

COURT OF COMMON PLEAS OF FRANKLIN COUNTY

DOCKET



Docket Number: CP-28-CR-0001579-2018

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

Donald Franklin Russ II

Page 1 of 8

CASE INFORMATION

Judge Assigned:

Date Filed: 08/29/2018

Initiation Date: 07/30/2018

OTN: U 611092-6

LOTN:

Originating Docket No: MJ-39303-CR-0000085-2018

Initial Issuing Authority: David L. Plum

Final Issuing Authority: David L. Plum

Arresting Agency: Chambersburg Psp

Arresting Officer: Crouse, Joshua W.

Complaint/Incident #: PA18717028

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	09/06/2019	Completed	07/30/2018
	09/06/2019	Awaiting Return of Bail	
	07/01/2019	Awaiting Trial	
	06/19/2019	Awaiting Trial Scheduling	
	02/26/2019	Awaiting Trial Scheduling	
	01/04/2019	Awaiting Trial	
	12/28/2018	Awaiting Trial Scheduling	
	09/26/2018	Awaiting Pre-Trial Conference	
	08/30/2018	Awaiting Formal Arraignment	
	08/29/2018	Awaiting Filing of Information	

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DOCKET

Docket Number: CP-28-CR-0001579-2018

CRIMINAL DOCKET

Court Case



Commonwealth of Pennsylvania

v.

Donald Franklin Russ II

Page 2 of 8

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	09/26/2018	1:00 pm	Courtroom #4 - Franklin County Courthouse	Judge Angela R. Krom	Scheduled
Call of the Trial List (Incarcerated)	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
Pre-Trial Conference	01/04/2019	9:00 am	Courtroom #4 - Franklin County Courthouse	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
Pre-Trial Conference	03/06/2019	9:00 am	Courtroom #4 - Franklin County Courthouse	Judge Angela R. Krom	Scheduled
Pre-Trial Conference	05/06/2019	9:00 am	Courtroom #4 - Franklin County Courthouse	Judge Angela R. Krom	Scheduled
Revocation Hearing	05/22/2019	10:30 am	Courtroom #4 - Franklin County Courthouse	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		Scheduled
Pre-Trial Conference	07/01/2019	9:00 am	Courtroom #4 - Franklin County Courthouse	Judge Angela R. Krom	Scheduled

DEFENDANT INFORMATION

Date Of Birth: 08/17/1984 City/State/Zip: Chambersburg, PA 17202

Alias Name

Russ, Donald F. II
Russ, Donald F. II
Russ, Donald Franklin

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DOCKET

Docket Number: CP-28-CR-0001579-2018

CRIMINAL DOCKET

Court Case



Commonwealth of Pennsylvania

v.

Donald Franklin Russ II

Page 3 of 8

CASE PARTICIPANTS

<u>Participant Type</u>	<u>Name</u>
Defendant	Russ, Donald Franklin II

BAIL INFORMATION

Russ, Donald Franklin II

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	07/31/2018	Monetary		\$100,000.00		
Change Bail Type	02/04/2019	Nominal		\$1.00		
Revoke	05/29/2019	Nominal		\$1.00		
					Posted	02/05/2019

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	F3	18 § 6301 §§ A1ii	Corruption Of Minors - Defendant Age 18 or Above	06/25/2018	U 611092-6
2	2	F3	18 § 6301 §§ A1ii	Corruption Of Minors - Defendant Age 18 or Above	06/25/2018	U 611092-6
3	3	M1	18 § 3126 §§ A7	Indecent Assault Person Less than 13 Years of Age	06/25/2018	U 611092-6
4	4	M1	18 § 3126 §§ A7	Indecent Assault Person Less than 13 Years of Age	06/25/2018	U 611092-6
5	5	M2	18 § 3126 §§ A1	Indec Asslt-W/O Cons Of Other	06/25/2018	U 611092-6
6	6	M2	18 § 3126 §§ A1	Indec Asslt-W/O Cons Of Other	06/25/2018	U 611092-6

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

Lower Court Disposition	08/28/2018	Not Final	
1 / Corruption Of Minors - Defendant Age 18 or Above	Waived for Court (Lower Court)	F3	18 § 6301 §§ A1ii
2 / Corruption Of Minors - Defendant Age 18 or Above	Waived for Court (Lower Court)	F3	18 § 6301 §§ A1ii
3 / Indecent Assault Person Less than 13 Years of Age	Waived for Court (Lower Court)	M1	18 § 3126 §§ A7
4 / Indecent Assault Person Less than 13 Years of Age	Waived for Court (Lower Court)	M1	18 § 3126 §§ A7
5 / Indec Asslt-W/O Cons Of Other	Waived for Court (Lower Court)	M2	18 § 3126 §§ A1
6 / Indec Asslt-W/O Cons Of Other	Waived for Court (Lower Court)	M2	18 § 3126 §§ A1

COURT OF COMMON PLEAS OF FRANKLIN COUNTY

DOCKET

Docket Number: CP-28-CR-0001579-2018

CRIMINAL DOCKET

Court Case



Commonwealth of Pennsylvania

v.

