COURT OF COMMON PLEAS OF MONTGOMERY COUNTY

DOCKET

Docket Number: CP-46-CR-0007411-2012

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania
v.
Michael Smagalski

CASE INFORMATION

Cross Court Docket Nos: MJ-38121-CR-0000169-2012

Judge Assigned: Smyth, Joseph A.
Date Filed: 10/09/2012
Initiation Date: 03/21/2012

OTN: L 696382-1
LOTN:
Lower Court Docket No: MJ-38121-CR-0000169-2012

Initial Issuing Authority: Robert M. Sobeck
Final Issuing Authority: Robert M. Sobeck

Arresting Agency: Whitpain Twp Police Dept
Arresting Officer: Rippert, Francis Paul

Complaint/Incident #: 20120321031

Case Local Number Type(s)
Case Local Number(s)

STATUS INFORMATION

Case Status: Closed

Status Date	Processing Status
09/13/2013	Sentenced/Penalty Imposed
09/13/2013	Awaiting Sentencing
03/15/2013	Awaiting Trial
01/24/2013	Awaiting Pre-Trial Conference
01/23/2013	Awaiting Trial
11/01/2012	Awaiting Pre-Trial Conference
10/09/2012	Awaiting Formal Arraignment
10/09/2012	Awaiting Filing of Information
10/09/2012	Awaiting Formal Arraignment

Arrest Date: 03/21/2012

Complaint Date: 05/14/2012

CALENDAR EVENTS

Case Calendar Event Type	Schedule Start Date	Start Time	Room	Judge Name	Schedule Status
Formal Arraignment	11/07/2012	9:30 am	Courtroom A	Judge S. Gerald Corso	Scheduled
Pre-Trial Conference	01/17/2013	9:00 am	Courtroom 8	Judge Joseph A. Smyth	Scheduled
Pre-Trial Conference	02/13/2013	9:00 am	Courtroom 8	Judge Joseph A. Smyth	Scheduled
Pre-Trial Conference	03/13/2013	9:00 am	Courtroom 8	Judge Joseph A. Smyth	Scheduled
Motion to Increase/Decrease/ Reduce Bail	04/02/2013	9:30 am	Courtroom 6	Judge S. Gerald Corso	Scheduled
Call of the Trial List	06/06/2013	9:00 am	Courtroom 8	Judge Joseph A. Smyth	Scheduled
Call of the Trial List	09/13/2013	9:00 am	Courtroom 8	Judge Joseph A. Smyth	Scheduled

Recent entries made in the court filing offices may not be immediately reflected on these docket sheets . Neither the courts of the Unified Judicial System of the Commonwealth of Pennsylvania nor the Administrative Office of Pennsylvania Courts assume any liability for inaccurate or delayed data, errors or omissions on these reports. Docket Sheet information should not be used in place of a criminal history background check which can only be provided by the Pennsylvania State Police. Moreover an employer who does not comply with the provisions of the Criminal History Record Information Act may be subject to civil liability as set forth in 18 Pa.C.S. Section 9183.

COURT OF COMMON PLEAS OF MONTGOMERY COUNTY

DOCKET

Docket Number: CP-46-CR-0007411-2012

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania
v.
Michael Smagalski

CONFINEMENT INFORMATION

Confinement Known As Of	Confinement Type	Destination Location	Confinement Reason	Still in Custody
10/11/2013	DOC Confined	SCI Pittsburgh		Yes

DEFENDANT INFORMATION

Date Of Birth: 01/09/1984 City/State/Zip: Harleysville, PA 19438

Alias Name
Smagalski, Michael
Smagalski, Michael M.
Smagalski, Michael Matthew
Smagalski, Michael Matthew

CASE PARTICIPANTS

Participant Type	Name
Defendant	Smagalski, Michael

BAIL INFORMATION

Smagalski, Michael **Nebbia Status: None**

Bail Action	Date	Bail Type	Percentage	Amount	Bail Posting Status	Posting Date
Set	09/25/2012	ROR		$0.00	Posted	09/25/2012

