DOCKET



Docket Number: CP-06-CR-0002098-2012

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

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Barry Battle

CASE INFORMATION

<u>Judge Assigned</u>: Lieberman, Stephen B. <u>Date Filed</u>: 05/04/2012 <u>Initiation Date</u>: 04/16/2012

<u>OTN</u>: T 169880-4 <u>LOTN</u>: <u>Originating Docket No</u>: MJ-23203-CR-0000114-2012

<u>Initial Issuing Authority</u>: Phyllis J. Kowalski <u>Final Issuing Authority</u>: Phyllis J. Kowalski

<u>Arresting Agency</u>: Central Berks Region Police Dept <u>Arresting Officer</u>: Tobias, Ronald L.

Complaint/Incident #: 231201731

Case Local Number Type(s)

Case Local Number(s)

STATUS INFORMATION					
Case Status:	Closed	Status Date	Processing Status	Arrest Date:	04/16/2012
		05/03/2013	Sentenced/Penalty Imposed		
		05/03/2013	Awaiting Sentencing		
		03/12/2013	Awaiting Pre-Trial Conference		
		08/09/2012	Awaiting Jury Trial		
		07/11/2012	Status Hearing Scheduled		
		05/29/2012	Awaiting Disposition Hearing		
		05/29/2012	Awaiting Pre-Trial Conference		
		05/04/2012	Awaiting Formal Arraignment		
		05/04/2012	Awaiting Filing of Information		

Complaint Date: 04/11/2012

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CALENDAR EVENTS						
Case Calendar Event Type	Schedule Start Date	<u>Start</u> <u>Time</u>	Room	<u>Judge Name</u>	<u>Schedule</u> <u>Status</u>	
Arraignment	05/29/2012	9:00 am		Senior Judge Stephen B. Lieberman	Scheduled	
Disposition Hearing	07/10/2012	9:30 am		Senior Judge Stephen B. Lieberman	Scheduled	
Status Hearing	08/06/2012	9:30 am		Senior Judge Stephen B. Lieberman	Scheduled	
Jury Trial	09/24/2012	9:30 am		Senior Judge Stephen B. Lieberman	Scheduled	
Jury Trial	11/27/2012	9:30 am		Senior Judge Stephen B. Lieberman	Scheduled	
Jury Trial	12/17/2012	9:30 am		Senior Judge Stephen B. Lieberman	Continued	
Jury Trial	01/14/2013	9:30 am		Senior Judge Stephen B. Lieberman	Scheduled	
Jury Trial	03/19/2013	9:30 am		Senior Judge Stephen B. Lieberman	Cancelled	
Pre-Trial Conference	05/03/2013	9:30 am		Senior Judge Stephen B. Lieberman	Scheduled	
DEFENDANT INFORMATION						

DEFENDANT INFORMATION

<u>Date Of Birth:</u> 11/14/1963 <u>City/State/Zip:</u> Reading, PA 19601

Alias Name
Battle, Barry
Battle, Barry J.
Battle, Barry M.

CASE PARTICIPANTS

<u>Participant Type</u>
Defendant

Name
Battle, Barry

BAIL INFORMATION Battle, Barry Nebbia Status: None Bail Type **Bail Action** <u>Date</u> **Percentage** <u>Amount</u> **Bail Posting Status** Posting Date \$75,000.00 Set 04/16/2012 Monetary Set (bail modification) 01/14/2013 Monetary \$25,000,00 01/15/2013 Posted **CHARGES**

