

**James Schilero Charging Affidavit  
and Convictions**

SAZ-1



# POLICE CRIMINAL COMPLAINT

Docket Number	Date Filed	OTN/LiveScan Number	Complaint/Incident Number <b>13-0348</b>
Defendant Name	First <b>JAMES</b>	Middle <b>DANIEL</b>	Last <b>SCHILIRO</b>

## AFFIDAVIT of PROBABLE CAUSE

1. Your affiant, Robert T. LYTHGOE, Detective, Delaware County (PA) Office of the District Attorney, Special Investigations Unit, has been a sworn law enforcement officer for over forty (40) years. Detective LYTHGOE is presently employed by the Delaware County (PA) Office of the District Attorney, Criminal Investigations Division, assigned to the Special Investigations Unit.

The foregoing information was received by your affiant from a witness, male, twenty (20) years of age, of which your affiant believes to be true and correct to the best of my knowledge and belief and will be available to testify at trial.

2. Victim has known a James SCHILIRO for approximately eight (8) years. The victim described SCHILIRO as a fatherly figure to the victim as the victim has no contact with his biological father. SCHILIRO has helped the victim over the eight (8) year period whereas he assisted him in getting employment, assisted the victim with school, etc.

3. On Thursday, 02/21/2013, in the evening, SCHILIRO began texting the victim on his cellular telephone. From the context of the text messages, victim believed that SCHILIRO was intoxicated. Believing that SCHILIRO was always there for him, victim believed that SCHILIRO needed someone to talk to.

4. SCHILIRO asked via text where victim was presently located. Victim replied via text that he was at a friends residence and Victim sent a text of the address where he was located to SCHILIRO via his cellular telephone to the cellular telephone of SCHILIRO. SCHILIRO then advised victim that he would have a police officer pick him up in a police vehicle and transport victim to the residence of SCHILIRO.

5. A Marcus Hook (PA) Police Department police officer then went to the residence where the victim was presently located. Police officer was operating a marked police vehicle. The victim then entered the rear of the police vehicle where the police officer transported the victim to the residence of SCHILIRO. This Marcus Hook (PA) Police Department Police Officer was subsequently identified by your affiant and interviewed by your affiant. The Police Officer concurred that while on duty he did in fact receive a telephone call from SCHILIRO, who the Police Officer identified as the Mayor of the Borough of Marcus Hook, PA, with the instructions to respond to a private residence in the Borough of Trainer, PA, and transport a male individual from the residence in the Borough of Trainer, PA, to the private residence of Mayor SCHILIRO.

6. Victim then entered the residence of SCHILIRO. Victim entered the residence between 02/21/2013 @ 2400 and 02/22/2013 @ 0030. Upon entering the residence, SCHILIRO was intoxicated and seemed terrified of something. SCHILIRO stated that his daughter was asleep upstairs in the residence.

I, **ROBERT LYTHGOE (5186)**, 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.

*Robert T. Lythgoe*  
 \_\_\_\_\_  
 (Signature of Affiant)

Sworn to me and subscribed before me this 21 day of MAR 2013  
 \_\_\_\_\_ Date \_\_\_\_\_, Magisterial District Judge

My commission expires first Monday of January, 2018

CERTIFIED A TRUE AND CORRECT COPY FROM THE RECORD

THIS 11 DAY OF April A.D. 2014

ANGELA L. MARTINEZ, ESQ., DIRECTOR  
 OFFICE OF JUDICIAL SUPPORT

*Angela L. Martinez*

**SAR-2**



# POLICE CRIMINAL COMPLAINT

Docket Number	Date Filed	OTN/LiveScan Number	Complaint/Incident Number <b>13-0348</b>
Defendant Name	First <b>JAMES</b>	Middle <b>DANIEL</b>	Last <b>SCHILIRO</b>

## AFFIDAVIT of PROBABLE CAUSE CONTINUATION

7. SCHILIRO had victim consume what victim believes was wine, a total of three (3) glasses, described by victim as a champagne glass. SCHILIRO asked the victim if he, SCHILIRO could perform oral sex on the victim. SCHILIRO made the request repeatedly, victim stating twenty (20) to thirty (30) times throughout the time the victim was at the residence of SCHILIRO. SCHILIRO became very distraught after victim refused SCHILIRO'S request.

8. Victim also stated that during the time he was in the residence of SCHILIRO, SCHILIRO produced three (3) different handguns. Each time SCHILIRO was holding a handgun, SCHILIRO would wave the handgun about in a reckless manner within the residence. At one (1) point SCHILIRO placed one (1) of the handguns to his head and makes the statement that this is the night that he didn't want to live anymore.

9. SCHILIRO asked the victim if he fired a gun would it make him afraid. In the residence SCHILIRO discharged one (1) of the firearms into some papers that were on the floor in a room located at the rear of the residence.

10. While victim was in the residence of SCHILIRO, SCHILIRO advised victim that he was going to be a hostage and was directing the movements of victim by pointing the handgun(s) to where he wanted the victim to sit at various places within the residence. Victim stated that at this point he actually felt in danger. Although there were times SCHILIRO went to the second floor of the residence, victim was afraid to leave for fear SCHILIRO would send the police after him.

11. Victim stated that after SCHILIRO discharged the firearm in his presence in the residence, he was in fear of his life.

12. Victim stated that SCHILIRO advised him that SCHILIRO had instructed the police to stay away from his residence.

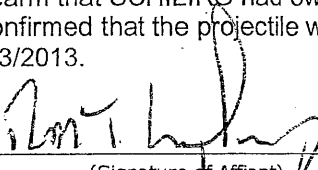
13. Victim was aware that SCHILIRO was the Mayor of the Borough of Marcus Hook, PA and his position of being the Mayor, has control over the Police Department.

