

COURT OF COMMON PLEAS OF MONTGOMERY COUNTY

DOCKET



Docket Number: CP-46-CR-0003213-2012

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

Diep Thi Luu

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CASE INFORMATION

Judge Assigned: Branca, Thomas C.

Date Filed: 04/30/2012

Initiation Date: 03/30/2012

OTN: L 698225-3

LOTN:

Originating Docket No: MJ-38118-CR-0000130-2012

Initial Issuing Authority: Francis J. Lawrence Jr.

Final Issuing Authority: Andrea Hudak Duffy

Arresting Agency: Montgomery Twp Police Dept

Arresting Officer: McGready, John F.

Complaint/Incident #: 201208072

Case Local Number Type(s)

Case Local Number(s)

STATUS INFORMATION

| <u>Case Status:</u> | <u>Active</u> | <u>Status Date</u> | <u>Processing Status</u> | <u>Arrest Date:</u> | <u>03/30/2012</u> |
|---------------------|---------------|--------------------|--------------------------------|---------------------|-------------------|
| | | 01/25/2018 | Awaiting Pre-Trial Conference | | |
| | | 06/08/2012 | Awaiting Pre-Trial Conference | | |
| | | 04/30/2012 | Awaiting Filing of Information | | |
| | | 04/30/2012 | Awaiting Formal Arraignment | | |

Complaint Date: 03/30/2012

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 | 06/06/2012 | 9:30 am | Courtroom A | Judge Steven T. O'Neill | Scheduled |
| Pre-Trial Conference | 07/23/2012 | 9:00 am | Courtroom 2 | Judge Garrett D. Page | Scheduled |
| Habeas Corpus Hearing | 08/22/2012 | 9:30 am | Courtroom D | Judge William T. Nicholas | Scheduled |
| Pre-Trial Conference | 10/01/2012 | 9:00 am | Courtroom 2 | Judge Garrett D. Page | Scheduled |
| Motion to Consolidate | 02/08/2013 | 9:30 am | Courtroom 6 | Senior Judge S. Gerald Corso | Scheduled |
| Pre-Trial Conference | 03/06/2018 | 9:00 am | Courtroom B | Judge Thomas C. Branca | Scheduled |
| Pre-Trial Conference | 04/11/2018 | 9:00 am | Courtroom B | Judge Thomas C. Branca | 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> |
| 01/04/2018 | County Jail | Montgomery County Prison | | Yes |

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DEFENDANT INFORMATION

Date Of Birth: 02/27/1983 City/State/Zip: Philadelphia, PA 19142

Alias Name

Luu, Diep
Thi Luu, Diep
VANESSA

CASE PARTICIPANTS

| <u>Participant Type</u> | <u>Name</u> |
|-------------------------|---------------|
| Defendant | Luu, Diep Thi |

BAIL INFORMATION

| Luu, Diep Thi | | | | | | 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 | 03/30/2012 | Monetary | | \$50,000.00 | | |
| Set | 07/31/2012 | Unsecured | | \$100,000.00 | | |
| Forfeiture - Complete | 10/01/2012 | Unsecured | | \$100,000.00 | | |
| Reinstate | 01/05/2018 | Unsecured | | \$100,000.00 | | |
| Set | 01/05/2018 | Monetary | | \$50,000.00 | Posted | 07/31/2012 |

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 § 903 | Conspiracy - Robbery-Threat Immed Ser Injury | 03/30/2012 | L 698225-3 |
| 2 | 2 | F3 | 18 § 903 | Conspiracy - Robbery-Take Property Fr Other/Force | 03/30/2012 | L 698225-3 |
| 3 | 3 | F1 | 18 § 903 | Conspiracy - Aggravated Assault | 03/30/2012 | L 698225-3 |
| 4 | 4 | F2 | 18 § 903 | Conspiracy - Aggravated Assault | 03/30/2012 | L 698225-3 |
| 5 | 5 | M2 | 18 § 903 | Conspiracy - Recklessly Endangering Another Person | 03/30/2012 | L 698225-3 |
| 6 | 6 | M1 | 18 § 4304 §§A1 | Endangering Welfare of Children - Parent/Guardian/Other Commits Offense | 03/30/2012 | L 698225-3 |
| 7 | 7 | M | 35 § 780-113 §§A16 | Int Poss Contr Subst By Per Not Reg | 03/30/2012 | L 698225-3 |
| 8 | 9 | M | 35 § 780-113 §§A32 | Use/Poss Of Drug Paraph | 03/30/2012 | L 698225-3 |
| 99999 | 8 | F | 35 § 780-113 §§A30 | Manufacture, Delivery, or Possession With Intent to Manufacture or Deliver | 03/30/2012 | L 698225-3 |

