

COURT OF COMMON PLEAS OF BUTLER COUNTY

DOCKET



Docket Number: CP-10-CR-0001798-2005

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

John Henry Atkinson Jr.

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CASE INFORMATION

Judge Assigned: Hancher, George H.

Date Filed: 09/02/2005

Initiation Date: 08/01/2005

OTN: K0402732

Lower Court Docket No: CR-0000149-05

Initial Issuing Authority: C. J. Woessner

Final Issuing Authority: C. J. Woessner

Arresting Agency: Butler Psp

Arresting Officer: Bell, Walter J. Jr.

Case Local Number Type(s)

Case Local Number(s)

STATUS INFORMATION

<u>Case Status:</u>	<u>Status Date</u>	<u>Processing Status</u>	<u>Complaint Date:</u>
Closed	07/10/2007	Completed	08/01/2005
	07/10/2007	Warrant Lifted	
	12/21/2005	Sentenced/Penalty Imposed	
	11/30/2005	Awaiting PSI	
	11/30/2005	Awaiting Sentencing	
	11/30/2005	Awaiting Sentencing	
	11/16/2005	Awaiting Pre-Trial Conference	
	11/03/2005	Warrant Lifted	
	10/04/2005	Awaiting Formal Arraignment	
	10/04/2005	Awaiting Pre-Trial Conference	
	09/09/2005	Awaiting Formal Arraignment	
	09/02/2005	Awaiting Filing of Information	

CALENDAR EVENTS

<u>Case Calendar Event Type</u>	<u>Schedule Start Date</u>	<u>Start Time</u>	<u>Room</u>	<u>Judge Name</u>	<u>Schedule Status</u>
Formal Arraignment	10/03/2005	1:30 pm	Courtroom 2	Judge William Shaffer	Scheduled
Status Conference	11/01/2005	9:00 am	Courtroom 5	Judge George H. Hancher	Scheduled
Status Conference	11/29/2005	9:00 am	Courtroom 5	Judge George H. Hancher	Scheduled
Criminal Pre-Trial Conference	11/30/2005	9:00 am	Courtroom 5	Judge George H. Hancher	Scheduled
Sentencing	12/21/2005	1:00 pm	Courtroom 5	Judge George H. Hancher	Scheduled
Modify Sentence	06/19/2006	10:30 am	Courtroom 5	Judge George H. Hancher	Scheduled
Administrative Conference	01/23/2007	9:00 am	Courtroom 6	Gary Elliott	Scheduled
Enforcement Court	04/16/2007	11:45 am	Courtroom 1	President Judge Thomas J. Doerr	Scheduled

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DEFENDANT INFORMATION

Date Of Birth: 04/07/1967 City/State/Zip: Beaver, PA 15009

Alias Name

Atkinson, John
Atkinson, John H.

CASE PARTICIPANTS

Participant Type Name
Defendant Atkinson, John Henry Sr.

BAIL INFORMATION

Atkinson, John Henry Sr.

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	08/30/2005	ROR		\$0.00	Posted	08/30/2005

CHARGES

<u>Seq.</u>	<u>Orig Seq.</u>	<u>Grade</u>	<u>Statute</u>	<u>Statute Description</u>	<u>Offense Date</u>	<u>OTN</u>
1	1	M2	75 § 6503.1	Habitual Offenders	07/20/2005	K0402732
2	2	S	75 § 4703 §§A	Operat Veh W/O Valid Inspect	07/20/2005	K0402732
3	3	S	75 § 1543 §§A	Driv While Oper Priv Susp Or Revoked	07/20/2005	K0402732
4	4	S	75 § 1786 §§F	Oper Veh W/O Req'd Financ Resp	07/20/2005	K0402732
5	5	S	75 § 1371 §§A	Veh Reg Suspended	07/20/2005	K0402732

