COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY

DOCKET

Docket Number: CP-51-CR-0011536-2012

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania
v.
John D. Leck

CASE INFORMATION

Cross Court Docket Nos: MC-51-CR-0027868-2012

Judge Assigned: Sarmina, M. Teresa
Date Filed: 09/27/2012
Initiation Date: 09/27/2012

OTN: N 813074-3
LOTN:
Lower Court Docket No: MC-51-CR-0027868-2012

Initial Issuing Authority: Teresa Carr Deni
Final Issuing Authority: Teresa Carr Deni

Arresting Agency: Philadelphia Pd
Arresting Officer: Affiant

Complaint/Incident #:

Case Local Number Type(s)	Case Local Number(s)
District Control Number	1215065384

STATUS INFORMATION

Case Status: Closed

Arrest Date: 07/08/2012

Status Date	Processing Status
12/02/2013	Sentenced/Penalty Imposed
10/15/2013	Awaiting Sentencing
10/15/2013	Awaiting PSI
10/15/2013	Awaiting Sentencing
08/23/2013	Awaiting Pre-Trial Conference
08/23/2013	Awaiting Trial
04/12/2013	Awaiting Pre-Trial Conference
03/14/2013	Awaiting Trial Readiness Conference
03/14/2013	Awaiting Trial
02/12/2013	Awaiting Pre-Trial Conference
12/07/2012	Awaiting Filing of Information
10/17/2012	Awaiting Pre-Trial Conference
09/28/2012	Awaiting Formal Arraignment
09/27/2012	Awaiting Filing of Information

Complaint Date: 07/09/2012

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CALENDAR EVENTS

Case Calendar Event Type	Schedule Start Date	Start Time	Room	Judge Name	Schedule Status
Formal Arraignment	10/17/2012	11:00 am	1104	Trial Commissioner Linda Mariani	Scheduled
Pre-Trial Conference	11/07/2012	9:00 am	1105	Judge Benjamin Lerner	Continued
Pre-Trial Conference	12/07/2012	9:00 am	1105	Judge Benjamin Lerner	Continued
Pre-Trial Conference	02/12/2013	9:00 am	1105	Judge Benjamin Lerner	Continued
Pre-Trial Conference	03/14/2013	9:00 am	1105	Judge Benjamin Lerner	Scheduled
Trial Readiness Conference	04/12/2013	9:00 am	507	Judge M. Teresa Sarmina	Scheduled
Pre-Trial Conference	09/13/2013	9:00 am	507	Judge M. Teresa Sarmina	Continued
Pre-Trial Conference	09/20/2013	9:00 am	507	Judge M. Teresa Sarmina	Continued
Pre-Trial Conference	09/25/2013	9:00 am	507	Judge M. Teresa Sarmina	Continued
Pre-Trial Conference	10/07/2013	9:00 am	507	Judge M. Teresa Sarmina	Scheduled
Trial	10/15/2013	9:00 am	507	Judge M. Teresa Sarmina	Scheduled
Trial	10/21/2013	9:00 am	507	Judge M. Teresa Sarmina	Continued
Add-On/Psychiatric Evaluation	10/22/2013	8:30 am	Mental Health Clinic		Scheduled
Sentencing	12/02/2013	9:00 am	507	Judge M. Teresa Sarmina	Scheduled

CONFINEMENT INFORMATION

Confinement Known As Of	Confinement Type	Destination Location	Confinement Reason	Still in Custody
12/06/2013	DOC Confined	SCI Camp Hill		Yes

DEFENDANT INFORMATION

Date Of Birth: 02/28/1965 City/State/Zip: Levittown, PA 19057

CASE PARTICIPANTS

Participant Type	Name
Defendant	Leck, John D.

