

COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY

DOCKET



Docket Number: CP-51-CR-0002638-2016

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

Montae T. Gerald

Page 1 of 10

CASE INFORMATION

Judge Assigned: Coyle, Anne Marie B. Date Filed: 03/14/2016 Initiation Date: 03/14/2016
OTN: N 990879-1 LOTN: Originating Docket No: MC-51-CR-0039405-2015
Initial Issuing Authority: Charles A. Ehrlich Final Issuing Authority:
Arresting Agency: Philadelphia Pd Arresting Officer: Wacker, Timothy
Complaint/Incident #: 1502080531-0039405
Case Local Number Type(s) Case Local Number(s)
Originating Docket Number MC-51-CR-0039405-2015
District Control Number 1502080531
Originating Document Number 1502080531-0039405

STATUS INFORMATION

<u>Case Status:</u>	<u>Status Date</u>	<u>Processing Status</u>	<u>Arrest Date:</u>
Closed	05/12/2017	Sentenced/Penalty Imposed	12/20/2015
	05/12/2017	Awaiting Sentencing	
	04/15/2016	Awaiting Trial	
	03/29/2016	Awaiting Formal Arraignment	
	03/14/2016	Awaiting Filing of Information	

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>
Formal Arraignment	04/01/2016	11:00 am	1104	Trial Commissioner Linda Mariani	Scheduled
Video-IGJ Arraignment	04/07/2016	12:30 pm	1106	Vincent G. Petri	Scheduled
Scheduling Conference	04/15/2016	9:00 am	1002	Judge Anne Marie B. Coyle	Scheduled
Trial	09/06/2016	9:00 am	1002	Judge Anne Marie B. Coyle	Continued
Trial	09/07/2016	9:00 am	1002	Judge Anne Marie B. Coyle	Scheduled
Status	09/29/2016	9:00 am	1002	Judge Anne Marie B. Coyle	Scheduled
Trial	10/24/2016	9:00 am	1002	Judge Anne Marie B. Coyle	Continued
Status	05/11/2017	9:00 am	1002	Judge Anne Marie B. Coyle	Continued
Status	05/12/2017	9:00 am	1002	Judge Anne Marie B. Coyle	Scheduled
Trial	05/15/2017	9:00 am	1002	Judge Anne Marie B. Coyle	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>
12/20/2015	County Jail	Curran-Fromhold Corr. Fac.		Yes

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DOCKET

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CRIMINAL DOCKET

Court Case



Commonwealth of Pennsylvania

v.

Montae T. Gerald

Page 2 of 10

DEFENDANT INFORMATION

Date Of Birth: 08/14/1989 City/State/Zip: Philadelphia, PA 19140

Alias Name
Gerald, Montae

CASE PARTICIPANTS

<u>Participant Type</u>	<u>Name</u>
Defendant	Gerald, Montae T.

BAIL INFORMATION

Gerald, Montae T. **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>
Set	12/20/2015	Monetary	10.00%	\$900,000.00		

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	16	F1	18 § 3701 §§A1II	Robbery-Threat Immed Ser Injury	12/19/2015	N 990879-1
2	2	F1	18 § 3502 §§A1	Burglary - Overnight Accommodation, Person Present	12/19/2015	N 990879-1
3	17	F1	18 § 903	Conspiracy - Robbery-Threat Immed Ser Injury	12/19/2015	N 990879-1
4	4	M1	18 § 2902 §§A1	Unlawful Restraint/ Serious Bodily Injury	12/19/2015	N 990879-1
5	5	F2	18 § 6105 §§A1	Possession Of Firearm Prohibited	12/19/2015	N 990879-1
6	6	F2	18 § 3503 §§A1II	Crim Tres-Break Into Structure	12/19/2015	N 990879-1
7	7	M2	18 § 2903 §§A	False Imprisonment	12/19/2015	N 990879-1
8	8	F3	18 § 6106 §§A1	Firearms Not To Be Carried W/O License	12/19/2015	N 990879-1
9	9	M1	18 § 3921 §§A	Theft By Unlaw Taking-Movable Prop	12/19/2015	N 990879-1
10	11	M1	18 § 6108	Carry Firearms Public In Phila	12/19/2015	N 990879-1
11	12	M1	18 § 907 §§A	Poss Instrument Of Crime W/Int	12/19/2015	N 990879-1
99999	14	M2	18 § 2701 §§A	Simple Assault	12/19/2015	N 990879-1
99999	15	M2	18 § 2705	Recklessly Endangering Another Person	12/19/2015	N 990879-1
99999	13	M1	18 § 2706 §§A1	Terroristic Threats W/ Int To Terrorize Another	12/19/2015	N 990879-1
99999	1	F1	18 § 3701 §§A1I	Robbery-Inflict Serious Bodily Injury	12/19/2015	N 990879-1
99999	3	F1	18 § 903	Conspiracy - Robbery-Inflict Serious Bodily Injury	12/19/2015	N 990879-1
99999	10	M1	18 § 3925 §§A	Receiving Stolen Property	12/19/2015	N 990879-1

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DOCKET

Docket Number: CP-51-CR-0002638-2016

CRIMINAL DOCKET

Court Case



Commonwealth of Pennsylvania

v.

