

COURT OF COMMON PLEAS OF MONTGOMERY COUNTY

DOCKET

Docket Number: CP-46-CR-0006851-2011

CRIMINAL DOCKET

Court Case



Commonwealth of Pennsylvania

v.

Benjamin T. Moore

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CASE INFORMATION

Judge Assigned: Furber, William J. Jr. Date Filed: 09/27/2011 Initiation Date: 09/09/2011
OTN: S 069388-4 LOTN: Originating Docket No: MJ-38208-CR-0000351-2011
Initial Issuing Authority: Jay S. Friedenberg Final Issuing Authority: Jay S. Friedenberg
Arresting Agency: Upper Moreland Twp Police Dept Arresting Officer: Misner, Andrew Edward
Complaint/Incident #: Case Local Number(s):

STATUS INFORMATION

<u>Case Status:</u>	<u>Status Date</u>	<u>Processing Status</u>	<u>Complaint Date:</u>
Closed	04/15/2013	Sentenced/Penalty Imposed	09/09/2011
	04/15/2013	Awaiting Sentencing	
	01/02/2013	Awaiting Trial	
	07/31/2012	Awaiting Pre-Trial Conference	
	05/03/2012	Awaiting Gagnon I Hearing	
	11/01/2011	Awaiting Pre-Trial Conference	
	09/27/2011	Awaiting Formal Arraignment	
	09/27/2011	Awaiting Filing of Information	
	09/27/2011	Awaiting Formal Arraignment	

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	11/02/2011	9:30 am	Video Room #2	Judge William T. Nicholas	Scheduled
Pre-Trial Conference	01/09/2012	9:00 am	Courtroom B	President Judge William J. Furber Jr.	Scheduled
Pre-Trial Conference	04/03/2012	9:00 am	Courtroom B	President Judge William J. Furber Jr.	Scheduled
Pre-Trial Conference	06/01/2012	1:00 pm	Courtroom B	President Judge William J. Furber Jr.	Scheduled
Gagnon I Hearing	06/12/2012	9:00 am			Scheduled
Pre-Trial Conference	09/10/2012	9:00 am	Courtroom B	President Judge William J. Furber Jr.	Scheduled
Pre-Trial Conference	01/02/2013	9:00 am	Courtroom B	President Judge William J. Furber Jr.	Scheduled
Call of the Trial List	01/28/2013	9:00 am	Courtroom B	President Judge William J. Furber Jr.	Scheduled
Bail Hearing	01/30/2013	9:30 am	Courtroom 6	Judge William T. Nicholas	Scheduled
Call of the Trial List	04/04/2013	9:00 am	Courtroom B	President Judge William J. Furber Jr.	Scheduled
Status Conference	04/15/2013	9:30 am			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>
12/13/2013	DOC Confined	SCI Mahanoy		Yes

DEFENDANT INFORMATION

Date Of Birth: 08/16/1972 City/State/Zip: Lansdale, PA 19446

Alias Name

Benny
Moore, Ben
Moore, Benjamin
Moore, Benjamin III
Moore, Benjamin T. III
Moore, Benjamin T. III
Moore, Benjamin Thomas
Moore, Benjamin Thomas
Moore, Benjamin Thomas III
Moore, Benny

CASE PARTICIPANTS

<u>Participant Type</u>	<u>Name</u>
Defendant	Moore, Benjamin T.

BAIL INFORMATION

Moore, Benjamin T.						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	09/13/2011	Monetary		\$10,000.00		
Set (bail modification)	09/23/2011	Unsecured		\$10,000.00		
Set	01/30/2013	Monetary - Cash Percentage	10.00%	\$5,000.00	Posted	09/23/2011

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	F	35 § 780-113 §§A30	Manufacture, Delivery, or Possession With Intent to Manufacture or Deliver	08/24/2011	S 069388-4
2	2	M	35 § 780-113 §§A16	Int Poss Contr Subst By Per Not Reg	08/24/2011	S 069388-4
3	3	M	35 § 780-113 §§A32	Use/Poss Of Drug Paraph	08/24/2011	S 069388-4
4	4	M3	18 § 7509 §§B	Furnishing Drug Free Urine-Use Or Attempt	08/24/2011	S 069388-4

