

# COURT OF COMMON PLEAS OF MONTGOMERY COUNTY

## DOCKET



Docket Number: CP-46-CR-0007130-2009

## CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

Paul Michael Gensert

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### CASE INFORMATION

Cross Court Docket Nos: CP-09-MD-0001479-2014

Judge Assigned: O'Neill, Steven T.

Date Filed: 09/25/2009

Initiation Date: 04/09/2009

OTN: K 718049-3

LOTN:

Originating Docket No: MJ-38128-CR-0000171-2009

Initial Issuing Authority: Harold D. Borek

Final Issuing Authority: Harold D. Borek

Arresting Agency: Hatfield Police Dept

Arresting Officer: Hoffner, Richard F. Jr.

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	05/15/2014	Completed	04/09/2009
	06/17/2013	Sentenced/Penalty Imposed	
	06/17/2013	Awaiting Gagnon II Hearing	
	04/01/2010	Sentenced/Penalty Imposed	
	04/01/2010	Awaiting Trial	
	04/01/2010	Awaiting Sentencing	
	01/19/2010	Awaiting Trial	
	11/04/2009	Awaiting Pre-Trial Conference	
	09/25/2009	Awaiting Formal Arraignment	
	09/25/2009	Awaiting Filing of Information	
	09/25/2009	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	11/18/2009	9:30 am	Video Room #2	Judge William T. Nicholas	Scheduled
Pre-Trial Conference	01/19/2010	9:00 am	Courtroom 5	Judge Steven T. O'Neill	Scheduled
Call of the Trial List	02/26/2010	9:00 am	Courtroom 5	Judge Steven T. O'Neill	Continued
Call of the Trial List	04/01/2010	9:00 am	Courtroom 5	Judge Steven T. O'Neill	Scheduled

### DEFENDANT INFORMATION

Date Of Birth: 05/25/1979 City/State/Zip: Ledarach, PA 19450

Alias Name

Gensert, Paul

### CASE PARTICIPANTS

<u>Participant Type</u>	<u>Name</u>
Defendant	Gensert, Paul Michael

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### BAIL INFORMATION

Gensert, Paul Michael

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	04/16/2009	Monetary		\$5,000.00		
Set (bail modification)	09/15/2009	Unsecured		\$5,000.00		
					Posted	09/15/2009
					Posted	09/15/2009
					Posted	04/20/2009
					Posted	04/20/2009

### 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	Manuf/Del/Poss/W Int Manuf Or Del	03/01/2009	K 718049-3
2	2	F	35 § 780-113 §§A30	Manuf/Del/Poss/W Int Manuf Or Del	03/01/2009	K 718049-3
3	3	M	35 § 780-113 §§A16	Int Poss Contr Subst By Per Not Reg	03/01/2009	K 718049-3
4	4	M	35 § 780-113 §§A16	Int Poss Contr Subst By Per Not Reg	03/01/2009	K 718049-3
5	5	M	35 § 780-113 §§A32	Use/Poss Of Drug Paraph	03/01/2009	K 718049-3
6	6	M	35 § 780-113 §§A32	Use/Poss Of Drug Paraph	03/01/2009	K 718049-3
7	7	F3	18 § 7512 §§A	Criminal Use Of Communication Facility	03/01/2009	K 718049-3
8	8	F3	18 § 7512 §§A	Criminal Use Of Communication Facility	03/01/2009	K 718049-3

### 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)**

<u>Lower Court Disposition</u>	<u>Disposition Date</u>	<u>Final Disposition</u>	
1 / Manuf/Del/Poss/W Int Manuf Or Del	09/15/2009	Not Final	
1 / Manuf/Del/Poss/W Int Manuf Or Del	Waived for Court (Lower Court)	F	35 § 780-113 §§ A30
2 / Manuf/Del/Poss/W Int Manuf Or Del	Waived for Court (Lower Court)	F	35 § 780-113 §§ A30
3 / Int Poss Contr Subst By Per Not Reg	Waived for Court (Lower Court)	M	35 § 780-113 §§ A16
4 / Int Poss Contr Subst By Per Not Reg	Waived for Court (Lower Court)	M	35 § 780-113 §§ A16

