

COURT OF COMMON PLEAS OF CAMBRIA COUNTY

DOCKET



Docket Number: CP-11-CR-0002371-2007

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

Barbara Anne Bambino

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CASE INFORMATION

Judge Assigned: Date Filed: 10/24/2007 Initiation Date: 09/26/2007
OTN: K 697608-2 LOTN: Originating Docket No: MJ-47307-CR-0000369-2007
Initial Issuing Authority: Frederick S. Creany Final Issuing Authority: Frederick S. Creany
Arresting Agency: Ebensburg Psp Arresting Officer: Haydu, John E.
Complaint/Incident #:
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 | 03/04/2010 | Sentenced/Penalty Imposed | 09/26/2007 |
| | 03/04/2010 | Awaiting Plea Court | |
| | 03/04/2010 | Awaiting Sentencing | |
| | 03/04/2010 | Awaiting PSI | |
| | 03/04/2010 | Awaiting Sentencing | |
| | 06/10/2008 | Awaiting Plea Court | |
| | 12/17/2007 | Awaiting Formal Arraignment | |
| | 10/24/2007 | Awaiting Filing of Information | |
| | 10/24/2007 | Awaiting Pre-Trial Conference | |
| | 10/24/2007 | Awaiting Filing of Information | |

Complaint Date: 10/01/2007

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> |
| Plea Court | 06/24/2008 | 9:00 am | Courtroom 1 | Judge Gerard Long | Cancelled |
| Suppression | 10/13/2008 | 9:00 am | Courtroom 1 | Judge Gerard Long | Scheduled |
| Pre-Trial | | | | | |
| Suppression | 06/15/2009 | 9:00 am | Courtroom 1 | Judge Gerard Long | Scheduled |
| Pre-Trial | | | | | |
| Suppression | 10/19/2009 | 9:00 am | Courtroom 1 | Judge Gerard Long | Cancelled |
| Pre-Trial | | | | | |
| Suppression | 12/14/2009 | 9:00 am | Courtroom 1 | Judge Gerard Long | Scheduled |
| Pre-Trial | | | | | |
| Plea Court | 02/23/2010 | 9:00 am | Courtroom 1 | Senior Judge Timothy P. Creany | Moved |
| Plea Court | 03/04/2010 | 8:30 am | Courtroom 1 | Senior Judge Timothy P. Creany | Scheduled |
| Plea Court | 03/09/2010 | 11:00 am | | Judge David Tulowitzki | Scheduled |

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DEFENDANT INFORMATION

Date Of Birth: 09/23/1963 City/State/Zip: Mineral Point, PA 15942

Alias Name
Bambino, Barbara A.

CASE PARTICIPANTS

| | |
|-------------------------|-----------------------|
| <u>Participant Type</u> | <u>Name</u> |
| Defendant | Bambino, Barbara Anne |

BAIL INFORMATION

Bambino, Barbara Anne

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 | 10/23/2007 | ROR | | \$0.00 | Posted | 10/23/2007 |

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 | M | 75 § 3802 §§ A1** | DUI: Gen Imp/Inc of Driving Safely - 2nd Off | 09/26/2007 | K 697608-2 |
| 2 | 2 | M1 | 75 § 3802 §§ C** | DUI: Highest Rte of Alc (BAC .16+) 2nd Off | 09/26/2007 | K 697608-2 |
| 3 | 4 | S | 75 § 3714 §§ A | Careless Driving | 09/26/2007 | K 697608-2 |
| 4 | 5 | S | 18 § 5505 | Public Drunkenness And Similar Misconduct | 09/26/2007 | K 697608-2 |

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> | | |

Lower Court Proceeding (generic)

| <u>Lower Court Disposition</u> | <u>Disposition Date</u> | <u>Final Disposition</u> |
|--|--|----------------------------------|
| 1 / DUI: Gen Imp/Inc of Driving Safely - 2nd Off Creany, Frederick S. | 10/23/2007 Waived for Court (Lower Court) 10/24/2007 | Not Final M 75 § 3802 §§ A1** |
| 2 / DUI: Highest Rte of Alc (BAC .16+) 2nd Off Creany, Frederick S. | 10/24/2007 Waived for Court (Lower Court) 10/24/2007 | M1 75 § 3802 §§ C** |
| 3 / Careless Driving Creany, Frederick S. | 10/24/2007 Waived for Court (Lower Court) 10/24/2007 | S 75 § 3714 §§ A |

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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> | | |

