

COURT OF COMMON PLEAS OF WESTMORELAND COUNTY

DOCKET



Docket Number: CP-65-CR-0001090-2008

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

Barry Anthony Baker

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CASE INFORMATION

Judge Assigned: Pezze, Debra A.

Date Filed: 03/13/2008

Initiation Date: 02/29/2008

OTN: H 799822-2

LOTN:

Originating Docket No: MJ-10105-CR-0000098-2003

Initial Issuing Authority: Frank J. Pallone Jr.

Final Issuing Authority: Frank J. Pallone Jr.

Arresting Agency: New Kensington Police

Arresting Officer: Zellers, Ronald A.

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	03/24/2009	Completed	02/29/2008
	12/01/2008	Sentenced/Penalty Imposed	
	12/01/2008	Awaiting Sentencing	
	03/26/2008	Awaiting Waiver	
	03/26/2008	Awaiting Formal Arraignment	
	03/26/2008	Awaiting Arraignment	
	03/13/2008	Awaiting Filing of Information	

Complaint Date: 02/26/2003

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CALENDAR EVENTS

<u>Case Calendar</u> <u>Event Type</u>	<u>Schedule</u> <u>Start Date</u>	<u>Start</u> <u>Time</u>	<u>Room</u>	<u>Judge Name</u>	<u>Schedule</u> <u>Status</u>
Representation Status	04/30/2008	9:00 am	Courtroom 4	President Judge Rita D. Hathaway	Scheduled
Formal Arraignment	05/02/2008	8:30 am	Courtroom 3	Judge Debra A. Pezze	Cancelled
Call of the Criminal List	05/22/2008	9:00 am	Courtroom 2	Senior Judge Richard E. McCormick Jr.	Continued
Call of the Criminal List	05/29/2008	9:00 am	Courtroom 2	Senior Judge Richard E. McCormick Jr.	Scheduled
Trial	06/02/2008	9:00 am	Courtroom 2	Senior Judge Richard E. McCormick Jr.	Continued
Call of the Criminal List	08/01/2008	9:00 am	Courtroom 4	President Judge Rita D. Hathaway	Scheduled
Trial	08/11/2008	9:00 am	Courtroom 2	President Judge Rita D. Hathaway	Scheduled
Omnibus Pre-Trial Motion Hearing	08/20/2008	9:00 am	Courtroom 3	Judge Debra A. Pezze	Scheduled
Call of the Criminal List	09/30/2008	9:00 am	Courtroom 3	Judge Debra A. Pezze	Scheduled
Trial	10/06/2008	9:00 am	Courtroom 2	Senior Judge Richard E. McCormick Jr.	Continued
Call of the Criminal List	12/01/2008	9:00 am	Courtroom 7	Senior Judge John E. Blahovec	Scheduled
Trial	12/08/2008	9:00 am	Courtroom 7	Senior Judge John E. Blahovec	Cancelled

CONFINEMENT INFORMATION

<u>Confinement</u> <u>Known As Of</u>	<u>Confinement</u> <u>Type</u>	<u>Destination</u> <u>Location</u>	<u>Confinement</u> <u>Reason</u>	<u>Still in</u> <u>Custody</u>
05/30/2019	DOC Confined	SCI Pine Grove		Yes

DEFENDANT INFORMATION

Date Of Birth: 11/22/1978 City/State/Zip:

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	02/26/2003	Monetary		\$50,000.00		
Revoke	02/29/2008	Monetary		\$0.00		
					Posted	03/19/2003

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	Manuf/Del/Poss/W Int Manuf Or Del	02/26/2003	H 799822-2
2	4	M	35 § 780-113 §§ A16	Int Poss Contr Subst By Per Not Reg	02/26/2003	H 799822-2
3	2	M	35 § 780-113 §§ A32	Use/Poss Of Drug Paraph	02/26/2003	H 799822-2
4	3	M	35 § 780-113 §§ A31	Poss Of Marijuana	02/26/2003	H 799822-2

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)

Lower Court Disposition	03/06/2008	Not Final
1 / Manuf/Del/Poss/W Int Manuf Or Del	Held for Court (Lower Court)	F 35 § 780-113 §§ A30
2 / Int Poss Contr Subst By Per Not Reg	Held for Court (Lower Court)	M 35 § 780-113 §§ A16
3 / Use/Poss Of Drug Paraph	Held for Court (Lower Court)	M 35 § 780-113 §§ A32
4 / Poss Of Marijuana	Held for Court (Lower Court)	M 35 § 780-113 §§ A31