Donald Franklin Russ II

Page 4 of 8

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>			

Proceed to Court

Information Filed	09/21/2018	Not Final	
1 / Corruption Of Minors - Defendant Age 18 or Above	Proceed to Court	F3	18 § 6301 §§ A1ii
2 / Corruption Of Minors - Defendant Age 18 or Above	Proceed to Court	F3	18 § 6301 §§ A1ii
3 / Indecent Assault Person Less than 13 Years of Age	Proceed to Court	M1	18 § 3126 §§ A7
4 / Indecent Assault Person Less than 13 Years of Age	Proceed to Court	M1	18 § 3126 §§ A7
5 / Indec Asslt-W/O Cons Of Other	Proceed to Court	M2	18 § 3126 §§ A1
6 / Indec Asslt-W/O Cons Of Other	Proceed to Court	M2	18 § 3126 §§ A1

Not Guilty

Trial by Jury	09/06/2019	Final Disposition	
1 / Corruption Of Minors - Defendant Age 18 or Above	Not Guilty	F3	18 § 6301 §§ A1ii
2 / Corruption Of Minors - Defendant Age 18 or Above	Not Guilty	F3	18 § 6301 §§ A1ii
3 / Indecent Assault Person Less than 13 Years of Age	Not Guilty	M1	18 § 3126 §§ A7
4 / Indecent Assault Person Less than 13 Years of Age	Not Guilty	M1	18 § 3126 §§ A7
5 / Indec Asslt-W/O Cons Of Other	Not Guilty	M2	18 § 3126 §§ A1
6 / Indec Asslt-W/O Cons Of Other	Not Guilty	M2	18 § 3126 §§ A1

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: Kevin Matthew Taccino
Court Appointed - Private

Supreme Court No: 090962

Rep. Status: Active

Phone Number(s):
717-262-2319 (Phone)

Address:

Taccino Law Office
25 Penncraft Ave Ste 310
Chambersburg, PA 17201-5600

Representing: Russ, Donald Franklin II

ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
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DOCKET

Docket Number: CP-28-CR-0001579-2018

CRIMINAL DOCKET

Court Case



Commonwealth of Pennsylvania

v.

Donald Franklin Russ II

Page 5 of 8

ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	07/31/2018		Manns, Glenn Kenneth
Bail Set - Russ, Donald Franklin II			
1	08/08/2018		Bogner, Casey Starr
Petition for Appointment of Conflict Counsel			
2	08/08/2018	08/07/2018	Krom, Angela R.
Order Granting Motion for Appointment of Conflict Counsel			
1	08/29/2018		Court of Common Pleas - Franklin County
Original Papers Received from Lower Court			
1	09/21/2018		Commonwealth of Pennsylvania
Information Filed			
1	09/26/2018		Russ, Donald Franklin II
Appearance and Waiver of Arraignment			
1	01/04/2019	01/04/2019	Krom, Angela R.
Order/Continued to March 19 Term of Court			
1	01/28/2019		Taccino, Kevin Matthew
Motion for Nominal Bail			
1	01/30/2019	01/29/2019	Krom, Angela R.
Order/Hearing Scheduled 2/4/2019 2:00pm			
Commonwealth of Pennsylvania			
01/31/2019	Interoffice		
Taccino, Kevin Matthew			
01/31/2019	Interoffice		
1	02/04/2019	02/04/2019	Krom, Angela R.
Bail Type Changed - Russ, Donald Franklin II			
Commonwealth of Pennsylvania			
02/04/2019	Interoffice		
Taccino, Kevin Matthew			
02/04/2019	Interoffice		

COURT OF COMMON PLEAS OF FRANKLIN COUNTY

DOCKET

Docket Number: CP-28-CR-0001579-2018

CRIMINAL DOCKET

Court Case



Commonwealth of Pennsylvania

v.

