

# COURT OF COMMON PLEAS OF ADAMS COUNTY

## DOCKET



Docket Number: CP-01-CR-0000014-2009

## CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

Elio Lua Barajas

Page 1 of 11

### CASE INFORMATION

Cross Court Docket Nos: CR-0000085-93

Judge Assigned:

Date Filed: 01/14/2009

Initiation Date: 10/16/1981

OTN: E 022714-6

Lower Court Docket No: CR-0000085-93

Initial Issuing Authority: HAROLD R. DEARDORFF

Final Issuing Authority: HAROLD R. DEARDORFF

Arresting Agency: PSP - Gettysburg

Arresting Officer: Affiant

Case Local Number Type(s)

Case Local Number(s)

### STATUS INFORMATION

<u>Case Status:</u>	<u>Status Date</u>	<u>Processing Status</u>	<u>Arrest Date:</u>
Closed	07/07/2009	Sentenced/Penalty Imposed	10/16/1981
	06/30/2009	Awaiting Sentencing	
	05/21/2009	Awaiting Trial Scheduling	
	03/06/2009	Awaiting Trial	
	03/03/2009	Awaiting Trial Scheduling	
	02/23/2009	Awaiting Pre-Trial Conference	
	01/16/2009	Awaiting Formal Arraignment	
	01/14/2009	Awaiting Filing of Information	

Complaint Date: 04/15/1993

### CALENDAR EVENTS

<u>Case Calendar</u>	<u>Schedule</u>	<u>Start</u>	<u>Room</u>	<u>Judge Name</u>	<u>Schedule</u>
<u>Event Type</u>	<u>Start Date</u>	<u>Time</u>			<u>Status</u>
Arraignment	02/23/2009	8:30 am			Scheduled
Pre-Trial	03/05/2009	8:30 am			Scheduled
Conference					
Plea	04/07/2009	8:30 am			Continued
Plea	05/05/2009	8:30 am			Scheduled
Pre-Trial	06/30/2009	8:30 am			Scheduled
Conference					
Plea	09/03/2009	8:30 am			Cancelled

### CONFINEMENT INFORMATION

<u>Confinement</u>	<u>Confinement</u>	<u>Destination</u>	<u>Confinement</u>	<u>Still in</u>
<u>Known As Of</u>	<u>Type</u>	<u>Location</u>	<u>Reason</u>	<u>Custody</u>

### DEFENDANT INFORMATION

Date Of Birth: 03/20/1960 City/State/Zip: Aspers, PA 17304

# COURT OF COMMON PLEAS OF ADAMS COUNTY

## DOCKET



Docket Number: CP-01-CR-0000014-2009

## CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

Elio Lua Barajas

Page 2 of 11

### CASE PARTICIPANTS

<u>Participant Type</u>	<u>Name</u>
Defendant	Barajas, Elio Lua

### BAIL INFORMATION

Barajas, Elio Lua

Nebbia Status: None

<u>Bail Action</u>	<u>Date</u>	<u>Bail Type</u>	<u>Percentage</u>	<u>Amount</u>	<u>Bail Posting Status</u>	<u>Posting Date</u>
Denied	12/04/2008			\$0.00		

### CHARGES

<u>Seq.</u>	<u>Orig Seq.</u>	<u>Grade</u>	<u>Statute</u>	<u>Statute Description</u>	<u>Offense Dt.</u>	<u>OTN</u>
1	1	H1	18 § 2502 §§A	Murder Of The First Degree	10/16/1981	E 022714-6
2	2	F1	18 § 2502 §§C	Murder Of The Third Degree	10/16/1981	E 022714-6
3	5	F1	18 § 2503 §§A1	Vol Manslaught-Provoc From Ind Killed	10/16/1981	E 022714-6
4	4	M1	18 § 2504 §§A	Involuntary Manslaughter	10/16/1981	E 022714-6
5	3	F2	18 § 2503 §§A1	Vol Manslaught-Provoc From Ind Killed	10/16/1981	E 022714-6