Montae T. Gerald

Page 3 of 10

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>			
Lower Court Proceeding (generic)			
Preliminary Hearing	03/11/2016	Not Final	
2 / Burglary - Overnight Accommodation, Person Present	IGJ - Held for Court	F1	18 § 3502 §§ A1
4 / Unlawful Restraint/ Serious Bodily Injury	IGJ - Held for Court	M1	18 § 2902 §§ A1
5 / Possession Of Firearm Prohibited	IGJ - Held for Court	F2	18 § 6105 §§ A1
6 / Crim Tres-Break Into Structure	IGJ - Held for Court	F2	18 § 3503 §§ A1II
7 / False Imprisonment	IGJ - Held for Court	M2	18 § 2903 §§ A
8 / Firearms Not To Be Carried W/O License	IGJ - Held for Court	F3	18 § 6106 §§ A1
9 / Theft By Unlaw Taking-Movable Prop	IGJ - Held for Court	M1	18 § 3921 §§ A
10 / Carry Firearms Public In Phila	IGJ - Held for Court	M1	18 § 6108
11 / Poss Instrument Of Crime W/Int	IGJ - Held for Court	M1	18 § 907 §§ A
99,999 / Conspiracy - Robbery-InFLICT Serious Bodily Injury	IGJ - Held for Court	F1	18 § 903
99,999 / Receiving Stolen Property	Withdrawn	M1	18 § 3925 §§ A
99,999 / Recklessly Endangering Another Person	Withdrawn	M2	18 § 2705
99,999 / Robbery-InFLICT Serious Bodily Injury	IGJ - Held for Court	F1	18 § 3701 §§ A1I
99,999 / Simple Assault	Withdrawn	M2	18 § 2701 §§ A
99,999 / Terroristic Threats W/ Int To Terrorize Another	Withdrawn	M1	18 § 2706 §§ A1
Proceed to Court Defendant Was Not Present			
Information Filed	03/29/2016	Not Final	
1 / Robbery-Threat Immed Ser Injury	Replacement by Information	F1	18 § 3701 §§ A1II
2 / Burglary - Overnight Accommodation, Person Present	Held for Court	F1	18 § 3502 §§ A1
3 / Conspiracy - Robbery-Threat Immed Ser Injury	Replacement by Information	F1	18 § 903
4 / Unlawful Restraint/ Serious Bodily Injury	Held for Court	M1	18 § 2902 §§ A1
5 / Possession Of Firearm Prohibited	Held for Court	F2	18 § 6105 §§ A1
6 / Crim Tres-Break Into Structure	Held for Court	F2	18 § 3503 §§ A1II
7 / False Imprisonment	Held for Court	M2	18 § 2903 §§ A
8 / Firearms Not To Be Carried W/O License	Held for Court	F3	18 § 6106 §§ A1
9 / Theft By Unlaw Taking-Movable Prop	Held for Court	M1	18 § 3921 §§ A
10 / Carry Firearms Public In Phila	Held for Court	M1	18 § 6108
11 / Poss Instrument Of Crime W/Int	Held for Court	M1	18 § 907 §§ A

COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY

DOCKET



Docket Number: CP-51-CR-0002638-2016

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

Montae T. Gerald

Page 4 of 10

DISPOSITION SENTENCING/PENALTIES

Disposition

<u>Case Event</u>	<u>Disposition Date</u>	<u>Final Disposition</u>	
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<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>			
99,999 / Conspiracy - Robbery-Infrict Serious Bodily Injury	Charge Changed	F1	18 § 903
Replaced by 18 § 903, Conspiracy - Robbery-Threat Immed Ser Injury			
99,999 / Receiving Stolen Property	Disposed at Lower Court	M1	18 § 3925 §§ A
99,999 / Recklessly Endangering Another Person	Disposed at Lower Court	M2	18 § 2705
99,999 / Robbery-Infrict Serious Bodily Injury	Charge Changed	F1	18 § 3701 §§ A1I
Replaced by 18 § 3701 §§ A1II, Robbery-Threat Immed Ser Injury			
99,999 / Simple Assault	Disposed at Lower Court	M2	18 § 2701 §§ A
99,999 / Terroristic Threats W/ Int To Terrorize Another	Disposed at Lower Court	M1	18 § 2706 §§ A1
Guilty Plea - Negotiated	Defendant Was Present		
Status	05/12/2017	Final Disposition	
1 / Robbery-Threat Immed Ser Injury	Guilty Plea - Negotiated	F1	18 § 3701 §§ A1II
Coyle, Anne Marie B.	05/12/2017		
Confinement	Min of 7.00 Years 6.00 Months		
	Max of 20.00 Years		
	Other		
Credit to be calculated by the Phila. Prison System			
Not RRRI Eligible			
To stay away from victim(s) Chelsea Mooror and Nicholas Mooror.			
To submit to random drug and alcohol screens.			
Random home and vehicle checks for drugs and/or weapons			
Comply with any recommendations for drug/alcohol treatment			
Vocational training			
Defendant is to pay imposed mandatory court costs.			
2 / Burglary - Overnight Accommodation, Person Present	Guilty Plea - Negotiated	F1	18 § 3502 §§ A1
Coyle, Anne Marie B.	05/12/2017		
Confinement	Min of 7.00 Years 6.00 Months		
	Max of 20.00 Years		
	Other		
3 / Conspiracy - Robbery-Threat Immed Ser Injury	Guilty Plea - Negotiated	F1	18 § 903
Coyle, Anne Marie B.	05/12/2017		
Confinement	Min of 7.00 Years 6.00 Months		
	Max of 20.00 Years		
	Other		

COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY

DOCKET



Docket Number: CP-51-CR-0002638-2016

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

Montae T. Gerald

Page 5 of 10

DISPOSITION SENTENCING/PENALTIES

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<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>			
4 / Unlawful Restraint/ Serious Bodily Injury Coyle, Anne Marie B.	Nolle Prossed 05/12/2017	M1	18 § 2902 §§ A1
5 / Possession Of Firearm Prohibited Coyle, Anne Marie B. Confinement	Guilty Plea - Negotiated 05/12/2017 Min of 5.00 Years Max of 10.00 Years 5 - 10 years	F2	18 § 6105 §§ A1
6 / Crim Tres-Break Into Structure Coyle, Anne Marie B.	Nolle Prossed 05/12/2017	F2	18 § 3503 §§ A1II
7 / False Imprisonment Coyle, Anne Marie B.	Nolle Prossed 05/12/2017	M2	18 § 2903 §§ A
8 / Firearms Not To Be Carried W/O License Coyle, Anne Marie B.	Nolle Prossed 05/12/2017	F3	18 § 6106 §§ A1
9 / Theft By Unlaw Taking-Movable Prop Coyle, Anne Marie B.	Nolle Prossed 05/12/2017	M1	18 § 3921 §§ A
10 / Carry Firearms Public In Phila Coyle, Anne Marie B.	Nolle Prossed 05/12/2017	M1	18 § 6108
11 / Poss Instrument Of Crime W/Int Coyle, Anne Marie B.	Nolle Prossed 05/12/2017	M1	18 § 907 §§ A
99,999 / Conspiracy - Robbery-Inflct Serious Bodily Injury Replaced by 18 § 903, Conspiracy - Robbery-Threat Immed Ser Injury Coyle, Anne Marie B.	Charge Changed 05/12/2017	F1	18 § 903
99,999 / Receiving Stolen Property Coyle, Anne Marie B.	Disposed at Lower Court 05/12/2017	M1	18 § 3925 §§ A
99,999 / Recklessly Endangering Another Person Coyle, Anne Marie B.	Disposed at Lower Court 05/12/2017	M2	18 § 2705
99,999 / Robbery-Inflct Serious Bodily Injury Replaced by 18 § 3701 §§ A1II, Robbery-Threat Immed Ser Injury Coyle, Anne Marie B.	Charge Changed 05/12/2017	F1	18 § 3701 §§ A1I
99,999 / Simple Assault Coyle, Anne Marie B.	Disposed at Lower Court 05/12/2017	M2	18 § 2701 §§ A

COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY

DOCKET



Docket Number: CP-51-CR-0002638-2016

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

Montae T. Gerald

Page 6 of 10

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>			
99,999 / Terroristic Threats W/ Int To Terrorize Another Coyle, Anne Marie B.	Disposed at Lower Court 05/12/2017	M1	18 § 2706 §§ A1

LINKED SENTENCES:

