

COURT OF COMMON PLEAS OF MONTGOMERY COUNTY

DOCKET



Docket Number: CP-46-CR-0005757-2009

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

Justin J. Dipanfilo

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CASE INFORMATION

Judge Assigned: Austin, Cheryl L.

Date Filed: 08/03/2009

Initiation Date: 07/20/2009

OTN: K 734077-1

LOTN:

Originating Docket No: MJ-38128-CR-0000782-2009

Initial Issuing Authority: Kenneth E. Deatelhauser

Final Issuing Authority: Kenneth E. Deatelhauser

Arresting Agency: Hatfield Police Dept

Arresting Officer: Bell, Keith M.

Complaint/Incident #:

Case Local Number Type(s)

Case Local Number(s)

STATUS INFORMATION

<u>Case Status:</u>	<u>Status Date</u>	<u>Processing Status</u>	<u>Arrest Date:</u>
Closed	03/23/2016	Sentenced/Penalty Imposed	07/20/2009
	12/14/2012	Awaiting Gagnon II Hearing	
	09/13/2012	Awaiting Gagnon I Hearing	
	06/21/2012	Awaiting PCRA Hearing	
	05/17/2010	Sentenced/Penalty Imposed	
	03/19/2010	Awaiting Sentencing	
	03/19/2010	Awaiting PSI	
	02/26/2010	Awaiting Sentencing	
	02/26/2010	Awaiting PSI Completion	
	12/18/2009	Awaiting Trial	
	12/03/2009	Awaiting Pre-Trial Conference	
	11/10/2009	Awaiting Trial	
	09/17/2009	Awaiting Pre-Trial Conference	
	08/03/2009	Awaiting Formal Arraignment	
	08/03/2009	Awaiting Filing of Information	
	08/03/2009	Awaiting Formal Arraignment	

Complaint Date: 07/17/2009

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	09/16/2009	9:30 am	Video Room #2	Judge Steven T. O'Neill	Scheduled
Pre-Trial Conference	11/10/2009	9:00 am	Courtroom 9	Judge Paul W. Tressler	Scheduled
Call of the Trial List	12/17/2009	9:00 am	Courtroom 9	Judge Paul W. Tressler	Scheduled
Bench Trial	02/10/2010	9:00 am			Cancelled
Bench Trial	02/23/2010	9:00 am			Scheduled
Sentencing	05/17/2010	1:30 pm			Scheduled
Gagnon I Hearing	11/02/2012	1:00 pm			Scheduled
Gagnon II Hearing	01/22/2013	1:30 pm			Scheduled

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CONFINEMENT INFORMATION

<u>Confinement Known As Of</u>	<u>Confinement Type</u>	<u>Destination Location</u>	<u>Confinement Reason</u>	<u>Still in Custody</u>
10/07/2016	DOC Confined	SCI Retreat		Yes

DEFENDANT INFORMATION

Date Of Birth: 12/10/1978 City/State/Zip: Hatfield, PA 19440

Alias Name

Dipanfilo, Justin
 Dipanfilo, Justin John
 Dipanfilo, Justin John D
 Dipanfilo, Justin John Jr.

CASE PARTICIPANTS

<u>Participant Type</u>	<u>Name</u>
Defendant	Dipanfilo, Justin J.

BAIL INFORMATION

Dipanfilo, Justin J. **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	07/20/2009	Monetary		\$10,000.00		
Denied	02/26/2010			\$0.00		

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	1	F1	18 § 3502 §§A	Burglary	07/07/2009	K 734077-1
2	2	F1	18 § 901 §§A	Criminal Attempt - Burglary	07/07/2009	K 734077-1
3	3	F2	18 § 3503 §§A1II	Crim Tres-Break Into Structure	07/07/2009	K 734077-1
4	4	F2	18 § 901 §§A	Criminal Attempt - Crim Tres-Break Into Structure	07/07/2009	K 734077-1
5	5	M1	18 § 907 §§A	Poss Instrument Of Crime W/Int	07/07/2009	K 734077-1
6	6	M2	18 § 4904 §§A1	Unsworn Falsification to Authorities	07/07/2009	K 734077-1