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CHARGES						
Seq.	Orig Seq.	<u>Grade</u>	<u>Statute</u>	Statute Description	Offense Dt.	<u>OTN</u>
1	1	F3	75 § 3733 §§ A	Fleeing or Attempting to Elude Officer	04/06/2012	T 169880-4
2	2	F3	18 § 3925 §§ A	Receiving Stolen Property	04/06/2012	T 169880-4
3	3	М3	18 § 3925 §§ A	Receiving Stolen Property	04/06/2012	T 169880-4
4	4	M2	18 § 3921 §§ A	Theft By Unlaw Taking-Movable Prop	04/06/2012	T 169880-4
5	5	S	75 § 1301 §§ A	Dr Unregist Veh	04/06/2012	T 169880-4
6	6	S	75 § 1504 §§ A	Use Improp Class Of Lic	04/06/2012	T 169880-4
7	7	S	75 § 1543 §§ B1.1I	Driving While BAC .02 or Greater While License Susp	04/06/2012	T 169880-4
8	8	S	75 § 1786 §§ F	Oper Veh W/O Req'd Financ Resp	04/06/2012	T 169880-4
9	9	S	75 § 3112 §§ A3I	Failure To Stop At Red Signal	04/06/2012	T 169880-4
10	10	S	75 § 3301 §§ A	Fail To Keep Right	04/06/2012	T 169880-4
11	11	S	75 § 3361	Driving at Safe Speed	04/06/2012	T 169880-4
12	12	S	75 § 3714 §§ A	Careless Driving	04/06/2012	T 169880-4
13	13	S	75 § 7124	Fraudulent Use/Removal Of Reg Plate	04/06/2012	T 169880-4

DISPOSITION SENTENCING/PENALTIES

Disposition

Case EventDisposition DateFinal DispositionSequence/DescriptionOffense DispositionGradeSection

<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>

Sentence Conditions

Waived for Court (Lower Court)	Defendant Was Present
Walved for Court (Lower Court)	Deletidatil Was Flesetil

Lower Court Disposition	05/02/2012	Not Final	
1 / Fleeing or Attempting to Elude Officer	Waived for Court (Lower Court)	F3	75 § 3733 §§ A
2 / Receiving Stolen Property	Waived for Court (Lower Court)	F3	18 § 3925 §§ A
3 / Receiving Stolen Property	Waived for Court (Lower Court)	М3	18 § 3925 §§ A
4 / Theft By Unlaw Taking-Movable Prop	Waived for Court (Lower Court)	M2	18 § 3921 §§ A
5 / Dr Unregist Veh	Waived for Court (Lower Court)	S	75 § 1301 §§ A
6 / Use Improp Class Of Lic	Waived for Court (Lower Court)	S	75 § 1504 §§ A
7 / Driving While BAC .02 or Greater While License Susp	Waived for Court (Lower Court)	S	75 § 1543 §§ B1.1I
8 / Oper Veh W/O Req'd Financ Resp	Waived for Court (Lower Court)	S	75 § 1786 §§ F
9 / Failure To Stop At Red Signal	Waived for Court (Lower Court)	S	75 § 3112 §§ A3I
10 / Fail To Keep Right	Waived for Court (Lower Court)	S	75 § 3301 §§ A
11 / Driving at Safe Speed	Waived for Court (Lower Court)	S	75 § 3361
12 / Careless Driving	Waived for Court (Lower Court)	S	75 § 3714 §§ A

