COURT OF COMMON PLEAS OF LUZERNE COUNTY

DOCKET

Docket Number: CP-40-CR-0001530-2012

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania
v.
JUAN S. BORBON

CASE INFORMATION

Cross Court Docket Nos: 520 MDA 2014

Judge Assigned:

Date Filed: 04/30/2012 Initiation Date: 02/22/2012

OTN: T 150869-5 LOTN:

Originating Docket No: MJ-11101-CR-0000065-2012

Initial Issuing Authority: Rick Cronauer

Final Issuing Authority: Rick Cronauer

Arresting Agency: Wilkes Barre City Police Dept

Arresting Officer: Jensen, Charles M.

Complaint/Incident #: 020912492

Case Local Number Type(s)

Case Local Number(s)

STATUS INFORMATION

Case Status: Closed

Complaint Date: 02/22/2012

Status Date	Processing Status
02/13/2017	Completed
12/20/2016	Awaiting Post Sentence Motion Hearing
05/07/2015	Completed
03/17/2014	Awaiting Appellate Court Decision
10/31/2013	Awaiting Post Sentence Motion Hearing
10/21/2013	Sentenced/Penalty Imposed
10/21/2013	Awaiting Sentencing
10/21/2013	Awaiting PSI
09/11/2013	Awaiting Sentencing
06/27/2012	Awaiting Trial
04/30/2012	Awaiting Formal Arraignment
04/30/2012	Awaiting Filing of Information

CALENDAR EVENTS

Case Calendar Event Type	Schedule Start Date	Start Time	Room	Judge Name	Schedule Status
Formal Arraignment	06/29/2012	9:30 am	Luzerne County Courthouse, 3rd Floor		Scheduled
Pre-Trial Conference	09/28/2012	3:00 pm	Luzerne County Courthouse, 3rd Floor	Judge Joseph F. Sklarosky Jr.	Scheduled

CONFINEMENT INFORMATION

Confinement Known As Of	Confinement Type	Destination Location	Confinement Reason	Still in Custody
05/12/2016	DOC Confined	SCI Coal Township		Yes

DEFENDANT INFORMATION

Date Of Birth: 02/28/1992

City/State/Zip:

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CASE PARTICIPANTS

Participant Type	Name
Defendant	BORBON, JUAN S.

BAIL INFORMATION

BORBON, JUAN S. **Nebbia Status: None**

Bail Action	Date	Bail Type	Percentage	Amount	Bail Posting Status	Posting Date
Set	03/14/2012	Monetary		$150,000.00		

CHARGES

Seq.	Orig Seq.	Grade	Statute	Statute Description	Offense Dt.	OTN
1	1	F1	**18 § 2702 §§A1**	Aggravated Assault	02/09/2012	T 150869-5
2	3	F2	**18 § 2702 §§A4**	Aggravated Assault	02/09/2012	T 150869-5
3	5	F1	**18 § 903**	Conspiracy - Aggravated Assault	02/09/2012	T 150869-5
4	8	F2	**18 § 903**	Conspiracy - Aggravated Assault	02/09/2012	T 150869-5
5	2	M2	**18 § 2701 §§A1**	Simple Assault	02/09/2012	T 150869-5
6	4	M2	**18 § 2701 §§A2**	Simple Assault	02/09/2012	T 150869-5
7	7	M2	**18 § 2705**	Recklessly Endangering Another Person	02/09/2012	T 150869-5

DISPOSITION SENTENCING/PENALTIES

Disposition
Case Event
Sequence/Description
Sentencing Judge
Sentence/Diversion Program Type
Sentence Conditions
Disposition Date
Offense Disposition
Sentence Date
Incarceration/Diversionary Period
Final Disposition
Grade Section
Credit For Time Served
Start Date

Held for Court (Lower Court) Defendant Was Present

Lower Court Disposition	04/26/2012	Not Final	
1 / Aggravated Assault	Held for Court (Lower Court)	F1	18 § 2702 §§ A1
2 / Aggravated Assault	Held for Court (Lower Court)	F2	18 § 2702 §§ A4
3 / Conspiracy - Aggravated Assault	Held for Court (Lower Court)	F1	18 § 903
4 / Conspiracy - Aggravated Assault	Held for Court (Lower Court)	F2	18 § 903
5 / Simple Assault	Held for Court (Lower Court)	M2	18 § 2701 §§ A1
6 / Simple Assault	Held for Court (Lower Court)	M2	18 § 2701 §§ A2
7 / Recklessly Endangering Another Person	Held for Court (Lower Court)	M2	18 § 2705

Proceed to Court

Information Filed	06/08/2012	Not Final	
1 / Aggravated Assault	Held for Court	F1	18 § 2702 §§ A1
2 / Aggravated Assault	Held for Court	F2	18 § 2702 §§ A4
3 / Conspiracy - Aggravated Assault	Held for Court	F1	18 § 903