CHARGES

Seq.	Orig Seq.	Grade	Statute	Statute Description	Offense Dt.	OTN

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CHARGES

Seq.	Orig Seq.	Grade	Statute	Statute Description	Offense Dt.	OTN
1	1		**18 § 2502**	Murder Of The Third Degree	07/08/2012	N 813074-3
2	2		**75 § 3735**	Homi By Veh While Dr Under The Infl	07/08/2012	N 813074-3
3	3		**18 § 2702**	Aggravated Assault	07/08/2012	N 813074-3
4	4		**75 § 3732**	Homicide By Vehicle	07/08/2012	N 813074-3
5	5		**75 § 3802**	DUI: Gen Imp/Inc of Driving Safely - 1st Off	07/08/2012	N 813074-3
6	6		**18 § 2504**	Involuntary Manslaughter	07/08/2012	N 813074-3
7	7		**75 § 3802**	DUI: Highest Rte of Alc (BAC .16+) 1st Off	07/08/2012	N 813074-3

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

Lower Court Proceeding (generic)

Preliminary Hearing	09/26/2012	Not Final	
1 / Murder Of The Third Degree	Held for Court		18 § 2502 §§ C
2 / Homi By Veh While Dr Under The Infl	Held for Court		75 § 3735 §§ A
3 / Aggravated Assault	Held for Court		18 § 2702 §§ A
4 / Homicide By Vehicle	Held for Court		75 § 3732 §§ A
5 / DUI: Gen Imp/Inc of Driving Safely - 1st Off	Held for Court		75 § 3802 §§ A1*
6 / Involuntary Manslaughter	Held for Court		18 § 2504 §§ A

Proceed to Court

Information Filed	09/28/2012	Not Final	
1 / Murder Of The Third Degree	Held for Court		18 § 2502 §§ C
2 / Homi By Veh While Dr Under The Infl	Held for Court		75 § 3735 §§ A
3 / Aggravated Assault	Held for Court		18 § 2702 §§ A
4 / Homicide By Vehicle	Held for Court		75 § 3732 §§ A
5 / DUI: Gen Imp/Inc of Driving Safely - 1st Off	Held for Court		75 § 3802 §§ A1*
6 / Involuntary Manslaughter	Held for Court		18 § 2504 §§ A

Held for Court Defendant Was Present

Pre-Trial Conference	12/07/2012	Not Final	
1 / Murder Of The Third Degree	Held for Court		18 § 2502 §§ C
2 / Homi By Veh While Dr Under The Infl	Held for Court		75 § 3735 §§ A
3 / Aggravated Assault	Nolle Prossed		18 § 2702 §§ A
4 / Homicide By Vehicle	Held for Court		75 § 3732 §§ A
5 / DUI: Gen Imp/Inc of Driving Safely - 1st Off	Held for Court		75 § 3802 §§ A1*

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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
6 / Involuntary Manslaughter	Held for Court	18 § 2504 §§ A
Guilty Plea - Non-Negotiated		
Trial	10/15/2013	Final Disposition
1 / Murder Of The Third Degree	Guilty Plea - Non-Negotiated	18 § 2502 §§ C
Sarmina, M. Teresa	12/02/2013	
Confinement	10 to 20 years	
Credit to be calculated by the Phila. Prison System		
Defendant is to pay imposed mandatory court costs and restitution in the amount of Fifteen Thousand Dollars ($15,000.00) from his prison account and thereafter		
Probation	Max of 10.00 Years 10 years	
This probation is to run consecutively to the sentence imposed on Ct. 1- Murder of the Third Degree		
Defendant is not permitted to drive for the entire period of this sentence		
2 / Homi By Veh While Dr Under The Infl	Guilty Plea - Non-Negotiated	75 § 3735 §§ A
Sarmina, M. Teresa	12/02/2013	
Confinement	Min of 5.00 Years Max of 10.00 Years 5 - 10 years	
Credit to be calculated by the Phila. Prison System		
This sentence is to run concurrently with the sentence imposed on Ct. 1- Murder of the Third Degree		
Defendant is to pay a DUI fine of One Thousand Dollars ($1,000.00)		
3 / Aggravated Assault	Nolle Prossed	18 § 2702 §§ A
Sarmina, M. Teresa	12/02/2013	
4 / Homicide By Vehicle	Nolle Prossed	75 § 3732 §§ A
Sarmina, M. Teresa	12/02/2013	
5 / DUI: Gen Imp/Inc of Driving Safely - 1st Off	Nolle Prossed	75 § 3802 §§ A1*
Sarmina, M. Teresa	12/02/2013	
6 / Involuntary Manslaughter	Nolle Prossed	18 § 2504 §§ A
Sarmina, M. Teresa	12/02/2013	
7 / DUI: Highest Rte of Alc (BAC .16+) 1st Off	Guilty Plea - Non-Negotiated	75 § 3802 §§ C*
Sarmina, M. Teresa	12/02/2013	
Merged		