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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>			
5 / Use/Poss Of Drug Paraph	Waived for Court (Lower Court)	M	35 § 780-113 §§ A32
6 / Use/Poss Of Drug Paraph	Waived for Court (Lower Court)	M	35 § 780-113 §§ A32
7 / Criminal Use Of Communication Facility	Waived for Court (Lower Court)	F3	18 § 7512 §§ A
8 / Criminal Use Of Communication Facility	Waived for Court (Lower Court)	F3	18 § 7512 §§ A

**Proceed to Court**

Information Filed	11/16/2009	Not Final	
1 / Manuf/Del/Poss/W Int Manuf Or Del	Held for Court	F	35 § 780-113 §§ A30
2 / Manuf/Del/Poss/W Int Manuf Or Del	Held for Court	F	35 § 780-113 §§ A30
3 / Int Poss Contr Subst By Per Not Reg	Held for Court	M	35 § 780-113 §§ A16
4 / Int Poss Contr Subst By Per Not Reg	Held for Court	M	35 § 780-113 §§ A16
5 / Use/Poss Of Drug Paraph	Held for Court	M	35 § 780-113 §§ A32
6 / Use/Poss Of Drug Paraph	Held for Court	M	35 § 780-113 §§ A32
7 / Criminal Use Of Communication Facility	Held for Court	F3	18 § 7512 §§ A
8 / Criminal Use Of Communication Facility	Held for Court	F3	18 § 7512 §§ A

**Guilty Plea**

Call of the Trial List	04/01/2010	Final Disposition	
1 / Manuf/Del/Poss/W Int Manuf Or Del	Guilty Plea	F	35 § 780-113 §§ A30
O'Neill, Steven T.	04/01/2010		
Probation	Min of 7.00 Years		04/01/2010
	Max of 7.00 Years		
	Other		
To participate in a public or non-profit community service program. 24 hours Coke dealer. Test R & F			
O'Neill, Steven T.	06/17/2013	137 Days	
Confinement	Min of 11.00 Months 15.00 Days		06/17/2013
	Max of 23.00 Months		
	Other		
Not Eligible for Good-Time Credit			
Defendant is eligible for Work Release			
Cpmplete community service program.			
Addict Supervision: Test today to set levels and test R&F thereafter. Defendant to be detained, forthwith, if he/she submits a positive, diluted or misses a U/A. The Defendant must be in treatment.			
Defendant to be admitted in Outpatient Treatment			
No opiate based meds. Rec to be changed by PO T. Wathers from 2 1/2 to above.			

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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>			
Probation	Min of 3.00 Years Max of 3.00 Years Other		
To participate in a public or non-profit community service program. 24 hours Coke dealer. Test R & F			
2 / Manuf/Del/Poss/W Int Manuf Or Del O'Neill, Steven T. O'Neill, Steven T.	Nolle Prossed 04/01/2010 06/17/2013	F	35 § 780-113 §§ A30
3 / Int Poss Contr Subst By Per Not Reg O'Neill, Steven T. O'Neill, Steven T.	Nolle Prossed 04/01/2010 06/17/2013	M	35 § 780-113 §§ A16
4 / Int Poss Contr Subst By Per Not Reg O'Neill, Steven T. O'Neill, Steven T.	Nolle Prossed 04/01/2010 06/17/2013	M	35 § 780-113 §§ A16
5 / Use/Poss Of Drug Paraph O'Neill, Steven T. O'Neill, Steven T.	Nolle Prossed 04/01/2010 06/17/2013	M	35 § 780-113 §§ A32
6 / Use/Poss Of Drug Paraph O'Neill, Steven T. O'Neill, Steven T.	Nolle Prossed 04/01/2010 06/17/2013	M	35 § 780-113 §§ A32
7 / Criminal Use Of Communication Facility O'Neill, Steven T. O'Neill, Steven T.	Nolle Prossed 04/01/2010 06/17/2013	F3	18 § 7512 §§ A
8 / Criminal Use Of Communication Facility O'Neill, Steven T. O'Neill, Steven T.	Nolle Prossed 04/01/2010 06/17/2013	F3	18 § 7512 §§ A