Proceed to Court

| | | |
|--|-------------------|--------------------------|
| Information Filed | 12/17/2007 | Not Final |
| 1 / DUI: Gen Imp/Inc of Driving Safely - 2nd Off | Information Filed | M 75 § 3802 §§ A1** |
| 2 / DUI: Highest Rte of Alc (BAC .16+) 2nd Off | Information Filed | M1 75 § 3802 §§ C** |
| 3 / Careless Driving | Information Filed | S 75 § 3714 §§ A |
| 4 / Public Drunkenness And Similar Misconduct | Information Filed | S 18 § 5505 |

Guilty Plea

| | | |
|---|---------------------|--------------------------|
| Plea Court | 03/04/2010 | Final Disposition |
| 1 / DUI: Gen Imp/Inc of Driving Safely - 2nd Off | Nolle Prossed | M 75 § 3802 §§ A1** |
| Creany, Timothy P. | 03/04/2010 | |
| 2 / DUI: Highest Rte of Alc (BAC .16+) 2nd Off | Guilty Plea | M1 75 § 3802 §§ C** |
| Creany, Timothy P. | 03/04/2010 | |
| IPP | Max of 3.00 Months | |
| | Other | |
| Order placing defendant on electronic monitoring. | | |
| Probation | Max of 20.00 Months | |
| | Other | |
| D/A Assessment - follow all recommendations. | | |
| To undergo individual or family counseling 10 times with Dalton Group - may be done at hospital where defendant works.. | | |
| 3 / Careless Driving | Nolle Prossed | S 75 § 3714 §§ A |
| Creany, Timothy P. | 03/04/2010 | |
| 4 / Public Drunkenness And Similar Misconduct | Nolle Prossed | S 18 § 5505 |
| Creany, Timothy P. | 03/04/2010 | |

Nolle Prossed (Post-Disposition)

| | | |
|--|---------------|--------------------------|
| Plea Court | 04/16/2010 | Not Final |
| 1 / DUI: Gen Imp/Inc of Driving Safely - 2nd Off | Nolle Prossed | M 75 § 3802 §§ A1** |
| 2 / DUI: Highest Rte of Alc (BAC .16+) 2nd Off | Guilty Plea | M1 75 § 3802 §§ C** |
| 3 / Careless Driving | Nolle Prossed | S 75 § 3714 §§ A |
| 4 / Public Drunkenness And Similar Misconduct | Nolle Prossed | S 18 § 5505 |

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COMMONWEALTH INFORMATION

Name: Thomas P. Leiden

District Attorney

Supreme Court No: 093669

Phone Number(s):
814-472-1680 (Phone)

Address:
200 S Center Street
Ebensburg, PA 15931

ATTORNEY INFORMATION

Name: Joel D. Peppetti

Private

Supreme Court No: 093134

Rep. Status: Active

Phone Number(s):
814-944-2432 (Phone)

Address:
4001 Sixth Ave
Altoona, PA 16602

Representing: Bambino, Barbara Anne

ENTRIES

| <u>Sequence Number</u> | <u>CP Filed Date</u> | <u>Document Date</u> | <u>Filed By</u> |
|---|----------------------|----------------------|--|
| 1 | 10/23/2007 | | Creany, Frederick S. |
| Bail Set - Bambino, Barbara Anne | | | |
| 2 | 10/23/2007 | | Bambino, Barbara Anne |
| Bail Posted - Bambino, Barbara Anne | | | |
| 1 | 10/24/2007 | | Court of Common Pleas - Cambria County |
| Original Papers Received from Lower Court | | | |
| 2 | 10/24/2007 | | MDJ-47-3-07 |
| Notice of Arraignment, Preliminary Conference and Trial Filed | | | |
| 3 | 10/24/2007 | | Peppetti, Joel D. |
| Waiver of Arraignment and Appearance Filed | | | |
| 1 | 12/17/2007 | | Commonwealth of Pennsylvania |
| Information Filed Copy to Attorney Peppetti by mail. | | | |
| 1 | 02/06/2008 | | Commonwealth of Pennsylvania |
| District Attorney's Preliminary Conference | | | |
| 1 | 02/20/2008 | | Peppetti, Joel D. |
| Application for Continuance | | | |

