

# COURT OF COMMON PLEAS OF FRANKLIN COUNTY

## DOCKET



Docket Number: CP-28-CR-0000782-2018

## CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

Brian Philip Bennett

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### CASE INFORMATION

Judge Assigned:

Date Filed: 04/30/2018

Initiation Date: 03/22/2018

OTN: X 166803-0

LOTN: X 166803-0

Originating Docket No: MJ-39305-CR-0000054-2018

Initial Issuing Authority: Duane K. Cunningham

Final Issuing Authority: Duane K. Cunningham

Arresting Agency: Chambersburg Psp

Arresting Officer: Trace, Lindsey H.

Complaint/Incident #: PA18292480

Case Local Number Type(s)

Case Local Number(s)

### STATUS INFORMATION

<u>Case Status:</u>	<u>Active</u>	<u>Status Date</u>	<u>Processing Status</u>	<u>Arrest Date:</u>	<u>03/22/2018</u>
		02/25/2020	Awaiting Trial Scheduling		
		04/30/2018	Awaiting Formal Arraignment		
		04/30/2018	Awaiting Filing of Information		

Complaint Date: 03/22/2018

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### CALENDAR EVENTS

<u>Case Calendar</u> <u>Event Type</u>	<u>Schedule</u> <u>Start Date</u>	<u>Start</u> <u>Time</u>	<u>Room</u>	<u>Judge Name</u>	<u>Schedule</u> <u>Status</u>
Formal Arraignment	05/23/2018	1:00 pm	Courtroom #4 - Franklin County Courthouse	Judge Angela R. Krom	Scheduled
Call of the Trial List (On Bond)	08/20/2018	9:00 am	Courtroom #4 - Franklin County Courthouse	Judge Angela R. Krom	Scheduled
Call of the Trial List (Incarcerated)	08/23/2018	1:00 pm	Franklin County Jail Courtroom	Judge Angela R. Krom	Scheduled
Call of the Trial List (Incarcerated)	10/25/2018	1:00 pm	Franklin County Jail Courtroom	Judge Angela R. Krom	Scheduled
Call of the Trial List (On Bond)	10/29/2018	9:00 am	Courtroom #4 - Franklin County Courthouse	Judge Angela R. Krom	Scheduled
Call of the Trial List (On Bond)	12/17/2018	9:00 am	Courtroom #4 - Franklin County Courthouse	Judge Angela R. Krom	Scheduled
Call of the Trial List (Incarcerated)	12/20/2018	1:00 pm	Franklin County Jail Courtroom	Judge Angela R. Krom	Scheduled
Call of the Trial List (On Bond)	02/25/2019	9:00 am	Courtroom #4 - Franklin County Courthouse	Judge Angela R. Krom	Scheduled
Call of the Trial List (Incarcerated)	02/25/2019	1:00 pm	Franklin County Jail Courtroom	Judge Angela R. Krom	Scheduled
Call of the Trial List (On Bond)	04/15/2019	9:00 am	Courtroom #4 - Franklin County Courthouse	Judge Angela R. Krom	Scheduled
Call of the Trial List (Incarcerated)	04/25/2019	1:00 pm	Franklin County Jail Courtroom	Judge Angela R. Krom	Scheduled
Call of the Trial List (On Bond)	06/14/2019	9:00 am	Courtroom #4 - Franklin County Courthouse	Judge Angela R. Krom	Scheduled
Call of the Trial List (Incarcerated)	06/24/2019	1:00 pm	Franklin County Jail Courtroom	Judge Angela R. Krom	Scheduled
Pre-Trial Conference	03/02/2020	9:00 am	Courtroom #4 - Franklin County Courthouse	Judge Angela R. Krom	Scheduled

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### CONFINEMENT INFORMATION

<u>Confinement Known As Of</u>	<u>Confinement Type</u>	<u>Destination Location</u>	<u>Confinement Reason</u>	<u>Still in Custody</u>
01/19/2018	County Correctional Facility	Franklin County Jail		Yes
09/08/2018	County Correctional Facility	Indiana County Prison		Yes

### DEFENDANT INFORMATION

Date Of Birth: 12/05/1988      City/State/Zip: Chambersburg, PA 17202

Alias Name

Bennett, Brian P.  
Bennett, Brian Phillip  
Brian, Phillip Bennett

### CASE PARTICIPANTS

<u>Participant Type</u>	<u>Name</u>
Defendant	Bennett, Brian Philip

### BAIL INFORMATION

**Bennett, Brian Philip** **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>
Denied	03/22/2018			\$0.00		

### 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	F1	18 § 2502 §§ C	Murder Of The Third Degree	01/05/2018	X 166803-0
2	2	F1	18 § 2506 §§ A	Drug Delivery Resulting In Death	01/05/2018	X 166803-0
3	3	F2	18 § 2504 §§ A	Involuntary Manslaughter	01/05/2018	X 166803-0
4	4	F3	18 § 4304 §§ A1	Endangering Welfare of Children - Parent/Guardian/Other Commits Offense	01/05/2018	X 166803-0
5	5	F3	18 § 4304 §§ A1	Endangering Welfare of Children - Parent/Guardian/Other Commits Offense	01/05/2018	X 166803-0
6	6	M	35 § 780-113 §§ A32	Use/Poss Of Drug Paraph	01/05/2018	X 166803-0

