylvania, along with the exercise of any other licenses, registrations, certificates, approvals, authorizations, or permits (*hereinafter referred to collectively as* "authorizations to practice the profession") issued by the Board, makes Respondent an immediate and clear danger to the public health and safety. Therefore in accordance with Section 40(a) of the Medical Practice Act, Act of December 20, 1985, P.L. 457, No. 112, ("Act"), 63 P.S. § 422.40(a), the Board **ORDERS** that the license to practice medicine and surgery issued to the Respondent, license number MD038199E, along with any other authorizations to practice the

profession issued by the Board to Respondent, are **TEMPORARILY SUSPENDED** upon the service of this Order. Respondent shall surrender his wall certificate(s), biennial renewal certificate(s) and wallet card(s) (or notarized affidavit of their loss or destruction) to representatives of the Bureau of Enforcement and Investigation or the Bureau of Professional and Occupational Affairs, immediately upon service of this Order in accordance with Section 44 of the Act, 63 P.S. § 422.44.

PRELIMINARY HEARING

A preliminary hearing shall be scheduled and conducted by the Board or Office of Hearing Examiners to be convened within thirty (30) days from the date of issuance of this Order. The preliminary hearing shall be limited to evidence on the issue of whether there is a *prima facie* case to support the temporary suspension of the Respondent's license and other authorizations to practice the profession issued by the Board. The preliminary hearing will be held at a location designated by the Board or a hearing examiner for the Board.

The Respondent is entitled to be present at the preliminary hearing and may be represented by an attorney, cross-examine witnesses, inspect physical evidence, call witnesses, offer evidence and testimony and make a record of the proceedings.

If the Board or hearing examiner finds a *prima facie* case is not established, Respondent's license and other authorizations to practice the profession issued by the Board will be immediately restored. If a *prima facie* case is established, the temporary suspension shall remain in effect until vacated by the Board, but in no event longer than 180 days, unless otherwise ordered or agreed to by the participants.

ADDITIONAL FORMAL ACTION

In addition to this temporary suspension proceeding, the prosecuting attorney will commence a separate action to suspend, revoke or otherwise restrict Respondent's license and other authorizations to practice the profession issued by the Board through the filing of a charging document, an Order to Show Cause. The Order to Show Cause may include, but not be limited to, the facts which were alleged in the Petition for Immediate Temporary Suspension. Any Order to Show Cause filed by the prosecuting attorney will be served upon the Respondent and the Order will direct Respondent to reply to the charges in a written answer within twenty (20) days of the issuance of the Order to Show Cause. A formal hearing on that Order to Show Cause will then be scheduled and conducted by the Board or the Hearing Examiner for the Board.

PROCEDURES

Continuances will be granted for good cause only. A request for a continuance must be filed with the Prothonotary, in writing, at least one (1) week prior to the date of the hearing. The requirement of the one (1) week advance filing of a request for continuance will be waived only upon a showing of good cause. The failure to have an attorney present and a request for continuance to retain an attorney will not be considered a valid reason for the granting of a continuance on the day of the hearing. **A request by the Respondent for an extension of time or a continuance which will delay the preliminary hearing or the formal hearing must be accompanied by the agreement of the Respondent that the 180-day temporary suspension will continue during whatever additional time is necessary to conclude the proceedings.**

All proceedings are conducted in accordance with the Administrative Agency Law, 2 Pa.C.S. §§ 501-508, 701-704; 63 P.S. §§ 2201-2207; and the General Rules of Administrative Practice and Procedure, 1 Pa. Code §§ 31.1-35.251. A record of the hearing will be

stenographically prepared by an official reporting service. A copy of the transcript may be secured by personally making arrangements with the reporting service at the time of the hearing.

Any document submitted in this matter must be filed with:

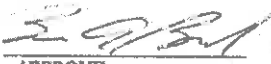
Prothonotary
Department of State
2601 North Third Street
P.O. Box 2649
Harrisburg, PA 17105
717-772-2686

Also, you must send a separate copy of any documents submitted in this matter to the prosecuting attorney named below at:

Bridget K. Guilfoyle
Prosecuting Attorney
Commonwealth of Pennsylvania
Department of State
Office of Chief Counsel
P.O. Box 69521
Harrisburg, PA 17106-9521

**BY ORDER:
BEFORE THE STATE BOARD OF
MEDICINE PROBABLE CAUSE
SCREENING PANEL**

**Bruce A. Brod,
M.D.
Committee Member**


**APPROVE Immediate Temporary
Suspension of Roy C. Monsour**

**DENY Immediate Temporary
Suspension of Roy C. Monsour**

RECUSE FROM DECISION

**Keith E. Loiselle
Committee Member**

**APPROVE Immediate Temporary
Suspension of Roy C. Monsour**

**DENY Immediate Temporary
Suspension of Roy C. Monsour**

RECUSE FROM DECISION

**Charles A. Castle,
M.D.
Committee Member**

**APPROVE Immediate Temporary
Suspension of Roy C. Monsour**

**DENY Immediate Temporary
Suspension of Roy C. Monsour**

RECUSE FROM DECISION

Board Counsel:

