

# COURT OF COMMON PLEAS OF CAMBRIA COUNTY

## DOCKET



Docket Number: CP-11-CR-0002419-2009

## CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

Barbara Jean Barbus

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### CASE INFORMATION

Judge Assigned:  
OTN: S 036054-4      LOTN:  
Initial Issuing Authority: Michael Musulin  
Arresting Agency: Johnstown Police  
Complaint/Incident #:  
Case Local Number Type(s)

Date Filed: 12/11/2009      Initiation Date: 10/08/2009  
Originating Docket No: MJ-47101-CR-0000489-2009  
Final Issuing Authority: Michael Musulin  
Arresting Officer: Affiant  
Case Local Number(s)

### STATUS INFORMATION

<u>Case Status:</u>	<u>Status Date</u>	<u>Processing Status</u>	<u>Arrest Date:</u>
Closed	04/14/2011	Completed	10/08/2009
	10/11/2010	Awaiting ARD Completion	
	10/11/2010	Awaiting Completion of ARD Program	
	01/19/2010	Awaiting Formal Arraignment	
	12/11/2009	Awaiting Pre-Trial Conference	
	12/11/2009	Awaiting Filing of Information	

Complaint Date: 10/27/2009

### 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	01/19/2010	11:30 am			Scheduled
ARD Final Hearing	04/12/2010	9:00 am	Courtroom 1	Judge Gerard Long	Scheduled
ARD Final Hearing	10/11/2010	11:00 am		Judge Gerard Long	Scheduled

### DEFENDANT INFORMATION

Date Of Birth: 02/06/1956      City/State/Zip: Conemaugh, PA 15909

### CASE PARTICIPANTS

<u>Participant Type</u>	<u>Name</u>
Defendant	Barbus, Barbara Jean

### BAIL INFORMATION

Barbus, Barbara Jean

**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	12/08/2009	ROR		\$0.00	Posted	12/08/2009

### 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>
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### 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	<b>75 § 3802 §§ D2*</b>	DUI: Controlled Substance - Impaired Ability - 1st Offense	10/08/2009	S 036054-4
2	2	S	<b>75 § 3736 §§ A</b>	Reckless Driving	10/08/2009	S 036054-4
3	3	M2	<b>18 § 2705</b>	Recklessly Endangering Another Person	10/08/2009	S 036054-4
4	4	S	<b>18 § 5505</b>	Public Drunkenness And Similar Misconduct	10/08/2009	S 036054-4

### 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

#### Lower Court Proceeding (generic)

Lower Court Disposition	12/08/2009	Not Final	
1 / DUI: Controlled Substance - Impaired Ability - 1st Offense	Waived for Court (Lower Court)	M	75 § 3802 §§ D2*
2 / Reckless Driving	Waived for Court (Lower Court)	S	75 § 3736 §§ A
3 / Recklessly Endangering Another Person	Waived for Court (Lower Court)	M2	18 § 2705

#### Proceed to Court

Information Filed	01/19/2010	Not Final	
1 / DUI: Controlled Substance - Impaired Ability - 1st Offense	Information Filed	M	75 § 3802 §§ D2*
2 / Reckless Driving	Information Filed	S	75 § 3736 §§ A
3 / Recklessly Endangering Another Person	Information Filed	M2	18 § 2705
4 / Public Drunkenness And Similar Misconduct	Information Filed	S	18 § 5505

#### ARD - County Open

ARD Final Hearing	10/11/2010	Not Final	
1 / DUI: Controlled Substance - Impaired Ability - 1st Offense	ARD - County	M	75 § 3802 §§ D2*
Long, Gerard	10/11/2010		
ARD - DUI	23.00 Months		10/11/2010
Outpatient Counseling - Defendant must attend and complete Outpatient Counseling.			
License Suspension - Suspension of operator's license for a period of			
Comply with Rules set by Probation Officer - Defendant must comply with all rules set by Probation.			
DUI Counterattack Program - Defendant must attend and complete DUI Counterattack Program.			
2 / Reckless Driving	Information Filed	S	75 § 3736 §§ A
Long, Gerard	10/11/2010		

