

COURT OF COMMON PLEAS OF BERKS COUNTY

DOCKET



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

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

Barry Battle

Page 1 of 11

CASE INFORMATION

Judge Assigned: Lieberman, Stephen B.

Date Filed: 05/04/2012

Initiation Date: 04/16/2012

OTN: T 169880-4

LOTN:

Originating Docket No: MJ-23203-CR-0000114-2012

Initial Issuing Authority: Phyllis J. Kowalski

Final Issuing Authority: Phyllis J. Kowalski

Arresting Agency: Central Berks Region Police Dept

Arresting Officer: Tobias, Ronald L.

Complaint/Incident #: 231201731

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	05/03/2013	Sentenced/Penalty Imposed	04/16/2012
	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

COURT OF COMMON PLEAS OF BERKS COUNTY

DOCKET



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

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

Page 2 of 11

Barry Battle

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>
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

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

Alias Name

Battle, Barry
Battle, Barry J.
Battle, Barry M.

CASE PARTICIPANTS

<u>Participant Type</u>	<u>Name</u>
Defendant	Battle, Barry

BAIL INFORMATION

Battle, Barry

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	04/16/2012	Monetary		\$75,000.00		
Set (bail modification)	01/14/2013	Monetary		\$25,000.00		
					Posted	01/15/2013

CHARGES

COURT OF COMMON PLEAS OF BERKS COUNTY

DOCKET



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

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

Barry Battle

Page 3 of 11

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	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	M3	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 Impropr Class Of Lic	04/06/2012	T 169880-4
7	7	S	75 § 1543 §§ B1.11	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 Event

Sequence/Description

Sentencing Judge

Sentence/Diversion Program Type

Sentence Conditions

Disposition Date

Offense Disposition

Sentence Date

Incarceration/Diversionary Period

Final Disposition

Grade Section

Credit For Time Served

Start Date

Waived for Court (Lower Court)

Defendant Was Present

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)

M3 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 Impropr 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 §§ B1.11

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

COURT OF COMMON PLEAS OF BERKS COUNTY

DOCKET



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

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

Barry Battle

Page 4 of 11

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>			

13 / Fraudulent Use/Removal Of Reg Plate	Waived for Court (Lower Court)	S	75 § 7124
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Proceed to Court

Information Filed	05/25/2012	Not Final	
1 / Fleeing or Attempting to Elude Officer	Held for Court	F3	75 § 3733 §§ A
2 / Receiving Stolen Property	Held for Court	F3	18 § 3925 §§ A
3 / Receiving Stolen Property	Held for Court	M3	18 § 3925 §§ A
4 / Theft By Unlaw Taking-Movable Prop	Held for Court	M2	18 § 3921 §§ A
5 / Dr Unregist Veh	Held for Court	S	75 § 1301 §§ A
6 / Use Impropr Class Of Lic	Held for Court	S	75 § 1504 §§ A
7 / Driving While BAC .02 or Greater While License Susp	Held for Court	S	75 § 1543 §§ B1.1I
8 / Oper Veh W/O Req'd Financ Resp	Held for Court	S	75 § 1786 §§ F
9 / Failure To Stop At Red Signal	Held for Court	S	75 § 3112 §§ A3I
10 / Fail To Keep Right	Held for Court	S	75 § 3301 §§ A
11 / Driving at Safe Speed	Held for Court	S	75 § 3361
12 / Careless Driving	Held for Court	S	75 § 3714 §§ A
13 / Fraudulent Use/Removal Of Reg Plate	Held for Court	S	75 § 7124

Guilty Plea

Pre-Trial Conference	05/03/2013	Final Disposition	
1 / Fleeing or Attempting to Elude Officer	Guilty Plea	F3	75 § 3733 §§ 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		
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
Lieberman, Stephen B.	05/03/2013		

COURT OF COMMON PLEAS OF BERKS COUNTY

DOCKET

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

CRIMINAL DOCKET

Court Case



Commonwealth of Pennsylvania

v.