Wesley J. Rish (A-L) or Peter D. Kovach (M-Z)

For the Commonwealth:

**Bridget K. Guilfoyle
Prosecuting Attorney
Commonwealth of Pennsylvania
Department of State
Office of Chief Counsel
P.O. Box 69521
Harrisburg, PA 17106-9521**

Respondent:

**Roy C. Monsour, M.D.
119 Dakota Lane
Ligonier, PA 15658**

File No.

17-49-11632

Date of Issuance:

December 11, 2017

**BY ORDER:
BEFORE THE STATE BOARD OF
MEDICINE PROBABLE CAUSE
SCREENING PANEL**

**Bruce A. Brod,
M.D.,
Committee Member**

*APPROVE Immediate Temporary
Suspension of Roy C. Monsour*

*DENY Immediate Temporary
Suspension of Roy C. Monsour*

RECUSE FROM DECISION

**Keith E. Loiselle
Committee Member**

*APPROVE Immediate Temporary
Suspension of Roy C. Monsour*

*DENY Immediate Temporary
Suspension of Roy C. Monsour*

RECUSE FROM DECISION

**Charles A. Castle,
M.D.,
Committee Member**

*APPROVE Immediate Temporary
Suspension of Roy C. Monsour*

*DENY Immediate Temporary
Suspension of Roy C. Monsour*

RECUSE FROM DECISION

Board Counsel:

Wesley J. Rish (A-L) or Peter D. Kovach (M-Z)

For the Commonwealth:

**Bridget K. Guilfoyle
Prosecuting Attorney
Commonwealth of Pennsylvania
Department of State
Office of Chief Counsel
P.O. Box 69521
Harrisburg, PA 17106-9521**

Respondent:

**Roy C. Monsour, M.D.
119 Dakota Lane
Ligonier, PA 15658**

File No.

17-49-11632

Date of Issuance:

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BEFORE THE STATE BOARD OF
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**Charles A. Castle,
M.D.
Committee Member**

Charles A. Castle
APPROVE Immediate Temporary
Suspension of Roy C. Monsour

DENY Immediate Temporary
Suspension of Roy C. Monsour

RECUSE FROM DECISION

Board Counsel:

Wesley J. Rish (A-L) or Peter D. Kovach (M-Z)

For the Commonwealth:

Bridget K. Guilfoyle
Prosecuting Attorney
Commonwealth of Pennsylvania
Department of State
Office of Chief Counsel
P.O. Box 69521
Harrisburg, PA 17106-9521

Respondent:

Roy C. Monsour, M.D.
119 Dakota Lane
Ligonier, PA 15658

File No.

17-49-11632

Date of Issuance:

December 11, 2017

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BEFORE THE STATE BOARD OF MEDICINE

PROTESTANT

2017 DEC 11 AM 9:47

Department of State

Commonwealth of Pennsylvania,
Bureau of Professional and
Occupational Affairs
vs.

File No. 17-49-11632

Roy C. Monsour, M.D.
Respondent

Docket No. 2386 -49-17

PETITION FOR IMMEDIATE TEMPORARY SUSPENSION

AND NOW, the Commonwealth of Pennsylvania, Bureau of Professional and Occupational Affairs, by and through its Prosecuting Attorney, Bridget K. Guilfoyle, petitions the State Board of Medicine (*hereinafter* "Board") for the immediate temporary suspension of the license to practice medicine and surgery issued to **Roy C. Monsour, M.D.** (*hereinafter* "Respondent"), along with any other licenses, registrations, certificates, approvals, authorizations, or permits (*hereinafter referred to collectively as* "authorizations to practice the profession") issued by the Board to Respondent at the time this Petition is Granted, pursuant to Section 40(a) of the Medical Practice Act, Act of December 20, 1985, P.L. 457, No. 112, ("Act") *as amended*, (*hereinafter* "Act"), 63 P.S. § 422.40(a), and in support thereof alleges as follows:

1. Petitioner is a Prosecuting Attorney for the Bureau of Professional and Occupational Affairs, a departmental administrative agency within the Pennsylvania Department of State.

2. Respondent holds the following license to practice medicine and surgery in the Commonwealth of Pennsylvania: license no. MD038199E.

3. Respondent's license was originally issued on April 17, 1987, is current through December 31, 2018, and, absent further Board action, may be renewed, reactivated or reinstated thereafter upon the filing of the appropriate documentation and payment of the necessary fees.

