

# COURT OF COMMON PLEAS OF DELAWARE COUNTY

## DOCKET



Docket Number: CP-23-CR-0000496-2014

## CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

Ernest M. Marks

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### CASE INFORMATION

Judge Assigned: Pagano, George A.

Date Filed: 01/30/2014

Initiation Date: 01/05/2014

OTN: L 835670-3

LOTN:

Originating Docket No: MJ-32252-CR-0000005-2014

Initial Issuing Authority: Kelly A. Micozzie-Aguirre

Final Issuing Authority: Kelly A. Micozzie-Aguirre

Arresting Agency: Upp Darby Twn Police Dept

Arresting Officer: Ross, Brad A.

Complaint/Incident #: 1400649

Case Local Number Type(s)

Case Local Number(s)

### RELATED CASES

<u>Related Docket No</u>	<u>Related Case Caption</u>	<u>Related Court</u>	<u>Association Reason</u>
<b>Related Misc. Motion Cases</b> CP-23-MD-0000050-2014	In Re: Marks, Ernest	CP-32-23-Crim	Same MDJ Case

### STATUS INFORMATION

<u>Case Status:</u>	<u>Status Date</u>	<u>Processing Status</u>	<u>Arrest Date:</u>
Closed	08/08/2014	Sentenced/Penalty Imposed	01/05/2014
	06/10/2014	Awaiting Sentencing	
	06/10/2014	Awaiting PSI	
	06/09/2014	Awaiting PSI Completion	
	06/09/2014	Awaiting Sentencing	
	04/21/2014	Awaiting Trial	
	02/20/2014	Awaiting Trial Scheduling	
	01/30/2014	Awaiting Formal Arraignment	
	01/30/2014	Awaiting Filing of Information	

Complaint Date: 01/08/2014

### 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>
Formal Arraignment	02/19/2014	8:30 am			Scheduled
Pre-Trial Conference	03/17/2014	8:00 am	Courtroom 9	Judge George A. Pagano	Continued
Pre-Trial Conference	04/07/2014	9:00 am	Courtroom 9	Judge George A. Pagano	Scheduled
Pre-Trial Conference	04/21/2014	9:00 am	Courtroom 9	Judge George A. Pagano	Scheduled
Trial	06/09/2014	9:00 am	Courtroom 9	Judge George A. Pagano	Scheduled
Sentencing	08/08/2014	8:00 am	Courtroom 9	Judge George A. Pagano	Scheduled

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### CONFINEMENT INFORMATION

<u>Confinement</u> <u>Known As Of</u>	<u>Confinement</u> <u>Type</u>	<u>Destination</u> <u>Location</u>	<u>Confinement</u> <u>Reason</u>	<u>Still in</u> <u>Custody</u>
10/11/2016	DOC Confined	SCI Pine Grove		Yes

### DEFENDANT INFORMATION

Date Of Birth: 07/22/1955      City/State/Zip: Philadelphia, PA 19151

Alias Name

Marks, Earnest  
 Marks, Ern  
 Marks, Ernest  
 Morris, Donald  
 Wilson, Donald

### CASE PARTICIPANTS

<u>Participant Type</u>	<u>Name</u>
Defendant	Marks, Ernest M.

### BAIL INFORMATION

**Marks, Ernest M.**

**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	01/08/2014	Monetary		\$1,000,000.00		

### 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	F2	75 § 3742 §§A	Accidents Involving Death Or Personal Injury	01/05/2014	L 835670-3
2	2	F3	75 § 3742.1 §§A	Acc Involving Death/Injury-Not Properly Licensed	01/05/2014	L 835670-3
3	3	S	75 § 3744 §§A	Fail Stop And Give Infor Render Aid	01/05/2014	L 835670-3
4	4	S	75 § 3746 §§A1	Fail To Not Police Of Accident\ Injury Or Death	01/05/2014	L 835670-3
5	5	S	75 § 1543 §§A	Driv While Oper Priv Susp Or Revoked	01/05/2014	L 835670-3