Proceed to Court

Information Filed	03/26/2008	Not Final
1 / Manuf/Del/Poss/W Int Manuf Or Del	Held for Court	F 35 § 780-113 §§ A30
2 / Int Poss Contr Subst By Per Not Reg	Held for Court	M 35 § 780-113 §§ A16
3 / Use/Poss Of Drug Paraph	Held for Court	M 35 § 780-113 §§ A32
4 / Poss Of Marijuana	Held for Court	M 35 § 780-113 §§ A31

Guilty Plea - Negotiated

Call of the Criminal List	12/01/2008	Final Disposition
1 / Manuf/Del/Poss/W Int Manuf Or Del	Dismissed	F 35 § 780-113 §§ A30
Blahovec, John E.	12/01/2008	
2 / Int Poss Contr Subst By Per Not Reg	Dismissed	M 35 § 780-113 §§ A16

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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>		
Blahovec, John E.	12/01/2008	
3 / Use/Poss Of Drug Paraph	Guilty Plea - Negotiated	M 35 § 780-113 §§ A32
Blahovec, John E.	12/01/2008	271 Days
Confinement	Min of 6.00 Months Max of 12.00 Months 6 - 12 Months	
Parole forthwith based on verified release plan and conduct at the end of minimum sentence.		
4 / Poss Of Marijuana	Dismissed	M 35 § 780-113 §§ A31
Blahovec, John E.	12/01/2008	

COMMONWEALTH INFORMATION

Name: Lawrence W. Koenig
District Attorney
Supreme Court No: 034971
Address:
2 N Main St
Suite 206
Greensburg, PA 15601

ATTORNEY INFORMATION

Name: Eric Havarar Dee
Court Appointed - Private
Supreme Court No: 085452
Rep. Status: Active
Phone Number(s):
Address:
117 North Main Street
Greensburg, PA 15601

ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	02/26/2003		Pallone, Frank J. Jr.
Bail Set - Baker, Barry Anthony			
1	03/19/2003		Bondsman
Bail Posted - Baker, Barry Anthony			
1	02/29/2008		Pallone, Frank J. Jr.
Order Granting Motion to Revoke/Release and Forfeit Bail - Baker, Barry Anthony			
1	03/13/2008		Court of Common Pleas - Westmoreland 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>
2	03/26/2008		Commonwealth of Pennsylvania
Information Filed			
1	04/04/2008		Court of Common Pleas - Westmoreland County
Notice of Arraignment			
1	04/30/2008		Hathaway, Rita D.
Place on Trial List			
3	05/22/2008		McCormick, Richard E. Jr.
Remain on Trial List			
1	06/05/2008		Dee, Eric Havarán
Informal Request for Pre-Trial Discovery and Inspection			
2	06/05/2008		Dee, Eric Havarán
Entry of Appearance			
2	06/27/2008		Pallone, Frank J. Jr.
Transcript of Proceedings Filed			
Preliminary Hearing held on March 7, 2008 before Judge Pallone.		#190-34	
1	07/17/2008		Dee, Eric Havarán
Omnibus Pre-Trial Motion			
Motion For Writ Of Habeas Corpus; Motion To Suppress Evidence			
1	08/01/2008		Hathaway, Rita D.
Order Granting Motion for Continuance			
Continuance granted until the October Trial Term by defense motion. The defendant is in the holding cell and is in agreement. Motion is pending.			
1	08/04/2008		Patterson, David
Subpoena			
1	08/06/2008		Dee, Eric Havarán
Brief in Support of Omnibus Pre-Trial Motion			

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<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	08/20/2008		Pezze, Debra A.
Order Directing Briefs to be filed			
Hearing held. Sworn testimony taken from Mr. Zellers. Defense to submit Briefs in (20) days. Commonwealth has till 10/6/2008 to submit Brief. Under advisement.			
2	09/09/2008		Dee, Eric Havarán
Supplemental Brief In Support Of Omnibus PreTrial Motion			
1	09/17/2008		Pezze, Debra A.
Transcript of Proceedings Filed			
Omnibus Pretrial Motion heard before Judge Pezze on 8/20/2008. #190-85			
1	09/30/2008		Pezze, Debra A.
Remain on Trial List			
1	10/06/2008		Koenig, Lawrence W.
Commonwealth's Brief in Opposition to Defendant's Omnibus Pretrial Motion			
2	10/06/2008		McCormick, Richard E. Jr.
Order Granting Motion for Continuance			
Continuance granted until December trial term by motion of the defense. Pending motions have not been decided.			
1	11/04/2008		Pezze, Debra A.
Opinion & Order of Court			
IT IS HEREBY ORDERED AND DECREED that the Defendant's Omnibus Pre-Trial Motion is GRANTED in part and the currency found on Defendant's person is suppressed. The remainder of the defendant's motion is DENIED.			
1	11/26/2008		Pezze, Debra A.
Order Granting Motion for Counsel Fees			
Motion for Counsel Fees and Order. \$1,723.50 awarded to Eric H. Dee, Esq.			
1	12/01/2008		Blahovec, John E.
Guilty Plea - Negotiated			
2	12/01/2008		Blahovec, John E.
Disposition Filed			