Barry Battle

Page 5 of 11

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>		
5 / Dr Unregist Veh Lieberman, Stephen B.	Dismissed 05/03/2013	S 75 § 1301 §§ A
6 / Use Impropr Class Of Lic Lieberman, Stephen B.	Dismissed 05/03/2013	S 75 § 1504 §§ A
7 / Driving While BAC .02 or Greater While License Susp Lieberman, Stephen B.	Dismissed 05/03/2013	S 75 § 1543 §§ B1.1I
8 / Oper Veh W/O Req'd Financ Resp Lieberman, Stephen B.	Dismissed 05/03/2013	S 75 § 1786 §§ F
9 / Failure To Stop At Red Signal Lieberman, Stephen B.	Dismissed 05/03/2013	S 75 § 3112 §§ A3I
10 / Fail To Keep Right Lieberman, Stephen B.	Dismissed 05/03/2013	S 75 § 3301 §§ A
11 / Driving at Safe Speed Lieberman, Stephen B.	Dismissed 05/03/2013	S 75 § 3361
12 / Careless Driving Lieberman, Stephen B.	Dismissed 05/03/2013	S 75 § 3714 §§ A
13 / Fraudulent Use/Removal Of Reg Plate Lieberman, Stephen B.	Dismissed 05/03/2013	S 75 § 7124

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

COURT OF COMMON PLEAS OF BERKS COUNTY

DOCKET



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

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

Page 6 of 11

Barry Battle

COMMONWEALTH INFORMATION

Name: Amy C. Rothermel
Assistant District Attorney
Supreme Court No: 083674
Phone Number(s):
610-478-6000 (Phone)
Address:
Berks CO Da's Office
633 Court St Fl 5
Reading, PA 19601

ATTORNEY INFORMATION

Name: Christopher M. Price
Public Defender
Supreme Court No: 206699
Rep. Status: Active
Phone Number(s):
610-478-6650 (Phone)
Address:
633 Court St 12th Fl
Reading, PA 19601
Representing: Battle, Barry

ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	04/16/2012		Patton, Dean R.
Bail Set - Battle, Barry			
1	05/04/2012		Court of Common Pleas - Berks County
Original Papers Received 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			
1	06/04/2012	06/01/2012	Berks County District Attorney's Office
Informal Discovery Conference Notice and Discovery Demand Filed			
1	07/10/2012	07/10/2012	Lieberman, Stephen B.
Order Scheduling case status hearing 08/06/12			

COURT OF COMMON PLEAS OF BERKS COUNTY

DOCKET



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

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

Barry Battle

Page 7 of 11

ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
2	07/10/2012		Berks County Clerk of Courts
Clerks Worksheet			
1	08/06/2012	08/06/2012	Lieberman, Stephen B.
Order Scheduling Jury selection and trial 09/24/12			
2	08/06/2012		Berks County Clerk of Courts
Clerks Worksheet			
1	09/24/2012	09/24/2012	Lieberman, Stephen B.
Order Scheduling Jury Selection and trial 11/27/12			
1	11/27/2012	11/27/2012	Lieberman, Stephen B.
Order Scheduling Jury selection and trial 12/17/12			
2	11/27/2012		Berks County Clerk of Courts
Clerks Worksheet			
1	12/12/2012	12/12/2012	Lieberman, Stephen B.
Order Scheduling Jury Selection and trial 01/14/13; cont from 12/17/12			
1	12/14/2012		Berks County Clerk of Courts
Proof of Service			
1	01/14/2013		Lieberman, Stephen B.
Bail Set - Battle, Barry			
2	01/14/2013	01/14/2013	Berks County Clerk of Courts
Commitment Authorization to Berks County Prison			
3	01/14/2013	01/14/2013	Lieberman, Stephen B.
Order Scheduling Jury Selection and Trial Hearing 3/19/13			
4	01/14/2013	01/14/2013	Berks County Clerk of Courts
Clerks Worksheet			
1	01/15/2013	01/15/2013	Robinson, John T.
Bail Posted - Battle, Barry			

COURT OF COMMON PLEAS OF BERKS COUNTY

DOCKET

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

CRIMINAL DOCKET

Court Case



Commonwealth of Pennsylvania

v.