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>			

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Disposition

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<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>			
Lower Court Proceeding (generic)			
Lower Court Disposition	07/30/2009	Not Final	
1 / Burglary	Held for Court (Lower Court)	F1	18 § 3502 §§ A
2 / Criminal Attempt - Burglary	Held for Court (Lower Court)	F1	18 § 901 §§ A
3 / Crim Tres-Break Into Structure	Held for Court (Lower Court)	F2	18 § 3503 §§ A1II
4 / Criminal Attempt - Crim Tres-Break Into Structure	Held for Court (Lower Court)	F2	18 § 901 §§ A
5 / Poss Instrument Of Crime W/Int	Held for Court (Lower Court)	M1	18 § 907 §§ A
6 / Unsworn Falsification to Authorities	Held for Court (Lower Court)	M2	18 § 4904 §§ A1
Proceed to Court			
Information Filed	09/15/2009	Not Final	
1 / Burglary	Held for Court	F1	18 § 3502 §§ A
2 / Criminal Attempt - Burglary	Held for Court	F1	18 § 901 §§ A
3 / Crim Tres-Break Into Structure	Held for Court	F2	18 § 3503 §§ A1II
4 / Criminal Attempt - Crim Tres-Break Into Structure	Held for Court	F2	18 § 901 §§ A
5 / Poss Instrument Of Crime W/Int	Held for Court	M1	18 § 907 §§ A
6 / Unsworn Falsification to Authorities	Held for Court	M2	18 § 4904 §§ A1
Guilty			
Call of the Trial List	02/26/2010	Final Disposition	
1 / Burglary	Not Guilty	F1	18 § 3502 §§ A
Tressler, Paul W.	05/17/2010		
Page, Garrett D.	03/23/2016		
2 / Criminal Attempt - Burglary	Not Guilty	F1	18 § 901 §§ A
Tressler, Paul W.	05/17/2010		
Page, Garrett D.	03/23/2016		
3 / Crim Tres-Break Into Structure	Guilty	F2	18 § 3503 §§ A1II
Tressler, Paul W.	05/17/2010	302 Days	
Confinement	Min of 1.00 Years	05/17/2010	
	Max of 3.00 Years		
	Other		
Page, Garrett D.	03/23/2016	1,224 Days	
Confinement	Min of 3.00 Years 6.00 Months	03/23/2016	
	Max of 7.00 Years		
	Other		

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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>			
Not R.R.R.I. Eligible			
Offender supervision fee is waived.			
Recall from Collections			
Concurrent to 9378-2012, Ct. 1			
<hr/>			
4 / Criminal Attempt - Crim Tres-Break Into Structure	Guilty	F2	18 § 901 §§ A
Tressler, Paul W.	05/17/2010		
Merged			
Page, Garrett D.	03/23/2016		
No Further Penalty			
<hr/>			
5 / Poss Instrument Of Crime W/Int	Guilty	M1	18 § 907 §§ A
Tressler, Paul W.	05/17/2010		
Probation	Min of 4.00 Years		
	Max of 4.00 Years		
	Other		
Page, Garrett D.	03/23/2016		
No Further Penalty			
<hr/>			
6 / Unsworn Falsification to Authorities	Not Guilty	M2	18 § 4904 §§ A1
Tressler, Paul W.	05/17/2010		
Page, Garrett D.	03/23/2016		

LINKED SENTENCES:

Link 1

CP-46-CR-0005757-2009 - Seq. No. 3 (18§ 3503 §§ A1II) - Confinement is Concurrent with
 CP-46-CR-0009378-2012 - Seq. No. 1 (18§ 3502 §§ A1) - Confinement

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COMMONWEALTH INFORMATION

Name: Abigail Jane Silverman
District Attorney

Supreme Court No: 206709

Phone Number(s):
610-810-1310 (Phone)

Address:
Leeds Law Llc
1 E Airy St
Norristown, PA 19401

ATTORNEY INFORMATION

Name: Elizabeth Louise Lippy
Court Appointed - Private

Supreme Court No: 091227

Rep. Status: Active

Phone Number(s):
215-997-1777 (Phone)

Address:
Fairlie & Lippy PC
1501 Lower State Rd Bldg F # 3
North Wales, PA 19454

Representing: Dipanfilo, Justin J.

ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	07/20/2009		Deatelhauser, Kenneth E.
Bail Set - Dipanfilo, Justin J.			
1	08/03/2009		Court of Common Pleas - Montgomery County
Original Papers Received from Lower Court			
2	08/03/2009		MDJ-38-1-17
Formal Arraignment Scheduled Sep 16 2009 9:30AM			
09/16/09 service on 07/30/09			
Dipanfilo, Justin J.			
07/30/2009 Hand Delivered			
1	08/31/2009		Caglia, Dennis P.
Entry of Appearance			
1	09/15/2009		Commonwealth of Pennsylvania
Information Filed			
1	09/17/2009		Court of Common Pleas - Montgomery County
Pre-Trial Conference Scheduled 11/10/2009 9:00AM			

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1	10/06/2009		Montgomery County Court Administration
Hearing Notice Pretrial Conferences Scheduled Judge Tressler - Ct. 9 November 10th 12th; 13th 2009 at 9:00 am Notices sent 1st class mail DA/PD sent interoffice mail			
1	11/10/2009	11/10/2009	Tressler, Paul W.
Order to be Scheduled for Trial Date of Service 11/10/09 Caglia, Dennis P. 11/10/2009 Hand Delivered Silverman, Abigail Jane 11/10/2009 Hand Delivered			
2	11/10/2009		Court of Common Pleas - Montgomery County
Call of the Trial List Scheduled 12/17/2009 9:00AM			
1	11/19/2009		Montgomery County Court Administration
Hearing Notice Call of the Trial List Scheduled Judge Tressler - Ct. 9 December 17, 2009 at 9:00 am Notices sent 1st class mail DA/PD sent interoffice mail			
1	12/03/2009		Dipanfilo, Justin J.
Waiver of Appearance at Arraignment			
1	12/18/2009	12/17/2009	Tressler, Paul W.
Order Scheduling Bench Trial February 10, 2010 at 9:00 a.m. Courtroom "9" Date of Service 12/17/09 Caglia, Dennis P. 12/17/2009 Hand Delivered Silverman, Abigail Jane 12/17/2009 Hand Delivered			

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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	02/12/2010	02/12/2010	Tressler, Paul W.
Order to Relist for Bench Trial Date of Service 02/12/10 Caglia, Dennis P. 02/12/2010 Orally in Open Crt Record Silverman, Abigail Jane 02/12/2010 Orally in Open Crt Record			
1	02/19/2010	02/18/2010	Tressler, Paul W.
Order Scheduling Bench Trial February 23, 2010 at 9:00 a.m. Courtroom "9" Date of Service 02/18/10 Caglia, Dennis P. 02/18/2010 Interoffice Silverman, Abigail Jane 02/18/2010 Interoffice			
1	02/23/2010		Caglia, Dennis P.
Waiver of Jury Trial			
2	02/23/2010	02/23/2010	Tressler, Paul W.
Bench Trial Continued to February 26, 2010 at 9:00 a.m. Courtroom "9" Date of Service 02/23/10 Caglia, Dennis P. 02/23/2010 Orally in Open Crt Record Silverman, Abigail Jane 02/23/2010 Orally in Open Crt Record			
1	02/26/2010		Court of Common Pleas - Montgomery County
Call of the Trial List Scheduled			

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2	02/26/2010		Tressler, Paul W.
Sentence Deferred Defendant remanded without bail, pending sentencing on May 17, 2010 in courtroom 9 at 9 am. Count 4 merges for sentencing purposes.			
3	02/26/2010		Tressler, Paul W.
Pre-Sentence Investigation Ordered			
4	02/26/2010		Tressler, Paul W.
Guilty			
5	02/26/2010		Tressler, Paul W.
Disposition Filed			
6	02/26/2010		Tressler, Paul W.
Order Denying Motion to Set Bail - Dipanfilo, Justin J.			
1	03/18/2010	03/18/2010	Tressler, Paul W.
Order Scheduling Hearing Sentencing Hearing May 17, 2010 at 1:30 p.m. Courtroom "9" Date of Service 03/18/10 Montgomery County District Attorney's Office 03/18/2010 Interoffice Montgomery County Public Defender's Office 03/18/2010 Interoffice			
1	03/19/2010		Court of Common Pleas - Montgomery County
Sentencing Scheduled 5/17/2010 1:30PM			
1	05/17/2010		Tressler, Paul W.
Order - Sentence/Penalty Imposed			
1	06/07/2010	06/07/2010	Weiss, Ann Thornburg
Entry of Civil Judgment			