4. At all times pertinent to the Factual Allegations, Respondent held a license to practice medicine and surgery in the Commonwealth of Pennsylvania.

5. Respondent's last known address on file with the Board is: 119 Dakota Lane, Ligonier, PA 15658.

COUNT ONE

6. On October 12, 2017, in the Commonwealth of Pennsylvania, County of Westmoreland, Magisterial District No. 10-3-09, at docket number MJ-10309-CR-0000139-2017, a criminal complaint was filed charging Respondent with the following:

a. One (1) count of indecent assault of a person less than 13 years of age, in violation of 18 Pa.C.S. § 3126(a)(7), a felony of the third degree;

b. One (1) count of indecent assault without consent of other, in violation of 18 Pa.C.S. § 3126(a)(1), a misdemeanor of the second degree;

c. One (1) count of endangering the welfare of children – parent/guardian/other commits offense, in violation of 18 Pa.C.S. § 4304(a)(1), a felony of the third degree; and

d. One (1) count of corruption of minors – defendant age 18 or above, in violation of 18 Pa.C.S. § 6301(a)(1)(ii), a felony of the third degree.

7. True and correct copies of the criminal complaint and affidavit of probable cause are attached collectively hereto as **Exhibit A** and incorporated by reference.

8. The affidavit of probable cause sets forth, among others, the following facts:

a. Beginning when the victim was approximately three or four years old, Respondent, the victim's father, would return home late in the evening, grab a drink, and ask her to watch television, specifically *Buffy the Vampire Slayer*, with him;

b. While watching television, Respondent would sit next to the victim and begin touching her right thigh, after which Respondent would slowly move his hand upward and rub her vaginal area.

c. These instances of Respondent touching the victim's thigh and rubbing her vaginal area occurred for about 45 minutes and occurred regularly while the victim was between the ages of four and nine between 2009 and 2014.

d. As the victim became older, she thought Respondent's conduct was wrong and questioned him about it. Respondent replied by saying that it was okay because he was her father.

e. Once the victim became older, she began avoiding her father by staying with her sisters.

See attached Exhibit A.

9. Following his arrest, Respondent was released on \$100,000.00 unsecured bond and is free to resume the practice of medicine and surgery.

10. On or about November 3, 2017, Respondent waived his preliminary hearing before the Magisterial District Judge and the case was transferred to the Court of Common Pleas of Westmoreland County.

11. True and correct copies of the docket sheet for the case captioned *Commonwealth of Pennsylvania v. Roy C. Monsour* at docket number MJ-10309-CR-0000139-2017 is attached hereto as **Exhibit B** and incorporated by reference.

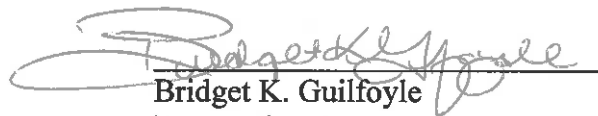
12. Respondent is charged with one count of violating 18 Pa.C.S. § 3126(a)(7) (indecent assault of a person less than 13 years of age), which is a Tier III sexual offense requiring Respondent to register as a sexual offender for the rest of his life, if convicted. *See 42 Pa.C.S. §§ 9799.14(d)(8) and 9799.15(a)(3).*

13. Respondent is charged with one count of violating 18 Pa.C.S. § 3126(a)(1) (indecent assault without consent of other, which is a Tier I sexual offense requiring Respondent to register as a sexual offender for a period of fifteen (15) years, if convicted. *See 42 Pa. C.S. §§ 9799.14(b)(6) and 9799.15(a)(1).*

14. Based upon the foregoing factual allegations, Respondent's continued practice of medicine and surgery within the Commonwealth of Pennsylvania, along with the exercise of any other authorizations to practice the profession issued by the Board, makes Respondent an immediate and clear danger to the public health and safety.

WHEREFORE, the Petitioner respectfully requests that the Board issue an Order immediately suspending all of Respondent's authorizations to practice the profession issued by the Board, and in particular, the license to practice medicine and surgery, license number MD038199E, pursuant to the authority granted to it pursuant to Section 40(a) of the Medical Practice Act, Act of December 20, 1985, P.L. 457, No. 112, ("Act"), 63 P.S. § 422.40(a).

Respectfully submitted,



Bridget K. Guilfoyle
Prosecuting Attorney
Commonwealth of Pennsylvania
Department of State
Office of Chief Counsel
P.O. Box 69521
Harrisburg, PA 17106-9521
(717) 783-7200

DATE: December 7, 2017

COMMONWEALTH OF
PENNSYLVANIA
COUNTY OF: WESTMORELAND



POLICE CRIMINAL COMPLAINT
COMMONWEALTH OF PENNSYLVANIA
VS.

