

COURT OF COMMON PLEAS OF INDIANA COUNTY

DOCKET



Docket Number: CP-32-CR-0000445-2013

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

Barry Anthony Baker

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CASE INFORMATION

Judge Assigned: Martin, William J. Date Filed: 03/25/2013 Initiation Date: 01/04/2013
OTN: T 276250-2 LOTN: Originating Docket No: MJ-40303-CR-0000010-2013
Initial Issuing Authority: Jennifer J. Rega Final Issuing Authority: Jennifer J. Rega
Arresting Agency: Indiana Boro, Police Dept Arresting Officer: Scherf, John E.
Complaint/Incident #: 201200072085
Case Local Number Type(s) Case Local Number(s)

STATUS INFORMATION

<u>Case Status:</u>	<u>Status Date</u>	<u>Processing Status</u>	<u>Complaint Date:</u>
Closed	11/08/2013	Sentenced/Penalty Imposed	01/04/2013
	08/19/2013	Awaiting Sentencing	
	08/19/2013	Awaiting PSI	
	08/19/2013	Awaiting Sentencing	
	08/19/2013	Awaiting Plea Court	
	04/12/2013	Awaiting Pre-Trial Conference	
	03/26/2013	Awaiting Formal Arraignment	
	03/25/2013	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	05/16/2013	1:15 pm	Courtroom 2	Judge Thomas M. Bianco	Scheduled
Criminal Call	08/02/2013	8:30 am	Courtroom 1	President Judge William J. Martin	Scheduled
Jury Selection	08/26/2013	8:30 am	Courtroom 1		Cancelled
Sentencing	11/08/2013	8:30 am	Courtroom 1	President Judge William J. Martin	Scheduled

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>
05/30/2019	DOC Confined	SCI Pine Grove		Yes

DEFENDANT INFORMATION

Date Of Birth: 11/22/1978 City/State/Zip: Indiana, PA 15701

CASE PARTICIPANTS

<u>Participant Type</u>	<u>Name</u>
Defendant	Baker, Barry Anthony

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BAIL INFORMATION

Baker, Barry Anthony

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	01/04/2013	Monetary		\$50,000.00		

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	1	F	35 § 780-113 §§ A30	Manufacture, Delivery, or Possession With Intent to Manufacture or Deliver	12/03/2012	T 276250-2
2	2	F3	18 § 7512 §§ A	Criminal Use Of Communication Facility	12/03/2012	T 276250-2
3	3	M	35 § 780-113 §§ A16	Int Poss Contr Subst By Per Not Reg	12/03/2012	T 276250-2

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>		

Waived for Court (Lower Court)

Defendant Was Present

Lower Court Disposition	03/20/2013	Not Final
1 / Manufacture, Delivery, or Possession With Intent to Manufacture or Deliver	Waived for Court (Lower Court)	F 35 § 780-113 §§ A30
2 / Criminal Use Of Communication Facility	Waived for Court (Lower Court)	F3 18 § 7512 §§ A
3 / Int Poss Contr Subst By Per Not Reg	Waived for Court (Lower Court)	M 35 § 780-113 §§ A16

Proceed to Court (Arraignment Waived)

Defendant Was Not Present

Information Filed	05/06/2013	Not Final
1 / Manufacture, Delivery, or Possession With Intent to Manufacture or Deliver	Held for Court	F 35 § 780-113 §§ A30
2 / Criminal Use Of Communication Facility	Held for Court	F3 18 § 7512 §§ A
3 / Int Poss Contr Subst By Per Not Reg	Held for Court	M 35 § 780-113 §§ A16

Guilty Plea

Plea Court	08/19/2013	Final Disposition
1 / Manufacture, Delivery, or Possession With Intent to Manufacture or Deliver	Nolle Prossed	F 35 § 780-113 §§ A30
Martin, William J.	11/08/2013	
2 / Criminal Use Of Communication Facility	Guilty Plea	F3 18 § 7512 §§ A
Martin, William J.	11/08/2013	309 Days

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DISPOSITION SENTENCING/PENALTIES

Disposition

Case Event

Sequence/Description

Sentencing Judge

Sentence/Diversion Program Type

Sentence Conditions

Confinement

Fine of \$500.00

Pay cost of \$478.00

Restitution of \$350.00

Credit for time served as allowed by law.

Disposition Date

Offense Disposition

Sentence Date

Incarceration/Diversionary Period

Min of 1.00 Years 6.00 Months

Max of 7.00 Years

One Year

Final Disposition

Grade Section

Credit For Time Served

Start Date

3 / Int Poss Contr Subst By Per Not Reg

Nolle Prossed

M

35 § 780-113 §§ A16

Martin, William J.