### DISPOSITION SENTENCING/PENALTIES

#### Disposition

<u>Case Event</u>	<u>Disposition Date</u>	<u>Final Disposition</u>
<u>Sequence/Description</u>	<u>Offense Disposition</u>	<u>Grade Section</u>
<u>Sentencing Judge</u>	<u>Sentence Date</u>	<u>Credit For Time Served</u>
<u>Sentence/Diversion Program Type</u>	<u>Incarceration/Diversionary Period</u>	<u>Start Date</u>
<u>Sentence Conditions</u>		

#### Lower Court Proceeding (generic)

Lower Court Disposition	01/13/2009	Not Final
1 / Murder Of The First Degree	Waived for Court (Lower Court)	H1 18 § 2502 §§ A
2 / Murder Of The Third Degree	Waived for Court (Lower Court)	F1 18 § 2502 §§ C
4 / Involuntary Manslaughter	Waived for Court (Lower Court)	M1 18 § 2504 §§ A
5 / Vol Manslaught-Provoc From Ind Killed	Waived for Court (Lower Court)	F2 18 § 2503 §§ A1

#### Proceed to Court

Information Filed	02/23/2009	Not Final
1 / Murder Of The First Degree	Waived for Court (Lower Court)	H1 18 § 2502 §§ A
2 / Murder Of The Third Degree	Waived for Court (Lower Court)	F1 18 § 2502 §§ C
3 / Vol Manslaught-Provoc From Ind Killed	Proceed to Court	F1 18 § 2503 §§ A1
4 / Involuntary Manslaughter	Waived for Court (Lower Court)	M1 18 § 2504 §§ A
5 / Vol Manslaught-Provoc From Ind Killed	Charge Changed	F2 18 § 2503 §§ A1
Replaced by 18 § 2503 §§ A1, Vol Manslaught-Provoc From Ind Killed		

#### Guilty Plea - Negotiated

Pre-Trial Conference	06/30/2009	Final Disposition
----------------------	------------	-------------------

# COURT OF COMMON PLEAS OF ADAMS COUNTY

## DOCKET



Docket Number: CP-01-CR-0000014-2009

## CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

Elio Lua Barajas

Page 3 of 11

### DISPOSITION SENTENCING/PENALTIES

#### Disposition

<u>Case Event</u>	<u>Disposition Date</u>	<u>Final Disposition</u>	
<u>Sequence/Description</u>	<u>Offense Disposition</u>	<u>Grade</u>	<u>Section</u>
<u>Sentencing Judge</u>	<u>Sentence Date</u>	<u>Credit For Time Served</u>	
<u>Sentence/Diversion Program Type</u>	<u>Incarceration/Diversionary Period</u>	<u>Start Date</u>	
<u>Sentence Conditions</u>			
1 / Murder Of The First Degree	Withdrawn	H1	18 § 2502 §§ A
George, Michael A.	06/30/2009		
2 / Murder Of The Third Degree	Withdrawn	F1	18 § 2502 §§ C
George, Michael A.	06/30/2009		
3 / Vol Manslaught-Provoc From Ind Killed	Guilty Plea - Negotiated	F1	18 § 2503 §§ A1
George, Michael A.	06/30/2009		
Confinement	Min of 4.00 Years		06/30/2009
	Max of 10.00 Years		
	Other		
Date			
4 / Involuntary Manslaughter	Withdrawn	M1	18 § 2504 §§ A
George, Michael A.	06/30/2009		
5 / Vol Manslaught-Provoc From Ind Killed	Charge Changed	F2	18 § 2503 §§ A1
Replaced by 18 § 2503 §§ A1, Vol Manslaught-Provoc From Ind Killed			
George, Michael A.	06/30/2009		

#### COMMONWEALTH INFORMATION

Name: Brian Ray Sinnett  
District Attorney

Supreme Court No: 084188

Phone Number(s):  
717-337-9840 (Phone)

Address:  
111-117 Baltimore Street  
Gettysburg, PA 17325

#### ATTORNEY INFORMATION

Name: Earl G. Kauffman \*  
Private

Supreme Court No: 040726

Rep. Status: Lower Court

Phone Number(s):  
215-625-2708 (Phone)

Address:  
The Bourse Suite 755  
111 S Independence Mall East  
Philadelphia, PA 19106