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|---|----------------------|----------------------|------------------------------|
| 2 | 02/20/2008 | | Long, Gerard |
| Order granting Application for Continuance thru 5-8-08. | | | |
| 1 | 04/01/2008 | | Commonwealth of Pennsylvania |
| District Attorney's Preliminary Conference | | | |
| 1 | 05/15/2008 | | Peppetti, Joel D. |
| Application for Continuance | | | |
| 2 | 05/15/2008 | | Long, Gerard |
| Order granting Application for Continuance thru 7-8-08. | | | |
| 1 | 06/03/2008 | | Commonwealth of Pennsylvania |
| District Attorney's Preliminary Conference | | | |
| 1 | 06/20/2008 | | Commonwealth of Pennsylvania |
| District Attorney's Preliminary Conference | | | |
| 1 | 06/25/2008 | | Peppetti, Joel D. |
| Application for Continuance | | | |
| 2 | 06/25/2008 | | Krumenacker, Norman A. III |
| Order granting Application for Continuance thru 9-4-08. | | | |
| 1 | 08/06/2008 | | Commonwealth of Pennsylvania |
| District Attorney's Preliminary Conference | | | |
| 1 | 08/22/2008 | | Peppetti, Joel D. |
| Motion for Suppression of Evidence filed by Atty. T. Dickey. Copy to CA by PS. | | | |
| 1 | 09/18/2008 | | Peppetti, Joel D. |
| Application for Cotinuance | | | |
| 2 | 09/18/2008 | | Long, Gerard |
| Order granting Application for Continuance thru 10-30-08. | | | |
| 1 | 09/26/2008 | | Commonwealth of Pennsylvania |
| District Attorney's Preliminary Conference | | | |

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|--|----------------------|----------------------|------------------------------|
| 1 | 10/15/2008 | | Commonwealth of Pennsylvania |
| District Attorney's Preliminary Conference | | | |
| 1 | 10/21/2008 | | Peppetti, Joel D. |
| Application for Continuance | | | |
| 2 | 10/21/2008 | | Long, Gerard |
| Order granting Application for Continuance thru 1-6-09. | | | |
| 1 | 12/03/2008 | | Commonwealth of Pennsylvania |
| District Attorney's Preliminary Conference | | | |
| 1 | 12/16/2008 | | Peppetti, Joel D. |
| Application for Continuance | | | |
| 2 | 12/16/2008 | | Long, Gerard |
| Order granting Application for Continuance thru 3-5-09. | | | |
| 1 | 02/03/2009 | | Commonwealth of Pennsylvania |
| District Attorney's Preliminary Conference | | | |
| 1 | 02/16/2009 | | Krumenacker, Norman A. III |
| Order Granting Application for Continuance thru 04-30-09 | | | |
| 1 | 04/01/2009 | | Commonwealth of Pennsylvania |
| District Attorney's Preliminary Conference | | | |
| 1 | 04/17/2009 | | Commonwealth of Pennsylvania |
| District Attorney's Preliminary Conference | | | |
| 1 | 04/20/2009 | | Peppetti, Joel D. |
| Application for Continuance | | | |
| 2 | 04/20/2009 | | Long, Gerard |
| Order granting Application for Continuance thru 07-02-09 | | | |
| 1 | 07/01/2009 | | Bambino, Barbara Anne |
| Application for Continuance | | | |

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|--|----------------------|----------------------|------------------------------|
| 2 | 07/01/2009 | | Long, Gerard |
| Order Granting Motion for Continuance thru 09/03/09. | | | |
| 1 | 07/24/2009 | | Long, Gerard |
| Order Granting Extension on Brief originally due 08/01/08. The Brief is now due by 08/17/09. Copy to DA and CA by ps and Attorney Peppetti by mail. | | | |
| 1 | 07/31/2009 | | Long, Gerard |
| Order granting Commonwealth an extension on brief originally due 08/01/09. Brief now due 08/17/09. Copy to DA and CA by ps and Attorney Peppetti by mail. | | | |
| 1 | 08/04/2009 | | Commonwealth of Pennsylvania |
| District Attorney's Preliminary Conference | | | |
| 1 | 08/06/2009 | | Long, Gerard |
| Testimony of 06-18-09 Hearing Filed | | | |
| 1 | 08/13/2009 | | Peppetti, Joel D. |
| Defendant's Memorandum of Law in Support of Motion for Suppression of Evidence Copy to CA by PS. | | | |
| 1 | 08/17/2009 | | Commonwealth of Pennsylvania |
| Commonwealth's Memorandum of Law for Denial of Motion for Suppression of Evidence | | | |
| 1 | 08/18/2009 | | Peppetti, Joel D. |
| Application for Continuance | | | |
| 2 | 08/18/2009 | | Long, Gerard |
| Order Granting Application for Continuance thru 11-05-09 | | | |
| 1 | 09/18/2009 | | Long, Gerard |
| Order directing this case is transferred to Judge Creany. Copy to DA, CA by PS and Atty. Peppetti by mail. | | | |
| 1 | 10/05/2009 | | Commonwealth of Pennsylvania |
| District Attorney's Preliminary Conference | | | |
| 2 | 10/05/2009 | | Commonwealth of Pennsylvania |
| District Attorney's Preliminary Conference | | | |