### 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 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>		

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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>Waived for Court (Lower Court)</b>	Defendant Was Present		
Lower Court Disposition	04/24/2018	Not Final	
1 / Murder Of The Third Degree	Waived for Court (Lower Court)	F1	18 § 2502 §§ C
2 / Drug Delivery Resulting In Death	Waived for Court (Lower Court)	F1	18 § 2506 §§ A
3 / Involuntary Manslaughter	Waived for Court (Lower Court)	F2	18 § 2504 §§ A
4 / Endangering Welfare of Children - Parent/Guardian/Other Commits Offense	Waived for Court (Lower Court)	F3	18 § 4304 §§ A1
5 / Endangering Welfare of Children - Parent/Guardian/Other Commits Offense	Waived for Court (Lower Court)	F3	18 § 4304 §§ A1
6 / Use/Poss Of Drug Paraph	Waived for Court (Lower Court)	M	35 § 780-113 §§ A32
<b>Proceed to Court</b>			
Information Filed	05/17/2018	Not Final	
1 / Murder Of The Third Degree	Proceed to Court	F1	18 § 2502 §§ C
2 / Drug Delivery Resulting In Death	Proceed to Court	F1	18 § 2506 §§ A
3 / Involuntary Manslaughter	Proceed to Court	F2	18 § 2504 §§ A
4 / Endangering Welfare of Children - Parent/Guardian/Other Commits Offense	Proceed to Court	F3	18 § 4304 §§ A1
5 / Endangering Welfare of Children - Parent/Guardian/Other Commits Offense	Proceed to Court	F3	18 § 4304 §§ A1
6 / Use/Poss Of Drug Paraph	Proceed to Court	M	35 § 780-113 §§ A32

#### COMMONWEALTH INFORMATION

Name: Franklin County District Attorney's  
Office  
District Attorney

Supreme Court No:

Phone Number(s):  
717-261-3827 (Phone)

Address:  
Franklin County Courthouse  
157 Lincoln Way East  
Chambersburg, PA 17201

#### ATTORNEY INFORMATION

Name: Michael Oresto Palermo Jr.  
Court Appointed - Private

Supreme Court No: 093334

Rep. Status: Active

Phone Number(s):  
717-635-9591 (Phone)  
717-635-9725 (Fax)

Address:  
Palermo Law Offices  
3300 Trindle Rd Ste 2  
Camp Hill, PA 17011-4432

Representing: Bennett, Brian Philip

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1	03/22/2018		Cunningham, Duane K.
Order Denying Motion to Set Bail - Bennett, Brian Philip			
1	04/30/2018		Court of Common Pleas - Franklin County
Original Papers Received from Lower Court			
1	05/17/2018		Commonwealth of Pennsylvania
Information Filed			
1	05/25/2018		Bogner, Casey Starr
Motion for Informal Discovery			
1	06/22/2018		Commonwealth of Pennsylvania
Notice of Joinder of Separate Informations for Trial			
1	08/23/2018		Bogner, Casey Starr
Motion for Continuance and Waiver of Pa.R. Crim.P. 600/1013			
2	08/23/2018	08/23/2018	Krom, Angela R.
Order/Continued to November 2018 Trial Term			
Commonwealth of Pennsylvania			
08/23/2018	Interoffice		
Donegan, Joseph Anthony			
08/23/2018	Interoffice		
1	10/10/2018		Commonwealth of Pennsylvania
Notice of Joinder of Separate Informations for Trial			
1	10/24/2018		Commonwealth of Pennsylvania
Notice of Joinder of Separate Informations for Trial			
1	10/25/2018	10/25/2018	Bogner, Casey Starr
Motion for Continuance and Waiver of Pa.R. Crim.P. 600/1013			
2	10/25/2018	10/25/2018	Krom, Angela R.
Order Granting Motion to Continue to January 2019 Trial Term			
Bogner, Casey Starr			
10/26/2018	Interoffice		
Commonwealth of Pennsylvania			