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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> | | | |
| Held for Court (Lower Court) | Defendant Was Present | | |
| Lower Court Disposition | 04/24/2012 | Not Final | |
| 1 / Conspiracy - Robbery-Threat Immed Ser Injury | Held for Court (Lower Court) | F1 | 18 § 903 |
| 2 / Conspiracy - Robbery-Take Property Fr Other/Force | Held for Court (Lower Court) | F3 | 18 § 903 |
| 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 / Conspiracy - Recklessly Endangering Another Person | Held for Court (Lower Court) | M2 | 18 § 903 |
| 6 / Endangering Welfare of Children - Parent/Guardian/Other Commits Offense | Held for Court (Lower Court) | M1 | 18 § 4304 §§ A1 |
| 7 / Int Poss Contr Subst By Per Not Reg | Held for Court (Lower Court) | M | 35 § 780-113 §§ A16 |
| 8 / Use/Poss Of Drug Paraph | Held for Court (Lower Court) | M | 35 § 780-113 §§ A32 |
| 99,999 / Manufacture, Delivery, or Possession With Intent to Manufacture or Deliver | Dismissed (Lower Court) | F | 35 § 780-113 §§ A30 |
| Proceed to Court | | | |
| Information Filed | 07/27/2012 | Not Final | |
| 1 / Conspiracy - Robbery-Threat Immed Ser Injury | Held for Court | F1 | 18 § 903 |
| 2 / Conspiracy - Robbery-Take Property Fr Other/Force | Held for Court | F3 | 18 § 903 |
| 3 / Conspiracy - Aggravated Assault | Held for Court | F1 | 18 § 903 |
| 4 / Conspiracy - Aggravated Assault | Held for Court | F2 | 18 § 903 |
| 5 / Conspiracy - Recklessly Endangering Another Person | Held for Court | M2 | 18 § 903 |
| 6 / Endangering Welfare of Children - Parent/Guardian/Other Commits Offense | Held for Court | M1 | 18 § 4304 §§ A1 |
| 7 / Int Poss Contr Subst By Per Not Reg | Held for Court | M | 35 § 780-113 §§ A16 |
| 8 / Use/Poss Of Drug Paraph | Held for Court | M | 35 § 780-113 §§ A32 |
| 99,999 / Manufacture, Delivery, or Possession With Intent to Manufacture or Deliver | Disposed at Lower Court | F | 35 § 780-113 §§ A30 |

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COMMONWEALTH INFORMATION

Name: John Neumann Gradel
District Attorney

Supreme Court No: 061958

Phone Number(s):
610-278-3134 (Phone)

Address:
Montgomery CO Da's Office
PO Box 311
Norristown, PA 19404-0311

Name: Teresa Eileen Kibelstis
District Attorney

Supreme Court No: 077234

Phone Number(s):
610-278-3090 (Phone)

Address:
Montgomery CO District Attny
Courthouse 4th Fl
Norristown, PA 19404

Name: Gabriel Clay Magee
District Attorney

Supreme Court No: 311646

Phone Number(s):
610-278-3140 (Phone)

Address:
Montgomery CO Da's Office
2 E Airy St
Norristown, PA 19401-4819

ATTORNEY INFORMATION

Name: George M. Griffith Jr.
Public Defender

Supreme Court No: 094621

Rep. Status: Active

Phone Number(s):
Address:
Montgomery CO Pd's Office
PO Box 311
Norristown, PA 19404-0311

ENTRIES

| <u>Sequence Number</u> | <u>CP Filed Date</u> | <u>Document Date</u> | <u>Filed By</u> |
|------------------------------------------------|----------------------|----------------------|---------------------|
| 1 | 03/30/2012 | | Hudak Duffy, Andrea |
| Bail Set - Luu, Diep Thi | | | |
| 1 | 04/30/2012 | | MDJ-38-1-18 |
| Formal Arraignment Scheduled 06/06/2012 9:30AM | | | |
| 06/06/2012 Service on 04/24/2012 | | | |
| Luu, Diep Thi | | | |
| 04/24/2012 | Hand Delivered | | |