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Disposition Case Event Disposition Date Disposition Case Event Sequence/Description Sentencing_Judge Sentence Date Credit For Time Served Sentence/Diversion Program Type Sentence Date Credit For Time Served Sentence/Diversion Program Type Sentence Count Sentence/Diversion Program Type Sentence/Diversion Program		barry battle		
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Lieberman, Stephen B. 05/03/2013 275 Days Confinement Min of 9.00 Months 05/03/2013 Max of 23.00 Months 9 - 23 months 2 / Receiving Stolen Property Guilty Plea F3 18 § 3925 §§ A Lieberman, Stephen B. 05/03/2013 275 Days Confinement Min of 9.00 Months 05/03/2013 Max of 23.00 Months 9 - 23 months 3 / Receiving Stolen Property Dismissed M3 18 § 3925 §§ A Lieberman, Stephen B. 05/03/2013 4 / Theft By Unlaw Taking-Movable Prop Dismissed M2 18 § 3921 §§ A	Pre-Trial Conference	05/03/2013	Final Dispos	sition
Confinement Min of 9.00 Months Max of 23.00 Months 9 - 23 months 05/03/2013 2 / Receiving Stolen Property Guilty Plea F3 18 § 3925 §§ A Lieberman, Stephen B. 05/03/2013 275 Days Confinement Min of 9.00 Months Max of 23.00 Months 9 - 23 months 05/03/2013 3 / Receiving Stolen Property Dismissed M3 18 § 3925 §§ A Lieberman, Stephen B. 05/03/2013 4 / Theft By Unlaw Taking-Movable Prop Dismissed M2 18 § 3921 §§ A	1 / Fleeing or Attempting to Elude Officer	Guilty Plea	F3	75 § 3733 §§ A
Confinement Min of 9.00 Months Max of 23.00 Months 9 - 23 months 05/03/2013 2 / Receiving Stolen Property Guilty Plea F3 18 § 3925 §§ A Lieberman, Stephen B. 05/03/2013 275 Days 05/03/2013 Confinement Min of 9.00 Months Max of 23.00 Months 9 - 23 months 05/03/2013 3 / Receiving Stolen Property Dismissed M3 18 § 3925 §§ A Lieberman, Stephen B. 05/03/2013 4 / Theft By Unlaw Taking-Movable Prop Dismissed M2 18 § 3921 §§ A	Lieberman, Stephen B.	05/03/2013	275	Days
Lieberman, Stephen B. 05/03/2013 275 Days Confinement Min of 9.00 Months 05/03/2013 Max of 23.00 Months 9 - 23 months 3 / Receiving Stolen Property Dismissed M3 18 § 3925 §§ A Lieberman, Stephen B. 05/03/2013 4 / Theft By Unlaw Taking-Movable Prop Dismissed M2 18 § 3921 §§ A	Confinement	Max of 23.00 Months		=
Confinement Min of 9.00 Months Max of 23.00 Months 9 - 23 months 05/03/2013 3 / Receiving Stolen Property Dismissed M3 18 § 3925 §§ A Lieberman, Stephen B. 05/03/2013 4 / Theft By Unlaw Taking-Movable Prop Dismissed M2 18 § 3921 §§ A	2 / Receiving Stolen Property	Guilty Plea	F3	18 § 3925 §§ A
Confinement Min of 9.00 Months Max of 23.00 Months 9 - 23 months 05/03/2013 3 / Receiving Stolen Property Dismissed M3 18 § 3925 §§ A Lieberman, Stephen B. 05/03/2013 4 / Theft By Unlaw Taking-Movable Prop Dismissed M2 18 § 3921 §§ A	Lieberman, Stephen B.	05/03/2013	275	Days
Lieberman, Stephen B. 05/03/2013 4 / Theft By Unlaw Taking-Movable Prop Dismissed M2 18 § 3921 §§ A	Confinement	Max of 23.00 Months		=
4 / Theft By Unlaw Taking-Movable Prop Dismissed M2 18 § 3921 §§ A	3 / Receiving Stolen Property	Dismissed	M3	18 § 3925 §§ A
77 Men 2) Chair laining mortage / 105	Lieberman, Stephen B.	05/03/2013		
Lieberman, Stephen B. 05/03/2013	4 / Theft By Unlaw Taking-Movable Prop	Dismissed	M2	18 § 3921 §§ A
	Lieberman, Stephen B.	05/03/2013		

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DISPOSITION SENTENCING/PENALTIES