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|---|----------------------|----------------------|------------------------------|
| 1 | 11/04/2009 | | Peppetti, Joel D. |
| Application for Continuance | | | |
| 2 | 11/04/2009 | | Krumenacker, Norman A. III |
| Order Granting Application for Continuance thru 1-7-10. | | | |
| 1 | 12/04/2009 | | Commonwealth of Pennsylvania |
| District Attorney's Preliminary Conference | | | |
| 1 | 12/15/2009 | | Peppetti, Joel D. |
| Application for Continuance | | | |
| 2 | 12/15/2009 | | Krumenacker, Norman A. III |
| Order granting Application for Continuance thru 03-04-10 | | | |
| 1 | 12/17/2009 | | Commonwealth of Pennsylvania |
| Application for Continuance | | | |
| 2 | 12/17/2009 | | Creany, Timothy P. |
| Order Granting application for continuance thru 03/04/10. | | | |
| 1 | 12/18/2009 | | Commonwealth of Pennsylvania |
| District Attorney's Preliminary Conference | | | |
| 1 | 02/08/2010 | | Commonwealth of Pennsylvania |
| District Attorney's Preliminary Conference | | | |
| 1 | 02/15/2010 | | Commonwealth of Pennsylvania |
| District Attorney's Preliminary Conference | | | |
| 1 | 03/04/2010 | | Commonwealth of Pennsylvania |
| DUI-Guilty Plea Explanation of Defendants Rights | | | |
| 2 | 03/04/2010 | | Creany, Timothy P. |
| Guilty Plea The defendant plead guilty to Count 2, Driving Under Influence (M1). | | | |
| 3 | 03/04/2010 | | Creany, Timothy P. |
| Disposition Filed | | | |

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|---|----------------------|----------------------|--|
| 5 | 03/04/2010 | | Court of Common Pleas - Cambria County |
| Penalty Assessed | | | |
| 6 | 03/04/2010 | | Kuhar, Susan Marie |
| Certified to bureau of traffic safety, count 2. | | | |
| 7 | 03/04/2010 | | Kuhar, Susan Marie |
| Praecipe for Judgment in the amount of \$3673.01 filed in the Prothonotary's Office. | | | |
| 9 | 03/04/2010 | | Creany, Timothy P. |
| Order - Sentence/Penalty Imposed | | | |
| Count 2, Driving Under Influence (M1). To pay costs, \$500 fine, \$500 to Substance Abuse Education Fund, \$500 to Special Administration fund, 3 months house arrest with electronic monitoring, and 20 months county probation. D/A Assessment-follow all recommendations, counseling may be done at hospital where defendant works, no D/A. Counseling 10 times with Dalton Group. Pay \$1200 within a day to Probation. | | | |
| 1 | 03/10/2010 | | Tulowitzki, David |
| Order placing Defendant on Electronic Monitoring | | | |
| Copy to PO and Jail by PS. | | | |
| 1 | 04/16/2010 | | Creany, Timothy P. |
| Order filed nolle prosequing counts 1, 3, and 4 with defendant for costs. | | | |
| 2 | 04/16/2010 | | Creany, Timothy P. |
| Disposition Filed | | | |
| 3 | 04/16/2010 | | Kuhar, Susan Marie |
| Certified to bureau of traffic safety, counts 1 and 3. | | | |
| 1 | 04/28/2011 | | Bambino, Barbara Anne |
| Penalty Satisfied | | | |
| 1 | 06/16/2011 | | Kuhar, Susan Marie |
| Judgment Satisfied | | | |