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2	08/25/2010		Court of Common Pleas - Montgomery County
Notes of Testimony Waiver of Jury Trial 02/23/2010 before J Tressler			
1	09/07/2010		Court of Common Pleas - Montgomery County
Notes of Testimony Hrg on Motion to Suppress & Trial by Judge 02/26/2010 before J Tressler			
1	02/14/2011		Court of Common Pleas - Montgomery County
Notes of Testimony Sent 05/17/2010 before J Tressler			
1	03/05/2012		Dipanfilo, Justin J.
Pro Se Correspondence			
1	04/30/2012		Dipanfilo, Justin J.
Pro Se Correspondence			
1	06/18/2012		Dipanfilo, Justin J.
Pro Se Correspondence			
1	06/21/2012		Dipanfilo, Justin J.
Post-Conviction Relief Act Petition Filed with IFP Pro Se J Tressler 06/26/2012			
1	07/24/2012	07/23/2012	Austin, Cheryl L.
Appointment of Private Attorney Dipanfilo, Justin J. 07/23/2012 First Class Lippy, Elizabeth Louise 07/23/2012 First Class Montgomery County District Attorney's Office 07/23/2012 Interoffice			

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2	07/24/2012	07/23/2012	Lippy, Elizabeth Louise
Entry of Appearance			

1	09/13/2012		Court of Common Pleas - Montgomery County
Gagnon I Hearing Scheduled 11/2/2012 1:00PM			

2	09/13/2012	09/11/2012	Austin, Cheryl L.
Order Scheduling Hearing			
Gagnon I Hearing November 2, 2012 at 1:00 p.m. Courtroom "1"			
Dipanfilo, Justin J.			
09/11/2012 Interoffice			
Montgomery County District Attorney's Office			
09/11/2012 Interoffice			
Montgomery County Public Defender's Office			
09/11/2012 Interoffice			

1	10/03/2012		Lippy, Elizabeth Louise
Case Correspondence			

1	10/05/2012		Lippy, Elizabeth Louise
Motion to Withdraw as Counsel			

1	10/25/2012	10/23/2012	Austin, Cheryl L.
Notice of Intention to Dismiss PCRA Petition Without a Hearing			
Dipanfilo, Justin J.			
10/23/2012 First Class			
Lippy, Elizabeth Louise			
10/23/2012 First Class			
Montgomery County District Attorney's Office			
10/23/2012 Interoffice			

1	11/02/2012	11/02/2012	Austin, Cheryl L.
Order Granting Motion to Transfer Supervision to Montgomery County			
Seth Grant/Seth Ryan CLI OIOC 11/2/12			

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Montgomery County District Attorney's Office			
11/02/2012	Orally in Open Crt Record		

1	11/19/2012		Pennsylvania State Parole
Motion for Hearing on Violation of Probation/Parole			

1	11/20/2012		Pennsylvania State Parole
Motion for Hearing on Violation of Probation/Parole			

1	11/23/2012	11/20/2012	Austin, Cheryl L.
Order Dismissing Amended/Petition for Post-Conviction Collateral Relief			
Deft has 30 days to respond			

1	12/13/2012	12/13/2012	Austin, Cheryl L.
Order Scheduling Hearing			
Gagnon II Hearing January 22, 2013 at 1:30 p.m. Courtroom "11"			
Montgomery County District Attorney's Office			
12/13/2012	Interoffice		
Montgomery County Public Defender's Office			
12/13/2012	Interoffice		

1	12/14/2012		Court of Common Pleas - Montgomery County
Gagnon II Hearing Scheduled 1/22/2013 1:30PM			

1	01/15/2013		Lippy, Elizabeth Louise
Petition for Payment of Court-Appointed Counsel			

2	01/15/2013	01/07/2013	Austin, Cheryl L.
Order Granting Motion for Counsel Fees			
Lippy, Elizabeth Louise			
02/06/2013	First Class		
Silverman, Abigail Jane			
02/06/2013	Interoffice		

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<u>Issue Date</u>	<u>Service Type</u>	<u>Status Date</u>	<u>Service Status</u>
1	01/22/2013	01/22/2013	Austin, Cheryl L.
Violation Hearing Continued Gagnon II			
Lippy, Elizabeth Louise			
02/07/2013	First Class		
Silverman, Abigail Jane			
02/07/2013	Interoffice		
1	05/24/2013		Dipanfilo, Justin J.
Pro Se Correspondence Status of Motion to Dismiss Miranda Violation			
1	01/28/2015		Court of Common Pleas - Montgomery County
Payment Plan Introduction Letter			
1	02/04/2015		Court of Common Pleas - Montgomery County
Payment Plan Introduction Letter			
1	03/23/2016		Court of Common Pleas - Montgomery County
Gagnon II Hearing Scheduled			
2	03/23/2016		Page, Garrett D.
Order - Sentence/Penalty Imposed			
2	03/24/2016		Court of Common Pleas - Montgomery County
Court Commitment State or County Correctional Institution			
1	06/27/2016		Court of Common Pleas - Montgomery County
Notes of Testimony Sentencing Gagnon Hearing, Ctrm E Wednesday March 23, 2016. 2:25 pm Judge Page			

