

# COURT OF COMMON PLEAS OF DAUPHIN COUNTY

## DOCKET



Docket Number: CP-22-CR-0000926-2016

## CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

Barry Walter Barber

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### CASE INFORMATION

Judge Assigned: Cherry, John F.

Date Filed: 02/25/2016

Initiation Date: 11/18/2015

OTN: L 983137-1

LOTN: L 983137-1

Originating Docket No: MJ-12205-CR-0000719-2015

Initial Issuing Authority: The Honorable Paul T. Zozos

Final Issuing Authority: The Honorable Paul T. Zozos

Arresting Agency: Harrisburg Police Dept

Arresting Officer: Rudy, Michael J.

Complaint/Incident #: 15111836002

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	04/30/2018	Sentenced/Penalty Imposed	11/18/2015
	09/26/2016	Sentenced/Penalty Imposed	
	09/26/2016	Awaiting Sentencing	
	09/26/2016	Awaiting Plea Court	
	05/10/2016	Awaiting Trial	
	03/28/2016	Awaiting Plea Court	
	02/25/2016	Awaiting Formal Arraignment	
	02/25/2016	Awaiting Filing of Information	
	01/01/2016	Awaiting Formal Arraignment	

Complaint Date: 11/18/2015

### 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	03/25/2016	2:30 pm	Jury Assembly Room	Judge John F. Cherry	Scheduled
Plea Court	05/10/2016	8:30 am	Courtroom 1	President Judge Richard A. Lewis	Cancelled
Trial	06/20/2016	9:00 am	Courtroom 1	President Judge Richard A. Lewis	Continued
Trial	08/22/2016	9:00 am	Courtroom 4	Judge John F. Cherry	Scheduled
Revocation Hearing	04/30/2018	8:30 am	Dauphin County Prison	Judge William T. Tully	Scheduled
Revocation Hearing	04/15/2019	8:30 am	Dauphin County Prison	Judge William T. Tully	Scheduled

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### DEFENDANT INFORMATION

Date Of Birth: 05/03/1968 City/State/Zip: Harrisburg, PA 17103

Alias Name

Barber, Barry  
Barber, Barry W.  
Barber, Barry Walter Lee  
Barber, Barry Walter-Lee  
Barber, Barry Walterlee

### CASE PARTICIPANTS

<u>Participant Type</u>	<u>Name</u>
Defendant	Barber, Barry Walter

### BAIL INFORMATION

Barber, Barry Walter

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	11/18/2015	Monetary		\$75,000.00		

### CHARGES

Seq.	Orig Seq.	Grade	Statute	Statute Description	Offense Dt.	OTN
1	5	M1	18 § 6106 §§ A2	Firearm Not To Be Carried W/O License-No Crim Viol	11/18/2015	L 983137-1
2	2	M	35 § 780-113 §§ A32	Use/Poss Of Drug Paraph	11/18/2015	L 983137-1
3	3	M	35 § 780-113 §§ A311	Marijuana-Small Amt Personal Use	11/18/2015	L 983137-1
4	4	M3	18 § 4914 §§ A	False Identification To Law Enforcement Officer	11/18/2015	L 983137-1
5	1	F3	18 § 6106 §§ A1	Firearms Not To Be Carried W/O License	11/18/2015	L 983137-1

### 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>		

**Proceed to Court**      Defendant Was Not Present

Information Filed	01/01/2016	Not Final
2 / Use/Poss Of Drug Paraph	Held for Court	M      35 § 780-113 §§ A32
3 / Marijuana-Small Amt Personal Use	Held for Court	M      35 § 780-113 §§ A311
4 / False Identification To Law Enforcement Officer	Held for Court	M3      18 § 4914 §§ A

