

COURT OF COMMON PLEAS OF FRANKLIN COUNTY

DOCKET

Docket Number: CP-28-CR-0000848-2008

CRIMINAL DOCKET

Court Case



Commonwealth of Pennsylvania

v.

Jose Luis Tejada

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CASE INFORMATION

Judge Assigned:
OTN: L 409601-3 LOTN: L 409601-3
Initial Issuing Authority: Duane K. Cunningham
Arresting Agency: Chambersburg Police Dept
Complaint/Incident #:
Case Local Number Type(s)

Date Filed: 04/29/2008 Initiation Date: 04/22/2008
Originating Docket No: MJ-39305-CR-0000128-2008
Final Issuing Authority: Duane K. Cunningham
Arresting Officer: Mummert, Scott A.
Case Local Number(s)

STATUS INFORMATION

<u>Case Status:</u>	<u>Closed</u>	<u>Status Date</u>	<u>Processing Status</u>	<u>Arrest Date:</u>	<u>04/22/2008</u>
		01/28/2009	Sentenced/Penalty Imposed		
		01/22/2009	Awaiting Sentencing		
		01/22/2009	Awaiting PSI		
		12/22/2008	Awaiting Sentencing		
		06/04/2008	Awaiting Pre-Trial Conference		
		05/12/2008	Awaiting Formal Arraignment		
		04/29/2008	Awaiting Filing of Information		

Complaint Date: 04/09/2008

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	06/04/2008	1:00 pm	Courtroom #2 - Franklin County Courthouse	Judge Richard J. Walsh	Scheduled
Call of the Trial List (On Bond)	08/18/2008	9:00 am	Courtroom #1 - Franklin County Courthouse	Senior Judge John R. Walker	Scheduled
Call of the Trial List (On Bond)	10/20/2008	9:00 am	Courtroom #1 - Franklin County Courthouse	Senior Judge John R. Walker	Scheduled
Call of the Trial List (On Bond)	12/22/2008	9:00 am	Courtroom #1 - Franklin County Courthouse	Senior Judge John R. Walker	Scheduled
Sentencing	01/28/2009	9:00 am	Courtroom #4 - Franklin County Courthouse	President Judge Carol L. Van Horn	Scheduled

CONFINEMENT INFORMATION

<u>Confinement</u>	<u>Confinement</u>	<u>Destination</u>	<u>Confinement</u>	<u>Still in</u>
<u>Known As Of</u>	<u>Type</u>	<u>Location</u>	<u>Reason</u>	<u>Custody</u>
06/04/2019	County Jail	Franklin County Jail		Yes

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DEFENDANT INFORMATION

Date Of Birth: 05/23/1983 City/State/Zip: Chambersburg, PA 17201

Alias Name

Tejada, Jose
Tejada-Espinal, Jose L.

CASE PARTICIPANTS

<u>Participant Type</u>	<u>Name</u>
Defendant	Tejada, Jose Luis

BAIL INFORMATION

Tejada, Jose Luis					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	04/09/2008	Monetary		\$250,000.00	
Decrease Bail Amount	06/18/2008	Monetary		\$5,000.00	
					Posted 06/24/2008

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 § 2702 §§ A1	Aggravated Assault	04/08/2008	L 409601-3
2	2	M1	18 § 4304 §§ A1	Endangering Welfare of Children - Parent/Guardian/Other Commits Offense	04/08/2008	L 409601-3

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>		

Lower Court Proceeding (generic)

Lower Court Disposition	04/22/2008	Not Final
1 / Aggravated Assault	Waived for Court (Lower Court)	F1 18 § 2702 §§ A1

Proceed to Court

Information Filed	06/02/2008	Not Final
1 / Aggravated Assault	Waived for Court (Lower Court)	F1 18 § 2702 §§ A1

Guilty Plea

Call of the Trial List (On Bond)	12/22/2008	Final Disposition
1 / Aggravated Assault	Guilty Plea to a Lesser Charge	F1 18 § 2702 §§ A1
Replaced by 18 § 4304 §§ A1, Endangering Welfare of Children - Parent/Guardian/Other Commits Offense		