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|--------------------------------------------------|----------------------|----------------------|----------------------------------------------|
| 2 | 04/30/2012 | | MDJ-38-1-18 |
| Search Warrant Issued 04/30/2012 | | | |
| 3 | 04/30/2012 | | Court of Common Pleas - Montgomery County |
| Original Papers Received from Lower Court | | | |
| 1 | 06/08/2012 | | Court of Common Pleas - Montgomery County |
| Pre-Trial Conference Scheduled 7/23/2012 9:00AM | | | |
| 1 | 06/18/2012 | | Griffith, George M. Jr. |
| Entry of Appearance | | | |
| 2 | 06/18/2012 | | Griffith, George M. Jr. |
| Request for Pre-Trial Discovery | | | |
| 1 | 06/22/2012 | | Montgomery County Court Administration |
| Hearing Notice | | | |
| Pre-Trial Conferences Scheduled | | | |
| Judge Page - Courtroom 2 | | | |
| July 20 to July 24, 2012 at 9:00 a.m. | | | |
| Notices Sent First Class Mail | | | |
| DA/PD Sent Inter-office Mail | | | |
| 1 | 07/23/2012 | 07/23/2012 | Page, Garrett D. |
| Order to Relist for Pre-Trial Conference | | | |
| Griffith, George M. Jr. | | | |
| 07/23/2012 Orally in Open Crt Record | | | |
| Holloway, Prince Paris Amor | | | |
| 07/23/2012 Orally in Open Crt Record | | | |
| 1 | 07/24/2012 | | Griffith, George M. Jr. |
| Petition for Writ of Habeas Corpus | | | |
| 1 | 07/25/2012 | | Court of Common Pleas - Montgomery County |
| Habeas Corpus Hearing Scheduled 8/22/2012 9:30AM | | | |

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|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|----------------------|----------------------------------------------|
| 2 | 07/25/2012 | | Court of Common Pleas - Montgomery County |
| Pre-Trial Conference Scheduled 10/1/2012 9:00AM | | | |
| 1 | 07/27/2012 | | Commonwealth of Pennsylvania |
| Information Filed | | | |
| 1 | 07/31/2012 | | Albright, Kent H. |
| Bail Set - Luu, Diep Thi | | | |
| 2 | 07/31/2012 | | Luu, Diep Thi |
| Bail Posted - Luu, Diep Thi | | | |
| 1 | 08/10/2012 | | Luu, Diep Thi |
| Waiver of Appearance at Arraignment | | | |
| 1 | 08/22/2012 | 08/22/2012 | Nicholas, William T. |
| Order Withdrawing Petition for Writ of Habeas Corpus Griffith, George M. Jr. 08/22/2012 Orally in Open Crt Record Montgomery County District Attorney's Office 08/22/2012 Orally in Open Crt Record | | | |
| 1 | 08/23/2012 | | Montgomery County Court Administration |
| Hearing Notice Pre-Trial Conferences Scheduled Judge Page - Courtroom 2 October 1 to October 3, 2012 at 9:00 a.m. Notices Sent First Class Mail DA/PD Sent Inter-office Mail | | | |
| 1 | 10/01/2012 | | Page, Garrett D. |
| Complete Bail Forfeiture - Luu, Diep Thi | | | |
| 2 | 10/01/2012 | 10/01/2012 | Page, Garrett D. |
| Pre-Trial Conference Order - Bench Warrant Issued Deft failed to appear for PTC Griffith, George M. Jr. | | | |