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JUAN S. BORBON

DISPOSITION SENTENCING/PENALTIES

Disposition Case Event Sequence/Description Sentencing Judge Sentence/Diversion Program Type Sentence Conditions	Disposition Date Offense Disposition Sentence Date Incarceration/Diversionary Period	Final Disposition Grade Credit For Time Served Start Date	Section
4 / Conspiracy - Aggravated Assault	Held for Court	F2	18 § 903
5 / Simple Assault	Held for Court	M2	18 § 2701 §§ A1
6 / Simple Assault	Held for Court	M2	18 § 2701 §§ A2
7 / Recklessly Endangering Another Person	Held for Court	M2	18 § 2705
Guilty			
Trial	09/11/2013	Final Disposition	
1 / Aggravated Assault Sklarosky, Joseph F. Jr. Confinement	Guilty Plea 10/21/2013 Min of 72.00 Months Max of 144.00 Months Other	F1 587 Days 10/21/2013	18 § 2702 §§ A1
2 / Aggravated Assault Sklarosky, Joseph F. Jr. Merged	Guilty Plea 10/21/2013	F2	18 § 2702 §§ A4
3 / Conspiracy - Aggravated Assault Sklarosky, Joseph F. Jr. Confinement	Guilty Plea 10/21/2013 Min of 24.00 Months Max of 48.00 Months Other	F1	18 § 903
4 / Conspiracy - Aggravated Assault Sklarosky, Joseph F. Jr. Merged	Guilty Plea 10/21/2013	F2	18 § 903
5 / Simple Assault Sklarosky, Joseph F. Jr.	Withdrawn 10/21/2013	M2	18 § 2701 §§ A1
6 / Simple Assault Sklarosky, Joseph F. Jr.	Withdrawn 10/21/2013	M2	18 § 2701 §§ A2
7 / Recklessly Endangering Another Person Sklarosky, Joseph F. Jr.	Withdrawn 10/21/2013	M2	18 § 2705

LINKED SENTENCES:

Link 1

CP-40-CR-0001530-2012 - Seq. No. 5 (18§ 2702 §§ A1) - Confinement is Consecutive to
CP-40-CR-0001530-2012 - Seq. No. 1 (18§ 2702 §§ A1) - Confinement

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COMMONWEALTH INFORMATION

Name: Mary Grace Phillips
District Attorney
Supreme Court No: 210210
Phone Number(s):
570-825-1674 (Phone)
Address:
Luzerne CO Da's Office
200 N River St
Wilkes-Barre, PA 18711

ATTORNEY INFORMATION

Name: Eric E. Winter
Private
Supreme Court No: 084200
Rep. Status: Active
Phone Number(s):
Address:

ENTRIES

Sequence Number	CP Filed Date	Document Date	Filed By
1	03/14/2012		Cronauer, Rick
Bail Set - BORBON, JUAN S.			
1	04/30/2012		Court of Common Pleas - Luzerne County
Original Papers Received from Lower Court			
1	06/08/2012		Commonwealth of Pennsylvania
Information Filed			
1	06/27/2012		Court of Common Pleas - Luzerne County
Arraigned by video LCCF.			
1	09/28/2012		Sklarosky, Joseph F. Jr.
Continued			
1	10/05/2012		Sklarosky, Joseph F. Jr.
Motion for Appt Conflict Counsel & Order filed. appt Atty William Watt			
1	10/24/2012		Watt, William Jennings III
Request for Discovery filed.			
1	11/20/2012		Sklarosky, Joseph F. Jr.
Order Granting Motion for Payment of Private Investigator			
1	02/19/2013		Watt, William Jennings III
Notice of Alibi Defense			

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Sequence Number	CP Filed Date	Document Date	Filed By
1	03/21/2013		Sklarosky, Joseph F. Jr.
Motion for Continuance & Order filed. granted to 4-22-13			
1	04/19/2013		Sklarosky, Joseph F. Jr.
Motion to Continue & Order filed. granted to 6-10-13			
2	04/19/2013		Watt, William Jennings III
Withdrawal of Appearance & Entry of Appearance filed. Granted			
1	05/03/2013		Sklarosky, Joseph F. Jr.
Order Granting Motion for Payment of Private Investigator			
1	06/10/2013		Sklarosky, Joseph F. Jr.
Order of Court filed. Atty Yeager withdraws & appt Atty William Watt			
1	07/10/2013		Sklarosky, Joseph F. Jr.
Motion for Appt Conflict Counsel & Order filed. appt Atty Paul Galante			
1	07/18/2013		Phillips, Mary Grace
Motion for Continuance Prosecution Request			
3	09/11/2013		Sklarosky, Joseph F. Jr.
Guilty			
1	09/25/2013		Sklarosky, Joseph F. Jr.
Order Granting Motion for Payment of Private Investigator			
1	10/17/2013		Luzerne County District Attorney's Office
Notice of Comm's Intention to Seek Deadly Weapon used pursuant to time of Sentencing filed.			
2	10/17/2013		Commonwealth of Pennsylvania
Notice of Comm.'s Intention to Seek Deadly Weapon Used Enhancement Purs.to 204 PA 303.10(a)(2)			
2	10/21/2013		Sklarosky, Joseph F. Jr.
Order - Sentence/Penalty Imposed			
COMPLY W/ TERMS AND CONDITIONS PER DISPOSITION SHEET - REST 4565 PSP DNA TESTING - 368 PSP - 454 GEISINGER - 426.41 WB CITY			