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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>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>	<u>Link Type</u>	<u>Linked Docket Number</u>
<u>Linked Offense - Sentence</u>		
Lower Court Proceeding (generic)		
Lower Court Disposition	08/30/2005	Not Final
1 / Habitual Offenders	Waived for Court (Lower Court)	75§6503.1
2 / Operat Veh W/O Valid Inspect	Waived for Court (Lower Court)	75§4703§§A
3 / Driv While Oper Priv Susp Or Revoked	Waived for Court (Lower Court)	75§1543§§A
4 / Oper Veh W/O Req'd Financ Resp	Waived for Court (Lower Court)	75§1786§§F
5 / Veh Reg Suspended	Waived for Court (Lower Court)	75§1371§§A
Proceed to Court		
Information Filed	10/04/2005	Not Final
1 / Habitual Offenders	Proceed to Court	75§6503.1
2 / Operat Veh W/O Valid Inspect	Proceed to Court	75§4703§§A
3 / Driv While Oper Priv Susp Or Revoked	Proceed to Court	75§1543§§A
4 / Oper Veh W/O Req'd Financ Resp	Proceed to Court	75§1786§§F
5 / Veh Reg Suspended	Proceed to Court	75§1371§§A
Guilty Plea		
Pre-Trial Conference	11/30/2005	Final Disposition
1 / Habitual Offenders	Dismissed - Other	75§6503.1
Hancher, George H.	12/21/2005	
2 / Operat Veh W/O Valid Inspect	Dismissed - Other	75§4703§§A
Hancher, George H.	12/21/2005	
3 / Driv While Oper Priv Susp Or Revoked	Guilty Plea	75§1543§§A
Hancher, George H.	12/21/2005	
Confinement	Min of 30.00 Days	07/03/2006
	Max of 30.00 Days	
	Other	
IPP	Min of 6.00 Months	
	Max of 6.00 Months	
	Other	
Electronic Monitoring		
Pay costs		

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<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>	<u>Link Type</u>	<u>Linked Docket Number</u>
Pay Fines		
Probation Supervision		
4 / Oper Veh W/O Req'd Financ Resp Hancher, George H.	Guilty Plea 12/21/2005	75§1786§§F
5 / Veh Reg Suspended Hancher, George H.	Dismissed - Other 12/21/2005	75§1371§§A

COMMONWEALTH INFORMATION

ATTORNEY INFORMATION

Name: Butler County District Attorney's Office
Prosecutor

Supreme Court No:
Phone Number(s):
(724) 284-5222 (Phone)

Address:
Butler County Government Center
P.O. Box 1208
Butler PA 16003

Name: Kevin James Flaherty, Esq.
Public Defender

Supreme Court No: 052702
Rep. Status: Active
Phone Number(s):
(724) 284-5336 (Phone)

Address:
Butler County Public Defender's Office
PO Box 1208
Butler PA 16003

Representing: Atkinson, John Henry Sr.

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1	09/02/2005		Original Papers Received from Lower Court Court of Common Pleas - Butler County
2	09/02/2005	08/30/2005	ROR Bond posted @ MDJ Level on 8/30/05 MDJ-50-3-01
3	09/02/2005		Criminal Complaint MDJ-50-3-01
4	09/02/2005	08/30/2005	Criminal Case Scheduling Form (Arr Crt - 10/3/05 @ 1:30 p.m.) MDJ-50-3-01
1	10/04/2005	10/03/2005	Crim Schedule:Status:11/1/05;Pre-Trial:11/30/05;Jury Sel:12/1&2/05;Trial:12/12/05@9:00am,Crt Rm#5 Copies: DA;lcc rsm Court of Common Pleas - Butler County
2	10/04/2005		Information Filed Commonwealth of Pennsylvania
1	10/17/2005		Entry of Appearance: Atty Flaherty for Dft Flaherty, Kevin James
2	10/17/2005	10/14/2005	Informal Discovery Letter, filed by Atty Flaherty Flaherty, Kevin James
1	11/01/2005	11/01/2005	Motion to Issue Bench Warrant, filed by ADA DeMarco Butler County District Attorney's Office