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LINKED SENTENCES:

Link 1

CP-51-CR-0011536-2012 - Seq. No. 1 (18§ 2502 §§ C) - Probation is Consecutive to
CP-51-CR-0011536-2012 - Seq. No. 1 (18§ 2502 §§ C) - Confinement

Link 2

CP-51-CR-0011536-2012 - Seq. No. 2 (75§ 3735 §§ A) - Confinement is Concurrent with
CP-51-CR-0011536-2012 - Seq. No. 1 (18§ 2502 §§ C) - Confinement

COMMONWEALTH INFORMATION

Name: Philadelphia County District Attorney's Office
Prosecutor

Supreme Court No:

Phone Number(s):
215-686-8000 (Phone)

Address:
3 South Penn Square
Philadelphia, PA 19107

ATTORNEY INFORMATION

Name: Michael Kevin Parlow
Private

Supreme Court No: 066590

Rep. Status: Active

Phone Number(s):
215-639-4400 (Phone)

Address:
Wheeler, Zenstein, Gallant & Parlow, P.C.
3618 Hulmeville Road
Bensalem, PA 19020

Representing: Leck, John D.

ENTRIES

Sequence Number	CP Filed Date	Document Date	Filed By
1 Held for Court	09/27/2012		Court of Common Pleas - Philadelphia County
3 Transferred from Municipal Court	09/27/2012		Amabile, Jennifer
1 Information Filed	09/28/2012		Commonwealth of Pennsylvania
1 Writ of Habeas Corpus	10/04/2012		Parlow, Michael Kevin
5 Hearing Notice	10/17/2012		Court of Common Pleas - Philadelphia County
4 Hearing Notice	11/07/2012		Court of Common Pleas - Philadelphia County

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ENTRIES

Sequence Number	CP Filed Date	Document Date	Filed By
5	11/07/2012		Commonwealth of Pennsylvania

Defense Request for Further Investigation

ADA: Jacqueline Coelho Def. Atty: Michael Parlow Steno: Michael Ammann Court Clerk: Kathryn Morris

Defense request for further investigation and motion to quash. Discovery passed. Notes are to be provided to the court one week prior to hearing. Time ruled excludable. NCD: 12/7/2012 room 1105

1	12/07/2012		Lerner, Benjamin

Order Denying Motion to Quash

Judge: Hon. Benjamin Lerner ADA: Jacqueline Coelho Def. Atty: Michael Parlow Steno: Megan Clark Court Clerk: Kathryn Morris

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5	12/07/2012		Court of Common Pleas - Philadelphia County

Hearing Notice

6	12/07/2012		Lerner, Benjamin

Held for Court

Defense motion to quash is denied as to all charges. The Commonwealth nolle prossed count #3 aggravated assault F1. Defense request for further investigation. Time ruled excludable. NCD: 2/12/2013 room 1105 - Judge: Hon. Benjamin Lerner/ ADA: Jacqueline Coelho/ Def. Atty: Michael Parlow/ Steno: Megan Clark/ Court Clerk: Kathryn Morris

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7	12/07/2012		Lerner, Benjamin