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#### 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>		
5 / Firearms Not To Be Carried W/O License	Held for Court	F3   18 § 6106 §§ A1
<b>Held for Court (Lower Court)</b>	Defendant Was Present	
Lower Court Disposition	02/23/2016	Not Final
2 / Use/Poss Of Drug Paraph	Held for Court (Lower Court)	M   35 § 780-113 §§ A32
3 / Marijuana-Small Amt Personal Use	Held for Court (Lower Court)	M   35 § 780-113 §§ A31
4 / False Identification To Law Enforcement Officer	Held for Court (Lower Court)	M3   18 § 4914 §§ A
5 / Firearms Not To Be Carried W/O License	Held for Court (Lower Court)	F3   18 § 6106 §§ A1
<b>Guilty Plea</b>		
Plea Court	09/26/2016	Final Disposition
1 / Firearm Not To Be Carried W/O License-No Crim Viol	Guilty Plea	M1   18 § 6106 §§ A2
Cherry, John F.	09/26/2016	314 Days
Confinement	Min of 10.00 Months	09/26/2016
	Max of 23.00 Months	
	Other	
Tully, William T.	04/30/2018	
Confinement	Min of 8.00 Months 17.00 Days	04/30/2018
	Max of 8.00 Months 17.00 Days	
	Other	
Tully, William T.	04/15/2019	
Confinement	Min of 26.00 Days	04/15/2019
	Max of 26.00 Days	
	Other	
2 / Use/Poss Of Drug Paraph	Guilty Plea	M   35 § 780-113 §§ A32
Cherry, John F.	09/26/2016	
Probation	Min of 12.00 Months	09/26/2016
	Max of 12.00 Months	
	Other	
Tully, William T.	04/30/2018	
Probation	Min of 12.00 Months	04/30/2018
	Max of 12.00 Months	
	Other	
Tully, William T.	04/15/2019	

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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>			
Probation	Min of 12.00 Months Max of 12.00 Months Other	04/15/2019	
3 / Marijuana-Small Amt Personal Use	Guilty Plea	M	35 § 780-113 §§ A31I
Cherry, John F.	09/26/2016		
Tully, William T.	04/30/2018		
Tully, William T.	04/15/2019		
No Further Penalty			
4 / False Identification To Law Enforcement Officer	Guilty Plea	M3	18 § 4914 §§ A
Cherry, John F.	09/26/2016		
Probation	Min of 12.00 Months Max of 12.00 Months Other	09/26/2016	
Tully, William T.	04/30/2018		
Probation	Min of 12.00 Months Max of 12.00 Months Other	04/30/2018	
Tully, William T.	04/15/2019		
Probation	Min of 12.00 Months Max of 12.00 Months Other	04/15/2019	
5 / Firearms Not To Be Carried W/O License	Guilty Plea to a Lesser Charge	F3	18 § 6106 §§ A1
Replaced by 18 § 6106 §§ A2, Firearm Not To Be Carried W/O License-No Crim Viol			
Cherry, John F.	09/26/2016		
Tully, William T.	04/30/2018		
Tully, William T.	04/15/2019		

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### LINKED SENTENCES:

#### Link 1

CP-22-CR-0000926-2016 - Seq. No. 1 (18§ 6106 §§ A2) - Confinement is Concurrent with  
CP-22-CR-0000926-2016 - Seq. No. 2 (35§ 780-113 §§ A32) - Probation is Concurrent with  
CP-22-CR-0000926-2016 - Seq. No. 4 (18§ 4914 §§ A) - Probation

#### Link 2

CP-22-CR-0000926-2016 - Seq. No. 1 (18§ 6106 §§ A2) - Confinement is Concurrent with  
CP-22-CR-0000314-2018 - Seq. No. 1 (18§ 5126 §§ A) - Confinement

#### Link 3

CP-22-CR-0000926-2016 - Seq. No. 1 (18§ 6106 §§ A2) - Confinement is Consecutive to  
CP-22-CR-0005259-2018 - Confinement



### COMMONWEALTH INFORMATION

Name: Michael L. Rozman  
Assistant District Attorney

Supreme Court No: 035063

Phone Number(s):  
717-780-6767 (Phone)  
717-255-2770 (Other)