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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>
46-2016-P000004303	Monthly	02/18/2024	Yes	\$0.00
Dipanfilo, Justin J.			No	\$11.74

Payment Plan History:	<u>Receipt Date</u>		<u>Payor Name</u>	<u>Participant Role</u>	<u>Amount</u>
	09/07/2016	Payment	PA DOC (Merged List)	Payor	\$0.29
	09/27/2016	Payment	PA DOC (Merged List)	Payor	\$7.20
	11/08/2016	Payment	PA DOC (Merged List)	Payor	\$6.88
	11/22/2016	Payment	PA DOC (Merged List)	Payor	\$9.36
	12/23/2016	Payment	PA DOC (Merged List)	Payor	\$5.02
	02/02/2017	Payment	PA DOC (Merged List)	Payor	\$2.44
	03/08/2017	Payment	PA DOC (Merged List)	Payor	\$7.30
	04/11/2017	Payment	PA DOC (Merged List)	Payor	\$7.51
	04/24/2017	Payment	PA DOC (Merged List)	Payor	\$5.37
	06/23/2017	Payment	PA DOC (Merged List)	Payor	\$6.90
	07/25/2017	Payment	PA DOC (Merged List)	Payor	\$5.38
	08/28/2017	Payment	PA DOC (Merged List)	Payor	\$2.18
	09/25/2017	Payment	PA DOC (Merged List)	Payor	\$5.80

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CASE FINANCIAL INFORMATION

Last Payment Date: 09/25/2017

Total of Last Payment: -\$5.80

Dipanfilo, Justin J. Defendant	<u>Assessment</u>	<u>Payments</u>	<u>Adjustments</u>	<u>Non Monetary Payments</u>	<u>Total</u>
Costs/Fees					
Towamencin Livescan (Montgomery)	\$100.00	\$0.00	\$0.00	\$0.00	\$100.00
State Court Costs (Act 204 of 1976)	\$12.30	\$0.00	\$0.00	\$0.00	\$12.30
Commonwealth Cost - HB627 (Act 167 of 1992)	\$18.40	\$0.00	\$0.00	\$0.00	\$18.40
County Court Cost (Act 204 of 1976)	\$26.80	\$0.00	\$0.00	\$0.00	\$26.80
Crime Victims Compensation (Act 96 of 1984)	\$35.00	-\$35.00	\$0.00	\$0.00	\$0.00
Domestic Violence Compensation (Act 44 of 1988)	\$10.00	\$0.00	\$0.00	\$0.00	\$10.00
Victim Witness Service (Act 111 of 1998)	\$25.00	-\$25.00	\$0.00	\$0.00	\$0.00
Firearm Education and Training Fund	\$5.00	\$0.00	\$0.00	\$0.00	\$5.00
Judicial Computer Project	\$8.00	-\$5.82	\$0.00	\$0.00	\$2.18
ATJ	\$2.00	\$0.00	\$0.00	\$0.00	\$2.00
DNA Detection Fund (Act 185-2004)	\$250.00	\$0.00	\$0.00	\$0.00	\$250.00
Automation Fee (Act 36 of 2000) (Montgomery)	\$5.00	\$0.00	\$0.00	\$0.00	\$5.00
COC Processing Fee Misd/Fel (Montgomery)	\$306.00	\$0.00	\$0.00	\$0.00	\$306.00
Court Child Care (Act 105 of 2000) (Montgomery)	\$5.00	\$0.00	\$0.00	\$0.00	\$5.00
Costs of Prosecution - CJEA	\$50.00	\$0.00	\$0.00	\$0.00	\$50.00
Costs/Fees Totals:	\$858.50	-\$65.82	\$0.00	\$0.00	\$792.68
Restitution					
Restitution	\$420.00	-\$5.81	\$0.00	\$0.00	\$414.19
Restitution Totals:	\$420.00	-\$5.81	\$0.00	\$0.00	\$414.19
Grand Totals:	\$1,278.50	-\$71.63	\$0.00	\$0.00	\$1,206.87

** - Indicates assessment is subrogated