

COURT OF COMMON PLEAS OF LEBANON COUNTY

DOCKET



Docket Number: CP-38-CR-0001761-2019

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

Michael Jay Folmer

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CASE INFORMATION

Judge Assigned: Madenspacher, Joseph C. Date Filed: 10/21/2019 Initiation Date: 09/17/2019
OTN: X 288039-3 LOTN: X 288039-3 Originating Docket No: MJ-52201-CR-0000198-2019
Initial Issuing Authority: Thomas M. Capello Final Issuing Authority: Thomas M. Capello
Arresting Agency: Pennsylvania Office of Attorney General Arresting Officer: Goodrow, Gordon R.
Complaint/Citation No.: 562590 Incident Number:
Case Local Number Type(s) 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>09/17/2019</u>
		07/21/2020	Sentenced/Penalty Imposed		
		05/20/2020	Awaiting PSI		
		02/27/2020	Awaiting PSI		
		02/27/2020	Awaiting Sentencing		
		02/27/2020	Awaiting Sentencing		
		11/22/2019	Awaiting Formal Arraignment		
		11/21/2019	Awaiting Pre-Trial Conference		
		10/21/2019	Awaiting Filing of Information		

Complaint Date: 09/17/2019

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>
Arraignment	12/04/2019	8:30 am	Courtroom No. 2	Judge Samuel A. Kline	Cancelled
Call of the List	02/04/2020	8:30 am	Courtroom No. 1	President Judge John C. Tylwalk	Continued
Crim Jury Trial	02/24/2020	8:30 am	Courtroom No. 1	President Judge John C. Tylwalk	Continued
Plea	02/27/2020	9:30 am	Courtroom No. 2	Senior Judge Joseph C. Madenspacher	Scheduled
Call of the List	04/07/2020	8:30 am	Courtroom No. 1	Judge Charles T. Jones Jr.	Cancelled
Crim Jury Trial	04/20/2020	8:30 am	Courtroom No. 2	Judge Samuel A. Kline	Cancelled
Sentencing	05/26/2020	9:30 am	Courtroom No. 2	Senior Judge Joseph C. Madenspacher	Moved
Sentencing	07/21/2020	9:30 am	Courtroom No. 2	Senior Judge Joseph C. Madenspacher	Scheduled

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DEFENDANT INFORMATION

Date Of Birth: 01/02/1956 City/State/Zip: Lebanon, PA 17046

Alias Name
Folmer, Michael J.

CASE PARTICIPANTS

<u>Participant Type</u>	<u>Name</u>
Defendant	Folmer, Michael Jay

BAIL INFORMATION

Folmer, Michael Jay					Nebbia Status: None
<u>Bail Action</u>	<u>Date</u>	<u>Bail Type</u>	<u>Percentage</u>	<u>Amount</u>	
Set	09/17/2019	Monetary		\$25,000.00	
					<u>Bail Posting Status</u> <u>Posting Date</u>
					Posted 09/17/2019

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	5	F2	18 § 6312 §§ D	Child Pornography	09/17/2019	X 288039-3
2	6	F2	18 § 6312 §§ D	Child Pornography	09/17/2019	X 288039-3
3	7	F2	18 § 6312 §§ D	Child Pornography	09/17/2019	X 288039-3
4	8	F3	18 § 7512 §§ A	Criminal Use Of Communication Facility	09/17/2019	X 288039-3

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

Lower Court Disposition	10/18/2019	Not Final
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Proceed to Court

Information Filed	11/22/2019	Not Final
1 / Child Pornography	Added by Information	F2 18 § 6312 §§ D
2 / Child Pornography	Added by Information	F2 18 § 6312 §§ D
3 / Child Pornography	Added by Information	F2 18 § 6312 §§ D
4 / Criminal Use Of Communication Facility	Added by Information	F3 18 § 7512 §§ A