Barry Battle

Page 8 of 11

ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	01/16/2013	01/14/2013	Lieberman, Stephen B.
Order Granting Motion for Modification of Bail to \$25,000 secured			
2	01/16/2013		Berks County Clerk of Courts
Proof of Service			
1	03/11/2013	03/11/2013	Lieberman, Stephen B.
Order scheduling Pretrial Conference hearing 5-3-13; Cont. from 3-19-13			
1	05/03/2013		Berks County Clerk of Courts
Clerks Worksheet			
2	05/03/2013	05/03/2013	Price, Christopher M.
Guilty Plea			
3	05/03/2013	05/03/2013	Lieberman, Stephen B.
Order - Sentence/Penalty Imposed			
4	05/03/2013	05/16/2013	Lieberman, Stephen B.
Disposition of Charges			
5	05/03/2013		Price, Christopher M.
Defendant's Acknowledgment of Post Sentence Procedures Following Guilty Plea			
6	05/03/2013	05/03/2013	Court of Common Pleas - Berks County
Commitment Authorization for Berks County Prison			
1	05/09/2013	05/08/2013	Berks County District Attorney's Office
Memorandum Regarding Restitution			
1	05/16/2013		Troutman, James P.
DL-21 to be Prepared			
2	05/16/2013		Troutman, James P.
DL-21 Removed by User			
3	05/16/2013		Troutman, James P.
DL-21 was prepared			

COURT OF COMMON PLEAS OF BERKS COUNTY

DOCKET



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

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

Barry Battle

Page 9 of 11

ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	05/17/2013		Unknown Filer
DL-21 Sent to PennDOT			
1	05/20/2013		Court of Common Pleas - Berks County
Penalty Assessed			
1	05/22/2013		Court of Common Pleas - Berks County
Entry of Civil Judgment			
1	06/11/2013	06/10/2013	Lieberman, Stephen B.
Guideline Sentence Form			
1	05/20/2014	05/20/2014	Boccabella, John
Order Scheduling Hearing; 9/9/14			
2	05/20/2014	05/20/2014	Berks County Clerk of Courts
Clerks Worksheet			
1	07/01/2014		Court of Common Pleas - Berks County
Payment Plan Introduction Letter			
2	07/01/2014		Court of Common Pleas - Berks County
Delinquency Notice Filed - 393 Days Overdue			
1	09/03/2014		Court of Common Pleas - Berks County
Delinquency Notice Filed - 457 Days Overdue			
1	10/07/2014		Court of Common Pleas - Berks County
Delinquency Notice Filed - 491 Days Overdue			

COURT OF COMMON PLEAS OF BERKS COUNTY

DOCKET

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

CRIMINAL DOCKET

Court Case



Commonwealth of Pennsylvania

v.

Barry Battle

Page 10 of 11

CASE FINANCIAL INFORMATION

Last Payment Date:

Total of Last Payment:

Battle, Barry	<u>Assessment</u>	<u>Payments</u>	<u>Adjustments</u>	<u>Non Monetary</u>	<u>Total</u>
Defendant				<u>Payments</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

COURT OF COMMON PLEAS OF BERKS COUNTY

DOCKET

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

CRIMINAL DOCKET

Court Case



Commonwealth of Pennsylvania

v.

Barry Battle

Page 11 of 11

CASE FINANCIAL INFORMATION

Battle, Barry	<u>Assessment</u>	<u>Payments</u>	<u>Adjustments</u>	<u>Non Monetary</u>	<u>Total</u>
Defendant				<u>Payments</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