CHARGES

Seq.	Orig Seq.	Grade	Statute	Statute Description	Offense Dt.	OTN
1	1	M	**35 § 780-113 §§A16**	Int Poss Contr Subst By Per Not Reg	03/21/2012	L 696382-1
2	2	M	**35 § 780-113 §§A32**	Use/Poss Of Drug Paraph	03/21/2012	L 696382-1
3	3	S	**18 § 5503 §§A4**	Disorder Conduct Hazardous/Physi Off	03/21/2012	L 696382-1

DISPOSITION SENTENCING/PENALTIES

Disposition

Case Event | Disposition Date | Final Disposition
Sequence/Description | Offense Disposition | Grade | Section
Sentencing Judge | Sentence Date | Credit For Time Served
Sentence/Diversion Program Type | Incarceration/Diversionary Period | Start Date
Sentence Conditions

Held for Court (Lower Court) Defendant Was Present

Lower Court Disposition	09/25/2012	Not Final	
1 / Int Poss Contr Subst By Per Not Reg	Held for Court (Lower Court)	M	35 § 780-113 §§ A16

Recent entries made in the court filing offices may not be immediately reflected on these docket sheets . Neither the courts of the Unified Judicial System of the Commonwealth of Pennsylvania nor the Administrative Office of Pennsylvania Courts assume any liability for inaccurate or delayed data, errors or omissions on these reports. Docket Sheet information should not be used in place of a criminal history background check which can only be provided by the Pennsylvania State Police. Moreover an employer who does not comply with the provisions of the Criminal History Record Information Act may be subject to civil liability as set forth in 18 Pa.C.S. Section 9183.

COURT OF COMMON PLEAS OF MONTGOMERY COUNTY

DOCKET

Docket Number: CP-46-CR-0007411-2012

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania
v.
Michael Smagalski

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
2 / Use/Poss Of Drug Paraph	Held for Court (Lower Court)	M	35 § 780-113 §§ A32
3 / Disorder Conduct Hazardous/Physi Off	Held for Court (Lower Court)	S	18 § 5503 §§ A4
Proceed to Court			
Information Filed	11/14/2012	Not Final	
1 / Int Poss Contr Subst By Per Not Reg	Held for Court	M	35 § 780-113 §§ A16
2 / Use/Poss Of Drug Paraph	Held for Court	M	35 § 780-113 §§ A32
3 / Disorder Conduct Hazardous/Physi Off	Held for Court	S	18 § 5503 §§ A4
Guilty Plea			
Call of the Trial List	09/13/2013	Final Disposition	
1 / Int Poss Contr Subst By Per Not Reg	Nolle Prossed	M	35 § 780-113 §§ A16
Smyth, Joseph A.	09/13/2013		
2 / Use/Poss Of Drug Paraph	Guilty Plea	M	35 § 780-113 §§ A32
Smyth, Joseph A.	09/13/2013		
Probation	Min of 1.00 Years Max of 1.00 Years Other		
SCI Chester.			
3 / Disorder Conduct Hazardous/Physi Off	Nolle Prossed	S	18 § 5503 §§ A4
Smyth, Joseph A.	09/13/2013		

LINKED SENTENCES:

Link 1

CP-46-CR-0007411-2012 - Seq. No. 2 (35§ 780-113 §§ A32) - Probation is Concurrent with
CP-46-CR-0007246-2011 - Seq. No. 7 (18§ 3925 §§ A) - Probation

Link 2

CP-46-CR-0007411-2012 - Seq. No. 2 (35§ 780-113 §§ A32) - Probation is Concurrent with
CP-46-CR-0007247-2011 - Seq. No. 1 (35§ 780-113 §§ A30) - Confinement