Disposition			
<u>Case Event</u>	<u>Disposition Date</u>	Final Dispos	<u>ition</u>
Sequence/Description	Offense Disposition	<u>Grade</u>	<u>Section</u>
Sentencing Judge	Sentence Date	Cred	it For Time Served
Sentence/Diversion Program Type	Incarceration/Diversionary Period	<u>1</u> 2	Start Date
Sentence Conditions			
5 / Dr Unregist Veh	Dismissed	S	75 § 1301 §§ A
Lieberman, Stephen B.	05/03/2013		
6 / Use Improp Class Of Lic	Dismissed	S	75 § 1504 §§ A
Lieberman, Stephen B.	05/03/2013		
7 / Driving While BAC .02 or Greater While License	Dismissed	S	75 § 1543 §§ B1.1I
Susp			
Lieberman, Stephen B.	05/03/2013		
8 / Oper Veh W/O Req'd Financ Resp	Dismissed	S	75 § 1786 §§ F
Lieberman, Stephen B.	05/03/2013		
9 / Failure To Stop At Red Signal	Dismissed	S	75 § 3112 §§ A3I
Lieberman, Stephen B.	05/03/2013		
10 / Fail To Keep Right	Dismissed	S	75 § 3301 §§ A
Lieberman, Stephen B.	05/03/2013		
11 / Driving at Safe Speed	Dismissed	S	75 § 3361
Lieberman, Stephen B.	05/03/2013		
12 / Careless Driving	Dismissed	S	75 § 3714 §§ A
Lieberman, Stephen B.	05/03/2013		
13 / Fraudulent Use/Removal Of Reg Plate	Dismissed	S	75 § 7124
Lieberman, Stephen B.	05/03/2013		

LINKED SENTENCES:

Link 1

CP-06-CR-0002098-2012 - Seq. No. 2 (18 $3925 \ \$ A) - Confinement is Concurrent with

CP-06-CR-0002098-2012 - Seq. No. 1 (75§ 3733 §§ A) - Confinement

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ATTORNEY INFORMATION **COMMONWEALTH INFORMATION**

> Amy C. Rothermel Christopher M. Price Name: Assistant District Attorney

Public Defender

206699 Supreme Court No: Supreme Court No: 083674 Active

Phone Number(s): Rep. Status: 610-478-6000 (Phone)

Phone Number(s):

Address: 610-478-6650 (Phone) Berks CO Da's Office Address:

633 Court St FI 5 633 Court St 12th FI Reading, PA 19601 Reading, PA 19601

Representing: Battle, Barry

ENTRIES ENTRIES					
Sequence Number	CP Filed Date	Document Date	Filed By		
1	04/16/2012		Patton, Dean R.		
Bail Set - Battle, Barry	/ — — — — — — -				
1	05/04/2012		Court of Common Pleas - Berks		
Original Papara Pagai	ived from Lower Court		County		
— — — — —	ived from Lower Court				
1	05/25/2012		Commonwealth of Pennsylvania		
Information Filed					
1	05/29/2012		Lieberman, Stephen B.		
Arraigned					
3	05/29/2012	05/29/2012	Berks County District Attorney's Office		
Notice to Defendant; (Case Disposition Call 7-10	-12			
4	05/29/2012		Price, Christopher M.		
Entry of Appearance					
1	05/30/2012		Berks County Public Defender's Office		
Request for Pre-Trial	Discovery and Negotiated	Plea Agreement	,		
	06/04/2012		Berks County District Attorney's Office		
Informal Discovery Co	onference Notice and Disco	overy Demand Filed	,		
		07/10/2012	Lieberman, Stephen B.		
Order Scheduling cas	e status hearing 08/06/12		, , , , , , , , , , , , , , , , , , , ,		

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		Barry Battle ENTRIES	
Sequence Number	CP Filed Date	Document Date	Filed By
2 Clerks Worksheet	07/10/2012		Berks County Clerk of Courts
1 Order Scheduling Jur	08/06/2012 y selection and trial 09/24/1	08/06/2012	Lieberman, Stephen B.
2 Clerks Worksheet	08/06/2012		Berks County Clerk of Courts
1 Order Scheduling Jur	09/24/2012 y Selection and trial 11/27/	09/24/2012 12	Lieberman, Stephen B.
1 Order Scheduling Jur	11/27/2012 y selection and trial 12/17/1		Lieberman, Stephen B.
2 Clerks Worksheet	11/27/2012		Berks County Clerk of Courts
1 Order Scheduling Jur	12/12/2012 ry Selection and trial 01/14/	12/12/2012 /13; cont from 12/17/12	Lieberman, Stephen B.
1 Proof of Service	12/14/2012		Berks County Clerk of Courts
1 Bail Set - Battle, Barry			Lieberman, Stephen B.
2 Commitment Authoriz	01/14/2013 cation to Berks County Priso	01/14/2013 on	Berks County Clerk of Courts
3 Order Scheduling Jur	01/14/2013 y Selection and Trial Hearin	01/14/2013 ng 3/19/13	Lieberman, Stephen B.
4 Clerks Worksheet	01/14/2013	01/14/2013	Berks County Clerk of Courts
1 Bail Posted - Battle, E	01/15/2013 3arry	01/15/2013	Robinson, John T.