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3	12/01/2008		Blahovec, John E.
Order - Sentence/Penalty Imposed			
CT3 incarceration for 6-12 months. Credit for time served from 3/6/2008. Parole forthwith. Remaining counts are dismissed. Contraband seized to be forfeited to and destroyed by New Kensington PD. All money seized is to be forfeited to WCDF #2.			
3	12/02/2008		Court of Common Pleas - Westmoreland County
Penalty Assessed			
1	12/08/2008		Blahovec, John E.
Guideline Sentence Form			
1	01/06/2009		Dee, Eric Havarar
Motion for Counsel Fees			
2	01/06/2009		Blahovec, John E.
Order Granting Motion for Counsel Fees			
It is ordered that Eric H. Dee, Esquire, is to be compensated in the amount of \$155.25.			
1	01/13/2009		Court of Common Pleas - Westmoreland County
Witness Fee			
1	03/11/2009		Blahovec, John E.
Order Close Interest			
Westmoreland County Adult Probation/Parole Office is directed to close interest. A Civil Judgment is to be filed against the Defendant for an outstanding balance of \$541.63.			
1	03/24/2009		Westmoreland County Adult Probation Office
Release from Parole			
Effective: 03/11/2009			
1	06/16/2009		Court of Common Pleas - Westmoreland County
Delinquency Notice Filed - 47 Days Overdue			

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1	09/23/2009		Court of Common Pleas - Westmoreland County
Delinquency Notice Filed - 146 Days Overdue			
1	02/10/2014		Baker, Barry Anthony
Return Case From Collection Agency - Court Request			
1	05/20/2014		Baker, Barry Anthony
Return Case From Collection Agency - Court Request			

PAYMENT PLAN SUMMARY

<u>Payment Plan No</u>	<u>Payment Plan Freq.</u>	<u>Next Due Date</u>	<u>Active</u>	<u>Overdue Amt</u>
<u>Responsible Participant</u>			<u>Suspended</u>	<u>Next Due Amt</u>
65-2009-P000001286	Monthly	03/30/2013	Yes	\$346.92
Baker, Barry Anthony			No	\$1.79
Payment Plan History:				
	<u>Receipt Date</u>		<u>Payor Name</u>	<u>Participant Role</u>
	09/13/2016	Payment	WCP	Payor
				<u>Amount</u>
				\$238.21

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CASE FINANCIAL INFORMATION

Last Payment Date: 09/13/2016

Total of Last Payment: -\$238.21

Baker, Barry Anthony Defendant	<u>Assessment</u>	<u>Payments</u>	<u>Adjustments</u>	<u>Non Monetary Payments</u>	<u>Total</u>
Costs/Fees					
Trial Fee (Westmoreland)	\$189.85	(\$163.21)	\$0.00	\$0.00	\$26.64
LCP Fee (Westmoreland)	\$5.00	(\$5.00)	\$0.00	\$0.00	\$0.00
State Court Costs (Act 204 of 1976)	\$10.30	\$0.00	\$0.00	\$0.00	\$10.30
Commonwealth Cost - HB627 (Act 167 of 1992)	\$8.90	\$0.00	\$0.00	\$0.00	\$8.90
County Court Cost (Act 204 of 1976)	\$28.80	\$0.00	\$0.00	\$0.00	\$28.80
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
Victim Witness Service (Act 111 of 1998)	\$25.00	(\$25.00)	\$0.00	\$0.00	\$0.00
Crime Lab User Fee - State Police	\$105.00	\$0.00	\$0.00	\$0.00	\$105.00
Firearm Education and Training Fund	\$5.00	\$0.00	\$0.00	\$0.00	\$5.00
Judicial Computer Project	\$8.00	(\$8.00)	\$0.00	\$0.00	\$0.00
ATJ	\$2.00	(\$2.00)	\$0.00	\$0.00	\$0.00
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
Witness Fee (Westmoreland)	\$8.78	\$0.00	\$0.00	\$0.00	\$8.78
Judgment (Westmoreland)	\$33.50	\$0.00	\$0.00	\$0.00	\$33.50
Satisfaction (Westmoreland)	\$10.00	\$0.00	\$0.00	\$0.00	\$10.00
Costs/Fees Totals:	\$585.13	(\$238.21)	\$0.00	\$0.00	\$346.92
Grand Totals:	\$585.13	(\$238.21)	\$0.00	\$0.00	\$346.92

** - Indicates assessment is subrogated