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2	11/01/2005	11/01/2005	Bench Warrant Issued: FTA for Status Conference on 11/1/05 11/2/05: Cys to MCC, ICC, DA, Sheriff(2 cert), Dft, enforcement, Co Prob, BW clerk, Atty Flaherty. rkm/msl Hancher, George H.
1	11/03/2005	11/03/2005	Order 11/3/05: BW Lifted; Dft Shall Appear per Scheduling Form Received on 10/3/05 11/3/05: Cys to MCC, ICC, DA, Dft, BW Clerk, Sheriff, Atty Flaherty. nn/msl Hancher, George H.
2	11/03/2005		Bench Warrant Lifted/received from Sheriff's Office. Butler County Sheriff's Office
1	11/30/2005	11/30/2005	Guilty Plea Packet (Colloquy, Plea Agreement, Order to Appear @ Sent Ct. 12/21/05; CR#5 1pm) Guilty Plea Packet (Colloquy, Plea Agreement, Order to Appear @ Sent Ct. 12/21/05; CR#5 1pm); ADA DeMarco; Judge Hancher 1543(A) (S) and 1786(F) (S) all other charges to be dismissed; Interm Punishment 6 months type: 1st 30 days jail, next 5 months EM or incarceration 3-6 months county; \$1,000 fine; costs COPIES 12/1/05 mcc, icc, da, co prob n/s Hancher, George H.
1	12/13/2005		Penalty Assessed Harness, Dickey & Pierce, P.L.C.
1	12/21/2005	12/21/2005	Order - Sentence/Penalty Imposed; Sentence Court: 12/21/05; J. Hancher -----SENTENCE-----Sentence Order, filed, dated: 12/21/05; J. Hancher; Pay Costs; DRIVING DURING SUSPENSION (S) 1543(A) - 6503 (a.1)--\$1,000.00 fine; 6 Mos. Co. Pr., the first 30 days t/b served in RIP @ BCP, The next 5 months on elec. mon., providing def. qualifies under IPP guidelines; Commitment to BCP deferred: Until 7:00 pm; January 3, 2006; REQUIRED FINANCIAL RESPONSIBILITY (S)--\$300.00; participate in BCP D&A program, if inc.; dir. to participate in BCP D&A prog. if inc.; c/f due as dir. by Adult Prob.; pay c/f due until pd in full; Superv. Fee shall be determined by Adult Prob. in accordance w/ applicable poverty guidelines; Sent. shall run consecutive to any other sentences that may have been issued prior to this date. * Notice of Post-Sentence Rights, filed *cps: 12/21/05: mcc, icc, da, def, bcp, co. pr, collections, Atty Flaherty (pd), Judge, Psp-Bell, Enforcement. nn Hancher, George H.

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1	12/22/2005	12/22/2005	Motion to Cancel Deferred Commitment filed by ADA DeMarco w/Order 12/22/05: Motion Granted 12/22/05: Cys to Dft-BCP, BCP. 12/23/05: Cys to MCC, ICC, DA, Co Prob, enforcement, Atty Schultz. nn/msl Hancher, George H.
2	12/22/2005		DL-21 to be Prepared, Docketed and Mailed to Penn Dot Lotz, Lisa
1	03/31/2006		Motion to Modify Sentence, filed by Atty Flaherty mc/bin 4/3, J. Hancher Flaherty, Kevin James
1	04/06/2006	04/06/2006	Order 4/6/06: Comwlth Shall File Answer to Petition for Time Served Credit Within 14 Days 4/7/06: Cys to MCC, ICC, DA, Dft, Atty Flaherty. nn/msl Hancher, George H.
1	04/11/2006		Comwlth's Answer to Dft's Motion for Work Release, filed by ADA DeMarco Butler County District Attorney's Office
1	04/17/2006	04/17/2006	Order 4/17/06: Noting Response of Comwlth, Dft's Motion for Work Release is Hereby Denied 4/17/06: Cys to Dft-BCP, BCP. 4/18/06: Cys to MCC, ICC, DA, Co Prob, Atty Flaherty. ns/msl Hancher, George H.
1	05/24/2006	05/22/2006	Order 5/22/06: Sentence Modification Hearing Scheduled for June 19, 2006 at 10:30 AM in CR #5 5/24/06: Cys to MCC, ICC, DA, Dft. ns/msl Hancher, George H.
1	06/19/2006		Delinquency Notice Filed - 110 Days Overdue Court of Common Pleas - Butler County