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<u>Service To</u>	<u>Service By</u>		
<u>Issue Date</u>	<u>Service Type</u>	<u>Status Date</u>	<u>Service Status</u>
10/26/2018	Interoffice		
1	11/14/2018		Court of Common Pleas - Franklin County
Notice of Joinder of Separate Informations for Trial Under Pa. R. Crim. P. 582 (B)(1)			
1	12/05/2018		Fogal, Matthew D.
Notice of Joinder of Separate Information for Trial			
1	12/20/2018		Ikena, Sarah Kathryn
Motion for Continuance and Waiver of Pa.R. Crim.P. 600/1013			
2	12/20/2018	12/20/2018	Krom, Angela R.
Order Granting Motion for Continuance and Waiver of Pa.R.Crim.P. 600/1013			
Franklin County District Attorney's Office			
12/20/2018	Interoffice		
Ikena, Sarah Kathryn			
12/20/2018	Interoffice		
1	01/30/2019		Bogner, Casey Starr
Petition for Appointment of Conflict Counsel			
2	01/30/2019	01/30/2019	Krom, Angela R.
Order Granting Motion for Appointment of Conflict Counsel			
Bogner, Casey Starr			
01/31/2019	Interoffice		
Commonwealth of Pennsylvania			
01/31/2019	Interoffice		
Palermo, Michael Oresto Jr.			
01/31/2019	First Class		
1	02/25/2019	02/25/2019	Palermo, Michael Oresto Jr.
Motion for Continuance and Waiver of Pa.R. Crim.P. 600/1013			
2	02/25/2019	02/25/2019	Krom, Angela R.
Order/Continued to May Trial Term			
Commonwealth of Pennsylvania			

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<u>Service To</u>		<u>Service By</u>	
<u>Issue Date</u>	<u>Service Type</u>	<u>Status Date</u>	<u>Service Status</u>
02/26/2019	Interoffice		
Palermo, Michael Oresto Jr.			
02/26/2019	First Class		
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1	03/06/2019		Commonwealth of Pennsylvania
Notice of Joinder of Separate Informations for Trial			
-----			
1	04/25/2019		Palermo, Michael Oresto Jr.
Motion for Continuance and Waiver of Pa.R. Crim.P. 600/1013			
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2	04/25/2019	04/25/2019	Krom, Angela R.
Order/Continued to July 2019 Trail Term			
Franklin County District Attorney's Office			
04/26/2019	Interoffice		
Palermo, Michael Oresto Jr.			
04/26/2019	Interoffice		
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1	04/29/2019	04/29/2019	Krom, Angela R.
Order/Status Conference Scheduled 7/11/2019 9:00am			
Commonwealth of Pennsylvania			
04/29/2019	Interoffice		
Palermo, Michael Oresto Jr.			
04/29/2019	First Class		
-----			
1	07/08/2019		Palermo, Michael Oresto Jr.
Motion for Appointment of Private Investigator			
-----			
1	07/11/2019	07/11/2019	Krom, Angela R.
Order/Continued to November 2019 Trial Term			
Franklin County District Attorney's Office			
07/11/2019	Interoffice		
Palermo, Michael Oresto Jr.			
07/11/2019	First Class		
-----			
1	08/08/2019	08/08/2019	Krom, Angela R.
Order Granting Motion for Private Investigator			
Commonwealth of Pennsylvania			

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<u>Issue Date</u>	<u>Service Type</u>	<u>Status Date</u>	<u>Service Status</u>
Palermo, Michael Oresto Jr.	08/08/2019	Interoffice	
Palermo, Michael Oresto Jr.	08/08/2019	First Class	
1	09/23/2019		Palermo, Michael Oresto Jr.
Motion for Additional Authorization of Hours for Private Investigator			
1	09/26/2019	09/26/2019	Krom, Angela R.
Order Granting Motion for Additional Authorization of Hours for Private Investigator			
Commonwealth of Pennsylvania			
Palermo, Michael Oresto Jr.	09/26/2019	Interoffice	
Palermo, Michael Oresto Jr.	09/26/2019	First Class	
1	10/29/2019	10/29/2019	Krom, Angela R.
Order/Trial Cont'd to March 2020 Trial Term/PTC 3/2/2020			
Commonwealth of Pennsylvania			
Palermo, Michael Oresto Jr.	10/29/2019	Interoffice	
Palermo, Michael Oresto Jr.	10/29/2019	Interoffice	
1	11/14/2019		Commonwealth of Pennsylvania
Notice of Joinder of Separate Informations for Trial			
1	11/25/2019		Palermo, Michael Oresto Jr.
Motion for Additional Hours for Private Investigator			
1	01/24/2020	01/24/2020	Krom, Angela R.
Order Granting Motion to Authorize Additional Hours for Private Investigator			
Franklin County District Attorney's Office			
Palermo, Michael Oresto Jr.	01/24/2020	Interoffice	
Palermo, Michael Oresto Jr.	01/24/2020	First Class	
1	03/04/2020	03/02/2020	Krom, Angela R.
Order/Cont'd to May 2020 Trial Term/Next Appearance 5/4/20 @ 1:30 PM for PTC			
Commonwealth of Pennsylvania			



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<u>Service To</u>		<u>Service By</u>	
<u>Issue Date</u>	<u>Service Type</u>	<u>Status Date</u>	<u>Service Status</u>
03/04/2020	Interoffice		
Palermo, Michael Oresto Jr.			
03/04/2020	First Class		
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1	04/30/2020	04/30/2020	Krom, Angela R.
Order/Continued to July 2020 Trial Term			
Bennett, Brian Philip			
04/30/2020	First Class		
Commonwealth of Pennsylvania			
04/30/2020	Interoffice		
Franklin County Court Administration			
04/30/2020	Interoffice		
Palermo, Michael Oresto Jr.			
04/30/2020	First Class		
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