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Sequence Number	CP Filed Date	Document Date	Filed By
1	10/23/2013		Sklarosky, Joseph F. Jr.
Steno Record filed. sentence on 10-21-13			
1	10/31/2013		Winter, Eric E.
Entry of Appearance			
2	10/31/2013		Winter, Eric E.
Post Sentence Motions Filed			
1	11/01/2013		Sklarosky, Joseph F. Jr.
Order Granting Motion for Extension of Time			
2	11/01/2013		Sklarosky, Joseph F. Jr.
Order of Court filed. Transcribe Record			
3	11/01/2013		Sklarosky, Joseph F. Jr.
Order to Transcribe Record of Trial (09-09-13 through 09-13-13).			
4	11/01/2013		Sklarosky, Joseph F. Jr.
Order Granting Motion for Extension of Time to File Post-Sentence Motions.			
1	11/18/2013		Court of Common Pleas - Luzerne County
Penalty Assessed			
1	01/06/2014		Court of Common Pleas - Luzerne County
Entry of Civil Judgment			
1	03/17/2014		Winter, Eric E.
Praecipe to Mark Post Sentence Motion as Denied			
2	03/17/2014		Winter, Eric E.
Notice of Appeal to the Superior Court			
1	03/18/2014		Court of Common Pleas - Luzerne County
Notice of Appeal forwarded to Superior Court			

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Sequence Number	CP Filed Date	Document Date	Filed By
1	03/26/2014		Sklarosky, Joseph F. Jr.
Concise Statement Order			
2	03/26/2014		Sklarosky, Joseph F. Jr.
Concise Statement Order - Statement w/i 21 days - Response w/i 28 days			
1	03/27/2014		Superior Court of Pennsylvania - Middle District
Appeal Docket Sheet from Superior Court of PA (520 MDA 2014)			
1	04/17/2014		Sklarosky, Joseph F. Jr.
Concise Statement Order			
2	04/17/2014		Winter, Eric E.
Motion for Extension of Time			
3	04/17/2014		Winter, Eric E.
Motion for Extension of Time to File Concise Statement and Request for Transcripts.			
4	04/17/2014		Sklarosky, Joseph F. Jr.
Order Granting Motion for Extension of Time to Produce Concise Statement and Order Transcripts.			
1	05/15/2014		Winter, Eric E.
Petition to Withdraw as Counsel.			
2	05/15/2014		Winter, Eric E.
Motion to Withdraw Appearance			
1	05/21/2014		Sklarosky, Joseph F. Jr.
Rule to Show Cause			
2	05/21/2014		Sklarosky, Joseph F. Jr.
Order- Rule Returnable for Hearing 06-02-14			
1	06/02/2014		Sklarosky, Joseph F. Jr.
Def. Counsel Withdraws his Request to Withdraw. Concise Statement 14 Days after Receipt of Trans.			
1	06/19/2014		Sklarosky, Joseph F. Jr.
Transcript of Proceedings Filed - Jury Trial - Commencing 09-09-13 Concluding 09-11-13.			

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Sequence Number	CP Filed Date	Document Date	Filed By
1	07/10/2014		Winter, Eric E.
Concise Statement of the Matters Complained on Appeal			
1	08/14/2014		Sklarosky, Joseph F. Jr.
Opinion and Order filed. Copies served.			
1	08/20/2014		Court of Common Pleas - Luzerne County
Certificate and Transmittal of Record to Appellate Court (520 MDA 2014)			
2	08/20/2014		Court of Common Pleas - Luzerne County
Copy of Transmittal of Record to Superior Court sent to Judge Sklarosky, DA and Atty. E. Winter. Copy of list of record documents transmitted to Superior Court (520 MDA 2014) mailed to Judge Sklarosky, DA and Eric Winter, Esquire.			
1	08/26/2014		Superior Court of Pennsylvania - Middle District
Record Filed in Superior Court 08-22-14			
1	11/13/2014		Court of Common Pleas - Luzerne County
Supplemental (Concise Statement) sent to Superior Court (520 MDA 2014)			
1	12/16/2014		Superior Court of Pennsylvania - Middle District
Supplemental filed in Superior Court 11/24/14			
1	05/07/2015		Superior Court of Pennsylvania - Middle District
Judgment of Sentence AFFIRMED.			
2	05/07/2015		Superior Court of Pennsylvania - Middle District
Record returned to Luzerne County.			
1	12/20/2016		BORBON, JUAN S.
Motion to Modify & Reduce Sentence Nunc Pro Tunc filed by def-sent to Judge Sklarosky			
2	12/20/2016		BORBON, JUAN S.
Proof of Service			

