

# Concord Pike parking battle owner files judge complaint

Maureen Milford, The News Journal 5:07 p.m. EDT June 13, 2014



(Photo: JENNIFER CORBETT/THE NEWS JOURNAL )

The property owner who lost a court battle over a parking dispute with a Concord Pike neighbor has filed an ethics complaint against the judge, arguing Vice Chancellor J. Travis Laster should have recused himself because he didn't disclose that he owns land nearby.

Raymond C. Buchta III, who runs a family video business at Concord Pike and Murphy Road and has been embroiled in a bitter feud with the neighboring auto detailing business in Brandywine Hundred, said he discovered in April that Laster owns a house less than 1,000 feet away on Murphy Road.

The Cape Cod house in Fairfax is visible from the Murphy Road exit to Buchta's Digital Video Factory, which does video transfers and productions, such as transferring Super 8 home movies to video.

Buchta filed the complaint against Laster last month with the Court on the Judiciary, a Delaware Constitutional court that has the authority to discipline any judicial officer appointed by the governor. The complaint argues Laster should have recused himself at the 2012 Chancery trial or at least disclosed the potential conflict under the Delaware Judges' Code of Conduct.

Laster said he hasn't been served with the Court on the Judiciary complaint.

"I'm actually not even sure how that whole process works," he said. "I am sure that it's not something I would comment on."

The way Buchta and his brother-in-law Scott Black see it, Laster, as the owner of a nearby rental property, was concerned about how the public dispute would impact his rental property. Buchta and Black have been very public about the battle with next-door neighbor Gary Staffieri and Adria Charles Staffieri, who own 202 Auto Spa.



**Adria Charles-Staffieri and her husband Gary Staffieri, owners of 202 Auto Spa, won the parking battle lawsuit over property rights on Concord Pike.** (Photo: JENNIFER CORBETT/THE NEWS JOURNAL )

In his written complaint, Buchta cites a code rule on disqualification which holds that a judge should disqualify himself in a proceeding in which the judge's impartiality might be reasonably questioned.

"It is reasonable to assume that his financial interest in 101 Murphy Road may have played a part in his decision making process," Buchta writes in the complaint, a copy of which was supplied to The News Journal.

Laster confirmed he owns a house at 101 Murphy Road through a limited liability company called Delawarmth LLC, of which another entity, GHART Holdings LLC, is the sole member. He said he and his wife own GHART, a name created by using the first letters of their names and the names of their three children.

"101 Murphy Road is a rental property. Our nanny rents it from us. She has lived there ever since we bought it," Laster said.

Buchta and Black have erected a large sign along heavily-traveled Concord Pike that says "New Castle County Government is Corrupt." They have also created a website called [www.wherewilltheypark.com](http://www.wherewilltheypark.com) (<http://www.wherewilltheypark.com/>) that details a three-year-old dispute with the Staffieris over the lack of parking for their narrow parcel.

The Staffieris sued Buchta, Black and other Black family members in 2012 and a trial was held that year before Laster. Laster found against Buchta and the Blacks saying their actions as a whole have been "intimidating and aggressive and evidence an intent to bully and wear down" the Staffieris without regard to their legal rights. He awarded legal fees of \$176,670 to the Staffieris.

The Delaware Supreme Court upheld Laster's decision in February.

The Blacks are hoping the Court on the Judiciary complaint will lead to a new trial.

"We didn't get a fair trial," Buchta said.

At the end of the 2012 trial, Laster urged the Black family and Staffieris to try to work out their problems.

"So if there is a way to figure out something that you can both be equally unhappy with, that may be a preferable way to go," Laster said. "I sympathize



Vice Chancellor J. Travis Laster, shown here in 2009, should have recused himself because he didn't disclose that he owns land nearby, the property owner who lost the parking suit claims. (Photo: The News Journal/WILLIAM BRETZGER)

with the plight of folks who are forced in proximity and have to look forward to potentially years of griping at each other. That's not something I'd want. I just wouldn't."

The Black family believes Laster was unhappy about their large sign and the public nature of the fight. Scott Black said they thought long and hard about erecting the sign for fear of how neighbors would react. Black said the family has been good neighbors since 1967 when his father took over a gas station on the site. Black said they deliberately tried to make professional-looking signs.

"I think Laster thinks we went too far," Black said.

The records and proceedings of a complaint to the Court on the Judiciary are confidential except a final order of suspension, removal or retirement, according to Margaret Naylor, clerk of the Court on the Judiciary. It is up to the court if it wants to make a reprimand public, she said.

The court consists of the five state Supreme Court justices, the Chancellor of the Court of Chancery, the President Judge of Superior Court and the chief judges of Family Court and the Court of Common Pleas.

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