Link 3

CP-46-CR-0007411-2012 - Seq. No. 2 (35§ 780-113 §§ A32) - Probation is Concurrent with
CP-46-CR-0007248-2011 - Seq. No. 3 (35§ 780-113 §§ A16) - Probation

Recent entries made in the court filing offices may not be immediately reflected on these docket sheets . Neither the courts of the Unified Judicial System of the Commonwealth of Pennsylvania nor the Administrative Office of Pennsylvania Courts assume any liability for inaccurate or delayed data, errors or omissions on these reports. Docket Sheet information should not be used in place of a criminal history background check which can only be provided by the Pennsylvania State Police. Moreover an employer who does not comply with the provisions of the Criminal History Record Information Act may be subject to civil liability as set forth in 18 Pa.C.S. Section 9183.

COURT OF COMMON PLEAS OF MONTGOMERY COUNTY

DOCKET

Docket Number: CP-46-CR-0007411-2012

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania
v.
Michael Smagalski

COMMONWEALTH INFORMATION

Name: Rebecca Wintz Strubel
District Attorney
Supreme Court No: 206503
Address:
PO Box 311
Norristown, PA 19404-0311

ATTORNEY INFORMATION

Name: Francis John Genovese
Private
Supreme Court No: 082308
Rep. Status: Active
Phone Number(s):
610-584-4416 (Phone)
Address:
3881 Skippack Pk PO Box 1368
Skippack, PA 19474

Representing: Smagalski, Michael

ENTRIES

Sequence Number	CP Filed Date	Document Date	Filed By
2	09/25/2012		Smagalski, Michael
Bail Posted - Smagalski, Michael			
1	10/09/2012		Court of Common Pleas - Montgomery County
Original Papers Received from Lower Court			
2	10/09/2012		MDJ-38-1-21
Formal Arraignment Scheduled 11/07/2012 9:30AM November 7,2012 service on September 25,2012 Smagalski, Michael 09/25/2012 Hand Delivered			
1	11/01/2012		Genovese, Francis John
Entry of Appearance/Arraignment Waived			
1	11/14/2012		Commonwealth of Pennsylvania
Information Filed			
1	11/30/2012		Court of Common Pleas - Montgomery County
Pre-Trial Conference Scheduled 1/17/2013 9:00AM			

Recent entries made in the court filing offices may not be immediately reflected on these docket sheets . Neither the courts of the Unified Judicial System of the Commonwealth of Pennsylvania nor the Administrative Office of Pennsylvania Courts assume any liability for inaccurate or delayed data, errors or omissions on these reports. Docket Sheet information should not be used in place of a criminal history background check which can only be provided by the Pennsylvania State Police. Moreover an employer who does not comply with the provisions of the Criminal History Record Information Act may be subject to civil liability as set forth in 18 Pa.C.S. Section 9183.

COURT OF COMMON PLEAS OF MONTGOMERY COUNTY

DOCKET

Docket Number: CP-46-CR-0007411-2012

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania
v.
Michael Smagalski

ENTRIES

Sequence Number	CP Filed Date	Document Date	Filed By
1	12/10/2012		Montgomery County Court Administration

Hearing Notice

Pre-Trial Conferences Scheduled
Judge Smyth - Courtroom 8
January 14 to January 17, 2013 at 9:00 a.m.
Notices Sent First Class Mail
DA/PD Sent Inter-office Mail

1	01/17/2013	01/17/2013	Smyth, Joseph A.

Order to Relist for Pre-Trial Conference
Genovese, Francis John
01/17/2013 Orally in Open Crt Record
Strubel, Rebecca Wintz
01/17/2013 Orally in Open Crt Record

1	01/23/2013		Smagalski, Michael

Waiver of Pa.R.Crim.P. 600/1013 (Prompt Trial)

2	01/23/2013	01/23/2013	Smyth, Joseph A.