Address:  
Dauphin County Da's Office  
101 Market St  
Harrisburg, PA 17101-2005

### ATTORNEY INFORMATION

Name: Gregory Corbett Mills  
Public Defender

Supreme Court No: 091560

Rep. Status: Active  
Phone Number(s):  
717-780-6370 (Phone)

Address:  
Dauphin CO Public Defender  
2 S 2ND St 2nd Fl  
Harrisburg, PA 17101-2047

Representing: Barber, Barry Walter

### ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	11/18/2015		Semic, Steven M.
Bail Set - Barber, Barry Walter			
1	01/01/2016		Commonwealth of Pennsylvania
Information Filed			
1	02/25/2016		Court of Common Pleas - Dauphin County
Booking Center Fee (Dauphin)			
2	02/25/2016		Court of Common Pleas - Dauphin County
Original Papers Received from Lower Court			

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### ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	03/01/2016		Muller, Paul Watson
Entry of Appearance-Paul Muller			
1	05/24/2016		Barber, Barry Walter
Pro Se Correspondence to Judge Lewis Dist. Per Rule 576(A)(4) Fwd to Paul Muller, Esq.			
1	06/10/2016		Public Defender
Entry of Appearance Gregory C. Mills			
1	06/14/2016		Barber, Barry Walter
Defendant's Motion for Continuance			
1	06/15/2016		Lewis, Richard A.
Order Granting Defendant's Motion for Continuance			
2	06/16/2016		Dauphin County Court Administration
Trial Continued			
1	08/11/2016		Barber, Barry Walter
Pro Se Correspondence to Greg Mills, Esq.			
1	09/26/2016		Attorney
Written Guilty Plea Colloquy			
3	09/26/2016		Cherry, John F.
Guilty Plea			
4	09/26/2016		Cherry, John F.
Order - Sentence/Penalty Imposed (Phillips/Mills)Guilty plea entered before Judge Cherry on 9/26/16.Ct 1:FANotToBeCarriedW/OLic(F3) AMENDED to (M1)-\$500 f/c,10mos-23mos DCP,Time Credit:11/18/15-9/26/16,NO drugs/alc,FT Employ,Immediate Parole.Ct 2:UPDP(M)-\$25 f/c,12mos Probation,CCw/Ct 1.Ct 3:Marij/SmAmt(M)-Costs ONLY,NFS.Ct 4:FalseID(M3)-\$25 f/c,12mos Probation,CCw/Ct 1.			
5	09/26/2016		Court of Common Pleas - Dauphin County
Court Commitment State or County Correctional Institution			

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<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
6	09/26/2016		Court of Common Pleas - Dauphin County
Court Commitment State or County Correctional Institution			
1	09/28/2016		Klein, Dale Elise
DL-21D to be Prepared			
2	09/28/2016		Klein, Dale Elise
DL-21D was prepared			
1	09/29/2016		Unknown Filer
DL-21D Sent to PennDOT			
1	10/28/2016		Court of Common Pleas - Dauphin County
Penalty Assessed			
1	01/06/2017		Cherry, John F.
ORDER OF COURT/CAPIAS ISSUED FOR VIOLATION OF PROBATION/PAROLE SEE ALSO; 5259-15			
1	04/30/2018		Tully, William T.
Revocation Penalties Imposed (Robinson/Muller) Revocation Hearing held on 4/30/18 before Judge Tully. Ct 1 Firearms N.T.B.C. w/o Lic (M1). Revoke Parole. Serve Balance: 8mo, 17days. Time Credit Applied: 11/18/15 to 9/27/16; 1/3/18 to 4/30/18. Work Release Eligible. Ct 2 UPDP (M). Revoke Probation. Sentenced to County Probation for 12mo. Concur w/Ct 1. Ct 4 False ID to Law Enforcement (M3). Revoke Probation. Sentenced to County Probation for 12mo. Concur w/Ct 1,2.			
Mills, Gregory Corbett	05/02/2018	eService	Served
Muller, Paul Watson	05/02/2018	eService	Served
2	04/30/2018		Court of Common Pleas - Dauphin County
Order - Short Commitment			
Mills, Gregory Corbett	05/02/2018	eService	Served
Muller, Paul Watson	05/02/2018	eService	Served