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Disposition

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<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>			
Van Horn, Carol L.	01/28/2009		
2 / Endangering Welfare of Children - Parent/Guardian/Other Commits Offense	Guilty Plea	M1	18 § 4304 §§ A1
Van Horn, Carol L.	01/28/2009	85 Days	01/28/2009
Confinement	Min of 11.00 Months 15.00 Days Max of 23.00 Months Other		
Work Release Authorized			
Defendant to have no contact with the victim unsupervised.			
The defendant is eligible for a re-entry plan.			
Probation	Min of 36.00 Months Max of 36.00 Months Monthly		

LINKED SENTENCES:

Link 1

CP-28-CR-0000848-2008 - Seq. No. 2 (18§ 4304 §§ A1) - Probation is Consecutive to

CP-28-CR-0000848-2008 - Seq. No. 2 (18§ 4304 §§ A1) - Confinement

COMMONWEALTH INFORMATION

Name: John F. Nelson III
District Attorney

Supreme Court No: 023973

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

Address:
Franklin Co DA's Office
157 Lincoln Way East
Chambersburg, PA 17201

ATTORNEY INFORMATION

Name: Steve Rice
Private

Supreme Court No: 085612

Rep. Status: Active

Phone Number(s):
717-339-0011 (Phone)

Address:
Steve Rice Pc
18 Carlisle St Ste 215
Gettysburg, PA 17325-1823

Representing: Tejada, Jose Luis

ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
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1	04/09/2008		Cunningham, Duane K.
Bail Set - Tejada, Jose Luis			
1	04/29/2008		Court of Common Pleas - Franklin County
Original Papers Received from Lower Court			
1	06/02/2008		Commonwealth of Pennsylvania
Information Filed			
1	06/04/2008		Tejada, Jose Luis
Appearance and Waiver of Arraignment			
1	06/06/2008		Abeln, Greg
Motion to Modify Bail			
1	06/13/2008	06/11/2008	Herman, Douglas W.
Order/Hearing Set for 6/27/08			
<p>June 11, 2008, upon review and consideration of the defendant's Motion to Modify Bail, the Court hereby directs that a hearing shall be held on the motion on Friday, June 27, 2008 at 1 PM in Courtroom 3 of the Franklin Co. Courthouse, Chambersburg, PA.</p> <p>The Court directs counsel for the defendant to comply with PA Rules of Crim. Proc. 575(A)(2)(f) and 576 (B)(4). Pursuant to Pa.R.Crim.P.114, the clerk of courts shall immediately docket this</p>			
Abeln, Greg			
06/13/2008	First Class		
Nelson, John F. III			
06/13/2008	Interoffice		
1	06/18/2008	06/18/2008	Herman, Douglas W.
Order Granting Motion for Modification of Bail - Tejada, Jose Luis			
<p>AND NOW, this 18th day of June, 2008, upon consideration of the Stipulation for lowering of bail signed by the Commonwealth and the attorney for the defendant, the request for the lowering of bail is GRANTED.</p> <p>Bail is hereby set in the above captioned case in the amount of \$5,000 straight monetary bail on the condition that the defendant participates in the pre-trial release program and has not contact with Christopher Tejada. The hearing for June 27, 2008 is cancelled.</p>			
Abeln, Greg			
06/18/2008	Hand Delivered		
Commonwealth of Pennsylvania			
06/18/2008	Interoffice		

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1	06/24/2008		Galvan, Maria
Bail Posted - Tejada, Jose Luis			
1	08/18/2008		Abeln, Greg
Motion for Continuance Defense Request			
2	08/18/2008	08/18/2008	Walker, John R.
Order/Trial Continued to 11/17/08			
8/18/08 the Defendant's application for a continuance is hereby granted and trial of the above captioned case(s) is continued until 11/17/08. The time between today and 11/17/08 is excluded from the period for commencement of trial under Pa.R.Crim.P.600. It will be the responsibility			
Abeln, Greg			
	08/19/2008	Interoffice	
Nelson, John F. III			
	08/19/2008	Interoffice	
1	10/20/2008	10/20/2008	Abeln, Greg
Motion for Continuance Defense Request			
2	10/20/2008	10/20/2008	Walker, John R.
Order Granting Motion For Continuance to January 2009 Trial Term			
AND NOW, this 20th day of October, 2008, the Defendant's application for a continuance is hereby granted and trial of the above captioned case (s) is/are continued until January 12, 2009. The time between today and January 12, 2009 is excluded from the period for commencement of trial under Pa. R. of Crim. P 600.			
Abeln, Greg			
	10/20/2008	First Class	
Nelson, John F. III			
	10/20/2008	Interoffice	
1	12/22/2008	12/22/2008	Van Horn, Carol L.
Guilty Plea			
plea of GUILTY to Ct.1 Endangering Welfare of Child (M1); PSI required; sentence01/28/09 w/VanHorn			
2	12/22/2008		Van Horn, Carol L.
Disposition Filed			