Trial Continued
Genovese, Francis John
01/23/2013 Orally in Open Crt Record
Strubel, Rebecca Wintz
01/23/2013 Orally in Open Crt Record

1	01/24/2013		Court of Common Pleas - Montgomery County

Pre-Trial Conference Scheduled 2/13/2013 9:00AM

1	01/25/2013		Montgomery County Court Administration

Hearing Notice

Pre-Trial Conferences Scheduled
Judge Smyth - Courtroom 8
February 11 to February 14, 2013 at 9:00 a.m.
Notices Sent First Class Mail
DA/PD Sent Inter-office Mail

1	02/13/2013		Smagalski, Michael

Waiver of Pa.R.Crim.P. 600/1013 (Prompt Trial)

Recent entries made in the court filing offices may not be immediately reflected on these docket sheets . Neither the courts of the Unified Judicial System of the Commonwealth of Pennsylvania nor the Administrative Office of Pennsylvania Courts assume any liability for inaccurate or delayed data, errors or omissions on these reports. Docket Sheet information should not be used in place of a criminal history background check which can only be provided by the Pennsylvania State Police. Moreover an employer who does not comply with the provisions of the Criminal History Record Information Act may be subject to civil liability as set forth in 18 Pa.C.S. Section 9183.

COURT OF COMMON PLEAS OF MONTGOMERY COUNTY

DOCKET

Docket Number: CP-46-CR-0007411-2012

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania
v.
Michael Smagalski

ENTRIES

Sequence Number	CP Filed Date	Document Date	Filed By
2	02/13/2013	02/13/2013	Smyth, Joseph A.
Order to Relist for Pre-Trial Conference			
Genovese, Francis John			
02/13/2013	Orally in Open Crt Record		
Strubel, Rebecca Wintz			
02/13/2013	Orally in Open Crt Record		
1	02/21/2013		Court of Common Pleas - Montgomery County
Pre-Trial Conference Scheduled 3/13/2013 9:00AM			
2	02/21/2013		Montgomery County Court Administration
Hearing Notice			
Pre-Trial Conferences Scheduled			
Judge Smyth - Courtroom 8			
March 11 to March 14, 2013 at 9:00 a.m.			
Notices Sent First Class Mail			
DA/PD Sent Inter-office Mail			
1	03/07/2013		Strubel, Rebecca Wintz
Motion to Revoke and/or Increase Bail			
1	03/11/2013		Kehs, Michael R.
Order Scheduling Hearing			
Motion to Revoke/Increase Bail April 2, 2013 at 9:30 a.m. Courtroom "6"			
Genovese, Francis John			
03/11/2013	First Class		
Smagalski, Michael			
03/11/2013	First Class		
Strubel, Rebecca Wintz			
03/11/2013	Interoffice		
1	03/15/2013	03/15/2013	Smyth, Joseph A.
Order to be Scheduled for Call of the Trial List			
60 Days			
Genovese, Francis John			
03/15/2013	Orally in Open Crt Record		
Strubel, Rebecca Wintz			

Recent entries made in the court filing offices may not be immediately reflected on these docket sheets . Neither the courts of the Unified Judicial System of the Commonwealth of Pennsylvania nor the Administrative Office of Pennsylvania Courts assume any liability for inaccurate or delayed data, errors or omissions on these reports. Docket Sheet information should not be used in place of a criminal history background check which can only be provided by the Pennsylvania State Police. Moreover an employer who does not comply with the provisions of the Criminal History Record Information Act may be subject to civil liability as set forth in 18 Pa.C.S. Section 9183.