11/08/2013

LINKED SENTENCES:

Link 1

CP-32-CR-0000435-2013 - Seq. No. 3 (35§ 780-113 §§ A30) - Confinement is Concurrent with

CP-32-CR-0000445-2013 - Seq. No. 2 (18§ 7512 §§ A) - Confinement

COMMONWEALTH INFORMATION

Name: Patrick Dougherty

District Attorney

Supreme Court No: 085832

Phone Number(s):
724-465-3835 (Phone)

Address:
Indiana County District Attorneys Office
825 Philadelphia Street
Indiana, PA 15701

ATTORNEY INFORMATION

Name: Bradley Michael Ophaug

Public Defender

Supreme Court No: 086865

Rep. Status: Active

Phone Number(s):
724-549-6319 (Phone)

Address:
705 Gompers Ave Ste 206
Indiana, PA 15701-2712

Representing: Baker, Barry Anthony

ENTRIES

Sequence Number

CP Filed Date

Document Date

Filed By

1

01/04/2013

Rega, Jennifer J.

Bail Set - Baker, Barry Anthony

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ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	03/25/2013		Court of Common Pleas - Indiana County
Original Papers Received from Lower Court Transcript received from MDJ Rega Docket# CR-10-2013 Filed 01/04/2013			
1	04/12/2013	04/11/2013	Ophaug, Bradley Michael
Appearance and Waiver of Arraignment			
1	05/06/2013		Commonwealth of Pennsylvania
Information Filed (Arraignment Waived)			
1	05/15/2013		Ophaug, Bradley Michael
Praeipce to Withdraw Appearance Indiana County Public Defender's Office 05/15/2013 Hand Delivered			
2	05/15/2013		Hummel, Fred D. Jr.
Praeipce for Appearance			
1	05/21/2013		Indiana County District Attorney's Office
Crime Lab User Fee Statement Lab Report: G12-06791; Report Date: 1/15/2013; Incident #2012-00072085			
1	06/20/2013		Ophaug, Bradley Michael
Praeipce of Appearance			
1	07/31/2013		Ophaug, Bradley Michael
Petition for Remand			
2	07/31/2013		Martin, William J.
Order Denying Motion to Remand to Lower Court AND NOW, this 29th day of July 20p13, upon consideraton of attached petition, the motion is denied Indiana County District Attorney's Office 07/31/2013 Hand Delivered Ophaug, Bradley Michael 07/31/2013 Hand Delivered			

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ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
2	08/19/2013		Bianco, Thomas M.
Guilty Plea count #2			
3	08/19/2013		Bianco, Thomas M.
Nolle Prosequi - Offense counts 1 and 3			
7	08/19/2013		Baker, Barry Anthony
Guilty Plea Explanation of Defendant's Rights			
1	08/20/2013		Degenkolb, Randy
DL-21D to be Prepared			
1	11/08/2013	11/08/2013	Martin, William J.

Order - Sentence/Penalty Imposed

AND NOW, this 8th day of November 2013, the Defendant having entered a plea of guilty to the offense of Criminal Use of a Communication Facility, a felony of the third degree, it is the sentence of this Court that the Defendant shall pay the costs of prosecution in the amount of \$478.00, that he shall pay a fine in the amount of \$500.00 and that he shall undergo incarceration at a Diagnostic and Classification Center at a State Correctional Institution for a period of not less than one and one half {1 1/2} years nor more than seven {7} years. Credit for time served as allowed by law.

It shall be a condition of the Defendant's parole that he make restitution to the Indiana County Drug Task Force, 825 Philadelphia Street, Indiana, Pennsylvania in the amount of \$350.00

The Court finds that the Defendant is not eligible to participate in the Boot Camp Program. This sentence shall run concurrently with the sentence at No. 435 Crim 2013.

The Sheriff of Indiana County is directed to transport the Defendant to a Diagnostic and Classification Center at a State Correctional Institution at his earliest convenience.