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<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	09/18/2018		Barber, Barry Walter
Petition for Re-Parole Following Revocation			
Mills, Gregory Corbett			
09/18/2018	eService		Served
Muller, Paul Watson			
09/18/2018	eService		Served
Rozman, Michael L.			
09/18/2018	eService		Served
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1	09/26/2018		Evans, Scott A.
Order of Court			
Also see 314 CR 2018 & 926 CR 2016 Sept. 26, 2018 Release is Granted. Inmate shall be released Oct. 2, 2018.			
Mills, Gregory Corbett			
09/26/2018	eService		Served
Muller, Paul Watson			
09/26/2018	eService		Served
Rozman, Michael L.			
09/26/2018	eService		Served
-----			
1	11/13/2018		Probation/Parole
Detainer Issued			
Also see 314 CR 2018 926 CR 2016, & 5259 CR 2015.			
Mills, Gregory Corbett			
11/13/2018	eService		Served
Muller, Paul Watson			
11/13/2018	eService		Served
Rozman, Michael L.			
11/13/2018	eService		Served
-----			
1	04/15/2019		Tully, William T.
Revocation Penalties Imposed			
(Cooper/Amthor) Revocation Hearing held 4/15/19 before Judge Tully. Ct 1 Firearm Not To Be Carried W/O Lic (M1) Revoke Parole. Serve Balance 26 days. WR Eligible. CC w/Docket 314 CR 2018. TC 11/18/15 to 9/27/16, 1/3/18 to 10/2/18, 1/30/19 to 4/15/19. TC Applied. Ct 2 UPDP (M) Revoke Prob. 1 yr County Prob. CC w/Cts 1. CS w/Docket 5259 CR 2018. Ct 4 False ID To Law Enforc (M3) Revoke Prob. 1 yr County Prob. CC w/Ct 2. CS w/Docket 5259 CR 2018.			



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1	04/16/2019		Court of Common Pleas - Dauphin County

Order - Short Commitment

1	04/19/2019		Tully, William T.
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Order of Court

Also see 5259 CR 2015 926 CR 2016 314 CR 2018 April 19, 2019. At Docket 314 CR 2018 Ct1 Defendant to serve his back time of 11 Months 11 days in DCP and is immediately eligible for work release. He must obtain employment, complete AHSS classes and provide an approved address prior to release Ct3 closed w/time served. At docket 926 CR 2016 Ct1 Defendant is ordered to serve back time of 26 Days in DCP, Concurrent w/Docket 314 CR 2018, Ct1, CTs 2&4-12 Mos. probation at each ct. both C/C w/each other. bur C/S to 314 CR 2018, Ct1. At docket 5259 CR 2015, Ct1 Def. is ordered to serve 5 Yrs Prob. C/C w/Docket 926 CR 2016, Cts 2&4 but C/S to docket 314 CR 2018 Ct1.

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### CASE FINANCIAL INFORMATION