COURT OF COMMON PLEAS OF MONTGOMERY COUNTY

DOCKET

Docket Number: CP-46-CR-0007411-2012

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania
v.
Michael Smagalski

ENTRIES

Sequence Number	CP Filed Date	Document Date	Filed By
Service To		Service By	
Issue Date	Service Type	Status Date	Service Status
03/15/2013	Orally in Open Crt Record		

2	03/15/2013		Smagalski, Michael

Waiver of Pa.R.Crim.P. 600/1013 (Prompt Trial)

1	04/02/2013	04/02/2013	Corso, S. Gerald

Order Dismissing Motion to Increase/Decrease/Reduce Bail
Dismissed as Moot

Genovese, Francis John
04/02/2013 Hand Delivered
Genovese, Francis John
04/02/2013 Orally in Open Crt Record
Strubel, Rebecca Wintz
04/02/2013 Hand Delivered
Strubel, Rebecca Wintz
04/02/2013 Orally in Open Crt Record

1	04/22/2013		Montgomery County Court Administration

Call of the Trial List Scheduled 06/06/2013 9:00AM

1	05/10/2013		Montgomery County Court Administration

Hearing Notice
Call of the Trial List Scheduled
Judge Smyth - Courtroom 8
June 6, 2013 at 9:00 a.m.
Notices Sent First Class Mail
DA/PD Sent Inter-office Mail

1	06/06/2013	06/06/2013	Smyth, Joseph A.

Order to be Rescheduled for Call of the Trial List
Genovese, Francis John
06/06/2013 Orally in Open Crt Record
Strubel, Rebecca Wintz
06/06/2013 Orally in Open Crt Record

Recent entries made in the court filing offices may not be immediately reflected on these docket sheets . Neither the courts of the Unified Judicial System of the Commonwealth of Pennsylvania nor the Administrative Office of Pennsylvania Courts assume any liability for inaccurate or delayed data, errors or omissions on these reports. Docket Sheet information should not be used in place of a criminal history background check which can only be provided by the Pennsylvania State Police. Moreover an employer who does not comply with the provisions of the Criminal History Record Information Act may be subject to civil liability as set forth in 18 Pa.C.S. Section 9183.

COURT OF COMMON PLEAS OF MONTGOMERY COUNTY

DOCKET

Docket Number: CP-46-CR-0007411-2012

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania
v.
Michael Smagalski

ENTRIES

Sequence Number	CP Filed Date	Document Date	Filed By
1	08/15/2013		Montgomery County Court Administration
Call of the Trial List Scheduled 09/13/2013 9:00AM			
2	08/15/2013		Montgomery County Court Administration
Hearing Notice Call of the Trial List Scheduled Judge Smyth - Courtroom 8 September 13, 2013 at 9 am and 1 pm Notices Sent First Class Mail DA/PD Sent Inter-office Mail			
1	09/04/2013		O'Neill, Steven T.
Drug Court Application - Denial Order Genovese, Francis John 09/06/2013	First Class		
Strubel, Rebecca Wintz 09/06/2013	Interoffice		
1	09/13/2013		Smagalski, Michael
Guilty Plea Questionnaire			
2	09/13/2013		Smyth, Joseph A.
Guilty Plea			
3	09/13/2013		Smyth, Joseph A.
Order - Sentence/Penalty Imposed			
4	09/13/2013	09/13/2013	Smyth, Joseph A.
Call of the Trial List Order - Resolved by Negotiated Plea Da Meintyre Genovese, Francis John 09/13/2013	Orally in Open Crt Record		
Strubel, Rebecca Wintz 09/13/2013	Orally in Open Crt Record		
1	09/24/2013		Weiss, Ann Thornburg
DL-21D to be Prepared			

Recent entries made in the court filing offices may not be immediately reflected on these docket sheets . Neither the courts of the Unified Judicial System of the Commonwealth of Pennsylvania nor the Administrative Office of Pennsylvania Courts assume any liability for inaccurate or delayed data, errors or omissions on these reports. Docket Sheet information should not be used in place of a criminal history background check which can only be provided by the Pennsylvania State Police. Moreover an employer who does not comply with the provisions of the Criminal History Record Information Act may be subject to civil liability as set forth in 18 Pa.C.S. Section 9183.