Disposition Filed

4	02/12/2013		Court of Common Pleas - Philadelphia County

Hearing Notice

5	02/12/2013		Commonwealth of Pennsylvania

Defense Request for Further Investigation

Judge: Hon. Benjamin Lerner ADA: Jacqueline Coelho Def. Atty: Michael Parlow Steno: Melissa Weidermiller/ Court Clerk: Kathryn Morris

Defense request for further investigation and discussions with the Commonwealth. Time ruled excludable. NCD: 3/14/2013 room 1105

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Sequence Number	CP Filed Date	Document Date	Filed By
3	03/14/2013		Court of Common Pleas - Philadelphia County

Hearing Notice

5	03/14/2013		Lerner, Benjamin

Counsel Attached for Trial

The Court orders Michael Parlow and ADA Jacqueline Coleho attached for a 1 week Jury Trial on 10/21/2013 in Courtroom 507

6	03/14/2013		Lerner, Benjamin

Order Granting Motion for Continuance

Judge: Hon. Benjamin Lerner ADA: Jacqueline Coelho Def. Atty: Michael Parlow Steno: Melissa Weidenmiller Court Clerk: Kathryn Morris

This case is assigned for trial with Judge Sarmina on October 21, 2013 room 507. Trial readiness conference date is April 12, 2013 room 507. Counsel are attached for trial.

4	04/12/2013		Court of Common Pleas - Philadelphia County

Hearing Notice

5	04/12/2013		Sarmina, M. Teresa

Scheduling Conference Held

Hon. M. T. Sarmina
ADA: J. Coelho ATTY: M. Parlow STENO: D. Zweizig CLERK: B. Dirscherl
List for one week jury trial. Pre-trial conference date 9/20/13. Trial date 10/21/13 room 507 to remain

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1	04/25/2013		Sarmina, M. Teresa

Order to Comply

1	08/21/2013		Philadelphia County District Attorney's Office

Motion in Limine

Motion in Limine filed on behalf of Commonwealth Of Pennsylvania.

3	08/23/2013		Court of Common Pleas - Philadelphia County

Hearing Notice

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ENTRIES

Sequence Number	CP Filed Date	Document Date	Filed By
6	08/23/2013		Court of Common Pleas - Philadelphia County
Hearing Notice			
1	09/03/2013		Parlow, Michael Kevin
Motion in Limine			
3	09/13/2013		Court of Common Pleas - Philadelphia County
Hearing Notice			
4	09/13/2013		Sarmina, M. Teresa
Order Granting Motion for Continuance			
Hon. M. T. Sarmina ADA: J. Coelho ATTY: M. Parlow STENO: M. McCarthy CLERK: B. Dirscherl Advanced defense request, pre-trial conference continued. Next court date 9/25/13 room 507 Defendant in custody at PICC			
1	09/14/2013		Philadelphia County District Attorney's Office
Motion to Amend Bills of Information			
Motion to Amend Bills of Information filed on behalf of Commonwealth Of Pennsylvania.			
1	09/18/2013		Philadelphia County District Attorney's Office
Answer/Response			
Answer/Response filed on behalf of Commonwealth Of Pennsylvania.			
1	09/19/2013		Parlow, Michael Kevin
Motion in Limine			
1	09/23/2013		Parlow, Michael Kevin
Brief in Opposition to Motion In Limine			

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Sequence Number	CP Filed Date	Document Date	Filed By
1	09/25/2013		Sarmina, M. Teresa

Pre-Trial Conference Scheduled

Commonwealth's request to amend the DUI bill to include subsection 75 3802 C is GRANTED.
Two (2) photos of shoe are permitted into evidence; remaining photos are disallowed.
Commonwealth is to provide powerpoint disc to defense counsel at his expense.
Commonwealth's motion for jury view of crash scene is DENIED.
List for Further Pre-Trial Conference. Defendant's presence is waived for this listing.
NCD- 10/07/2013 Rm 507, 1:00 PM.