Representing: Barajas, Elio Lua

\* Entry of Appearance Not Filed

#### ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
------------------------	----------------------	----------------------	-----------------

# COURT OF COMMON PLEAS OF ADAMS COUNTY

## DOCKET



Docket Number: CP-01-CR-0000014-2009

## CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

Elio Lua Barajas

Page 4 of 11

### ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	01/14/2009		Court of Common Pleas - Adams County
Original Papers Received from Lower Court Affidavit, Criminal Complaint, Warrant of Arrest, Waiver of Preliminary Hearing, Current Bail Information, Notice of Arraignment, AOPC, Docket Transcript			
1	02/23/2009		Commonwealth of Pennsylvania
Information Filed			
2	02/23/2009		Kauffman, Earl G.
Arraignment Response and Instructions Filed			
3	02/23/2009		Kauffman, Earl G.
Notice of Pre-Trial Conference and Notice of Trial			
4	02/23/2009		Kauffman, Earl G.
Appearance and Waiver of Arraignment			
1	02/25/2009		Adams County District Attorney's Office
Memo: Interpreter's Fee			
1	02/27/2009		Barajas, Elio Lua
Case-Specific Non-Certified Foreign Language Interpreter Questionnaire			
1	03/06/2009	02/23/2009	George, Michael A.
Order to Place Case on Trial List Case is placed on trial term for the term beginning May 11, 2009. Def. is to appear for Plea day April 7, 2009.			
Kauffman, Earl G. 03/06/2009 Attorney Box			
Sinnott, Brian Ray 03/06/2009 Interoffice			
1	03/25/2009		Kauffman, Earl G.
Motion for Continuance With Certificate of Service			
Sinnott, Brian Ray 03/25/2009 Interoffice			

# COURT OF COMMON PLEAS OF ADAMS COUNTY

## DOCKET



Docket Number: CP-01-CR-0000014-2009

## CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

Elio Lua Barajas

Page 5 of 11

### ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
<u>Service To</u>	<u>Service By</u>		
<u>Issue Date</u>	<u>Service Type</u>	<u>Status Date</u>	<u>Service Status</u>
1	03/26/2009	03/25/2009	Kauffman, Earl G.
Motion for Continuance Defense Request W/Certificate of Service			
Adams County District Attorney's Office 03/26/2009 Interoffice			
1	04/08/2009	04/08/2009	George, Michael A.
Order Granting Continuance Plea day is continued to 5/5/2009 at 1:00 p.m. in courtroom 2. This matter remains on the trial term for 5/11/2009.			
Adams County Adult Probation Unit 04/09/2009			
Adams County District Attorney's Office 04/09/2009			
Adams County Prison 04/09/2009			
Adams County Public Defender's Office 04/09/2009			
Adams County Sheriff's Department 04/09/2009			
Kauffman, Earl G. 04/09/2009			
1	05/06/2009		Adams County District Attorney's Office
Memo: Interpreter's Fee			
1	05/07/2009		Barajas, Elio Lua
Case-Specific Non-Certified Foreign Language Interpreter Questionnaire			
1	05/15/2009	05/05/2009	George, Michael A.
Order Granting Continuance Trial is continued until the term commencing October 13, 2009.			
Adams County District Attorney's Office 05/18/2009 Interoffice			
Adams County Public Defender's Office 05/18/2009 Interoffice			

# COURT OF COMMON PLEAS OF ADAMS COUNTY

## DOCKET



Docket Number: CP-01-CR-0000014-2009

## CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

Elio Lua Barajas

Page 6 of 11

### ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
<u>Service To</u>	<u>Service By</u>		
<u>Issue Date</u>	<u>Service Type</u>	<u>Status Date</u>	<u>Service Status</u>
Kauffman, Earl G. 05/18/2009	First Class		
1	05/22/2009		Adams County District Attorney's Office
Subpoena			
2	05/22/2009		Adams County District Attorney's Office
Subpoena			
3	05/22/2009		Adams County District Attorney's Office
Subpoena			
4	05/22/2009		Adams County District Attorney's Office
Subpoena			
1	06/30/2009		George, Michael A.
Guilty Plea - Negotiated			
3	06/30/2009	06/30/2009	George, Michael A.
Adams County Prison Commitment Form			
4	06/30/2009		Kauffman, Earl G.
Information Re-Filed - Plea			
5	06/30/2009		Kauffman, Earl G.
Guilty Plea Colloquy Instructions			
6	06/30/2009		Kauffman, Earl G.
Guilty / Nolo Contendere Plea Colloquy			
7	06/30/2009		George, Michael A.
Disposition Filed			