**LINKED SENTENCES:**

**Link 1**

CP-46-CR-0007130-2009 - Seq. No. 1 (35§ 780-113 §§ A30) - Probation is Consecutive to  
CP-46-CR-0007130-2009 - Seq. No. 1 (35§ 780-113 §§ A30) - Confinement

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### COMMONWEALTH INFORMATION

Name: Prince Paris Amor Holloway  
District Attorney

Supreme Court No: 209591

Address:  
Montgomery CO Da's Ofc  
Swede And Airy St  
Norristown, PA 19404

### ATTORNEY INFORMATION

Name: Frank Flick  
Private

Supreme Court No: 066178

Rep. Status: Active

Phone Number(s):  
610-279-5700 (Phone)

Address:  
536 Swede St  
PO Box 1140  
Norristown, PA 19401-4807

Representing: Gensert, Paul Michael

### ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	04/16/2009		Borek, Harold D.
Bail Set - Gensert, Paul Michael			
1	04/20/2009		Bondsman
Bail Posted - Gensert, Paul Michael			
1	09/15/2009		Gensert, Paul Michael
Bail Posted - Gensert, Paul Michael			
2	09/15/2009		Borek, Harold D.
Bail Set - Gensert, Paul Michael			
1	09/25/2009		Court of Common Pleas - Montgomery County
Original Papers Received from Lower Court			
2	09/25/2009		MDJ-38-1-28
Formal Arraignment Scheduled Nov 18 2009 9:30AM 11/18/2009 serviced on 09/15/2009 Gensert, Paul Michael 09/15/2009 Hand Delivered			
1	10/06/2009		Sweeney, Carol Ann
Waiver of Habeas Corpus Hearing			

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<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	11/04/2009		Sweeney, Carol Ann
Entry of Appearance/Arraignment Waived			
1	11/16/2009		Commonwealth of Pennsylvania
Information Filed			
1	11/19/2009		Court of Common Pleas - Montgomery County
Pre-Trial Conference Scheduled 1/19/2010 9:00AM			
1	12/03/2009		Montgomery County Court Administration
Hearing Notice Pretrial Conferences Scheduled Judge O'Neill - Ct. F January 19th & January 20th 2010 at 9:00 am Notices sent 1st class mail DA/PD sent interoffice mail			
1	01/19/2010	01/19/2010	O'Neill, Steven T.
Order to be Scheduled for Trial Date of Service 02/04/10 Stoehr, Joseph Frank 02/04/2010 Interoffice Sweeney, Carol Ann 02/04/2010 First Class			
1	01/21/2010		Court of Common Pleas - Montgomery County
Call of the Trial List Scheduled 2/26/2010 9:00AM			
2	01/21/2010		Montgomery County Court Administration
Hearing Notice Call of the Trial List Scheduled February 25th and February 26th 2010 at 9:00 am Judge O'Neill - Ct. 5 Notices sent 1st class mail DA/PD sent interoffice mail			

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1	02/02/2010		Sweeney, Carol Ann
Motion to Compel Disclosure of Confidential Informant			
1	02/26/2010		Court of Common Pleas - Montgomery County
Call of the Trial List Scheduled 4/1/2010 9:00AM			
2	02/26/2010	02/26/2010	O'Neill, Steven T.
Placed on Standby Trial List Order Jury Trial. Suppression Hrg Date of Service 03/17/10 Holloway, Prince Paris Amor 03/17/2010 Interoffice Sweeney, Carol Ann 03/17/2010 First Class			
3	02/26/2010		Montgomery County Court Administration
Hearing Notice Call of the Trial List Scheduled Judge O'Neill Ct. 5 April 1, 2010 at 9:00 am Notices sent 1st class mail DA/PD sent interoffice mail			
1	04/01/2010		Gensert, Paul Michael
Guilty Plea Questionnaire			
2	04/01/2010		O'Neill, Steven T.
Guilty Plea			
3	04/01/2010		O'Neill, Steven T.
Disposition Filed			
4	04/01/2010	04/01/2010	O'Neill, Steven T.
Order to Place Case on Next Trial List Date of Service 04/15/10 Holloway, Prince Paris Amor 04/15/2010 Interoffice Sweeney, Carol Ann			