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CHARGES

Seq.	Orig Seq.	Grade	Statute	Statute Description	Offense Dt.	OTN
5	5	M	35 § 780-113 §§A2	Adulte Misbrand Any Controlled Subst	08/24/2011	S 069388-4

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>			
Lower Court Proceeding (generic)			
Lower Court Disposition	09/23/2011	Not Final	
1 / Manufacture, Delivery, or Possession With Intent to Manufacture or Deliver	Waived for Court (Lower Court)	F	35 § 780-113 §§ A30
2 / Int Poss Contr Subst By Per Not Reg	Waived for Court (Lower Court)	M	35 § 780-113 §§ A16
3 / Use/Poss Of Drug Paraph	Waived for Court (Lower Court)	M	35 § 780-113 §§ A32
4 / Furnishing Drug Free Urine-Use Or Attempt	Waived for Court (Lower Court)	M3	18 § 7509 §§ B
5 / Adulte Misbrand Any Controlled Subst	Waived for Court (Lower Court)	M	35 § 780-113 §§ A2
Proceed to Court			
Information Filed	12/13/2011	Not Final	
1 / Manufacture, Delivery, or Possession With Intent to Manufacture or Deliver	Held for Court	F	35 § 780-113 §§ A30
2 / Int Poss Contr Subst By Per Not Reg	Held for Court	M	35 § 780-113 §§ A16
3 / Use/Poss Of Drug Paraph	Held for Court	M	35 § 780-113 §§ A32
4 / Furnishing Drug Free Urine-Use Or Attempt	Held for Court	M3	18 § 7509 §§ B
5 / Adulte Misbrand Any Controlled Subst	Held for Court	M	35 § 780-113 §§ A2
Guilty Plea			
Status Conference	04/15/2013	Final Disposition	
1 / Manufacture, Delivery, or Possession With Intent to Manufacture or Deliver	Nolle Prossed	F	35 § 780-113 §§ A30
Furber, William J. Jr.	04/15/2013		
2 / Int Poss Contr Subst By Per Not Reg	Guilty Plea	M	35 § 780-113 §§ A16
Furber, William J. Jr.	04/15/2013	383 Days	
Confinement	Min of 6.00 Months	04/15/2013	
	Max of 12.00 Months		
	Other		
i have no objection to his remaining at mccf until such time as his present agg assault charge is disposed of #8849-12			
3 / Use/Poss Of Drug Paraph	Guilty Plea	M	35 § 780-113 §§ A32
Furber, William J. Jr.	04/15/2013		

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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 6.00 Months Max of 12.00 Months Other		
4 / Furnishing Drug Free Urine-Use Or Attempt Furber, William J. Jr. Confinement	Guilty Plea 04/15/2013 Min of 6.00 Months Max of 12.00 Months Other	M3	18 § 7509 §§ B
5 / Adulte Misbrand Any Controlled Subst Furber, William J. Jr.	Nolle Prossed 04/15/2013	M	35 § 780-113 §§ A2

LINKED SENTENCES:

Link 1

CP-46-CR-0006851-2011 - Seq. No. 3 (35§ 780-113 §§ A32) - Confinement is Consecutive to
CP-46-CR-0006851-2011 - Seq. No. 2 (35§ 780-113 §§ A16) - Confinement

Link 2

CP-46-CR-0006851-2011 - Seq. No. 4 (18§ 7509 §§ B) - Confinement is Consecutive to
CP-46-CR-0006851-2011 - Seq. No. 3 (35§ 780-113 §§ A32) - Confinement

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COMMONWEALTH INFORMATION

Name: Kathleen Ann Colgan
District Attorney

Supreme Court No: 309192

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

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

Name: Montgomery County District Attorney's
Office
Prosecutor

Supreme Court No:

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

Address:
Montgomery County Courthouse
PO Box 311
Norristown, PA 19404

ATTORNEY INFORMATION

Name: Francis M. Walsh
Private

Supreme Court No: 026878

Rep. Status: Active

Phone Number(s):
610-270-9974 (Phone)

Address:
538 Church Street
Norristown, PA 19401-4811

Representing: Moore, Benjamin T.

ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	09/13/2011		Friedenberg, Jay S.
Bail Set - Moore, Benjamin T.			
1	09/23/2011		Friedenberg, Jay S.
Bail Set - Moore, Benjamin T.			
2	09/23/2011		Moore, Benjamin T.
Bail Posted - Moore, Benjamin T.			
1	09/27/2011		Court of Common Pleas - Montgomery County
Original Papers Received from Lower Court			
2	09/27/2011		MDJ-38-2-08
Formal Arraignment Scheduled			
11/02/2011 Service on 09/23/2011			
Moore, Benjamin T.			
09/23/2011	Hand Delivered		

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1	10/20/2011		Court of Common Pleas - Montgomery County
Formal Arraignment Scheduled 11/2/2011 9:30AM			
1	11/01/2011		Walsh, Francis M.
Entry of Appearance/Arraignment Waived			
1	11/15/2011		Court of Common Pleas - Montgomery County
Pre-Trial Conference Scheduled 1/9/2012 9:00AM			
1	12/13/2011		Commonwealth of Pennsylvania
Information Filed			
1	12/19/2011		Montgomery County Court Administration
Hearing Notice Pre-Trial Conferences Scheduled Judge Furber - Ct. B January 9 to January 12, 2012 Notices Sent Via First Class Mail DA/PD Sent Inter-office Mail			
1	01/09/2012	01/09/2012	Furber, William J. Jr.
Order to Relist for Pre-Trial Conference 60 Days			
Aitchison, John William 01/09/2012 Hand Delivered			
Walsh, Francis M. 01/09/2012 Hand Delivered			
2	01/09/2012		Walsh, Francis M.
Waiver of Pa.R.Crim.P. 600/1013 (Prompt Trial)			
1	02/06/2012		Court of Common Pleas - Montgomery County
Pre-Trial Conference Scheduled 4/3/2012 9:00AM			

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1	03/06/2012		Montgomery County Court Administration
Hearing Notice Pre-Trial Conferences Scheduled President Judge Furber - Courtroom B April 2 to april 5, 2012 at 9:00 a.m. Notices Sent First Class Mail DA/PD Sent Inter-Office Mail			
1	03/09/2012	03/08/2012	Furber, William J. Jr.
Pre-Trial Conference Rescheduled April 5, 2012 at 9:30 a.m. Courtroom "B"			
Aitchison, John William 03/23/2012 Interoffice			
Walsh, Francis M. 03/23/2012 First Class			
1	03/29/2012	03/27/2012	Furber, William J. Jr.
Order to Relist for Pre-Trial Conference			
Aitchison, John William 04/04/2012 Interoffice			
Walsh, Francis M. 04/04/2012 First Class			
1	04/05/2012	04/05/2012	Furber, William J. Jr.
Order to Relist for Pre-Trial Conference			
Aitchison, John William 04/05/2012 Orally in Open Crt Record			
Walsh, Francis M. 04/05/2012 Orally in Open Crt Record			
1	04/27/2012		Court of Common Pleas - Montgomery County
Pre-Trial Conference Scheduled 6/1/2012 1:00PM			

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1	04/30/2012		Montgomery County Court Administration
Hearing Notice Pre-Trial Conferences Scheduled President Judge Furber - Courtroom B May 29 to June 1, 2012 at 9:00 a.m. Notices Sent First Class Mail DA/PD Sent Inter-office Mail			
1	05/03/2012		Court of Common Pleas - Montgomery County
Gagnon I Hearing Scheduled 6/12/2012 9:00AM			
1	06/01/2012	06/01/2012	Furber, William J. Jr.
Pre-Trial Conference Order Passed to 06/12/12 Aitchison, John William 06/01/2012 Orally in Open Crt Record Walsh, Francis M. 06/01/2012 Orally in Open Crt Record			
1	07/31/2012		Court of Common Pleas - Montgomery County
Pre-Trial Conference Scheduled 9/10/2012 9:00AM Reschedule PTC per Lois(on 7-31-12) - no guilty plea			
1	08/14/2012		Montgomery County Court Administration
Hearing Notice Pre-Trial Conferences Scheduled President Judge Furber - Courtroom 8 September 10 to September 12, 2012 at 9:00 a.m. Notices Sent First Class Mail DA/PD Sent Inter-office Mail			
1	09/10/2012		Moore, Benjamin T.
Waiver of Pa.R.Crim.P. 600/1013 (Prompt Trial)			