Magisterial District Number: 10-3-09
MDJ: Hon. Denise Snyder-Thiel
Address: 206 W. Main Street
Ligonier, PA 15658
Telephone: (724) 238-9086

DEFENDANT:

(NAME and ADDRESS):

Roy C Monsour
First Name Middle Name Last Name Gen.
309 Freeman Road
Ligonier, PA 15658

NCIC Extradition Code Type

☐ 1-Felony Full ☐ 4-Felony No Ext. ☐ B-Misdemeanor Limited ☐ E-Misdemeanor Pending
☐ 2-Felony Ltd. ☒ 5-Felony Pend. ☐ C-Misdemeanor Surrounding States ☐ Distance: _____
☐ 3-Felony Surrounding States ☐ A-Misdemeanor Full ☐ D-Misdemeanor No Extradition

DEFENDANT IDENTIFICATION INFORMATION

Docket Number CR-139-17 Date Filed 10/12/17 OTN/LiveScan Number T 980469-0 Complaint/Incident Number 2017-0588 SID Request Lab Services? ☐ YES ☒ NO

GENDER ☒ Male ☐ Female DOB 02/21/1954 POB Add'l DOB Co-Defendant(s) ☐
First Name Middle Name Last Name Gen.

AKA

RACE ☒ White ☐ Asian ☐ Black ☐ Native American ☐ Unknown

ETHNICITY ☐ Hispanic ☒ Non-Hispanic ☐ Unknown

HAIR COLOR ☐ GRY (Gray) ☐ RED (Red/Aubn.) ☐ SDY (Sandy) ☐ BLU (Blue) ☐ PLE (Purple) ☐ BRO (Brown)
☒ BLK (Black) ☐ ONG (Orange) ☐ WHI (White) ☐ XXX (Unk./Bald) ☐ GRN (Green) ☐ PNK (Pink)
☐ BLN (Blonde / Strawberry)

EYE COLOR ☐ BLK (Black) ☐ BLU (Blue) ☒ BRO (Brown) ☐ GRN (Green) ☐ GRY (Gray)
☐ HAZ (Hazel) ☐ MAR (Maroon) ☐ PNK (Pink) ☐ MUL (Multicolored) ☐ XXX (Unknown)

Driver License State PA License Number 16613821 Expires: WEIGHT (lbs.)

DNA ☐ YES ☒ NO DNA Location

FBI Number MNU Number Ft. HEIGHT In.

Defendant Fingerprinted ☐ YES ☒ NO 5 11

Fingerprint Classification:

DEFENDANT VEHICLE INFORMATION

Plate # State Hazmat ☐ Registration Sticker (MM/YY) Comm'l Veh. Ind. ☐ School Veh. ☐ Oth. NCIC Veh. Code Reg. same as Def. ☐

VIN Year Make Model Style Color

Office of the attorney for the Commonwealth ☐ Approved ☐ Disapproved because:

(The attorney for the Commonwealth may require that the complaint, arrest warrant affidavit, or both be approved by the attorney for the Co to filing. See Pa.R.Crim.P. 507).

EXHIBIT
A

(Name of the attorney for the Commonwealth)

(Signature of the attorney for the Commonwealth)

(Date)

I, Michael Matrunic
(Name of the Affiant)

18387 / 1
(PSP/MPOETC -Assigned Affiant ID Number) Badge #

of Ligonier Township Police Department
(Identify Department or Agency Represented and Political Subdivision)
do hereby state: (check appropriate box)

PA0651700
(Police Agency ORI Number)

1. ☒ I accuse the above named defendant who lives at the address set forth above
☐ I accuse the defendant whose name is unknown to me but who is described as

☐ I accuse the defendant whose name and popular designation or nickname are unknown to me and whom I have therefore designated as John Doe or Jane Doe
with violating the penal laws of the Commonwealth of Pennsylvania at 210

119 Dakota Lane Ligonier Township

(Subdivision Code) (Place-Political Subdivision)

in Westmoreland County [65] on or about Thu - 1/1/2009 00:00 hrs. to Wed - 12/31/2014 23:59 hrs.
(County Code)

2017 NOV 27 1 A 10:29
BRYAN L. KLINE
CLERK OF COURTS
CERTIFIED FROM
THE RECORD



POLICE CRIMINAL COMPLAINT

Docket Number: CR-139-17	Date Filed: 10/12/17	OTN/LiveScan Number T 980469-0	Complaint/Incident Number 2017-0588
Defendant Name	First: Roy	Middle: C	Last Monsour

The acts committed by the accused are described below with each Act of Assembly or statute allegedly violated, if appropriate:

(Set forth a *brief* summary of the facts sufficient to advise the defendant of the nature of the offense(s) charged. A citation to the statute(s) allegedly violated, without more, is not sufficient. In a summary case, you must cite the specific section(s) and subsection(s) of the statute(s) or ordinance(s) allegedly violated. The age of the victim at the time of the offense may be included if known. In addition, social security numbers and financial information (e.g. PINs) should not be listed. If the identity of an account must be established, list only the last four digits. 204 PA.Code §§ 213.1 – 213.7.)