# COURT OF COMMON PLEAS OF ADAMS COUNTY

## DOCKET



Docket Number: CP-01-CR-0000014-2009

## CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

Elio Lua Barajas

Page 7 of 11

### ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	07/01/2009		Adams County District Attorney's Office
Memo: Interpreter's Fee			
2	07/01/2009		Barajas, Elio Lua
Case-Specific Non-Certified Foreign Language Interpreter Questionnaire			
1	07/07/2009	06/30/2009	George, Michael A.
Order - Sentence/Penalty Imposed Kauffman, Earl G. 07/08/2009			
1	07/08/2009		Court of Common Pleas - Adams County
Penalty Assessed			
2	07/08/2009		Lawver, Kelly A.
Itemized Account of Fines, Costs, Fees and Restitution			
3	07/08/2009		Court of Common Pleas - Adams County
Payment Plan Introduction Letter			
4	07/08/2009		Lawver, Kelly A.
Memorandum			
5	07/08/2009		Lawver, Kelly A.
Memorandum Regarding documents sent to PA Dept of Corrections.			
6	07/08/2009		Lawver, Kelly A.
SCI Commitment Form			
7	07/08/2009		Adams County Court Reporter
Transcript of Proceedings Filed Transcript of Sentencing Colloquy from 6/30/2009.			
8	07/08/2009		Adams County District Attorney's Office
DNA Sample Collection Tracking Sheets			

# COURT OF COMMON PLEAS OF ADAMS COUNTY

## DOCKET



Docket Number: CP-01-CR-0000014-2009

## CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

Elio Lua Barajas

Page 8 of 11

### ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	07/13/2009		Lawver, Kelly A.
Guideline Sentence Form			
1	07/14/2009		Lawver, Kelly A.
Transmittal of Record to PA Board of Probation and Parole			
2	07/14/2009		Lawver, Kelly A.
Docket Transcript			
1	08/10/2009		U.S. Immigration & Customs Enforcement
Case Correspondence Request for information.			
1	08/18/2009		Lawver, Kelly A.
Praecipe for Entry of Civil Judgment			
1	08/19/2009		Lawver, Kelly A.
Entry of Civil Judgment 2009-NO-930			
1	08/27/2010		U.S. Immigration & Customs Enforcement
Case Correspondence			
1	09/22/2010		U.S. Immigration & Customs Enforcement
Case Correspondence Request for certified copies of documents.			
1	03/28/2012		Pennsylvania Board of Probation and Parole
Case Correspondence Def. has been scheduled for parole consideration			



# COURT OF COMMON PLEAS OF ADAMS COUNTY

## DOCKET



Docket Number: CP-01-CR-0000014-2009

## CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

Elio Lua Barajas

Page 9 of 11

### ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	12/31/2012		Pennsylvania Board of Probation and Parole

Case Correspondence

Def. was released on parole

### PAYMENT PLAN SUMMARY

<u>Payment Plan No</u>	<u>Payment Plan Freq.</u>	<u>Next Due Date</u>	<u>Active</u>	<u>Overdue Amt</u>
<u>Responsible Participant</u>			<u>Suspended</u>	<u>Next Due Amt</u>
01-2009-P000000941	Monthly	01/30/2013	Yes	\$80.00
Barajas, Elio Lua			No	\$40.00

<u>Payment Plan History:</u>	<u>Receipt Date</u>	<u>Payor Name</u>	<u>Participant Role</u>	<u>Amount</u>
	06/29/2012	Payment		\$60.00

