

COURT OF COMMON PLEAS OF INDIANA COUNTY

DOCKET



Docket Number: CP-32-CR-0000435-2013

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

Barry Anthony Baker

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CASE INFORMATION

Judge Assigned: Martin, William J. Date Filed: 03/21/2013 Initiation Date: 12/04/2012
OTN: L 749426-6 LOTN: Originating Docket No: MJ-40302-CR-0000510-2012
Initial Issuing Authority: Susanne V. Steffee Final Issuing Authority: Susanne V. Steffee
Arresting Agency: PSP - Indiana Arresting Officer: Lindsay, Jonathan A.
Complaint/Incident #: A031800357
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	11/08/2013	Sentenced/Penalty Imposed	12/04/2012
	08/19/2013	Awaiting Sentencing	
	08/19/2013	Awaiting PSI	
	08/19/2013	Awaiting Sentencing	
	08/19/2013	Awaiting Plea Court	
	05/15/2013	Awaiting Pre-Trial Conference	
	03/25/2013	Awaiting Formal Arraignment	
	03/21/2013	Awaiting Filing of Information	

Complaint Date: 12/04/2012

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: New Kensington, PA 15068

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	12/04/2012	Monetary		\$250,000.00		

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	12/04/2012	L 749426-6
2	2	F	35 § 780-113 §§ A30	Manufacture, Delivery, or Possession With Intent to Manufacture or Deliver	12/04/2012	L 749426-6
3	3	F	35 § 780-113 §§ A30	Manufacture, Delivery, or Possession With Intent to Manufacture or Deliver	12/04/2012	L 749426-6
4	4	F3	18 § 7512 §§ A	Criminal Use Of Communication Facility	12/04/2012	L 749426-6
5	5	M	35 § 780-113 §§ A32	Use/Poss Of Drug Paraph	12/04/2012	L 749426-6
6	6	M3	18 § 4914 §§ A	False Identification To Law Enforcement Officer	12/04/2012	L 749426-6
7	7	M3	18 § 5503 §§ A4	Disorder Conduct Hazardous/Physi Off	12/04/2012	L 749426-6

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</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>		

Held for Court (Lower Court)

Defendant Was Present

Lower Court Disposition	03/18/2013	Not Final
1 / Manufacture, Delivery, or Possession With Intent to Manufacture or Deliver	Held for Court (Lower Court)	F 35 § 780-113 §§ A30
2 / Manufacture, Delivery, or Possession With Intent to Manufacture or Deliver	Held for Court (Lower Court)	F 35 § 780-113 §§ A30
3 / Manufacture, Delivery, or Possession With Intent to Manufacture or Deliver	Held for Court (Lower Court)	F 35 § 780-113 §§ A30
4 / Criminal Use Of Communication Facility	Held for Court (Lower Court)	F3 18 § 7512 §§ A
5 / Use/Poss Of Drug Paraph	Held for Court (Lower Court)	M 35 § 780-113 §§ A32
6 / False Identification To Law Enforcement Officer	Held for Court (Lower Court)	M3 18 § 4914 §§ A
7 / Disorder Conduct Hazardous/Physi Off	Held for Court (Lower Court)	M3 18 § 5503 §§ A4

Proceed to Court

Defendant Was Not Present

Information Filed	05/06/2013	Not Final
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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>			
1 / Manufacture, Delivery, or Possession With Intent to Manufacture or Deliver	Held for Court	F	35 § 780-113 §§ A30
2 / Manufacture, Delivery, or Possession With Intent to Manufacture or Deliver	Held for Court	F	35 § 780-113 §§ A30
3 / Manufacture, Delivery, or Possession With Intent to Manufacture or Deliver	Held for Court	F	35 § 780-113 §§ A30
4 / Criminal Use Of Communication Facility	Held for Court	F3	18 § 7512 §§ A
5 / Use/Poss Of Drug Paraph	Held for Court	M	35 § 780-113 §§ A32
6 / False Identification To Law Enforcement Officer	Held for Court	M3	18 § 4914 §§ A
7 / Disorder Conduct Hazardous/Physi Off	Held for Court	M3	18 § 5503 §§ A4
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 / Manufacture, Delivery, or Possession With Intent to Manufacture or Deliver	Nolle Prossed	F	35 § 780-113 §§ A30
Martin, William J.	11/08/2013		
3 / Manufacture, Delivery, or Possession With Intent to Manufacture or Deliver	Guilty Plea	F	35 § 780-113 §§ A30
Martin, William J.	11/08/2013	340 Days	
Confinement	Min of 1.00 Years 6.00 Months Max of 10.00 Years One Year		
Pay cost of \$447.80			
Fine of \$500.00			
Credit for time served as allowed by law.			
4 / Criminal Use Of Communication Facility	Nolle Prossed	F3	18 § 7512 §§ A
Martin, William J.	11/08/2013		
5 / Use/Poss Of Drug Paraph	Nolle Prossed	M	35 § 780-113 §§ A32
Martin, William J.	11/08/2013		
6 / False Identification To Law Enforcement Officer	Nolle Prossed	M3	18 § 4914 §§ A
Martin, William J.	11/08/2013		