Donald Franklin Russ II

Page 6 of 8

ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	02/05/2019		Ott, Jinny Lee
Bail Posted - Russ, Donald Franklin II			
1	03/06/2019		Krom, Angela R.
Order/Continued to May 2019 Trial Term			
Commonwealth of Pennsylvania			
03/06/2019	Interoffice		
Taccino, Kevin Matthew			
03/06/2019	Interoffice		
1	04/30/2019		Court of Common Pleas - Franklin County
Petition for the Revocation of Bail			
2	04/30/2019	04/30/2019	Krom, Angela R.
Order/Bail Revocation Hearing Scheduled 5/22/2019 10:30am			
1	05/06/2019	05/06/2019	Krom, Angela R.
Order/PTC Cont'd to July 2019 Term of Court			
Commonwealth of Pennsylvania			
05/06/2019	Interoffice		
Taccino, Kevin Matthew			
05/06/2019	Interoffice		
1	05/08/2019		Franklin County District Attorney's Office
Motion for Testimony and Motion in Limine			
1	05/09/2019	05/09/2019	Krom, Angela R.
Order/In RE: Motion for Testimony & Motion in Limine Scheduled 6/3/19 @ 9 a.m.			
Commonwealth of Pennsylvania			
05/09/2019	Interoffice		
Taccino, Kevin Matthew			
05/09/2019	Interoffice		
1	05/23/2019	05/22/2019	Krom, Angela R.
Order Granting Motion to Revoke/Release and Forfeit Bail - Russ, Donald Franklin II			

COURT OF COMMON PLEAS OF FRANKLIN COUNTY

DOCKET

Docket Number: CP-28-CR-0001579-2018

CRIMINAL DOCKET

Court Case



Commonwealth of Pennsylvania

v.

Donald Franklin Russ II

Page 7 of 8

ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	06/03/2019		Bogner, Casey Starr Franklin County District Attorney's Office
Commonwealth Exhibit #1; Defense Exhibit #1			
2	06/03/2019	06/03/2019	Krom, Angela R.
Order/Denying CW's motion for Testimony by Contemporaneous Alternative Method			
Commonwealth of Pennsylvania			
	06/03/2019	Interoffice	
Taccino, Kevin Matthew			
	06/03/2019	Interoffice	
1	06/14/2019		Taccino, Kevin Matthew
Request for Transcript or Copy			
1	07/01/2019	07/01/2019	Krom, Angela R.
Order to Place Case on Trial List			
Commonwealth of Pennsylvania			
	07/01/2019	Interoffice	
Taccino, Kevin Matthew			
	07/01/2019	Interoffice	
1	07/11/2019	07/11/2019	Krom, Angela R.
Opinion/Order of Court			
Commonwealth of Pennsylvania			
	07/12/2019	Interoffice	
Taccino, Kevin Matthew			
	07/12/2019	Interoffice	
1	07/16/2019	07/08/2019	Krom, Angela R.
Transcript of Proceedings Tender Years Hearing			
1	08/05/2019		Commonwealth of Pennsylvania
Commonwealth's Proposed Jury Instructions			
2	08/05/2019		Commonwealth of Pennsylvania
Proposed Verdict Slip			
3	08/05/2019		Commonwealth of Pennsylvania
Commonwealth's Voir Dire Questions			

COURT OF COMMON PLEAS OF FRANKLIN COUNTY

DOCKET

Docket Number: CP-28-CR-0001579-2018

CRIMINAL DOCKET

Court Case



Commonwealth of Pennsylvania

v.

Donald Franklin Russ II

Page 8 of 8

ENTRIES

Sequence Number	CP Filed Date	Document Date	Filed By
4	08/05/2019		Taccino, Kevin Matthew
Defendant's Proposed Voir Dire Questions			
1	08/30/2019		Taccino, Kevin Matthew
Proposed Verdict Slip			
2	08/30/2019		Taccino, Kevin Matthew
Def's Proposed Jury Instructions			
2	09/06/2019		Krom, Angela R.
Not Guilty			
3	09/06/2019		Krom, Angela R.
Commonwealth's Exhibits 1-5			
1	09/10/2019	09/06/2019	Krom, Angela R.
Release of Prisoner			
Commonwealth of Pennsylvania			
	09/10/2019	Interoffice	
Taccino, Kevin Matthew			
	09/10/2019	Interoffice	

CASE FINANCIAL INFORMATION

Last Payment Date: 07/03/2019

Total of Last Payment: -\$1.00

Russ, Donald Franklin II Defendant	Assessment	Payments	Adjustments	Non Monetary Payments	Total
Costs/Fees					
Miscellaneous Issuances	\$18.00	\$0.00	(\$18.00)	\$0.00	\$0.00
Bench Warrant Costs (Franklin)	\$8.00	\$0.00	(\$8.00)	\$0.00	\$0.00
Sheriff (Franklin)	\$100.76	\$0.00	(\$100.76)	\$0.00	\$0.00
Subpoenas (Franklin)	\$5.00	\$0.00	(\$5.00)	\$0.00	\$0.00
Bail Poundage (Franklin)	\$1.00	(\$1.00)	\$0.00	\$0.00	\$0.00
Subpoenas (Franklin)	\$20.00	\$0.00	(\$20.00)	\$0.00	\$0.00
Costs/Fees Totals:	\$152.76	(\$1.00)	(\$151.76)	\$0.00	\$0.00
Grand Totals:	\$152.76	(\$1.00)	(\$151.76)	\$0.00	\$0.00

** - Indicates assessment is subrogated