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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> |
| 10/01/2012 | Orally in Open Crt Record | | |
| Kibelstis, Teresa Eileen | | | |
| 10/01/2012 | Orally in Open Crt Record | | |
| ----- | | | |
| 1 | 01/24/2013 | | Commonwealth of Pennsylvania |
| Motion for Consolidation | | | |
| 8547-12 and 8546-12 and 3213-12 | | | |
| ----- | | | |
| 2 | 01/24/2013 | | Court of Common Pleas - Montgomery County |
| Motion to Consolidate Scheduled 2/8/2013 9:30AM | | | |
| ----- | | | |
| 1 | 01/28/2013 | | Kehs, Michael R. |
| Order Scheduling Hearing | | | |
| Motion to Consolidate February 8, 2013 at 9:30 a.m. Courtroom "6" | | | |
| Griffith, George M. Jr. | | | |
| 01/28/2013 | Interoffice | | |
| Kibelstis, Teresa Eileen | | | |
| 01/28/2013 | Interoffice | | |
| Luu, Diep Thi | | | |
| 01/28/2013 | First Class | | |
| ----- | | | |
| 1 | 02/08/2013 | 02/08/2013 | Corso, S. Gerald |
| Order Granting Motion for Consolidation | | | |
| Griffith, George M. Jr. | | | |
| 02/08/2013 | Orally in Open Crt Record | | |
| Kibelstis, Teresa Eileen | | | |
| 02/08/2013 | Orally in Open Crt Record | | |
| ----- | | | |
| 2 | 01/05/2018 | | Haaz, Richard P. |
| Order Granting Motion to Re-Instate Previously Set Bail - Luu, Diep Thi | | | |
| ----- | | | |
| 3 | 01/05/2018 | | Haaz, Richard P. |
| Bail Set - Luu, Diep Thi | | | |
| ----- | | | |

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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 | 01/25/2018 | | Montgomery County Court Administration |
| Pre-Trial Conference Scheduled 03/06/2018 9:00AM BW REV 1-5-18 LIST. | | | |
| Griffith, George M. Jr. | 01/25/2018 | eService | Served |
| ----- | | | |
| 1 | 02/14/2018 | | Montgomery County Court Administration |
| Hearing Notice PRE TRIAL CONFERENCES SCHEDULED JUDGE BRANCA/COURTROOM B MARCH 6,7,8,9, 2018 @ 9:00AM NOTICES SENT VIA FIRST CLASS MAIL PD/DA SENT INTEROFFICE MAIL | | | |
| Griffith, George M. Jr. | 02/15/2018 | eService | Served |
| ----- | | | |
| 2 | 02/14/2018 | | Court of Common Pleas - Montgomery County |
| Hearing Notice | | | |
| Griffith, George M. Jr. | 02/15/2018 | eService | Served |
| ----- | | | |
| 1 | 03/13/2018 | | Montgomery County Court Administration |
| Pre-Trial Conference Scheduled 04/11/2018 9:00AM MARCH PTC - RELIST | | | |
| Griffith, George M. Jr. | 03/16/2018 | eService | Served |
| ----- | | | |

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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 | 03/16/2018 | | Montgomery County Court Administration |
| Hearing Notice PRE TRIAL CONFERENCES SCHEDULED JUDGE BRANCA/COURTROOM B APRIL 10, 11, 12, 13, 2018 @ 9:00AM NOTICES SENT VIA FIRST CLASS MAIL PD/DA SENT INTEROFFICE MAIL | | | |
| Griffith, George M. Jr. | | | |
| 03/20/2018 | eService | | Served |
| ----- | | | |
| 2 | 03/16/2018 | | Court of Common Pleas - Montgomery County |
| Hearing Notice Griffith, George M. Jr. | | | |
| 03/20/2018 | eService | | Served |
| ----- | | | |
| 3 | 03/16/2018 | | Court of Common Pleas - Montgomery County |
| Hearing Notice Griffith, George M. Jr. | | | |
| 03/20/2018 | eService | | Served |
| ----- | | | |

CASE FINANCIAL INFORMATION

| Last Payment Date: | Total of Last Payment: | | | | |
|------------------------------|------------------------|-----------------|--------------------|----------------------------------|--------------|
| Luu, Diep Thi Defendant | <u>Assessment</u> | <u>Payments</u> | <u>Adjustments</u> | <u>Non Monetary Payments</u> | <u>Total</u> |
| Costs/Fees | | | | | |
| County Lab Fees (Montgomery) | \$282.00 | \$0.00 | \$0.00 | \$0.00 | \$282.00 |
| Postage | \$5.98 | \$0.00 | \$0.00 | \$0.00 | \$5.98 |
| Costs/Fees Totals: | \$287.98 | \$0.00 | \$0.00 | \$0.00 | \$287.98 |
| Grand Totals: | \$287.98 | \$0.00 | \$0.00 | \$0.00 | \$287.98 |

** - Indicates assessment is subrogated