Guilty Plea - Negotiated Defendant Was Present

Plea	02/27/2020	Final Disposition
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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>			
1 / Child Pornography Madenspacher, Joseph C. Confinement	Guilty Plea - Negotiated 07/21/2020 Min of 11.00 Months 29.00 Days Max of 1.00 Years 11.00 Months 28.00 Days Two Years Minus One Day	F2	18 § 6312 §§ D 07/21/2020
<p>Pay the costs of prosecution, No fines were imposed.</p> <p>The Defendant is committed to the Lebanon County Correctional Facility, unless the reciprocal transfer agreement is in place stipulated by agreement , only for a period of not less than 1 year less one day to 2 years less 2 days, to be followed by 3 years Consecutive Probation</p> <p>The Defendant is required to provide a DNA Test and pay the fees for that test</p> <p>The Defendant is to have no unsupervised contact with any minors</p> <p>The Defendant has been advised of his requirements for registration Teir I (15 years)</p>			
2 / Child Pornography Madenspacher, Joseph C. Confinement	Guilty Plea - Negotiated 07/21/2020 Min of 11.00 Months 29.00 Days Max of 1.00 Years 11.00 Months 28.00 Days Two Years Minus One Day	F2	18 § 6312 §§ D 07/21/2020
<p>Pay the costs of prosecution, No fines were imposed.</p> <p>The Defendant is committed to the Lebanon County Correctional Facility, unless the reciprocal transfer agreement is in place stipulated by agreement , only for a period of not less than 1 year less one day to 2 years less 2 days, to be followed by 3 years Consecutive Probation</p> <p>Same conditions as Count # 1</p>			
3 / Child Pornography Madenspacher, Joseph C. Confinement	Guilty Plea - Negotiated 07/21/2020 Min of 11.00 Months 29.00 Days Max of 1.00 Years 11.00 Months 28.00 Days Two Years Minus One Day	F2	18 § 6312 §§ D 07/21/2020
<p>Pay the costs of prosecution, No fines were imposed.</p> <p>The Defendant is committed to the Lebanon County Correctional Facility, unless the reciprocal transfer agreement is in place stipulated by agreement , only for a period of not less than 1 year less one day to 2 years less 2 days, to be followed by 3 years Consecutive Probation</p> <p>Same Conditions as Ct. # 1</p>			

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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>			
4 / Criminal Use Of Communication Facility	Guilty Plea - Negotiated	F3	18 § 7512 §§ A
Madenspacher, Joseph C.	07/21/2020		07/21/2020
Probation	Min of 5.00 Years Max of 5.00 Years Other		
Pay the costs of prosecution, No fines were imposed.			
To run Consecutive to the other Sentences so that he will remain on supervision			

LINKED SENTENCES:

Link 1

CP-38-CR-0001761-2019 - Seq. No. 2 (18 § 6312 §§ D) - Confinement is Concurrent with
CP-38-CR-0001761-2019 - Seq. No. 1 (18 § 6312 §§ D) - Confinement

Link 2

CP-38-CR-0001761-2019 - Seq. No. 3 (18 § 6312 §§ D) - Confinement is Concurrent with
CP-38-CR-0001761-2019 - Seq. No. 1 (18 § 6312 §§ D) - Confinement

Link 3

CP-38-CR-0001761-2019 - Seq. No. 4 (18 § 7512 §§ A) - Probation is Consecutive to
CP-38-CR-0001761-2019 - Seq. No. 1 (18 § 6312 §§ D) - Confinement

Link 4

CP-38-CR-0001761-2019 - Seq. No. 4 (18 § 7512 §§ A) - Probation is Consecutive to
CP-38-CR-0001761-2019 - Seq. No. 2 (18 § 6312 §§ D) - Confinement

Link 5

CP-38-CR-0001761-2019 - Seq. No. 4 (18 § 7512 §§ A) - Probation is Consecutive to
CP-38-CR-0001761-2019 - Seq. No. 3 (18 § 6312 §§ D) - Confinement

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COMMONWEALTH INFORMATION

Name: Lebanon County District Attorney's
Office
District Attorney

Supreme Court No:

Phone Number(s):
717-274-2801 (Phone)

Address:

400 South Eighth Street
Room 11
Lebanon, PA 17042

ATTORNEY INFORMATION

Name: Brian W. Perry
Private

Supreme Court No: 075647

Rep. Status: Active

Phone Number(s):
717-232-9900 (Phone)

Address:

Perry Shore Weisenberger & Zemlock
2411 N Front St
Harrisburg, PA 17110-1160

Representing: Folmer, Michael Jay

ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	09/17/2019		Shepp, Benard D.
Bail Posted - Folmer, Michael Jay			
2	09/17/2019		Wolfe, Kim R.
Bail Set - Folmer, Michael Jay			
1	10/18/2019		Lebanon County Court Administration
Notice: Three Date Letter			
1	10/21/2019		Court of Common Pleas - Lebanon County
Original Papers Received from Lower Court			
1	11/21/2019		Folmer, Michael Jay
Waiver of Appearance at Arraignment			
1	11/22/2019		Attorney General of Pennsylvania
Information Filed			
1	01/30/2020		Perry, Brian W.
Motion for Continuance Defense Request			
1	02/10/2020	02/04/2020	Tylwalk, John C.
Order Granting Motion for Continuance/Call of the List and Trial Scheduled			
Attorney General's Office - Pennsylvania		Lebanon County Clerk of Courts	
02/10/2020 First Class			
Lebanon County Court Administration		Lebanon County Clerk of Courts	

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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>
Perry, Brian W.	02/10/2020	02/10/2020	Lebanon County Clerk of Courts
	02/10/2020		First Class