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903
------------------	--	---	---

<input checked="" type="checkbox"/> Lead?	1	3126	A7	of the	18	1		17
Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code	
PennDOT Data (if applicable)	Accident Number		<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone			

Statute Description (include the name of statute or ordinance):
Indecent assault victim under 13 years of age

Acts of the Accused associated with this Offense:
PACC 3126 (a)(7) - Indecent assault victim under 13 years of age

In that, on or about said date, the DEFENDANT did have indecent contact with the complainant and or did cause the complainant to have indecent contact with the person for the purpose of arousing sexual desire in the person or the complainant, namely, A [REDACTED] M [REDACTED] being less than 13 years of age, TO WIT: DEFENDANT DID TOUCH HIS MINOR DAUGHTER WHO WAS LESS THAN 13 YEARS OF AGE ON THE VAGINA AREA OF HER BODY WHICH OCCURED REPEATEDLY BETWEEN THE AGES OF 4 AND 9, in violation of section 3126 (a)(7) of the Pa Crimes Code. (18 P.S. 3126(a)(7) Felony-3

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903
------------------	--	---	---

<input type="checkbox"/> Lead?	2	3126	A1	of the	18	1		17
Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code	
PennDOT Data (if applicable)	Accident Number		<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone			

Statute Description (include the name of statute or ordinance):
Indecent assault without consent of other person

Acts of the Accused associated with this Offense:
PACC 3126 (a)(1) - Indecent assault without consent of other person

In that, on or about said date, The DEFENDANT did have indecent contact with the complainant and/or did cause the complainant to have indecent contact with the complainant for the purpose of of arousing sexual desire in the person or complainant, Namely, A [REDACTED] M [REDACTED] without the consent of the complainant, TO WIT: DEFENDANT DID TOUCH HIS MINOR DAUGHTER WHO WAS LESS THAN 13 YEARS OF AGE ON THE VAGINA AREA OF HER BODY WHICH OCCURED REPEATEDLY BETWEEN THE AGES OF 4 AND 9, in violation of section 3126 (a)(1) of the Pa. Crimes Code M-2.

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903
------------------	--	---	---

<input type="checkbox"/> Lead?	3	4304		of the	18	1		20
Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code	
PennDOT Data (if applicable)	Accident Number		<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone			

Statute Description (include the name of statute or ordinance):
Endangering welfare of child

Acts of the Accused associated with this Offense:
PACC 4304(a)(1) - Endangering welfare of child

In that, on or about said date, a parent or other person supervising the welfare of a child commits an a offense if he knowingly endangers the welfare of the child by violating a duty of care, protection or support, namely A [REDACTED] M [REDACTED] M [REDACTED] a child under the age of 18 years of age , the DEFENDANT committed an offense namely, INDECENT ASSAULT BY TOUCHING HIS MINOR DAUGHTER ON THE VAGINA AREA OF HER BODY WHICH OCCURED REPEATEDLY BETWEEN AGES OF 4 AND 9, in violation of section 4304 (a)(1) of the Pa Crime Code. (18 P.S. 4304 (a)(1) F-3

2017 NOV 27 4:10:50
CERTIFIED FROM THE RECORD



POLICE CRIMINAL COMPLAINT

Docket Number: CR-139-17	Date Filed: 10/12/17	OTN/LiveScan Number T 980469-0	Complaint/Incident Number 2017-0588
Defendant Name	First: Roy	Middle: C	Last Monsour

The acts committed by the accused are described below with each Act of Assembly or statute allegedly violated, if appropriate:

(Set forth a brief summary of the facts sufficient to advise the defendant of the nature of the offense(s) charged. A citation to the statute(s) allegedly violated, without more, is not sufficient. In a summary case, you must cite the specific section(s) and subsection(s) of the statute(s) or ordinance(s) allegedly violated. The age of the victim at the time of the offense may be included if known. In addition, social security numbers and financial information (e.g. PINs) should not be listed. If the identity of an account must be established, list only the last four digits. 204 PA.Code §§ 213.1 – 213.7.)

