

# 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:  
County: Lebanon      Township: Lebanon City  
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	Senior 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	Senior 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

### CASE PARTICIPANTS

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

### BAIL INFORMATION

<b>Folmer, Michael Jay</b>					<b>Nebbia Status: None</b>
<u>Bail Action</u>	<u>Date</u>	<u>Bail Type</u>	<u>Originating Court</u>	<u>Percentage</u>	<u>Amount</u>
Set	09/17/2019	Monetary	Magisterial District Court		\$25,000.00
<u>Surety Type</u>	<u>Surety Name</u>	<u>Posting Status</u>	<u>Posting Date</u>	<u>Security Type</u>	<u>Security Amt</u>
Professional Surety	Shepp, Benard D.	Posted	09/17/2019	Surety Bonds	\$25,000.00

### 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	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>		

<b>Waived for Court (Lower Court)</b>	Defendant Was Present	
Lower Court Disposition	10/18/2019	Not Final
<b>Proceed to Court</b>		
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
<b>Guilty Plea - Negotiated</b>	Defendant Was Present	
Plea	02/27/2020	Final Disposition
1 / Child Pornography	Guilty Plea - Negotiated	F2    18 § 6312 §§ D
Madenspacher, Joseph C.	07/21/2020	

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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>			
Confinement	Min of 11.00 Months 29.00 Days Max of 1.00 Years 11.00 Months 28.00 Days Two Years Minus One Day		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	Guilty Plea - Negotiated	F2	18 § 6312 §§ D
Madenspacher, Joseph C.	07/21/2020		
Confinement	Min of 11.00 Months 29.00 Days Max of 1.00 Years 11.00 Months 28.00 Days Two Years Minus One Day		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	Guilty Plea - Negotiated	F2	18 § 6312 §§ D
Madenspacher, Joseph C.	07/21/2020		
Confinement	Min of 11.00 Months 29.00 Days Max of 1.00 Years 11.00 Months 28.00 Days Two Years Minus One Day		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>			
4 / Criminal Use Of Communication Facility	Guilty Plea - Negotiated	F3	18 § 7512 §§ A
Madenspacher, Joseph C.	07/21/2020		

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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>			
Probation	Min of 5.00 Years Max of 5.00 Years Other		07/21/2020

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
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1	02/27/2020		Madenspacher, Joseph C.
Guilty Plea - Negotiated			
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2	02/27/2020		Folmer, Michael Jay
Guilty Plea Colloquy			
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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
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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		
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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		
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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	
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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 08/10/2020	First Class	Lebanon County Clerk of Courts	
Lebanon County Adult Probation Unit 08/10/2020	Interoffice	Lebanon County Clerk of Courts	
Lebanon County Correctional Facility 08/10/2020	Interoffice	Lebanon County Clerk of Courts	
Perry, Brian W. 08/10/2020	First Class	Lebanon County Clerk of Courts	
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1	08/17/2020		Vanasdale, Jennifer Gilliland
Transcript Request			
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1	09/01/2020		Lebanon County Court Reporters
Pa.R.A.P. 1922(a) Notice of Lodging Transcript of Record			
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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 03/15/2021		Lebanon County Clerk of Courts	
Lebanon County Court Administration 03/15/2021		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>
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	
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### 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	04/08/2023	Yes	\$0.00
Folmer, Michael Jay			No	\$200.00

<u>Payment Plan History:</u>	<u>Receipt Date</u>		<u>Payor 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
	02/07/2022	Payment	Folmer, Michael Jay	Defendant	\$200.00
	03/07/2022	Payment	Folmer, Michael Jay	Defendant	\$200.00
	04/04/2022	Payment	Folmer, Michael Jay	Defendant	\$200.00
	05/02/2022	Payment	Folmer, Michael Jay	Defendant	\$200.00
	06/06/2022	Payment	Folmer, Michael Jay	Defendant	\$200.00
	07/11/2022	Payment	Folmer, Michael Jay	Defendant	\$200.00
	08/08/2022	Payment	Folmer, Michael Jay	Defendant	\$200.00
	09/12/2022	Payment	Folmer, Michael Jay	Defendant	\$200.00
	10/17/2022	Payment	Folmer, Michael Jay	Defendant	\$200.00
	11/21/2022	Payment	Folmer, Michael Jay	Defendant	\$200.00
	12/19/2022	Payment	Folmer, Michael Jay	Defendant	\$200.00
	01/30/2023	Payment	Folmer, Michael Jay	Defendant	\$200.00
	02/27/2023	Payment	Folmer, Michael Jay	Defendant	\$200.00
	03/20/2023	Payment	Folmer, Michael Jay	Defendant	\$200.00

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### CASE FINANCIAL INFORMATION

Last Payment Date: 03/20/2023

Total of Last Payment: -\$200.00

Folmer, Michael Jay Defendant	<u>Assessment</u>	<u>Payments</u>	<u>Adjustments</u>	<u>Non Monetary Payments</u>	<u>Balance</u>
<b>Costs/Fees</b>					
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	(\$120.98)	\$0.00	\$0.00	\$52.02
Automation Fee (Lebanon)	\$5.00	(\$3.52)	\$0.00	\$0.00	\$1.48
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	(\$1,887.57)	\$0.00	\$0.00	\$812.43
OSP (Lebanon/State) (Act 35 of 1991)	\$2,700.00	(\$1,887.68)	\$0.00	\$0.00	\$812.32
Costs/Fees Totals:	\$6,493.25	(\$4,000.00)	\$0.00	\$0.00	\$2,493.25
Grand Totals:	\$6,493.25	(\$4,000.00)	\$0.00	\$0.00	\$2,493.25

\*\* - Indicates assessment is subrogated