14. Victim did not want to leave the residence on his own, fearing that SCHILIRO would order the police to pick him up. Victim stated that "chances of anything happening are very various and anything could happen". SCHILIRO had offered the victim to have police drive him home.

15. On Thursday, 03/07/2013, your affiant made application for a Search Warrant for the residence of James SCHILIRO located at 1040 Green Street, Marcus Hook Delaware County, PA. The Search Warrant was approved and subsequently served at the residence by members of the Delaware County (PA) Criminal Investigation Division.

16. One (1) of the items recovered was a spent projectile that was recovered from a wall inside the residence and evidence that the projectile was discharged through a stack of papers prior to entering the wall of the residence.

17. This spent projectile was subsequently microscopically compared to a firearm that SCHILIRO had owned on 02/22/2013 and subsequently sold by SCHILIRO on 02/23/2013. Ballistics confirmed that the projectile was discharged from one (1) of the eight (8) firearms that SCHILIRO sold on 02/23/2013.

  
 (Signature of Affiant)

**SAZ-3**

7/16

IN THE COURT OF COMMON PLEAS OF DELAWARE COUNTY,  
PENNSYLVANIA  
CRIMINAL DIVISION

COMMONWEALTH OF PENNSYLVANIA

No. 2753

OFFICE OF  
JUDICIAL SUPPORT  
DELAWARE CO., PA.

2013 NOV 15 PM 4:04

FILED

v.

James Daniel Schiliro

VERDICT

We, the jury after careful consideration of the evidence, render the following verdict:

Count 1. Recklessly Endangering Another Person

Did the Defendant, James Daniel Schiliro, on or about February 22, 2013, recklessly engage in conduct which placed or may have placed Nicholas Dorsam in danger of death or serious bodily injury?

Guilty  
GUILTY OR NOT GUILTY

If you found the Defendant, James Daniel Schiliro, Not Guilty of the above offense, please proceed to Count 3.

If you found the Defendant, James Daniel Schiliro, Guilty of the above offense, please answer the following questions.

Was a firearm possessed in the commission of the above crime?

Yes  
YES OR NO

If you answered "yes" to the above question, please answer the following:

Was a firearm employed in a way that threatened or injured Nicholas Dorsam in the commission of the above crime?

Yes  
YES OR NO

CERTIFIED A TRUE AND CORRECT  
COPY FROM THE RECORD

THIS 11 DAY OF April A.D. 2014

ANGELA L. MARTINEZ, ESQ., DIRECTOR  
OFFICE OF JUDICIAL SUPPORT

*Thomas E. Parker*

SA2-4

**Count 3. Unlawful Restraint/Serious Bodily Injury**

Did the Defendant, James Daniel Schiliro, on or about February 22, 2013, knowingly restrain Nicholas Dorsam unlawfully in circumstances exposing him to risk of serious bodily injury?

Guilty  
GUILTY OR NOT GUILTY

If you found the Defendant, James Daniel Schiliro, Not Guilty of the above offense, please proceed to Count 4.

If you found the Defendant, James Daniel Schiliro, Guilty of the above offense, please answer the following questions.

Was a firearm possessed in the commission of the above crime?

Yes  
YES OR NO

If you answered "yes" to the above question, please answer the following:

Was a firearm employed in a way that threatened or injured Nicholas Dorsam in the commission of the above crime?

Yes  
YES OR NO

**Count 4. False Imprisonment**

Did the Defendant, James Daniel Schiliro, on or about February 22, 2013, knowingly restrain Nicholas Dorsam unlawfully so as to interfere substantially with his liberty?

Guilty  
GUILTY OR NOT GUILTY

If you found the Defendant, James Daniel Schiliro, Not Guilty of the above offense, please proceed to Count 5.

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If you found the Defendant, James Daniel Schiliro, Guilty of the above offense, please answer the following questions.

Was a firearm possessed in the commission of the above crime?

Yes  
YES OR NO

If you answered "yes" to the above question, please answer the following:

Was a firearm employed in a way that threatened or injured Nicholas Dorsam in the commission of the above crime?

Yes  
YES OR NO

**Count 5. Official Oppression**

Did the Defendant, James Daniel Schiliro, on or about February 22, 2013, act or purport to act in an official capacity or taking advantage of such actual or purported capacity if, knowing that his conduct was illegal, deny or impede Nicholas Dorsam in the exercise or enjoyment of any right, privilege, power, or immunity?

Guilty  
GUILTY OR NOT GUILTY

If you found the Defendant, James Daniel Schiliro, Not Guilty of the above offense, please proceed to Count 6.

If you found the Defendant, James Daniel Schiliro, Guilty of the above offense, please answer the following questions.

Was a firearm possessed in the commission of the above crime?

NO  
YES OR NO

If you answered "yes" to the above question, please answer the following:

Was a firearm employed in a way that threatened or injured Nicholas Dorsam in the commission of the above crime?

\_\_\_\_\_  
YES OR NO

**SAR-6**

Count 6. Selling or Furnishing Liquor or Malt or Brewed Beverages to Minors

Did the Defendant, James Daniel Schiliro, on or about February 22, 2013, intentionally and knowingly sell, furnish, or purchase with the intent to sell or furnish, any liquor or malt or brewed beverages to Nicholas Dorsam, a person who was less than 21 years of age?

Guilty  
GUILTY OR NOT GUILTY

Arthur F. Hunter  
FOREPERSON

Arthur F. Hunter

11/15/13  
DATE

OFFICE OF  
JUDICIAL SUPPORT  
DELAWARE CO. PA.

2013 NOV 15 PM 4:04

FILED

SA2-7