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903
---------------------	--	---	---

<input type="checkbox"/> Lead?	4	6301	A1	of the	18	1		26
	Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code

PennDOT Data (if applicable)	Accident Number	<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
---------------------------------	--------------------	-------------------------------------	--------------------------------------	------------------------------------

Statute Description (include the name of statute or ordinance):
Corruption of minors

Acts of the Accused associated with this Offense:
PACC 6301(a)(1)(ii) - Corruption of minors

In that, on or about said date, the DEFENDANT, being less than 18 years of age and upwards, by any course of conduct in violation of chapter 31, INDECENT ASSAULT, corrupts or tends to corrupt the morals of any minor victim, namely, A [REDACTED] M [REDACTED] M [REDACTED], being less than 18 years of age, or who aids, abets, entices or encourages any such minor in the commission of an offense under chapter 31, in violation of section 6301(a)(1)(ii) of the Pa Crimes Code. F-3

CERTIFIED FROM
THE RECORD
2017 NOV 27 A 10:59
Bryant L. Kline
CLERK OF COURTS



POLICE CRIMINAL COMPLAINT

Docket Number: CR-139-17	Date Filed: 10/12/17	OTN/LiveScan Number T 980469-0	Complaint/Incident Number 2017-0588
Defendant Name:	First: Roy	Middle: C	Last: Monsour

OFFENSE DESCRIPTION CONTINUATION

Offense #: 3

CERTIFIED FROM
THE RECORD
2017 NOV 27 1 A 10:59
Bryan L. Kline
BRYAN L. KLINE
CLERK OF COURTS



POLICE CRIMINAL COMPLAINT

Docket Number: CR-139-17	Date Filed: 10/12/17	OTN/LiveScan Number T 980469-0	Complaint/Incident Number 2017-0588
Defendant Name	First: Roy	Middle: C	Last: Monsour

2. I ask that a warrant of arrest or a summons be issued and that the defendant be required to answer the charges I have made.
3. I verify that the facts set forth in this complaint are true and correct to the best of my knowledge or information and belief. This verification is made subject to the penalties of Section 4904 of the Crimes Code (18 PA.C.S. §4904) relating to unsworn falsification to authorities.
4. This complaint consists of the preceding page(s) numbered 1 through 4.

The acts committed by the accused, as listed and hereafter, were against the peace and dignity of the Commonwealth of Pennsylvania and were contrary to the Act(s) of the Assembly, or in violation of the statutes cited.

(Before a warrant of arrest can be issued, an affidavit of probable cause must be completed, sworn to before the issuing authority, and attached.)

October 12,

2017

(Date)

Michel W. Muto
(Signature of Affiant)

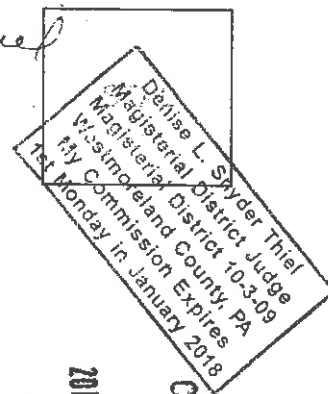
AND NOW, on this date October 12, 2017 I certify that the complaint has been properly completed and verified.

An affidavit of probable cause must be completed before a warrant can be issued.

10-3-09

(Magisterial District Court Number)

Denise L. Snyder Thiel
(Issuing Authority)



Bryan L. Kline
BRYAN L. KLINE
CLERK OF COURTS

2017 NOV 21 A 10:59

CERTIFIED FROM
THE RECORD



POLICE CRIMINAL COMPLAINT

Docket Number: CR-139-17	Date Filed: 10/12/17	OTN/LiveScan Number: T 980469-0	Complaint/Incident Number: 2017-0588
Defendant Name	First: Roy	Middle: C	Last: Monsour

AFFIDAVIT of PROBABLE CAUSE

On March 21, 2017 the Ligonier Township Police Department received a Child Line Report of Child Exploitation. There was referral made by a confidential source on March 16, 2017. A Forensic Interview which was scheduled on March 28, 2017 at 12:45 pm. The interview will be held at Child's Place located North Huntington with a certified forensic interviewer.

On March 28, 2017 this officer did arrive on the scheduled time and location to observe the Forensic interview on A. [REDACTED] M. [REDACTED] M. [REDACTED].

At 13:06 hours the forensic interview was started. A. [REDACTED] told us the following:

A. [REDACTED] did explained that when she was around 3 or 4 years of age she remembered her father always coming home late. This is when she was asked by her father to watch the show "Buffy the Vampire", alone with him. While watching the Buffy the Vampire her father "Roy" would sit down on her right side and begin to touch her on her right thigh area. She explained while she was distracted by watching TV he would move his hand closer, showing the forensic interviewer his actions with her hand on how her father rubbed her Vagina area. She later in the interview explained verbally her father's actions. She specifically explained that her father would not go underneath her underwear. Theses incident would occur for about 45 minutes before she was able to go to bed. She further explained that this would occur regularly between the ages of 4 and 9.

She further explained that when she got older she thought it was wrong and questioned her father about it. He replied by saying that it was ok because he was her father. She did add that she wanted to say something but thought she was wrong. When she got older she began to avoid her father by staying with her sisters.