4	02/11/2020	02/11/2020	Madenspacher, Joseph C.
Order Scheduling Hearing			
Folmer, Michael Jay			Lebanon County Clerk of Courts
	02/11/2020		First Class
Lebanon County Adult Probation Unit			Lebanon County Clerk of Courts
	02/11/2020		Interoffice
Lebanon County Court Administration			Lebanon County Clerk of Courts
	02/11/2020		Interoffice
Perry, Brian W.			Lebanon County Clerk of Courts
	02/11/2020		First Class

1	02/27/2020		Madenspacher, Joseph C.
Guilty Plea - Negotiated			

2	02/27/2020		Folmer, Michael Jay
Guilty Plea Colloquy			

3	02/27/2020	02/27/2020	Madenspacher, Joseph C.
Assessment Request/Sexual Offender's Board/Megan's Law			
Attorney General's Office - Pennsylvania			Lebanon County Clerk of Courts
	02/27/2020		First Class
PA Sexual Offenders Assessment Board			Lebanon County Clerk of Courts
	02/27/2020		Fax
PA Sexual Offenders Assessment Board			Lebanon County Clerk of Courts
	02/27/2020		First Class
Perry, Brian W.			Lebanon County Clerk of Courts
	02/27/2020		First Class

7	02/27/2020	02/27/2020	Madenspacher, Joseph C.
Order Scheduling Sentencing 5/26/2020 9:30 a.m.			
Commonwealth of Pennsylvania			Lebanon County Clerk of Courts
	02/27/2020		First Class
Folmer, Michael Jay			Lebanon County Clerk of Courts

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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>
02/27/2020	First Class		
Lebanon County Adult Probation Unit		Lebanon County Clerk of Courts	
02/27/2020	Interoffice		
Lebanon County Court Administration		Lebanon County Clerk of Courts	
02/27/2020	Interoffice		
Perry, Brian W.		Lebanon County Clerk of Courts	
02/27/2020	First Class		

3	05/20/2020	05/20/2020	Madenspacher, Joseph C.
Order for Continued Scheduled Hearing			
Attorney General's Office - Pennsylvania		Lebanon County Clerk of Courts	
05/20/2020	First Class		
Folmer, Michael Jay		Lebanon County Clerk of Courts	
05/20/2020	First Class		
Lebanon County Adult Probation Unit		Lebanon County Clerk of Courts	
05/20/2020	Interoffice		
Lebanon County Court Administration		Lebanon County Clerk of Courts	
05/20/2020	Interoffice		
Perry, Brian W.		Lebanon County Clerk of Courts	
05/20/2020	First Class		

1	07/16/2020		Perry, Brian W.
Sentencing Memorandum			

1	07/21/2020		Attorney General's Office
Stipulation of the Parties			

2	07/21/2020		Folmer, Michael Jay
Notification of Registration Requirements			

3	07/21/2020		Madenspacher, Joseph C.
Order - Sentence/Penalty Imposed			

1	07/22/2020	07/22/2020	Madenspacher, Joseph C.
Sentence/Penalty Order Filed			
Attorney General's Office		Lebanon County Clerk of Courts	
07/22/2020	First Class		

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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>
Lebanon County Adult Probation Unit 07/22/2020	Interoffice	Lebanon County Clerk of Courts	
Lebanon County Correctional Facility 07/22/2020	Interoffice	Lebanon County Clerk of Courts	
Perry, Brian W. 07/22/2020	First Class	Lebanon County Clerk of Courts	

1	07/30/2020		Court of Common Pleas - Lebanon County
Penalty Assessed			

1	08/10/2020	07/21/2020	Madenspacher, Joseph C.
Amended Sentencing Order			
Attorney General's Office		Lebanon County Clerk of Courts	
08/10/2020	First Class		
Lebanon County Adult Probation Unit		Lebanon County Clerk of Courts	
08/10/2020	Interoffice		
Lebanon County Correctional Facility		Lebanon County Clerk of Courts	
08/10/2020	Interoffice		
Perry, Brian W.		Lebanon County Clerk of Courts	
08/10/2020	First Class		

1	08/17/2020		Vanasdale, Jennifer Gilliland
Transcript Request			

1	09/01/2020		Lebanon County Court Reporters
Pa.R.A.P. 1922(a) Notice of Lodging Transcript of Record			

2	09/01/2020		Lebanon County Court Reporters
Transcript of Proceedings Filed			

1	03/15/2021		Tylwalk, John C.
Writ of Habeas Corpus			
Lebanon County Adult Probation Unit		Lebanon County Clerk of Courts	
03/15/2021			
Lebanon County Court Administration		Lebanon County Clerk of Courts	
03/15/2021			

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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>
Lebanon County District Attorney's Office 03/15/2021		Lebanon County Clerk of Courts	
Lebanon County Sheriff 03/15/2021	Hand Delivered	Lebanon County Clerk of Courts	