Last Payment Date: 06/24/2019

Total of Last Payment: -\$53.87

Barber, Barry Walter Defendant	<u>Assessment</u>	<u>Payments</u>	<u>Adjustments</u>	<u>Non Monetary Payments</u>	<u>Total</u>
<b>Costs/Fees</b>					
OSP (Dauphin/State) (Act 35 of 1991)	\$325.00	\$0.00	\$0.00	\$0.00	\$325.00
OSP (Dauphin/State) (Act 35 of 1991)	\$325.00	\$0.00	\$0.00	\$0.00	\$325.00
Substance Abuse Education (Act 198 of 2002)	\$50.00	\$0.00	\$0.00	\$0.00	\$50.00
Substance Abuse Education (Act 198 of 2002)	\$50.00	\$0.00	\$0.00	\$0.00	\$50.00
ATJ	\$4.00	(\$4.00)	\$0.00	\$0.00	\$0.00
Automation Fee (Dauphin)	\$5.00	\$0.00	\$0.00	\$0.00	\$5.00
Booking Center Fee (Dauphin)	\$300.00	(\$240.54)	\$0.00	\$0.00	\$59.46
CJES	\$2.25	(\$2.25)	\$0.00	\$0.00	\$0.00
Clerk of Court Costs (Dauphin)	\$180.00	\$0.00	\$0.00	\$0.00	\$180.00
Commonwealth Cost - HB627 (Act 167 of 1992)	\$10.25	\$0.00	\$0.00	\$0.00	\$10.25
Costs of Prosecution - CJEA	\$50.00	\$0.00	\$0.00	\$0.00	\$50.00
County Court Cost (Act 204 of 1976)	\$33.30	\$0.00	\$0.00	\$0.00	\$33.30
Crime Victims Compensation (Act 96 of 1984)	\$35.00	(\$35.00)	\$0.00	\$0.00	\$0.00
District Attorney Costs (Dauphin)	\$15.00	\$0.00	\$0.00	\$0.00	\$15.00
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	(\$21.25)	\$0.00	\$0.00	\$0.00
Judicial Computer Project	\$8.00	(\$8.00)	\$0.00	\$0.00	\$0.00
State Court Costs (Act 204 of 1976)	\$11.95	\$0.00	\$0.00	\$0.00	\$11.95
Variable Amount to be Distributed CVC/VWS (Act 96)	\$28.00	(\$28.00)	\$0.00	\$0.00	\$0.00
Variable Amount to be Distributed CVC/VWS (Act 96)	\$12.00	(\$12.00)	\$0.00	\$0.00	\$0.00
Victim Witness Service (Act 111 of 1998)	\$25.00	(\$25.00)	\$0.00	\$0.00	\$0.00
Certification Fee (Dauphin)	\$12.00	\$0.00	\$0.00	\$0.00	\$12.00
Record Maintenance Fee (Dauphin)	\$5.00	\$0.00	\$0.00	\$0.00	\$5.00
Prison Commitments (Dauphin)	\$15.00	\$0.00	\$0.00	\$0.00	\$15.00
Certification Fee (Dauphin)	\$12.00	\$0.00	\$0.00	\$0.00	\$12.00
Sheriff Warrant Fee (Dauphin)	\$9.00	\$0.00	\$0.00	\$0.00	\$9.00
Revocation (Dauphin)	\$39.00	\$0.00	\$0.00	\$0.00	\$39.00

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<b>Barber, Barry Walter</b> Defendant	<u>Assessment</u>	<u>Payments</u>	<u>Adjustments</u>	<u>Non Monetary Payments</u>	<u>Total</u>
Prison Commitments (Dauphin)	\$15.00	\$0.00	\$0.00	\$0.00	\$15.00
Prison Commitments (Dauphin)	\$15.00	\$0.00	\$0.00	\$0.00	\$15.00
Costs/Fees Totals:	\$1,628.00	(\$376.04)	\$0.00	\$0.00	\$1,251.96
<b>Fines</b>					
Crimes Code, etc.	\$500.00	\$0.00	\$0.00	\$0.00	\$500.00
Crimes Code, etc.	\$25.00	\$0.00	\$0.00	\$0.00	\$25.00
Criminal Justice Enhancement (Act 30 of 2007)	\$25.00	\$0.00	\$0.00	\$0.00	\$25.00
Fines Totals:	\$550.00	\$0.00	\$0.00	\$0.00	\$550.00
Grand Totals:	\$2,178.00	(\$376.04)	\$0.00	\$0.00	\$1,801.96

\*\* - Indicates assessment is subrogated