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1	06/21/2006	06/19/2006	Order 6/19/06: Dft Authorized Travel to OH and WV for Business (see comments) Order of Court dated June 19, 2006: after hearing on Dft's request regarding work release and travel outside Beaver Co., PA, it is hereby ordered that the Dft is authorized to travel outside Beaver Co. to the states of Ohio and West Virginia for business purposes. The Dft shall obtain prior approval from his probation officer for each out of state proposed travel. Dft shall report while out of state to his probation officer as the probation officer may require. Dft shall also provide to his probation officer in each case the name of the driver, the operator's license number of the driver, and the location and name out of state where any overnight stay may occur during a particular business trip. BTC: Hancher, J. 6/21/06: Cys to MCC, ICC, DA, Dft, Atty Nedz, Co Prob. rkm/msl Hancher, George H.
1	08/21/2006		Administration Conference/Gagnon I dated 8/15/06 Total Due \$1325.50 Arrears \$1200.00 Dft to pay \$200 on 8/15/06. Payment plan \$150 beginning 9/1/06. btc Thomas J. Doerr, Judge Copies: mcc,icc,da,def,enforcement,co prob/ emh Doerr, Thomas J.
3	03/05/2007		Order Scheduling Enforcement Hearing dtd 3/5/07 Enf Court set 4/16/07 11:45 am cr#6. btc Thomas J. Doerr, PJ Copies: icc, dft/ emh Doerr, Thomas J.
1	04/16/2007		Do Not Pursue Delinquency Atkinson, John Henry Sr.
2	04/16/2007		Request for Bench Warrant and Supporting Affidavit filed by Gary Elliott Hearing Officer. 4/16/07 Copies to: mcc,icc,dft,sheriff/ emh Butler County Adult Probation Unit
1	04/17/2007		Bench Warrant Issued Doerr, Thomas J.
1	04/19/2007		Bench Warrant Filed. Doerr, Thomas J.

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2	07/09/2007		
Pursue Delinquency			Atkinson, John Henry Sr.
1	07/10/2007	06/09/2007	
Motion to Lift Bench Warrant, filed by PO, Elliott w/Order: 6/9/07 Granted. BW Lifted. BTC, J. Doerr. cps: 7/10/07 - mcc, icc, def, Sheriff, Enforcement. nn			Doerr, Thomas J.
2	07/10/2007		
Bench Warrant Lift filed.			Butler County Sheriff's Office
1	10/01/2007		
Penalty Satisfied			Atkinson, John Henry Sr.

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CASE FINANCIAL INFORMATION

Last Payment Date: 10/01/2007

Total of Last Payment: -\$700.50

Atkinson, John Henry Sr. Defendant	<u>Assessment</u>	<u>Payments</u>	<u>Adjustments</u>	<u>Non Monetary Payments</u>	<u>Total</u>
Costs/Fees					
Bench Warrant Fee (Butler)	\$25.00	-\$25.00	\$0.00	\$0.00	\$0.00
State Court Costs (Act 204 of 1976)	\$6.78	-\$6.78	\$0.00	\$0.00	\$0.00
Commonwealth Cost - HB627 (Act 167 of 1992)	\$6.78	-\$6.78	\$0.00	\$0.00	\$0.00
County Court Cost (Act 204 of 1976)	\$16.94	-\$16.94	\$0.00	\$0.00	\$0.00
Emergency Medical Services (Act 45 of 1985)	\$10.00	-\$10.00	\$0.00	\$0.00	\$0.00
Judicial Computer Project ATJ	\$8.00	-\$8.00	\$0.00	\$0.00	\$0.00
CAT/MCARE (Act 13 of 2002)	\$2.00	-\$2.00	\$0.00	\$0.00	\$0.00
Automation Fee (Costs) (Butler)	\$30.00	-\$30.00	\$0.00	\$0.00	\$0.00
Clerk Fees (Butler)	\$5.00	-\$5.00	\$0.00	\$0.00	\$0.00
Emergency Medical Services (Act 45 of 1985)	\$25.00	-\$25.00	\$0.00	\$0.00	\$0.00
CAT/MCARE (Act 13 of 2002)	\$10.00	-\$10.00	\$0.00	\$0.00	\$0.00
Admin Collection Fee (Butler)	\$30.00	-\$30.00	\$0.00	\$0.00	\$0.00
Bench Warrant Fee (Butler)	\$50.00	-\$50.00	\$0.00	\$0.00	\$0.00
Costs/Fees Totals:	\$250.50	-\$250.50	\$0.00	\$0.00	\$0.00
Fines					
Title 75, Motor Vehicle (Motor License Fund)	\$1,000.00	-\$1,000.00	\$0.00	\$0.00	\$0.00
Title 75, Motor Vehicle (Motor License Fund)	\$300.00	-\$300.00	\$0.00	\$0.00	\$0.00
Fines Totals:	\$1,300.00	-\$1,300.00	\$0.00	\$0.00	\$0.00
Grand Totals:	\$1,550.50	-\$1,550.50	\$0.00	\$0.00	\$0.00

** - Indicates assessment is subrogated