### 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>		
Waived for Court (Lower Court)	Defendant Was Present	

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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>			
<b>Lower Court Disposition</b>	01/23/2014	Not Final	
1 / Accidents Involving Death Or Personal Injury	Waived for Court (Lower Court)	F2	75 § 3742 §§ A
2 / Acc Involving Death/Injury-Not Properly Licensed	Waived for Court (Lower Court)	F3	75 § 3742.1 §§ A
3 / Fail Stop And Give Infor Render Aid	Waived for Court (Lower Court)	S	75 § 3744 §§ A
4 / Fail To Not Police Of Accident\ Injury Or Death	Waived for Court (Lower Court)	S	75 § 3746 §§ A1
5 / Driv While Oper Priv Susp Or Revoked	Waived for Court (Lower Court)	S	75 § 1543 §§ A
<b>Proceed to Court</b> Defendant Was Not Present			
<b>Information Filed</b>	02/19/2014	Not Final	
1 / Accidents Involving Death Or Personal Injury	Proceed to Court	F2	75 § 3742 §§ A
2 / Acc Involving Death/Injury-Not Properly Licensed	Proceed to Court	F3	75 § 3742.1 §§ A
3 / Fail Stop And Give Infor Render Aid	Proceed to Court	S	75 § 3744 §§ A
4 / Fail To Not Police Of Accident\ Injury Or Death	Proceed to Court	S	75 § 3746 §§ A1
5 / Driv While Oper Priv Susp Or Revoked	Proceed to Court	S	75 § 1543 §§ A
<b>Guilty Plea - Non-Negotiated</b>			
<b>Trial</b>	06/09/2014	Final Disposition	
1 / Accidents Involving Death Or Personal Injury	Guilty Plea - Non-Negotiated	F2	75 § 3742 §§ A
Pagano, George A.	08/08/2014	214 Days	
Confinement	Min of 30.00 Months		
	Max of 10.00 Years		
	Other		
Comply with rules and regulations governing Probation and or Parole			
Comply with following directive(s) of Court: MANDATORY MINIMUM APPLIES. Submit to DNA Testing.			
Credit for time served to be determined by the prison.			
2 / Acc Involving Death/Injury-Not Properly Licensed	Guilty Plea - Non-Negotiated	F3	75 § 3742.1 §§ A
Pagano, George A.	08/08/2014	214 Days	
Confinement	Min of 24.00 Months		
	Max of 7.00 Years		
	Other		
3 / Fail Stop And Give Infor Render Aid	Dismissed	S	75 § 3744 §§ A
Pagano, George A.	08/08/2014		
4 / Fail To Not Police Of Accident\ Injury Or Death	Dismissed	S	75 § 3746 §§ A1
Pagano, George A.	08/08/2014		
5 / Driv While Oper Priv Susp Or Revoked	Dismissed	S	75 § 1543 §§ A

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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>			
Pagano, George A.	08/08/2014		

#### LINKED SENTENCES:

##### Link 1

CP-23-CR-0000496-2014 - Seq. No. 2 (75§ 3742.1 §§ A) - Confinement is Consecutive to

CP-23-CR-0000496-2014 - Seq. No. 1 (75§ 3742 §§ A) - Confinement

#### COMMONWEALTH INFORMATION

Name: John Joseph Whelan  
District Attorney

Supreme Court No: 044253

Phone Number(s):  
610-891-4168 (Phone)

Address:  
Delaware CO Da's Office  
201 W Front St  
Media, PA 19063-2797

Name: Delaware County District Attorney's  
Office  
Prosecutor

Supreme Court No:

Phone Number(s):  
610-891-4168 (Phone)

Address:  
Delaware County Courthouse  
201 West Front Street  
Media, PA 19063

#### ATTORNEY INFORMATION

Name: Qawi Abdul Rahman  
Private

Supreme Court No: 090454

Rep. Status: Active

Phone Number(s):  
215-972-7017 (Phone)

Address:  
EL Shabazz & Harris Llc  
100 S Broad St Ste 1525  
Philadelphia, PA 19110-1026

Representing: Marks, Ernest M.

#### ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	01/08/2014		Berardocco, Ann
Bail Set - Marks, Ernest M.			
1	01/30/2014		Court of Common Pleas - Delaware County
Original Papers Received from Lower Court			

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### ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	02/19/2014		Commonwealth of Pennsylvania
Information Filed			
3	03/17/2014		Pagano, George A.
Criminal Notice Form Filed/Notice of PTC 4/7/14 @ 9:00am, Crtrm 9, Judge Pagano			
2	04/07/2014		Pagano, George A.
Criminal Notice Form Filed/Notice of PTC 4/21/14 @ 9:00am, Crtrm 9, Judge Pagano Deft Cont-Hire an Attorney			
2	04/21/2014		Pagano, George A.
Criminal Notice Form Filed/Notice of Trial 6/9/14 @ 9:00am, Crtrm 9, Judge Pagano			
3	04/21/2014		Abdul Rahman, Qawi
Entry of Appearance			
1	06/09/2014		Pagano, George A.
Guilty Plea - Non-Negotiated			
C-1 Affidavit of Probable Cause *ADM 6/9/14*			
C-2 Police Report *ADM 6/9/14*			
C-3 Advisement of Rights *ADM 6/9/14*			
C-4 Driving Record *ADM 6/9/14*			
C-5 Crash Report *ADM 6/9/14*			
C-6 Medical Examiner's Report *ADM 6/9/14*			
C-7 2 Photos of Car *ADM 6/9/14*			
2	06/09/2014		Marks, Ernest M.
Guilty Plea Statement Filed			
3	06/09/2014		Pagano, George A.
Criminal Notice For Filed/Notice of Sentencing 8/8/14 @ 9:00am, Crtrm 9, Judge Pagano			
4	06/09/2014		Martinez, Angela
DL-21 to be Prepared			
5	06/09/2014		Pagano, George A.
Pre-Sentence Investigation Ordered			
6	06/09/2014		Pagano, George A.
Drug and Alcohol Evaluation Ordered			