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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>
2	09/10/2012	09/10/2012	Furber, William J. Jr.
Order to Relist for Pre-Trial Conference No Sooner Than 12/15/12 - with 901-12 OIOC 9/10/12 John Aitchison			
Walsh, Francis M. 09/10/2012 Orally in Open Crt Record			

1	10/18/2012		Court of Common Pleas - Montgomery County
Pre-Trial Conference Scheduled 1/2/2013 9:00AM			

1	11/19/2012		Montgomery County Court Administration
Hearing Notice Pre-Trial Conferences Scheduled President Judge Furber - Courtroom B January 2, 3 and 7, 2013 at 9:00 a.m. January 4, 2013 at 1:00 p.m. Notices Sent First Class Mail DA/PD Sent Inter-office Mail			

1	01/02/2013	01/02/2013	Furber, William J. Jr.
Order to be Scheduled for Call of Trial List			
Colgan, Kathleen Ann 01/02/2013 Orally in Open Crt Record			
Walsh, Francis M. 01/02/2013 Orally in Open Crt Record			

1	01/08/2013		Court of Common Pleas - Montgomery County
Call of the Trial List Scheduled 1/28/2013 9:00AM			

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2	01/08/2013		Montgomery County Court Administration
Hearing Notice Call of the Trial List Scheduled President Judge Furber - Courtroom B January 28, 2013 at 9:00 a.m. Notices Sent First Class Mail DA/PD Sent Inter-office Mail			
1	01/14/2013		Colgan, Kathleen Ann
Motion to Revoke and/or Increase Bail			
2	01/14/2013		Court of Common Pleas - Montgomery County
Bail Hearing Scheduled 1/30/2013 9:30AM			
3	01/14/2013		Kehs, Michael R.
Order Scheduling Hearing Bail Hearing January 30, 2013 at 9:30 a.m. Courtroom "6"			
Colgan, Kathleen Ann 01/14/2013 First Class			
Moore, Benjamin T. 01/14/2013 First Class			
Walsh, Francis M. 01/14/2013 First Class			
1	01/28/2013	01/28/2013	Furber, William J. Jr.
Order to be Scheduled for Trial Chambers to Schedule Jury Trial			
Colgan, Kathleen Ann 01/28/2013 Orally in Open Crt Record			
Walsh, Francis M. 01/28/2013 Orally in Open Crt Record			
1	01/30/2013		Nicholas, William T.
Bail Set - Moore, Benjamin T.			
2	01/30/2013		Nicholas, William T.
Order Granting Motion for Modification of Bail Bail is reset \$5000.00 10% J Nicholas			

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<u>Issue Date</u>	<u>Service Type</u>	<u>Status Date</u>	<u>Service Status</u>
Montgomery County District Attorney's Office			
01/30/2013	Orally in Open Crt Record		
Walsh, Francis M.			
01/30/2013	Orally in Open Crt Record		

3	01/30/2013		Nicholas, William T.
Order Granting Motion for Modification of Bail			
Bail is reset \$5,000.00 10% J Nicholas			
Montgomery County District Attorney's Office			
01/30/2013	Orally in Open Crt Record		
Walsh, Francis M.			
01/30/2013	Orally in Open Crt Record		

1	03/11/2013		Court of Common Pleas - Montgomery County
Call of the Trial List Scheduled 4/4/2013 9:00AM			

2	03/14/2013	03/13/2013	Furber, William J. Jr.
Order to Place Case on Second Stand By Trial List			
week of 04/15/13			
Status Conference April 15, 2013 at 9:30 a.m. Courtroom "B"			
Colgan, Kathleen Ann			
03/13/2013	Interoffice		
Walsh, Francis M.			
03/13/2013	First Class		

3	03/14/2013		Montgomery County Court Administration
Hearing Notice			
Call of the Trial List Scheduled			
President Judge Furber - Courtroom B			
April 4, 2013 at 9:00 a.m.			
Notices Sent First Class Mail			
DA/PD Sent Inter-office Mail			