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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>
1	01/28/2009	01/28/2009	Van Horn, Carol L.
Order - Sentence/Penalty Imposed			
FRANKLIN COUNTY PRISON - 11.5 months to 23 months effective this date; credit time 04/09/08 to 07/02/08; followed by 36 months probation; fine \$200; pay costs; no contact with victim unsupervised; work release; Act 35; defendant may be considered for early release upon acceptance to an approved re-entry plan.			
Abeln, Greg			
01/28/2009	Hand Delivered		
Commonwealth of Pennsylvania			
01/28/2009	Hand Delivered		
Tejada, Jose Luis			
01/28/2009	Hand Delivered		

1	01/30/2009		Court of Common Pleas - Franklin County
Penalty Assessed			

1	02/10/2009		Van Horn, Carol L.
Guideline Sentence Form			

1	02/27/2009		Tejada, Jose Luis
Bail Refund			

1	04/30/2009		Tejada, Jose Luis
Motion for Work Release			

2	04/30/2009	04/30/2009	Van Horn, Carol L.
Order Granting Motion for Work Release			
Employer - Gaumers, Chambersburg, PA			

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1	07/15/2009	07/15/2009	Herman, Douglas W.
Order Granting Parole-Report to D.R.C. 7/16/09			
<p>7/15/09, it appearing to the Ct. that the Def. has been reviewed by Probation staff and deemed an appropriate candidate for parole from the Franklin Co. Prison to participate in the Day Reporting Program operated by Behavioral Interventions Inc. (B.I.)</p> <p>It is ordered that the Def. is placed on parole effective Thursday, 7/16/09 for a period of 14 months 19 days upon the condition that he/she successfully complete the treatment requirements of the Day Reporting Center (D.R.C.) and comply with all rules and conditions of the day reporting program as required by B.I.</p> <p>It is further ordered that the Def. shall reside at 251 East King St., Chambersburg, PA 17201 and must maintain employment at Gaumer's and give any employer two weeks advance notice of any intention to leave should the def. secure better employment. If unemployed, the def. must seek gainful employment.</p> <p>The Def. shall be under the supervision of the Franklin Co. Adult Probation Dept. and must comply with the Rules and Conditions of Probation, Parole or Intermediate Punishment and Special Conditions of Supervision approved by the Ct. and authorized to be completed for proper supervision of the def.</p> <p>The Def. shall be under close supervision for the initial three months of parole and shall pay any fees associated with said supervision. Upon successful completion of close supervision, the supervision level may be reduced to regular supervision.</p> <p>The def. shall be subject to any special conditions subsequently imposed by the Franklin Co. Adult Probation Dept. relating to the protection of society and/or the likelihood of the def's success in rehabilitation and treatment or leading a law abiding life.</p> <p>The def. shall pay the balance of any fines, costs, restitution, Act 35 supervision fees and any other fees imposed by the Ct. to the Payment Division of the Franklin Co. Prob. Dept. at the standard minimum rate of \$100.00 per month.</p> <p>The def. shall successfully complete any other treatment program required as a condition of the sentence imposed in this case, and shall comply with all other conditions of the sentence as imposed by the Ct.</p> <p>The def. shall not consume beverages containing alcohol and is subject to blood, breath, and/or urinalysis testing to ensure compliance.</p> <p>It is further ordered that the def. shall report to the Day Reporting Ctr. on Thursday, July 16, 2009 at 10 AM.</p>			
1	09/14/2009	09/11/2009	Court of Common Pleas - Franklin County
Work Credit Order			
<p>9/11/09, it appearing to the Ct. that the above named defendant while incarcerated in the Franklin Co. Prison has earned a total of 33 work credits. It is hereby ordered that his fines and costs be remitted in the amount of \$41.25.</p>			
1	04/09/2010	04/08/2010	Walsh, Richard J.
Wage Attachment Order			
<p>Employer: TB Woods 440 North Fifth Avenue Chambersburg, PA 17201 phone: 717-264-7161 amount: \$25.00 per Week</p>			