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CASE FINANCIAL INFORMATION

Last Payment Date: 05/24/2011

Total of Last Payment: -\$163.01

| Bambino, Barbara Anne Defendant | <u>Assessment</u> | <u>Payments</u> | <u>Adjustments</u> | <u>Non Monetary Payments</u> | <u>Total</u> |
|---|-------------------|-----------------|--------------------|----------------------------------|--------------|
| Costs/Fees | | | | | |
| Automation Fee (Cambria) | \$5.00 | (\$5.00) | \$0.00 | \$0.00 | \$0.00 |
| Postage Fee (Cambria) | \$8.00 | (\$8.00) | \$0.00 | \$0.00 | \$0.00 |
| Sheriff Costs (Cambria) | \$50.00 | (\$50.00) | \$0.00 | \$0.00 | \$0.00 |
| Court Costs (Cambria) | \$104.00 | (\$104.00) | \$0.00 | \$0.00 | \$0.00 |
| CO/Drug Fee (Cambria) | \$500.00 | (\$500.00) | \$0.00 | \$0.00 | \$0.00 |
| Special Adm. (Cambria) | \$500.00 | (\$500.00) | \$0.00 | \$0.00 | \$0.00 |
| Certification (Cambria) | \$30.30 | (\$30.30) | \$0.00 | \$0.00 | \$0.00 |
| CO-DUI Tuition (Cambria) | \$200.00 | (\$200.00) | \$0.00 | \$0.00 | \$0.00 |
| CRN (Cambria) | \$100.00 | (\$100.00) | \$0.00 | \$0.00 | \$0.00 |
| DUI - ADM (Cambria) | \$250.00 | (\$250.00) | \$0.00 | \$0.00 | \$0.00 |
| Plea (Cambria) | \$94.71 | (\$94.71) | \$0.00 | \$0.00 | \$0.00 |
| Judgment Fee (Cambria) | \$24.50 | (\$24.50) | \$0.00 | \$0.00 | \$0.00 |
| State Court Costs (Act 204 of 1976) | \$10.00 | (\$10.00) | \$0.00 | \$0.00 | \$0.00 |
| Commonwealth Cost - HB627 (Act 167 of 1992) | \$8.60 | (\$8.60) | \$0.00 | \$0.00 | \$0.00 |
| County Court Cost (Act 204 of 1976) | \$27.90 | (\$27.90) | \$0.00 | \$0.00 | \$0.00 |
| Crime Victims Compensation (Act 96 of 1984) | \$35.00 | (\$35.00) | \$0.00 | \$0.00 | \$0.00 |
| Victim Witness Service (Act 111 of 1998) | \$25.00 | (\$25.00) | \$0.00 | \$0.00 | \$0.00 |
| Firearm Education and Training Fund | \$5.00 | (\$5.00) | \$0.00 | \$0.00 | \$0.00 |
| Emergency Medical Services (Act 45 of 1985) | \$10.00 | (\$10.00) | \$0.00 | \$0.00 | \$0.00 |
| Judicial Computer Project | \$8.00 | (\$8.00) | \$0.00 | \$0.00 | \$0.00 |
| ATJ | \$2.00 | (\$2.00) | \$0.00 | \$0.00 | \$0.00 |
| CAT/MCARE/General Fund | \$100.00 | (\$100.00) | \$0.00 | \$0.00 | \$0.00 |
| Substance Abuse Education (Cam) (Act 198 of 2002) | \$150.00 | (\$150.00) | \$0.00 | \$0.00 | \$0.00 |
| Substance Abuse Education (Cam) (Act 198 of 2002) | \$150.00 | (\$150.00) | \$0.00 | \$0.00 | \$0.00 |
| Police Monitoring Fee (Cambria) | \$125.00 | (\$125.00) | \$0.00 | \$0.00 | \$0.00 |
| Costs of Prosecution - CJEA | \$50.00 | (\$50.00) | \$0.00 | \$0.00 | \$0.00 |
| OSP (Cambria/State) (Act 35 of 1991) | \$225.00 | (\$225.00) | \$0.00 | \$0.00 | \$0.00 |
| OSP (Cambria/State) (Act 35 of 1991) | \$225.00 | (\$225.00) | \$0.00 | \$0.00 | \$0.00 |
| Service Charge (Cambria) | \$150.00 | (\$140.00) | (\$10.00) | \$0.00 | \$0.00 |

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CASE FINANCIAL INFORMATION

| Bambino, Barbara Anne Defendant | <u>Assessment</u> | <u>Payments</u> | <u>Adjustments</u> | <u>Non Monetary Payments</u> | <u>Total</u> |
|---|-------------------|-----------------|--------------------|----------------------------------|--------------|
| Costs/Fees Totals: | \$3,173.01 | (\$3,163.01) | (\$10.00) | \$0.00 | \$0.00 |
| Fines | | | | | |
| Title 75, DUI (Motor License Fund) | \$250.00 | (\$250.00) | \$0.00 | \$0.00 | \$0.00 |
| Title 75, DUI (Motor License Fund) | \$250.00 | (\$250.00) | \$0.00 | \$0.00 | \$0.00 |
| Fines Totals: | \$500.00 | (\$500.00) | \$0.00 | \$0.00 | \$0.00 |
| Grand Totals: | \$3,673.01 | (\$3,663.01) | (\$10.00) | \$0.00 | \$0.00 |

** - Indicates assessment is subrogated