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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>			
3 / Recklessly Endangering Another Person	Information Filed	M2	18 § 2705
Long, Gerard	10/11/2010		
4 / Public Drunkenness And Similar Misconduct	ARD - County	S	18 § 5505
Long, Gerard	10/11/2010		
ARD - DUI	23.00 Months		10/11/2010
Comply with Rules set by Probation Officer - Defendant must comply with all rules set by Probation.			
DUI Counterattack Program - Defendant must attend and complete DUI Counterattack Program.			
License Suspension - Suspension of operator's license for a period of			
Outpatient Counseling - Defendant must attend and complete Outpatient Counseling.			
<b>ARD - County</b>			
ARD Completion	04/14/2011	Final Disposition	
1 / DUI: Controlled Substance - Impaired Ability - 1st	ARD - County	M	75 § 3802 §§ D2*
Offense			
ARD - DUI	23.00 Months		10/11/2010
Comply with Rules set by Probation Officer - Defendant must comply with all rules set by Probation.			
DUI Counterattack Program - Defendant must attend and complete DUI Counterattack Program.			
License Suspension - Suspension of operator's license for a period of			
Outpatient Counseling - Defendant must attend and complete Outpatient Counseling.			
2 / Reckless Driving	Nolle Prossed	S	75 § 3736 §§ A
3 / Recklessly Endangering Another Person	Nolle Prossed	M2	18 § 2705
4 / Public Drunkenness And Similar Misconduct	ARD - County	S	18 § 5505
ARD - DUI	23.00 Months		10/11/2010
DUI Counterattack Program - Defendant must attend and complete DUI Counterattack Program.			
License Suspension - Suspension of operator's license for a period of			
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### COMMONWEALTH INFORMATION

Name: Beth Penna, Esq.

District Attorney

Supreme Court No:

Address:

Cambria County District Attorney's Office  
200 South Center Street  
Ebensburg, PA 15931

Name: Kelly Callihan, Esq.

District Attorney

Supreme Court No: 071027

Phone Number(s):

814-472-1680 (Phone)

Address:

200 S Center Street  
Ebensburg, PA 15931

### ATTORNEY INFORMATION

Name: David Raho, Esq.

Public Defender

Supreme Court No: 073198

Rep. Status: Active

Phone Number(s):

Address:

Cambria Courthouse  
200 S Center St  
Ebensburg, PA 15931

### ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	12/08/2009		Musulin, Michael
Bail Set - Barbus, Barbara Jean			
2	12/08/2009		Barbus, Barbara Jean
Bail Posted - Barbus, Barbara Jean			
1	12/11/2009		Court of Common Pleas - Cambria County
Original Papers Received from Lower Court			
2	12/11/2009		MDJ-47-1-01
Notice of Arraignment, Preliminary Conference and Trial Filed			
3	12/11/2009		Raho, David
Waiver of Arraignment and Appearance Filed			
1	01/19/2010		Commonwealth of Pennsylvania
Information Filed Copy to Attorney Raho, PD by ps.			
1	01/22/2010		Raho, David
Rule 573 Request for Discovery			

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### ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	02/08/2010		Commonwealth of Pennsylvania
District Attorney's Preliminary Conference			
1	02/23/2010		Raho, David
Application for Continuance			
2	02/23/2010		Creany, Timothy P.
Order granting Application for Continuance thru 05-06-10			
1	04/12/2010		Commonwealth of Pennsylvania
District Attorney's Preliminary Conference			
1	04/23/2010		Raho, David
Application for Continuance			
2	04/23/2010		Tulowitzki, David
Order granting Application for Continuance thru 07-01-10			
1	05/12/2010		Commonwealth of Pennsylvania
District Attorney's Preliminary Conference			
1	06/08/2010		Commonwealth of Pennsylvania
District Attorney's Preliminary Conference			
1	06/11/2010		Raho, David
Application for Continuance			
2	06/11/2010		Krumenacker, Norman A. III
Order granting Application for Continuance thru 9-2-10			
1	08/10/2010		Commonwealth of Pennsylvania
District Attorney's Preliminary Conference			
1	08/19/2010		Raho, David
Application for Continuance filed by Attorney Schaffer, PD.			
2	08/19/2010		Tulowitzki, David
Order Granting Motion for Continuance thru 11/04/10.			

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### ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	10/11/2010		Long, Gerard
Accelerated Rehabilitative Disposition			
(Count 1) Driving Under the Influence (M) Placed on ARD for 23 months, to pay costs, fees and restitution.			
(Count 4) Public Drunkenness (S) To pay \$100 fine, \$100 to Special Administration fund and \$100 to County Drug fund. To pay \$300 today.			
2	10/11/2010		Long, Gerard
ARD Penalties Imposed			
3	10/11/2010		Court of Common Pleas - Cambria County
Penalty Assessed			
1	10/12/2010		Kuhar, Susan Marie
Certified to Bureau of Traffic Safety			
1	04/07/2011		Creany, Timothy P.
Order placing all costs on the county and any restitution in abatement due to death of defendant.			
Copy to DA, PO, C&F by ps.			
1	04/12/2011		Barbus, Barbara Jean
Penalty Satisfied			
1	04/14/2011		Creany, Timothy P.
ARD Completion			