Link 1

CP-51-CR-0002638-2016 - Seq. No. 5 (18§ 6105 §§ A1) - Confinement is Concurrent with
 CP-51-CR-0002638-2016 - Seq. No. 3 (18§ 3701 §§ A1II) - Confinement is Concurrent with
 CP-51-CR-0002638-2016 - Seq. No. 2 (18§ 3502 §§ A1) - Confinement is Concurrent with
 CP-51-CR-0002638-2016 - Seq. No. 1 (18§ 3701 §§ A1II) - Confinement

COMMONWEALTH INFORMATION

Name: Philadelphia County District Attorney's
 Office
 Prosecutor

Supreme Court No:

Phone Number(s):
 215-686-8000 (Phone)

Address:
 3 South Penn Square
 Philadelphia, PA 19107

ATTORNEY INFORMATION

Name: Gina A. Capuano
 Private

Supreme Court No: 082163

Rep. Status: Active

Phone Number(s):

Address:

ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	03/14/2016		Court of Common Pleas - Philadelphia County
Held for Court			
1	03/29/2016		Williams, R Seth
Information Filed			
1	04/01/2016		Mariani, Linda
Defendant to Retain Counsel			
2	04/01/2016		Court of Common Pleas - Philadelphia County
Hearing Notice			

COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY

DOCKET



Docket Number: CP-51-CR-0002638-2016

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

Montae T. Gerald

Page 7 of 10

ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
2	04/06/2016		Court of Common Pleas - Philadelphia County
Hearing Notice			
1	04/07/2016		Court of Common Pleas - Philadelphia County
Defendant Arraigned and Notice of Rights and Procedures Explained			
1	04/15/2016		Coyle, Anne Marie B.
Counsel Attached for Trial			
The Court orders ADA Erica Rebstock and Defense Counsel Gina A Capuano attached for a 3 day Jury Trial on 10/24/2016 in Courtroom 1002			
2	04/15/2016		Coyle, Anne Marie B.
Order Granting Motion for Continuance			
Scheduling Conference Held			
Non-protected discovery passed to Defense at the Bar of Court			
IGJ Status of Discovery Date: 09/06/16 in Courtroom 1002			
Jury Trial scheduled for: 10/24/16 in Courtroom 1002			
Counsel attached for trial			
Commonwealth: Erica Rebstock; Defense: Gina Capuano; Court Reporter: Carl Sokolski; Clerk: M.Lucini, Judge: Anne Marie B. Coyle			
(Defendant in custody at CFCF)			
Commonwealth: Erica Rebstock; Defense: John Konchak; Court Reporter: Carl Sokolski; Clerk: M.Lucini, Judge: Anne Marie B. Coyle			
5	04/15/2016		Court of Common Pleas - Philadelphia County
Hearing Notice			
3	09/06/2016		Court of Common Pleas - Philadelphia County
Hearing Notice			

COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY

DOCKET



Docket Number: CP-51-CR-0002638-2016

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

Montae T. Gerald

Page 8 of 10

ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
4	09/06/2016		Coyle, Anne Marie B.
Order Granting Motion for Continuance DEFENSE REQUEST - ATTORNEY FAILED TO APPEAR. LIST ON 9/7/16 IN ROOM 1002. HON. ANNE MARIE B. COYLE ADA: ERICA REBSTOCK/ ATTY: GINA CAPUANO/ STENO: M. CAREY/ CTCLERK: ABRESLIN			
8	09/06/2016		Court of Common Pleas - Philadelphia County
Hearing Notice			
1	09/07/2016		Coyle, Anne Marie B.
Order Granting Motion for Continuance DISCOVERY PASSED AT BAR, MISSING VIDEO. LIST ON 9/29/16 IN ROOM 1002 FOR POSSIBLE NON-TRIAL DISPOSITION. TRIAL DATE OF 10/24/16 IN ROOM 1002 TO REMAIN. HON. ANNE MARIE B. COYLE/ ADA: ERICA REBSTOCK/ ATTY: GINA CAPUANO/ STENO: M. CAREY/ CTCLERK: ABRESLIN DEFENDANT IN CUSTODY AT CFCF.			
4	09/07/2016		Court of Common Pleas - Philadelphia County
Hearing Notice			
1	09/29/2016		Coyle, Anne Marie B.
Counsel Attached for Trial The Court orders Gina A Capuano attached for a 3 day Jury Trial on 10/24/2016 in Courtroom 1002			
2	09/29/2016		Coyle, Anne Marie B.
Status Listing Status listing held all discovery except Video is passed Trial Date to Remain 10/24/16 Room 1002 Defendant in local custody- CFCF Hon. Anne Marie B. Coyle Ada: Luongo Defense: G. Capuano Steno: M. Carey Clerk: L. Perez			

COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY

DOCKET



Docket Number: CP-51-CR-0002638-2016

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

Montae T. Gerald

Page 9 of 10

ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	10/24/2016		Coyle, Anne Marie B.
Counsel Attached for Trial The Court orders Gina A Capuano attached for a 3 day Jury Trial on 5/15/2017 in Courtroom 1002			
2	10/24/2016		Coyle, Anne Marie B.
Order Granting Motion for Continuance Advance defense request, time is ruled excludable. Listed for jury trial 5/15/2017 room 1002. All counsel attached. Judge: Anne Marie Coyle; ADA: E. Rebstock; Atty: Capuano; Court Reporter: M. Carey; Court Clerk: E. Sharpe			
3	05/09/2017		Court of Common Pleas - Philadelphia County
Hearing Notice			
4	05/11/2017		Court of Common Pleas - Philadelphia County
Hearing Notice			
5	05/11/2017		Coyle, Anne Marie B.
Defense Request For Continuance For Possible Plea Defense request- Further investigation of possible non-trial disposition Next Court Date: 05/12/17 in Courtroom 1002 Commonwealth: Erica Rebstock; Defense: Gina Capuano; Court Reporter: Mo Prak; Clerk: M.Lucini, Judge: Anne Marie B. Coyle (Defendant in custody at CFCF)			
1	05/12/2017		Coyle, Anne Marie B.
Guilty Plea - Negotiated Negotiated Guilty Plea. Defendant arraigned and entered a plea of Guilty to the charge of Robbery, Burglary, Conspiracy, and Poss of Firearm Prohibited. All other charges nolle prossed. Commonwealth: Erica Rebstock; Defense: Gina Capuano; Court Reporter: Mo Prak; Clerk: M.Lucini, Judge: Anne Marie B. Coyle			
2	05/12/2017		Coyle, Anne Marie B.
Order - Sentence/Penalty Imposed Total sentence imposed of 7 1/2 to 20 years state incarceration. Commonwealth: Erica Rebstock; Defense: Gina Capuano; Court Reporter: Mo Prak; Clerk: M.Lucini, Judge: Anne Marie B. Coyle			

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DOCKET



Docket Number: CP-51-CR-0002638-2016

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

Montae T. Gerald

Page 10 of 10

ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
4	05/12/2017		Court of Common Pleas - Philadelphia County
Penalty Assessed			

CASE FINANCIAL INFORMATION

Last Payment Date:

Total of Last Payment:

Gerald, Montae T. Defendant	<u>Assessment</u>	<u>Payments</u>	<u>Adjustments</u>	<u>Non Monetary Payments</u>	<u>Total</u>
Costs/Fees					
ATJ	\$4.00	\$0.00	\$0.00	\$0.00	\$4.00
Booking Center Fee (Philadelphia)	\$175.00	\$0.00	\$0.00	\$0.00	\$175.00
CJES	\$2.25	\$0.00	\$0.00	\$0.00	\$2.25
CQS Fee Felony (Philadelphia)	\$100.00	\$0.00	\$0.00	\$0.00	\$100.00
Commonwealth Cost - HB627 (Act 167 of 1992)	\$20.50	\$0.00	\$0.00	\$0.00	\$20.50
Costs of Prosecution - CJEA	\$50.00	\$0.00	\$0.00	\$0.00	\$50.00
County Court Cost (Act 204 of 1976)	\$29.85	\$0.00	\$0.00	\$0.00	\$29.85
Crime Victims Compensation (Act 96 of 1984)	\$35.00	\$0.00	\$0.00	\$0.00	\$35.00
DNA Detection Fund (Act 185-2004)	\$250.00	\$0.00	\$0.00	\$0.00	\$250.00
Domestic Violence Compensation (Act 44 of 1988)	\$10.00	\$0.00	\$0.00	\$0.00	\$10.00
Firearm Education and Training Fund	\$5.00	\$0.00	\$0.00	\$0.00	\$5.00
JCPS	\$21.25	\$0.00	\$0.00	\$0.00	\$21.25
Judicial Computer Project	\$8.00	\$0.00	\$0.00	\$0.00	\$8.00
State Court Costs (Act 204 of 1976)	\$13.65	\$0.00	\$0.00	\$0.00	\$13.65
Victim Witness Service (Act 111 of 1998)	\$25.00	\$0.00	\$0.00	\$0.00	\$25.00
Costs/Fees Totals:	\$749.50	\$0.00	\$0.00	\$0.00	\$749.50
Grand Totals:	\$749.50	\$0.00	\$0.00	\$0.00	\$749.50

** - Indicates assessment is subrogated