COURT OF COMMON PLEAS OF MONTGOMERY COUNTY

DOCKET

Docket Number: CP-46-CR-0007411-2012

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania
v.
Michael Smagalski

ENTRIES

Sequence Number	CP Filed Date	Document Date	Filed By
2	09/24/2013		Weiss, Ann Thornburg
DL-21D was prepared			
1	09/25/2013		Unknown Filer
DL-21D Sent to PennDOT			
1	10/18/2013	09/13/2013	Court of Common Pleas - Montgomery County
Notes of Testimony			
Guilty Plea, Sentencing September 13, 2013 at 11:55 am before J Smyth			
1	02/18/2014		Smagalski, Michael
Pro Se Correspondence			

PAYMENT PLAN SUMMARY

Payment Plan No	Payment Plan Freq.	Next Due Date	Active	Overdue Amt
Responsible Participant			Suspended	Next Due Amt
46-2013-P000013515	Monthly	10/28/2013	Yes	$428.75
Smagalski, Michael			No	$85.75

Payment Plan History:

Receipt Date	Payor Name	Participant Role	Amount

Recent entries made in the court filing offices may not be immediately reflected on these docket sheets . Neither the courts of the Unified Judicial System of the Commonwealth of Pennsylvania nor the Administrative Office of Pennsylvania Courts assume any liability for inaccurate or delayed data, errors or omissions on these reports. Docket Sheet information should not be used in place of a criminal history background check which can only be provided by the Pennsylvania State Police. Moreover an employer who does not comply with the provisions of the Criminal History Record Information Act may be subject to civil liability as set forth in 18 Pa.C.S. Section 9183.

COURT OF COMMON PLEAS OF MONTGOMERY COUNTY

DOCKET

Docket Number: CP-46-CR-0007411-2012

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania
v.
Michael Smagalski

CASE FINANCIAL INFORMATION

Last Payment Date: Total of Last Payment:

Smagalski, Michael Defendant	Assessment	Payments	Adjustments	Non Monetary Payments	Total
Costs/Fees					
County Lab Fees (Montgomery)	$94.00	$0.00	$0.00	$0.00	$94.00
ATJ	$3.00	$0.00	$0.00	$0.00	$3.00
Automation Fee (Act 36 of 2000) (Montgomery)	$5.00	$0.00	$0.00	$0.00	$5.00
CJES	$2.25	$0.00	$0.00	$0.00	$2.25
COC Processing Fee Misd/Fel (Montgomery)	$331.50	$0.00	$0.00	$0.00	$331.50
Commonwealth Cost - HB627 (Act 167 of 1992)	$9.60	$0.00	$0.00	$0.00	$9.60
County Court Cost (Act 204 of 1976)	$31.20	$0.00	$0.00	$0.00	$31.20
Court Child Care (Act 105 of 2000) (Montgomery)	$5.00	$0.00	$0.00	$0.00	$5.00
Crime Victims Compensation (Act 96 of 1984)	$35.00	$0.00	$0.00	$0.00	$35.00
Domestic Violence Compensation (Act 44 of 1988)	$10.00	$0.00	$0.00	$0.00	$10.00
Firearm Education and Training Fund (158 of 1994)	$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)	$11.20	$0.00	$0.00	$0.00	$11.20
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
Victim Witness Service (Act 111 of 1998)	$25.00	$0.00	$0.00	$0.00	$25.00
Costs/Fees Totals:	$686.00	$0.00	$0.00	$0.00	$686.00
Grand Totals:	$686.00	$0.00	$0.00	$0.00	$686.00

** - Indicates assessment is subrogated

Recent entries made in the court filing offices may not be immediately reflected on these docket sheets . Neither the courts of the Unified Judicial System of the Commonwealth of Pennsylvania nor the Administrative Office of Pennsylvania Courts assume any liability for inaccurate or delayed data, errors or omissions on these reports. Docket Sheet information should not be used in place of a criminal history background check which can only be provided by the Pennsylvania State Police. Moreover an employer who does not comply with the provisions of the Criminal History Record Information Act may be subject to civil liability as set forth in 18 Pa.C.S. Section 9183.