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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>		
7 / Disorder Conduct Hazardous/Physi Off Martin, William J.	Nolle Prossed 11/08/2013	M3 18 § 5503 §§ A4

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

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	12/04/2012		Steffee, Susanne V.
Bail Set - Baker, Barry Anthony			
1	03/19/2013		Indiana County Court Reporter
Record of Proceedings			
1	03/21/2013		Court of Common Pleas - Indiana County
Original Papers Received from Lower Court Transcript received from MDJ S. Steffee Docket# CR-510-2012 Filed 12/04/2012			
2	03/25/2013		Indiana County District Attorney's Office
Reimbursement/District Attorney			
1	03/26/2013		Hummel, Fred D. Jr.
Motion to Preserve Evidence			

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ENTRIES

Sequence Number	CP Filed Date	Document Date	Filed By
1	04/01/2013	04/01/2013	Martin, William J.
Order Granting Motion for Disposition of Evidence			
AND NOW, this 1st day of April 2013, the Court being satisfied a criminal investigaiton is ongoing and Defendant seeks to preserve evidence relevant to his defense, it is hereby ORDERED and DIRECTED that within _ days of service of this ORDER at the below referenced motel, Jay Bandaru, owner of the Indiana Inn/Best Western Motel located at 111 Plaza Drive, Indiana, Indiana County, Pennsylvania and the employees and staff of said motel are directed to search for all video recordings of December 4, 2012 of the entry into the said motel of Pennsylvania State Police Trooper Jonathan Lindsay, Trooper Brandon Herr, Corporal Zenisek and State Parole Offocer James Cutshall; the exit of the same individuals with the Defendant in custodyt; and all recordings showing the hallway outside of Room 323 from the time the said officers and parole agent entered the motel through time the officers and parole agent departed the motel with the Defendant.			
It is further ORDERED that upon the locating of recordings if it is possible a full copy shall be simultaneously provided to Fred D. Hummel, Esquire, at the Office of the Public Defender, 825 Philadelphia Street - 2nd Floor, Indiana, PA 15701.			
Hummel, Fred D. Jr.			
04/01/2013	Hand Delivered		
Indiana County District Attorney's Office			
04/01/2013	Hand Delivered		
Indiana County District Attorney's Office			
05/22/2013	Hand Delivered		
1	05/06/2013		Commonwealth of Pennsylvania
Information Filed			
1	05/15/2013	03/19/2013	Hummel, Fred D. Jr.
Appearance and Waiver of Arraignment			
1	06/20/2013		Ophaug, Bradley Michael
Praeipce of Appearance			
2	08/19/2013		Bianco, Thomas M.
Guilty Plea count #3			
3	08/19/2013		Bianco, Thomas M.
Nolle Prosequi - Offense counts 1, 2, 4, 5, 6 and 7			
7	08/19/2013		Baker, Barry Anthony
Guilty Plea Explanation of Defendant's Rights			

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<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
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 Possession With Intent to Deliver-2 pounds of marijuana, a second or subsequent offense, an ungraded felony under the Controlled Substance, Drugm Device and Cosmetic Act, it is the sentence of this Court that the Defendant shall pay the cost of prosecution in the amount of \$447.80, 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 hald {11/2} years normore than ten {10} years. Credit for time served as allowed by law.			
The Court does not find that the Defendant is eligible to participate in the Boot Camp Program nor the Recidivism Risk Reduction Incentive Program. The Sheriff of Indiana County shall transport the Defendant to a Diagnostic and Classification Center at a State Correctional Institution at his earliest convenience.			
BY THE COUER: 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's Department			
11/08/2013	Hand Delivered		
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			

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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>
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, IT IS HEREBY ORDERED AND DIRECTED that			
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			
Pennsylvania Board of Probation and Parole			
07/30/2015	First Class		

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CASE FINANCIAL INFORMATION

Last Payment Date: 12/29/2015

Total of Last Payment: -\$49.28

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
District Attorney Costs (Indiana)	\$32.80	\$0.00	\$0.00	\$0.00	\$32.80
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
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	(\$35.00)	\$0.00	\$0.00	\$0.00
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
Substance Abuse Education (Ind) (Act 198 of 2002)	\$50.00	\$0.00	\$0.00	\$0.00	\$50.00
Substance Abuse Education (Ind) (Act 198 of 2002)	\$50.00	\$0.00	\$0.00	\$0.00	\$50.00
Victim Witness Service (Act 111 of 1998)	\$25.00	(\$25.00)	\$0.00	\$0.00	\$0.00
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:	\$447.80	(\$60.00)	\$0.00	\$0.00	\$387.80
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
Grand Totals:	\$947.80	(\$60.00)	\$0.00	\$0.00	\$887.80

** - Indicates assessment is subrogated