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Sequence Number	CP Filed Date	Document Date	Filed By
1	01/26/2017		BORBON, JUAN S.
Letter From Prisoner			
1	02/13/2017		Sklarosky, Joseph F. Jr.
Order Denying Deft's Post Trial Motion, nunc pro tunc;Copies sent			
1	02/24/2017		BORBON, JUAN S.
Post-Conviction Collateral Relief Act Motion filed by Deft. Sent all copies to Judge Sklarosky			
1	08/28/2017		BORBON, JUAN S.
Letter from Defendant by way of Superior Court filed regarding PCRA Pet. Copy to Judge Sklarosky			
1	10/24/2017		Sklarosky, Joseph F. Jr.
Order Appionting PCRA Counsel (Attorney Jefferey Yelen) Copies Sent Rule 114			
2	10/24/2017		Sklarosky, Joseph F. Jr.
Order Granting Motion of PCRA Counsel (Attorney Jeffrey Yelen) Copies Sent			

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CASE FINANCIAL INFORMATION

Last Payment Date: 04/29/2014 Total of Last Payment: -$19.96

BORBON, JUAN S. Defendant	Assessment	Payments	Adjustments	Non Monetary Payments	Total
Costs/Fees					
Costs of Transportation (Act 143-2006)	$41.10	$0.00	$0.00	$0.00	$41.10
Costs of Transportation (Act 143-2006)	$41.10	$0.00	$0.00	$0.00	$41.10
Costs of Transportation (Act 143-2006)	$41.10	$0.00	$0.00	$0.00	$41.10
Costs of Transportation (Act 143-2006)	$41.10	$0.00	$0.00	$0.00	$41.10
Costs of Transportation (Act 143-2006)	$41.10	$0.00	$0.00	$0.00	$41.10
Costs of Transportation (Act 143-2006)	$123.30	$0.00	$0.00	$0.00	$123.30
ATJ	$3.00	$0.00	$0.00	$0.00	$3.00
Automation Fee (LCAP) (Luzerne)	$5.00	$0.00	$0.00	$0.00	$5.00
CJES	$2.25	$0.00	$0.00	$0.00	$2.25
Clerk of Court Filing Fee (Luzerne)	$120.00	$0.00	$0.00	$0.00	$120.00
Commonwealth Cost - HB627 (Act 167 of 1992)	$19.20	$0.00	$0.00	$0.00	$19.20
Costs of Prosecution - CJEA	$50.00	$0.00	$0.00	$0.00	$50.00
County Court Cost (Act 204 of 1976)	$28.00	$0.00	$0.00	$0.00	$28.00
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	$10.25	$0.00	$0.00	$0.00	$10.25
Judicial Computer Project	$8.00	$0.00	$0.00	$0.00	$8.00
State Court Costs (Act 204 of 1976)	$12.80	$0.00	$0.00	$0.00	$12.80
Victim Witness Service (Act 111 of 1998)	$25.00	-$25.00	$0.00	$0.00	$0.00
LC Cost Additional Count (Luzerne)	$26.00	$0.00	$0.00	$0.00	$26.00
Crime Lab User Fee - State Police	$4,565.00	$0.00	$0.00	$0.00	$4,565.00
Crime Lab User Fee - State Police	$368.00	$0.00	$0.00	$0.00	$368.00
BAC Fee - Wilkes-Barre City (Luzerne)	$426.41	$0.00	$0.00	$0.00	$426.41
Costs of Transportation (Act 143-2006)	$41.10	$0.00	$0.00	$0.00	$41.10
Superior Court Appeal (Luzerne)	$60.00	-$60.00	$0.00	$0.00	$0.00
Superior Court Appeal (Luzerne)	$60.00	$0.00	$0.00	$0.00	$60.00
Costs/Fees Totals:	$6,458.81	-$120.00	$0.00	$0.00	$6,338.81

Restitution

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CASE FINANCIAL INFORMATION

BORBON, JUAN S. Defendant	Assessment	Payments	Adjustments	Non Monetary Payments	Total
Restitution	$454.00	$0.00	$0.00	$0.00	$454.00
Restitution Totals:	$454.00	$0.00	$0.00	$0.00	$454.00
Grand Totals:	$6,912.81	-$120.00	$0.00	$0.00	$6,792.81

** - Indicates assessment is subrogated

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