Hon. M. Teresa Sarmina
ADA- Jacqueline Coelho/ Def- Michael K. Parlow, Esq. and Paul Lang, Esq./ Ct. Rept- Bill Geftman/ Ct. Clk- Lisa Corbitt

Defendant in custody- PICC

4	09/25/2013		Court of Common Pleas - Philadelphia County

Hearing Notice

1	09/26/2013		Parlow, Michael Kevin

Motion to Quash

1	10/15/2013		Sarmina, M. Teresa

Guilty Plea - Non-Negotiated

ADA: J. Coelho ATTY: M. Parlow STENO: B. Geftman CLERK: B. Dirscherl
Open guilty plea. Sentence deferred. Pre-sentence investigation and mental health evaluations ordered. Next court date 12/2/13 room 507

2	10/15/2013		Evers, Joseph H.

DL-21 to be Prepared

5	10/15/2013		Court of Common Pleas - Philadelphia County

Hearing Notice

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Sequence Number	CP Filed Date	Document Date	Filed By
1	12/02/2013		Sarmina, M. Teresa

Order - Sentence/Penalty Imposed

Hon. M. Teresa Sarmina
ADA- Jacqueline Coelho/ Def- Michael K. Parlow, Esq./ Ct. Rept- Megan Soule/ Ct. Clk- Lisa Corbitt

SENTENCE- the defendant is sentenced to a term of not less than ten (10) years nor more than twenty (20) years at the State Correctional Institution with credit for time served followed by ten (10) years state reporting probation on the charges of Murder of the Third Degree. Defendant is ordered to pay restitution in the amount of Fifteen Thousand Dollars ($15,000.00). Defendant is also to pay mandatory court costs. As to the, Homicide by Vehicle while Driving Under the Influence, defendant is sentenced to a concurrentl term of not less than five (5) years nor more than ten (10) years plus a One Thousand Dollar ($1,000.00) fine. DUI merges for sentencing purposes. Defendant is not permitted to drive under the Court's sentence.

2	12/02/2013		Court of Common Pleas - Philadelphia County

Penalty Assessed

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CASE FINANCIAL INFORMATION

Last Payment Date: Total of Last Payment:

Leck, John D. Defendant	Assessment	Payments	Adjustments	Non Monetary Payments	Total
Costs/Fees					
Motion Filing Fee (Philadelphia)	$12.50	$0.00	-$12.50	$0.00	$0.00
ATJ	$3.00	$0.00	$0.00	$0.00	$3.00
Booking Center Fee (Philadelphia)	$175.00	$0.00	$0.00	$0.00	$175.00
CAT/MCARE/General Fund	$30.00	$0.00	$0.00	$0.00	$30.00
CJES	$2.25	$0.00	$0.00	$0.00	$2.25
CQS Fee Felony (Philadelphia)	$100.00	$0.00	$0.00	$0.00	$100.00
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
Crime Victims Compensation (Act 96 of 1984)	$35.00	$0.00	$0.00	$0.00	$35.00
DNA Detection Fund (Act 185-2004)	$250.00	$0.00	$0.00	$0.00	$250.00
Emergency Medical Services (Act 45 of 1985)	$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)	$12.80	$0.00	$0.00	$0.00	$12.80
Victim Witness Service (Act 111 of 1998)	$25.00	$0.00	$0.00	$0.00	$25.00
Costs/Fees Totals:	$776.00	$0.00	-$12.50	$0.00	$763.50
Fines					
Title 75, Motor Vehicle (Motor License Fund)	$500.00	$0.00	$0.00	$0.00	$500.00
Title 75, Motor Vehicle (Motor License Fund)	$500.00	$0.00	$0.00	$0.00	$500.00
Fines Totals:	$1,000.00	$0.00	$0.00	$0.00	$1,000.00
Restitution					
Restitution	$15,000.00	$0.00	$0.00	$0.00	$15,000.00
Restitution Totals:	$15,000.00	$0.00	$0.00	$0.00	$15,000.00

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Grand Totals:	$16,776.00	$0.00	-$12.50	$0.00	$16,763.50

** - Indicates assessment is subrogated

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