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### CASE FINANCIAL INFORMATION

Last Payment Date: 03/08/2011

Total of Last Payment: -\$150.00

Barbus, Barbara Jean Defendant	<u>Assessment</u>	<u>Payments</u>	<u>Adjustments</u>	<u>Non Monetary Payments</u>	<u>Total</u>
<b>Costs/Fees</b>					
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	\$0.00	(\$50.00)	\$0.00	\$0.00
Johnstown Fingerprinting Fee (Cambria)	\$25.00	(\$25.00)	\$0.00	\$0.00	\$0.00
State Court Costs (Act 204 of 1976)	\$10.65	\$0.00	(\$10.65)	\$0.00	\$0.00
Commonwealth Cost - HB627 (Act 167 of 1992)	\$9.15	\$0.00	(\$9.15)	\$0.00	\$0.00
County Court Cost (Act 204 of 1976)	\$29.70	\$0.00	(\$29.70)	\$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	\$0.00	(\$5.00)	\$0.00	\$0.00
CAT/MCARE/General Fund	\$50.00	\$0.00	(\$50.00)	\$0.00	\$0.00
Substance Abuse Education (Cam) (Act 198 of 2002)	\$50.00	\$0.00	(\$50.00)	\$0.00	\$0.00
Substance Abuse Education (Cam) (Act 198 of 2002)	\$50.00	\$0.00	(\$50.00)	\$0.00	\$0.00
DUI - ARD - EMS Fee	\$25.00	\$0.00	(\$25.00)	\$0.00	\$0.00
Police Monitoring Fee (Cambria)	\$125.00	\$0.00	(\$125.00)	\$0.00	\$0.00
Costs of Prosecution - CJEA	\$50.00	\$0.00	(\$50.00)	\$0.00	\$0.00
Judicial Computer Project	\$8.00	(\$8.00)	\$0.00	\$0.00	\$0.00
ATJ	\$3.00	(\$3.00)	\$0.00	\$0.00	\$0.00
CJES	\$2.25	(\$2.25)	\$0.00	\$0.00	\$0.00
JCPS	\$10.25	(\$10.25)	\$0.00	\$0.00	\$0.00
ARD Clerk (Cambria)	\$149.77	(\$149.77)	\$0.00	\$0.00	\$0.00
ARD/DUI Tuition (Cambria)	\$200.00	(\$59.45)	(\$140.55)	\$0.00	\$0.00
CRN (Cambria)	\$100.00	\$0.00	(\$100.00)	\$0.00	\$0.00
Certification (Cambria)	\$21.50	\$0.00	(\$21.50)	\$0.00	\$0.00
DUI - ADM (Cambria)	\$250.00	(\$74.28)	(\$175.72)	\$0.00	\$0.00
DA Processing Fee (Cambria)	\$50.00	\$0.00	(\$50.00)	\$0.00	\$0.00
Expungement (Cambria)	\$50.00	\$0.00	(\$50.00)	\$0.00	\$0.00
OSP (Cambria/State) (Act 35 of 1991)	\$345.00	\$0.00	(\$345.00)	\$0.00	\$0.00
OSP (Cambria/State) (Act 35 of 1991)	\$345.00	\$0.00	(\$345.00)	\$0.00	\$0.00
CO/Drug Fee (Cambria)	\$100.00	\$0.00	(\$100.00)	\$0.00	\$0.00

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<b>Barbus, Barbara Jean</b>	<u>Assessment</u>	<u>Payments</u>	<u>Adjustments</u>	<u>Non Monetary</u>	<u>Total</u>
Defendant				<u>Payments</u>	
Special Adm. (Cambria)	\$100.00	\$0.00	(\$100.00)	\$0.00	\$0.00
Costs/Fees Totals:	\$2,287.27	(\$405.00)	(\$1,882.27)	\$0.00	\$0.00
<b>Fines</b>					
Title 18 - Payable to Municipality	\$100.00	\$0.00	(\$100.00)	\$0.00	\$0.00
Fines Totals:	\$100.00	\$0.00	(\$100.00)	\$0.00	\$0.00
<b>Restitution</b>					
Restitution	\$1,052.34	(\$345.00)	(\$707.34)	\$0.00	\$0.00
Restitution Totals:	\$1,052.34	(\$345.00)	(\$707.34)	\$0.00	\$0.00
Grand Totals:	\$3,439.61	(\$750.00)	(\$2,689.61)	\$0.00	\$0.00

\*\* - Indicates assessment is subrogated