During this interview she did explain how it was routine with her father coming home late, watching Buffy the Vampire and sitting on the couch. He would always sit on her right side. She did add that these action of her father touching her would happen in two rooms in the house. He would alway grab a drink before he would sit down with her.

This forensic interview did conclude at 14:31 hours.

It was determined that from the allegations brought forth to authorities by the victim, charges of, Indecent Assault victim under 13, Indecent Assault Without Consent, Endangering Welfare of a Child and Corruption of Minors would be filed against Roy C Monsour.

I, Michael Matrunics, BEING DULY SWORN ACCORDING TO THE LAW, DEPOSE AND SAY THAT THE FACTS SET FORTH IN THE FOREGOING AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

2017 NOV 21 11:40:59
CERTIFIED FROM THE RECORD
BRYAN KLINE
CLERK OF COURTS
Michael Matrunics
(Signature of Affiant)

Sworn to me and subscribed before me this 12th day of October 2017

10/12/17 Date Denise L. Snyder Thiel, Magisterial District Judge

My commission expires first Monday of January,

Denise L. Snyder Thiel
Magisterial District Judge
Westmoreland District 10-3-09
My Commission Expires
1st Monday in January 2018

Magisterial District Judge 10-3-09

DOCKET

Docket Number: MJ-10309-CR-0000139-2017

Criminal Docket



Commonwealth of Pennsylvania

v.

Roy C. Monsour

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CASE INFORMATION

<u>Judge Assigned:</u>	Magisterial District Judge Denise S. Thiel	<u>Issue Date:</u>	10/12/2017
<u>OTN:</u>	T 980469-0	<u>File Date:</u>	10/12/2017
<u>Arresting Agency:</u>	Ligonier Township Police Dept	<u>Arrest Date:</u>	10/12/2017
<u>Complaint/Incident #:</u>	20170588	<u>Disposition:</u>	Waived for Court
<u>County:</u>	Westmoreland	<u>Disposition Date:</u>	11/03/2017
<u>Township:</u>	Ligonier Township	<u>Case Status:</u>	Closed

STATUS INFORMATION

<u>Case Status</u>	<u>Status Date</u>	<u>Processing Status</u>
Closed	11/08/2017	Case Transferred to Court of Common Pleas
	11/03/2017	Completed
	10/12/2017	Awaiting Preliminary Hearing
	10/12/2017	Awaiting Preliminary Arraignment

CALENDAR EVENTS

<u>Case Calendar</u>	<u>Schedule</u>			<u>Judge Name</u>	<u>Schedule</u>
<u>Event Type</u>	<u>Start Date</u>	<u>Start Time</u>	<u>Room</u>		<u>Status</u>
Preliminary Arraignment	10/12/2017	11:45 am		Magisterial District Judge Denise S. Thiel	Scheduled
Preliminary Hearing	10/20/2017	12:00 pm		Magisterial District Judge Denise S. Thiel	Continued
Preliminary Hearing	11/03/2017	1:30 pm		Magisterial District Judge Denise S. Thiel	Scheduled
Formal Arraignment	12/27/2017	8:30 am	Courtroom 5	The Honorable Christopher A. Feliciani	Scheduled

DEFENDANT INFORMATION

<u>Name:</u>	Monsour, Roy C.	<u>Sex:</u>	Male
<u>Date of Birth:</u>	02/21/1954	<u>Race:</u>	White
<u>Address(es):</u>			
<u>Home</u>			
Ligonier, PA 15658			

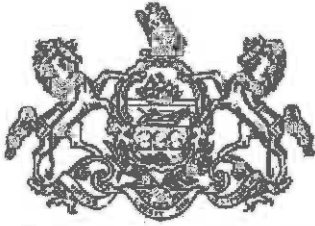
Advised of His Right to Apply for Assignment of Counsel?	Yes
Public Defender Requested by the Defendant?	No
Application Provided for Appointment of Public Defender?	No
Has the Defendant Been Fingerprinted?	Yes

Magisterial District Judge 10-3-09

DOCKET

Docket Number: MJ-10309-CR-0000139-2017

Criminal Docket



Commonwealth of Pennsylvania

v.

Roy C. Monsour

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CASE PARTICIPANTS

<u>Participant Type</u>	<u>Participant Name</u>
Arresting Officer	Matrunics, Michael W.
Defendant	Monsour, Roy C.