1	06/17/2021		Tylwalk, John C.
Order Granting Parole Berks County Prison 06/17/2021	Interoffice	Lebanon County Clerk of Courts	
Folmer, Michael Jay 06/17/2021	First Class	Lebanon County Clerk of Courts	
Lebanon County Adult Probation Unit 06/17/2021	Interoffice	Lebanon County Clerk of Courts	
Lebanon County Correctional Facility 06/17/2021	Interoffice	Lebanon County Clerk of Courts	
Lebanon County Court Administration 06/17/2021	Interoffice	Lebanon County Clerk of Courts	
Lebanon County District Attorney's Office 06/17/2021	Interoffice	Lebanon County Clerk of Courts	
Lebanon County Domestic Relations Office 06/17/2021	Interoffice	Lebanon County Clerk of Courts	

PAYMENT PLAN SUMMARY

<u>Payment Plan No</u>	<u>Payment Plan Freq.</u>	<u>Next Due Date</u>	<u>Active</u>	<u>Overdue Amt</u>	
<u>Responsible Participant</u>			<u>Suspended</u>	<u>Next Due Amt</u>	
38-2020-P000001470	Monthly	02/08/2022	Yes	\$0.00	
Folmer, Michael Jay			No	\$200.00	
Payment Plan History:					
	<u>Receipt Date</u>	<u>Payment</u>	<u>Payer Name</u>	<u>Participant Role</u>	<u>Amount</u>
	08/02/2021	Payment	Folmer, Michael Jay	Defendant	\$1,093.25
	09/27/2021	Payment	Folmer, Michael Jay	Defendant	\$106.75

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CASE FINANCIAL INFORMATION

Last Payment Date: 09/27/2021

Total of Last Payment: -\$106.75

Folmer, Michael Jay Defendant	<u>Assessment</u>	<u>Payments</u>	<u>Adjustments</u>	<u>Non Monetary Payments</u>	<u>Total</u>
Costs/Fees					
ATJ	\$6.00	(\$6.00)	\$0.00	\$0.00	\$0.00
Admin-Co-Misd/Fel Cases (Lebanon)	\$38.50	\$0.00	\$0.00	\$0.00	\$38.50
All Misd & Fel Cases Disp During/After Trial (Leb)	\$173.00	(\$34.12)	\$0.00	\$0.00	\$138.88
Automation Fee (Lebanon)	\$5.00	(\$1.00)	\$0.00	\$0.00	\$4.00
Booking Center Fee (Lebanon)	\$300.00	\$0.00	\$0.00	\$0.00	\$300.00
CJES	\$2.50	(\$2.50)	\$0.00	\$0.00	\$0.00
Commonwealth Cost - HB627 (Act 167 of 1992)	\$21.60	\$0.00	\$0.00	\$0.00	\$21.60
Costs of Prosecution - CJEA	\$50.00	\$0.00	\$0.00	\$0.00	\$50.00
County Court Cost (Act 204 of 1976)	\$31.50	\$0.00	\$0.00	\$0.00	\$31.50
Crime Victims Compensation (Act 96 of 1984)	\$35.00	(\$35.00)	\$0.00	\$0.00	\$0.00
DNA Detection Fund (Act 185-2004)	\$250.00	\$0.00	\$0.00	\$0.00	\$250.00
Domestic Violence Compensation (Act 44 of 1988)	\$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	\$21.25	(\$21.25)	\$0.00	\$0.00	\$0.00
Judicial Computer Project	\$8.00	(\$8.00)	\$0.00	\$0.00	\$0.00
OAG - JCP	\$2.50	(\$2.50)	\$0.00	\$0.00	\$0.00
Public Safety Fee (Lebanon)	\$50.00	\$0.00	\$0.00	\$0.00	\$50.00
State Court Costs (Act 204 of 1976)	\$14.40	\$0.00	\$0.00	\$0.00	\$14.40
Victim Witness Service (Act 111 of 1998)	\$25.00	(\$25.00)	\$0.00	\$0.00	\$0.00
Civil Judgment (Lebanon)	\$44.00	\$0.00	\$0.00	\$0.00	\$44.00
OSP (Lebanon/State) (Act 35 of 1991)	\$2,700.00	(\$532.29)	\$0.00	\$0.00	\$2,167.71
OSP (Lebanon/State) (Act 35 of 1991)	\$2,700.00	(\$532.34)	\$0.00	\$0.00	\$2,167.66
Costs/Fees Totals:	\$6,493.25	(\$1,200.00)	\$0.00	\$0.00	\$5,293.25
Grand Totals:	\$6,493.25	(\$1,200.00)	\$0.00	\$0.00	\$5,293.25

** - Indicates assessment is subrogated