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<u>Issue Date</u>	<u>Service Type</u>	<u>Status Date</u>	<u>Service Status</u>
1	04/04/2013	04/04/2013	Nicholas, William T.
Call of the Trial List Order Scheduled for Stand By Jury Trial on 04/15/13			
Colgan, Kathleen Ann			
04/04/2013	Orally in Open Crt Record		
Walsh, Francis M.			
04/04/2013	Orally in Open Crt Record		

1	04/12/2013		Walsh, Francis M.
Omnibus Pre-Trial Motion			

1	04/15/2013		Moore, Benjamin T.
Guilty Plea Questionnaire			

2	04/15/2013		Furber, William J. Jr.
Guilty Plea			

3	04/15/2013		Furber, William J. Jr.
Order - Sentence/Penalty Imposed			

1	04/29/2013		Weiss, Ann Thornburg
DL-21D to be Prepared			

1	06/11/2013		Court of Common Pleas - Montgomery County
Court Commitment State or County Correctional Institution			

2	06/11/2013		Weiss, Ann Thornburg
DL-21D was prepared			

1	06/12/2013		Unknown Filer
DL-21D Sent to PennDOT			

1	06/17/2013		Court of Common Pleas - Montgomery County
Entry of Civil Judgment			

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1	07/09/2013	04/15/2013	Court of Common Pleas - Montgomery County

Notes of Testimony

Guilty Plea April 15, 2013 at 11:13 am before J Furber

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>
46-2013-P000008241	Monthly	02/28/2015	Yes	\$22.92
Moore, Benjamin T.			No	\$22.92

Payment Plan History:	<u>Receipt Date</u>		<u>Payor Name</u>	<u>Participant Role</u>	<u>Amount</u>
	12/22/2014	Payment	PA DOC (CVC List)	Payor	\$27.02
	02/04/2015	Payment	PA DOC (CVC List)	Payor	\$32.98

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CASE FINANCIAL INFORMATION

Last Payment Date: 02/04/2015

Total of Last Payment: -\$32.98

Moore, Benjamin T. Defendant	<u>Assessment</u>	<u>Payments</u>	<u>Adjustments</u>	<u>Non Monetary Payments</u>	<u>Total</u>
Costs/Fees					
County Lab Fees (Montgomery)	\$658.00	\$0.00	\$0.00	\$0.00	\$658.00
ATJ	\$3.00	\$0.00	\$0.00	\$0.00	\$3.00
Automation Fee (Act 36 of 2000) (Montgomery)	\$5.00	\$0.00	\$0.00	\$0.00	\$5.00
CJES	\$2.25	\$0.00	\$0.00	\$0.00	\$2.25
COC Processing Fee Misd/Fel (Montgomery)	\$331.50	\$0.00	\$0.00	\$0.00	\$331.50
Commonwealth Cost - HB627 (Act 167 of 1992)	\$9.40	\$0.00	\$0.00	\$0.00	\$9.40
Costs of Prosecution - CJEA	\$50.00	\$0.00	\$0.00	\$0.00	\$50.00
County Court Cost (Act 204 of 1976)	\$30.60	\$0.00	\$0.00	\$0.00	\$30.60
Court Child Care (Act 105 of 2000) (Montgomery)	\$5.00	\$0.00	\$0.00	\$0.00	\$5.00
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
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)	\$11.00	\$0.00	\$0.00	\$0.00	\$11.00
Substance Abuse Education (Act 198 of 2002)	\$50.00	\$0.00	\$0.00	\$0.00	\$50.00
Substance Abuse Education (Act 198 of 2002)	\$50.00	\$0.00	\$0.00	\$0.00	\$50.00
Victim Witness Service (Act 111 of 1998)	\$25.00	-\$25.00	\$0.00	\$0.00	\$0.00
Costs/Fees Totals:	\$1,299.00	-\$60.00	\$0.00	\$0.00	\$1,239.00
Grand Totals:	\$1,299.00	-\$60.00	\$0.00	\$0.00	\$1,239.00

** - Indicates assessment is subrogated