BY THE COURT: William J. Martin, President Judge

Indiana County Court Administration

11/08/2013 Hand Delivered

Indiana County District Attorney's Office

11/08/2013 Hand Delivered

Indiana County Jail

11/08/2013 Hand Delivered

Indiana County Probation Department

11/08/2013 Hand Delivered

Indiana County Public Defender's Office

11/08/2013 Hand Delivered

Indiana County Sheriff

11/08/2013 Hand Delivered

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<u>Service To</u>	<u>Service By</u>		
<u>Issue Date</u>	<u>Service Type</u>	<u>Status Date</u>	<u>Service Status</u>
State Correctional Institution			
11/18/2013	Certified		
1	11/13/2013		Ophaug, Bradley Michael
Motion To Modify Sentence			
2	11/13/2013		Indiana County Probation Department
Guideline Sentence Form			
1	11/14/2013	11/13/2013	Martin, William J.
Order Denying Motion To Modify Sentence			
ORDER OF COURT - AND NOW, this 13th day of November, 2013, IT IS HEREBY ORDERED AND DIRECTED,			
Motion to Modify is Denied. WJM.,P.J. Copies/DA/Prob/PD			
Indiana County District Attorney's Office			
11/18/2013	Hand Delivered		
Indiana County Probation Department			
11/18/2013	Hand Delivered		
Indiana County Public Defender's Office			
11/18/2013	Hand Delivered		
1	11/18/2013		Court of Common Pleas - Indiana County
Penalty Assessed			
2	11/18/2013		Degenkolb, Randy
Court Commitment State or County Correctional Institution/DC-300B			
3	11/18/2013		Degenkolb, Randy
Court Commitment and Certified Copies of Sentence Orders/DC-301			
4	11/18/2013		Degenkolb, Randy
Court Notification of Prohibiting Offense			
1	07/14/2015		Pennsylvania Board of Probation and Parole
Notice for Parole Consideration			
Request from PBPP for copies of case			
Mailed to PBPP, Harrisburg on 07/30/2015			

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<u>Service To</u>	<u>Service By</u>
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<u>Issue Date</u>	<u>Service Type</u>	<u>Status Date</u>	<u>Service Status</u>
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Pennsylvania Board of Probation and
Parole

07/30/2015 First Class

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CASE FINANCIAL INFORMATION

Last Payment Date:

Total of Last Payment:

Baker, Barry Anthony Defendant	<u>Assessment</u>	<u>Payments</u>	<u>Adjustments</u>	<u>Non Monetary Payments</u>	<u>Total</u>
Costs/Fees					
Automation Fee (Indiana)	\$5.00	\$0.00	\$0.00	\$0.00	\$5.00
Bail Fee (Indiana)	\$50.00	\$0.00	\$0.00	\$0.00	\$50.00
Crime Lab User Fee - State Police	\$113.00	\$0.00	\$0.00	\$0.00	\$113.00
ATJ	\$3.00	\$0.00	\$0.00	\$0.00	\$3.00
CJES	\$2.25	\$0.00	\$0.00	\$0.00	\$2.25
Commonwealth Cost - HB627 (Act 167 of 1992)	\$19.70	\$0.00	\$0.00	\$0.00	\$19.70
Costs of Prosecution - CJEa	\$50.00	\$0.00	\$0.00	\$0.00	\$50.00
County Court Cost (Act 204 of 1976)	\$28.70	\$0.00	\$0.00	\$0.00	\$28.70
Crime Victims Compensation (Act 96 of 1984)	\$35.00	\$0.00	\$0.00	\$0.00	\$35.00
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	\$10.25	\$0.00	\$0.00	\$0.00	\$10.25
Judicial Computer Project	\$8.00	\$0.00	\$0.00	\$0.00	\$8.00
State Court Costs (Act 204 of 1976)	\$13.10	\$0.00	\$0.00	\$0.00	\$13.10
Victim Witness Service (Act 111 of 1998)	\$25.00	\$0.00	\$0.00	\$0.00	\$25.00
Jury/Non-Jury (Indiana)	\$50.00	\$0.00	\$0.00	\$0.00	\$50.00
Victim Service Fees (Indiana)	\$50.00	\$0.00	\$0.00	\$0.00	\$50.00
Costs/Fees Totals:	\$478.00	\$0.00	\$0.00	\$0.00	\$478.00
Fines					
Crimes Code, etc.	\$500.00	\$0.00	\$0.00	\$0.00	\$500.00
Fines Totals:	\$500.00	\$0.00	\$0.00	\$0.00	\$500.00
Restitution					
Restitution	\$350.00	\$0.00	\$0.00	\$0.00	\$350.00
Restitution Totals:	\$350.00	\$0.00	\$0.00	\$0.00	\$350.00
Grand Totals:	\$1,328.00	\$0.00	\$0.00	\$0.00	\$1,328.00

** - Indicates assessment is subrogated