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<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	06/11/2014	06/10/2014	Pagano, George A.
Order Scheduling Sentencing for Friday 8/8/14 at 9:00 AM in CRT RM 9 with Judge Pagano Service Issued 6/13/14			
Abdul Rahman, Qawi 06/11/2014 First Class			
Whelan, John Joseph 06/11/2014 Interoffice			
2	06/11/2014	06/10/2014	Pagano, George A.
Counsel shall Submit Sentencing Memorandum on or before Friday 8/1/14 Service Issued 6/13/14			
Abdul Rahman, Qawi 06/11/2014 First Class			
Whelan, John Joseph 06/11/2014 Interoffice			
1	08/08/2014		Pagano, George A.
Sentencing Held DA Michael Hill DF Q.A. Rahman Victim impact statements Judge renders sentence			
2	08/08/2014		Marks, Ernest M.
Statement of Post-Sentence Rights Filed			
3	08/08/2014		Pagano, George A.
Order - Sentence/Penalty Imposed			
1	08/29/2014		Court of Common Pleas - Delaware County
Entry of Civil Judgment			
1	09/16/2014		Pagano, George A.
Guideline Sentence Form, Act 84/SCI Sent to Prison 4-21-14			
1	09/25/2014		Marks, Ernest M.
Act 84			

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### ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1 DL-21 was prepared	08/09/2016		Martinez, Angela
1 DL-21 Sent to PennDOT	08/10/2016		Unknown Filer

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### CASE FINANCIAL INFORMATION

Last Payment Date:

Total of Last Payment:

Marks, Ernest M. Defendant	<u>Assessment</u>	<u>Payments</u>	<u>Adjustments</u>	<u>Non Monetary Payments</u>	<u>Total</u>
<b>Costs/Fees</b>					
Constable Education Training Act	\$5.00	\$0.00	\$0.00	\$0.00	\$5.00
Constable (Delaware)	\$186.40	\$0.00	\$0.00	\$0.00	\$186.40
Drug & Alcohol Evaluation (Delaware)	\$75.00	\$0.00	\$0.00	\$0.00	\$75.00
Service Fee- Drug & Alcohol Evaluation (Delaware)	\$100.00	\$0.00	\$0.00	\$0.00	\$100.00
ATJ	\$3.00	\$0.00	\$0.00	\$0.00	\$3.00
CAT/MCARE/General Fund	\$45.00	\$0.00	\$0.00	\$0.00	\$45.00
CJES	\$2.25	\$0.00	\$0.00	\$0.00	\$2.25
Clerk of Courts - Felony (Delaware)	\$227.00	\$0.00	\$0.00	\$0.00	\$227.00
Commonwealth Cost - HB627 (Act 167 of 1992)	\$20.00	\$0.00	\$0.00	\$0.00	\$20.00
Costs of Prosecution - CJEA	\$50.00	\$0.00	\$0.00	\$0.00	\$50.00
County Court Cost (Act 204 of 1976)	\$29.15	\$0.00	\$0.00	\$0.00	\$29.15
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	\$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)	\$13.35	\$0.00	\$0.00	\$0.00	\$13.35
Victim Witness Service (Act 111 of 1998)	\$25.00	\$0.00	\$0.00	\$0.00	\$25.00
Automation OJS Fee (Delaware)	\$5.00	\$0.00	\$0.00	\$0.00	\$5.00
District Attorney (Delaware)	\$95.00	\$0.00	\$0.00	\$0.00	\$95.00
Sheriff (Delaware)	\$40.00	\$0.00	\$0.00	\$0.00	\$40.00
Upper Darby Twp BCF (Delaware) 01-9999-454008	\$300.00	\$0.00	\$0.00	\$0.00	\$300.00
Costs/Fees Totals:	\$1,539.40	\$0.00	\$0.00	\$0.00	\$1,539.40
Grand Totals:	\$1,539.40	\$0.00	\$0.00	\$0.00	\$1,539.40

\*\* - Indicates assessment is subrogated