

# 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. Friedenber

Final Issuing Authority: Jay S. Friedenber

Arresting Agency: Upper Moreland Twp Police Dept

Arresting Officer: Misner, Andrew E.

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>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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### 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

<b>Moore, Benjamin T.</b>					<b>Nebbia Status: None</b>
<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	
					Posted      09/23/2011
Set	01/30/2013	Monetary - Cash Percentage	10.00%	\$5,000.00	

### CHARGES

Seq.	Orig Seq.	Grade	Statute	Statute Description	Offense Dt.	OTN
1	1	F	<b>35 § 780-113 §§A30</b>	Manufacture, Delivery, or Possession With Intent to Manufacture or Deliver	08/24/2011	S 069388-4
2	2	M	<b>35 § 780-113 §§A16</b>	Int Poss Contr Subst By Per Not Reg	08/24/2011	S 069388-4
3	3	M	<b>35 § 780-113 §§A32</b>	Use/Poss Of Drug Paraph	08/24/2011	S 069388-4
4	4	M3	<b>18 § 7509 §§B</b>	Furnishing Drug Free Urine-Use Or Attempt	08/24/2011	S 069388-4
5	5	M	<b>35 § 780-113 §§A2</b>	Adulte Misbrand Any Controlled Subst	08/24/2011	S 069388-4

### DISPOSITION SENTENCING/PENALTIES

<u>Disposition</u>	<u>Disposition Date</u>	<u>Final Disposition</u>
<u>Case Event</u>		

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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>			
<b>Lower Court Proceeding (generic)</b>			
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
<b>Proceed to Court</b>			
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
<b>Guilty Plea</b>			
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		
Confinement	Min of 6.00 Months		
	Max of 12.00 Months		
	Other		
4 / Furnishing Drug Free Urine-Use Or Attempt	Guilty Plea	M3	18 § 7509 §§ B

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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>			
Furber, William J. Jr. Confinement	04/15/2013 Min of 6.00 Months Max of 12.00 Months Other		
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: Samantha Leigh Thompson  
District Attorney

Supreme Court No: 319226

Phone Number(s):  
610-278-3133 (Phone)

Address:  
Montgomery County 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

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

#### 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.			

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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			
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			

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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	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			
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			

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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	04/27/2012		Court of Common Pleas - Montgomery County
Pre-Trial Conference Scheduled 6/1/2012 1:00PM			
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			



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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)			
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			

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

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2	01/30/2013		Nicholas, William T.
Order Granting Motion for Modification of Bail Bail is reset \$5000.00 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			
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			
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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			
1	03/09/2016		Colgan, Kathleen Ann
Change of Prosecutor			
1	04/06/2016		Court of Common Pleas - Montgomery County
Payment Plan Introduction Letter			
1	04/27/2016		Court of Common Pleas - Montgomery County
Payment Plan Introduction Letter			
1	06/22/2016		Court of Common Pleas - Montgomery County
Delinquency Notice Filed - 30 Days Overdue			
1	07/13/2016		Court of Common Pleas - Montgomery County
Delinquency Notice Filed - 51 Days Overdue			

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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>
<b>Costs/Fees</b>					
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
ARB Collect (Montgomery)	\$309.75	\$0.00	\$0.00	\$0.00	\$309.75
Costs/Fees Totals:	\$1,608.75	-\$60.00	\$0.00	\$0.00	\$1,548.75
Grand Totals:	\$1,608.75	-\$60.00	\$0.00	\$0.00	\$1,548.75

\*\* - Indicates assessment is subrogated