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1	04/22/2010		Tejada, Jose Luis
Penalty Satisfied			
1	04/30/2010		Court of Common Pleas - Franklin County
Motion to Vacate Wage Attachment			
2	04/30/2010	04/29/2010	Walsh, Richard J.
Wage Attachment is Hereby Vacated			
1	08/04/2011	08/03/2011	Van Horn, Carol L.
Order Granting Motion for Early Termination of Probation			
<p>August 3, 2011, it appearing to the Court that the above named defendant has complied with all rules and conditions of supervision and has paid all sums due in full, and further that it is the recommendation of the Franklin County Probation Department and Officer Brooke Alleman that supervision be terminated early.</p> <p>It is hereby ordered that the probation/parole in this matter be terminated effective July 26, 2011.</p>			

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CASE FINANCIAL INFORMATION

Last Payment Date: 06/13/2019

Total of Last Payment: -\$4.25

Tejada, Jose Luis Defendant	<u>Assessment</u>	<u>Payments</u>	<u>Adjustments</u>	<u>Non Monetary Payments</u>	<u>Total</u>
Costs/Fees					
Use of County (Franklin)	\$200.00	(\$187.55)	(\$12.45)	\$0.00	\$0.00
State Court Costs (Act 204 of 1976)	\$10.30	(\$10.30)	\$0.00	\$0.00	\$0.00
Commonwealth Cost - HB627 (Act 167 of 1992)	\$8.90	(\$8.90)	\$0.00	\$0.00	\$0.00
County Court Cost (Act 204 of 1976)	\$28.80	\$0.00	(\$28.80)	\$0.00	\$0.00
Crime Victims Compensation (Act 96 of 1984)	\$35.00	(\$35.00)	\$0.00	\$0.00	\$0.00
Domestic Violence Compensation (Act 44 of 1988)	\$10.00	(\$10.00)	\$0.00	\$0.00	\$0.00
Victim Witness Service (Act 111 of 1998)	\$25.00	(\$25.00)	\$0.00	\$0.00	\$0.00
Firearm Education and Training Fund	\$5.00	(\$5.00)	\$0.00	\$0.00	\$0.00
Judicial Computer Project	\$8.00	(\$8.00)	\$0.00	\$0.00	\$0.00
ATJ	\$2.00	(\$2.00)	\$0.00	\$0.00	\$0.00
Clerk Automation Cost (Franklin)	\$5.00	(\$5.00)	\$0.00	\$0.00	\$0.00
Costs of Prosecution - CJEA	\$50.00	(\$50.00)	\$0.00	\$0.00	\$0.00
OSP (Franklin/State) (Act 35 of 1991)	\$700.00	(\$375.00)	(\$325.00)	\$0.00	\$0.00
OSP (Franklin/State) (Act 35 of 1991)	\$700.00	(\$375.00)	(\$325.00)	\$0.00	\$0.00
Bail Poundage (Franklin)	\$70.00	(\$70.00)	\$0.00	\$0.00	\$0.00
Certifications (Filing Fee) (Franklin)	\$8.00	(\$8.00)	\$0.00	\$0.00	\$0.00
Copies (Franklin)	\$4.25	(\$4.25)	\$0.00	\$0.00	\$0.00
Costs/Fees Totals:	\$1,870.25	(\$1,179.00)	(\$691.25)	\$0.00	\$0.00
Grand Totals:	\$1,870.25	(\$1,179.00)	(\$691.25)	\$0.00	\$0.00

** - Indicates assessment is subrogated