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		ENTRIES					
Sequence Number	CP Filed Date	Document Date	Filed By				
1	01/16/2013	01/14/2013	Lieberman, Stephen B.				
Order Granting Motion for	Order Granting Motion for Modification of Bail to \$25,000 secured						
2 Proof of Service	01/16/2013	- – – – – – – –	Berks County Clerk of Courts				
1 Order scheduling Pretria	03/11/2013 al Conference hearing 5-3-13; (03/11/2013 Cont. from 3-19-13	Lieberman, Stephen B.				
1 Clerks Worksheet	05/03/2013		Berks County Clerk of Courts				
2 Guilty Plea	05/03/2013	05/03/2013	Price, Christopher M.				
3 Order - Sentence/Penalt	05/03/2013 ty Imposed	05/03/2013	Lieberman, Stephen B.				
4 Disposition of Charges	05/03/2013	05/16/2013	Lieberman, Stephen B.				
5 Defendant's Acknowledg	05/03/2013 gment of Post Sentence Proced	dures Following Guilty Plea	Price, Christopher M.				
6	05/03/2013	05/03/2013	Court of Common Pleas - Berks County				
Commitment Authorizati	on for Berks County Prison	-					
1 Memorandum Regardin	05/09/2013 g Restitution	05/08/2013	Berks County District Attorney's Office				
1 DL-21 to be Prepared	05/16/2013		Troutman, James P.				
2 DL-21 Removed by Use	05/16/2013 r	- — — — — — — —	Troutman, James P.				
3 DL-21 was prepared	05/16/2013		Troutman, James P.				
			_				

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quence Number	CP Filed Date	<u>Document Date</u>	<u>Filed By</u>		
21 04 0 14 0 25	05/17/2013		Unknown Filer		
DL-21 Sent to PennD0 — — — — — —) -				
	05/20/2013		Court of Common Pleas - Berks County		
Penalty Assessed			, 		
	05/22/2013		Court of Common Pleas - Berks		
Entry of Civil Judgmer	nt		County		
	06/11/2013	06/10/2013	Lieberman, Stephen B.		
Guideline Sentence Fe	orm — — — — — — —				
Onder Oak a dulin a Hea	05/20/2014	05/20/2014	Boccabella, John		
Order Scheduling Hea	ırıng; 9/9/14 — — — — — — —				
Clerks Worksheet	05/20/2014	05/20/2014	Berks County Clerk of Courts		
			Court of Commercial Plants - Darks		
I			Court of Common Pleas - Berks County		
Payment Plan Introdu	ction Letter — — — — — — —				
2	07/01/2014		Court of Common Pleas - Berks		
Delinquency Notice Fi	led - 393 Days Overdue		County		
— — — — — - I	09/03/2014		Court of Common Pleas - Berks		
Delinquency Notice Fi	led - 457 Days Overdue		County		
ı		County			
Delinquency Notice Fi	led - 491 Days Overdue				