BAIL

Bail Set:

<u>Bail Action Type</u>	<u>Bail Action Date</u>	<u>Bail Type</u>	<u>Percentage</u>	<u>Amount</u>
Set	10/12/2017	Unsecured		\$100,000.00

CHARGES

<u># Charge</u>	<u>Grade</u>	<u>Description</u>	<u>Offense Dt.</u>	<u>Disposition</u>
1 18 § 3126 §§ A7	F3	Indecent Assault Person Less than 13 Years of Age	01/01/2009	Waived for Court
2 18 § 3126 §§ A1	M2	Indec Asslt-W/O Cons Of Other	01/01/2009	Waived for Court
3 18 § 4304 §§ A1	F3	Endangering Welfare of Children - Parent/Guardian/Other Commits Offense	01/01/2009	Waived for Court
4 18 § 6301 §§ A1ii	F3	Corruption Of Minors - Defendant Age 18 or Above	12/06/2010	Waived for Court

DISPOSITION / SENTENCING DETAILS

<u>Case Disposition</u>	<u>Disposition Date</u>	<u>Was Defendant Present?</u>
Waived for Court	11/03/2017	Yes

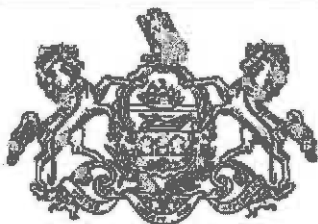
<u>Offense Seq./Description</u>	<u>Offense Disposition</u>
1 Indecent Assault Person Less than 13 Years of Age	Waived for Court
2 Indec Asslt-W/O Cons Of Other	Waived for Court
3 Endangering Welfare of Children - Parent/Guardian/Other Commits Offense	Waived for Court
4 Corruption Of Minors - Defendant Age 18 or Above	Waived for Court

Magisterial District Judge 10-3-09

DOCKET

Docket Number: MJ-10309-CR-0000139-2017

Criminal Docket



Commonwealth of Pennsylvania

v.

Roy C. Monsour

Page 3 of 3

ATTORNEY INFORMATION

District Attorney

Name: Westmoreland County District Attorney's Office

Representing: Commonwealth of Pennsylvania

Counsel Status: Active

Supreme Court No.:

Phone No.: 724-830-3949

Address: Westmoreland County Office of the District Attorney
Suite 206
2 North Main Street
Greensburg, PA 15601

Private

Name: Patrick J. Thomassey, Esq.

Representing: Monsour, Roy C.

Counsel Status: Active

Supreme Court No.: 022864

Phone No.: 412-824-2055

Address: Thomassey, Miller, Seman
1940 James St
Monroeville, PA 15146

Assistant District Attorney

Name: Rebecca Lynn Calisti, Esq.

Representing: Commonwealth of Pennsylvania

Counsel Status: Active

Supreme Court No.: 087346

Phone No.: 724-830-3949

Address: Westmoreland CO Da's Office
2 N Main St Ste 206
Greensburg, PA 15601-2405

DOCKET ENTRY INFORMATION

<u>Filed Date</u>	<u>Entry</u>	<u>Filer</u>	<u>Applies To</u>
11/03/2017	Waiver of Preliminary Hearing	Roy C. Monsour	Roy C. Monsour, Defendant
11/03/2017	Waived for Court	Magisterial District Judge Denise S. Thiel	Roy C. Monsour, Defendant
10/25/2017	Fingerprint Order Returned - Criminal Case	Magisterial District Court 10-3-09	Roy C. Monsour, Defendant
10/12/2017	First Class Fingerprint Order Issued	Magisterial District Court 10-3-09	Roy C. Monsour, Defendant
10/12/2017	Fingerprint Order Issued	Magisterial District Court 10-3-09	Roy C. Monsour, Defendant
10/12/2017	Criminal Complaint Filed	Magisterial District Court 10-3-09	

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BEFORE THE STATE BOARD OF MEDICINE**

**Commonwealth of Pennsylvania,
Bureau of Professional and
Occupational Affairs
vs.**

File No. 17-49-11632

**Roy C. Monsour, M.D.
Respondent**

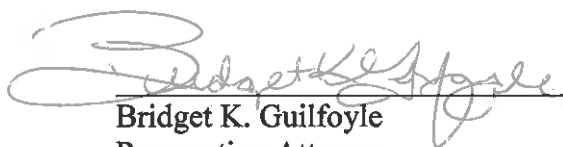
Docket No. 2386 -49-17

CERTIFICATE OF SERVICE

I, Bridget K. Guilfoyle, hereby certify that I have this 11th day of December 2017 caused a true and correct copy of the foregoing Petition and Order of Immediate Temporary Suspension to be served upon all parties of record in this proceeding in accordance with the requirements of Section 33.31 of the General Rules of Administrative Practice and Procedure, 1 Pa. Code § 33.31 (relating to service by the agency).

PERSONAL SERVICE AND CERTIFIED MAIL, ELECTRONIC RETURN RECEIPT:

Roy C. Monsour, M.D.
119 Dakota Lane
Ligonier, PA 15658
9171 9690 0935 0158 9361 04



**Bridget K. Guilfoyle
Prosecuting Attorney
Commonwealth of Pennsylvania
Department of State
Office of Chief Counsel**

P. O. Box 69521
Harrisburg, PA 17106-9521
(717) 783-7200