# COURT OF COMMON PLEAS OF ADAMS COUNTY

## DOCKET



Docket Number: CP-01-CR-0000014-2009

## CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

Elio Lua Barajas

Page 10 of 11

### CASE FINANCIAL INFORMATION

Last Payment Date: 06/29/2012

Total of Last Payment: -\$60.00

Barajas, Elio Lua Defendant	<u>Assessment</u>	<u>Payments</u>	<u>Adjustments</u>	<u>Non Monetary Payments</u>	<u>Total</u>
<b>Costs/Fees</b>					
DA Prosecution (Adams)	\$70.00	-\$13.39	\$0.00	\$0.00	\$56.61
Collection Fee (Adams)	\$1.00	-\$14.00	\$13.00	\$0.00	\$0.00
DA Prosecution (Adams)	\$17.50	-\$3.35	\$0.00	\$0.00	\$14.15
DA Prosecution (Adams)	\$40.83	-\$7.81	\$0.00	\$0.00	\$33.02
Automation Fee (Adams)	\$5.00	\$0.00	\$0.00	\$0.00	\$5.00
Certified Mailings (Adams)	\$8.25	\$0.00	\$0.00	\$0.00	\$8.25
Judgment/Satisfaction Fee (Adams)	\$32.50	\$0.00	\$0.00	\$0.00	\$32.50
Clerks Fee (Adams)	\$135.00	\$0.00	\$0.00	\$0.00	\$135.00
DA Felony Cost (Adams)	\$12.00	\$0.00	\$0.00	\$0.00	\$12.00
Drug Testing Fee (Adams)	\$20.00	\$0.00	\$0.00	\$0.00	\$20.00
Law Enforcement (Adams)	\$20.00	\$0.00	\$0.00	\$0.00	\$20.00
Public Service (Adams)	\$35.00	\$0.00	\$0.00	\$0.00	\$35.00
State Court Costs (Act 204 of 1976)	\$12.30	\$0.00	\$0.00	\$0.00	\$12.30
Commonwealth Cost - HB627 (Act 167 of 1992)	\$18.40	\$0.00	\$0.00	\$0.00	\$18.40
County Court Cost (Act 204 of 1976)	\$26.80	\$0.00	\$0.00	\$0.00	\$26.80
Domestic Violence Compensation (Act 44 of 1988)	\$10.00	\$0.00	\$0.00	\$0.00	\$10.00
Judicial Computer Project	\$8.00	-\$8.00	\$0.00	\$0.00	\$0.00
ATJ	\$2.00	-\$2.00	\$0.00	\$0.00	\$0.00
DNA Detection Fund (Act 185-2004)	\$250.00	\$0.00	\$0.00	\$0.00	\$250.00
D & A Program (Adams)	\$5.00	\$0.00	\$0.00	\$0.00	\$5.00
Educational Fee (Adams)	\$145.00	\$0.00	\$0.00	\$0.00	\$145.00
CRN Report (Adams)	\$35.00	-\$6.70	\$0.00	\$0.00	\$28.30
Processing Center (Adams)	\$125.00	\$0.00	\$175.00	\$0.00	\$300.00
DNA Sample Fee (Adams)	\$25.00	-\$4.75	\$0.00	\$0.00	\$20.25
<b>Costs/Fees Totals:</b>	<b>\$1,059.58</b>	<b>-\$60.00</b>	<b>\$188.00</b>	<b>\$0.00</b>	<b>\$1,187.58</b>
<b>Fines</b>					
Crimes Code, etc.	\$100.00	\$0.00	\$100.00	\$0.00	\$200.00
<b>Fines Totals:</b>	<b>\$100.00</b>	<b>\$0.00</b>	<b>\$100.00</b>	<b>\$0.00</b>	<b>\$200.00</b>
<b>Grand Totals:</b>	<b>\$1,159.58</b>	<b>-\$60.00</b>	<b>\$288.00</b>	<b>\$0.00</b>	<b>\$1,387.58</b>

# COURT OF COMMON PLEAS OF ADAMS COUNTY

## DOCKET

Docket Number: CP-01-CR-0000014-2009

### CRIMINAL DOCKET

Court Case



Commonwealth of Pennsylvania

v.

Elio Lua Barajas

Page 11 of 11

\*\* - Indicates assessment is subrogated