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CASE FINANCIAL INFORMATION										
Last Payment Date:		Total of Last Payr		yment:						
Battle, Barry Defendant	<u>Assessment</u>	<u>Payments</u>	<u>Adjustments</u>	Non Monetary Payments	<u>Total</u>					
Costs/Fees										
Automation Fee (Berks)	\$5.00	\$0.00	\$0.00	\$0.00	\$5.00					
Sheriff Central Processing (Berks)	\$200.00	\$0.00	\$0.00	\$0.00	\$200.00					
Constable (Berks)	\$169.41	\$0.00	\$0.00	\$0.00	\$169.41					
Constable Education Training Act	\$5.00	\$0.00	\$0.00	\$0.00	\$5.00					
Order (Berks)	\$15.00	\$0.00	\$0.00	\$0.00	\$15.00					
Order (Berks)	\$15.00	\$0.00	\$0.00	\$0.00	\$15.00					
Order (Berks)	\$15.00	\$0.00	\$0.00	\$0.00	\$15.00					
Order (Berks)	\$15.00	\$0.00	\$0.00	\$0.00	\$15.00					
Order (Berks)	\$15.00	\$0.00	\$0.00	\$0.00	\$15.00					
Order (Berks)	\$15.00	\$0.00	\$0.00	\$0.00	\$15.00					
Order (Berks)	\$15.00	\$0.00	\$0.00	\$0.00	\$15.00					
Order (Berks)	\$15.00	\$0.00	\$0.00	\$0.00	\$15.00					
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)	\$19.20	\$0.00	\$0.00	\$0.00	\$19.20					
Costs of Prosecution - CJEA	\$50.00	\$0.00	\$0.00	\$0.00	\$50.00					
County Court Cost (Act 204 of 1976)	\$28.00	\$0.00	\$0.00	\$0.00	\$28.00					
DNA Detection Fund (Act 185-2004)	\$250.00	\$0.00	\$0.00	\$0.00	\$250.00					
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)	\$12.80	\$0.00	\$0.00	\$0.00	\$12.80					
Postage (Berks)	\$10.00	\$0.00	\$0.00	\$0.00	\$10.00					
Financial Processing Fee (Berks)	\$5.00	\$0.00	\$0.00	\$0.00	\$5.00					
Clerk of Courts Guilty Plea Cost (Berks)	\$115.00	\$0.00	\$0.00	\$0.00	\$115.00					
DA Guilty Plea Cost (Berks)	\$15.00	\$0.00	\$0.00	\$0.00	\$15.00					
Sheriff Guilty Plea Cost (Berks)	\$5.00	\$0.00	\$0.00	\$0.00	\$5.00					
OSP (Berks/State)(Act 35 of 1991)	\$380.00	\$0.00	\$0.00	\$0.00	\$380.00					
OSP (Berks/State)(Act 35 of 1991)	\$380.00	\$0.00	\$0.00	\$0.00	\$380.00					
Civil Filing Fee (Berks)	\$23.75	\$0.00	\$0.00	\$0.00	\$23.75					
Civil Satisfaction Fee (Berks)	\$13.00	\$0.00	\$0.00	\$0.00	\$13.00					
Civil State Tax (Berks)	\$0.50	\$0.00	\$0.00	\$0.00	\$0.50					
Order (Berks)	\$15.00	\$0.00	\$0.00	\$0.00	\$15.00					

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CASE FINANCIAL INFORMATION									
Battle, Barry Defendant	<u>Assessment</u>	<u>Payments</u>	<u>Adjustments</u>	Non Monetary Payments	<u>Total</u>				
MRS Collection Fee (Berks)	\$2,406.82	\$0.00	\$0.00	\$0.00	\$2,406.82				
Costs/Fees Totals:	\$4,256.98	\$0.00	\$0.00	\$0.00	\$4,256.98				
Restitution									
Restitution	\$7,777.10	\$0.00	(\$7,277.10)	\$0.00	\$500.00				
Insurance Company Restitution**	\$7,277.10	\$0.00	\$0.00	\$0.00	\$7,277.10				
Restitution Totals:	\$15,054.20	\$0.00	(\$7,277.10)	\$0.00	\$7,777.10				
Grand Totals:	\$19,311.18	\$0.00	(\$7,277.10)	\$0.00	\$12,034.08				

^{** -} Indicates assessment is subrogated