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<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
<u>Service To</u>	<u>Service By</u>		
<u>Issue Date</u>	<u>Service Type</u>	<u>Status Date</u>	<u>Service Status</u>
5	04/01/2010		O'Neill, Steven T.
Order - Sentence/Penalty Imposed			
1	06/09/2010		Weiss, Ann Thornburg
DL-21D to be Prepared			
3	06/09/2010	06/09/2010	Weiss, Ann Thornburg
Entry of Civil Judgment			
1	06/16/2010		Court of Common Pleas - Montgomery County
Payment Plan Introduction Letter			
1	08/18/2010		Court of Common Pleas - Montgomery County
Notes of Testimony Guilty Plea 04/01/2010 before J O'Neill			
1	02/15/2012		Court of Common Pleas - Montgomery County
Delinquency Notice Filed - 37 Days Overdue			
1	03/07/2012		Court of Common Pleas - Montgomery County
Delinquency Notice Filed - 58 Days Overdue			
1	03/15/2013		Flick, Frank
Entry of Appearance			
1	05/30/2013		O'Neill, Steven T.
Drug Court Application Denial Order Other Ineligible Offense-Possession with Intent to Deliver			
1	06/17/2013		O'Neill, Steven T.
Gagnon II Hearing Scheduled			



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2	06/17/2013		O'Neill, Steven T.
Order - Sentence/Penalty Imposed			
1	10/02/2013	06/17/2013	Court of Common Pleas - Montgomery County
Notes of Testimony Guilty Plea/Gagnon June 17, 2013 at 12:35 pm before J O'Neill			
1	01/14/2014	01/07/2014	Montgomery County Adult Probation Unit
Motion for Parole			
2	01/14/2014	01/10/2014	O'Neill, Steven T.
Order Granting Motion for Parole effective 1-16-14			
1	01/22/2014		Court of Common Pleas - Montgomery County
Payment Plan Introduction Letter			
1	05/15/2014		Court of Common Pleas - Montgomery County
Transferred to CP-07-09-Crim			
1	06/03/2015		Court of Common Pleas - Montgomery County
Delinquency Notice Filed - 31 Days Overdue			
1	03/09/2016		Court of Common Pleas - Montgomery County
Delinquency Notice Filed - 35 Days Overdue			
1	05/04/2016		Court of Common Pleas - Montgomery County
Delinquency Notice Filed - 31 Days Overdue			
1	07/06/2016		Court of Common Pleas - Montgomery County
Delinquency Notice Filed - 33 Days Overdue			

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1	08/17/2016		Court of Common Pleas - Montgomery County

Delinquency Notice Filed - 45 Days Overdue

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### CASE FINANCIAL INFORMATION

Last Payment Date: 05/24/2017

Total of Last Payment: -\$73.10

Gensert, Paul Michael Defendant	<u>Assessment</u>	<u>Payments</u>	<u>Adjustments</u>	<u>Non Monetary Payments</u>	<u>Total</u>
<b>Costs/Fees</b>					
Towamencin Livescan (Montgomery)	\$100.00	-\$100.00	\$0.00	\$0.00	\$0.00
County Lab Fees (Montgomery)	\$180.00	-\$180.00	\$0.00	\$0.00	\$0.00
County Lab Fees (Montgomery)	\$180.00	-\$180.00	\$0.00	\$0.00	\$0.00
OSP (Montgomery/State) (Act 35 of 1991)	\$1,680.00	-\$779.92	-\$900.08	\$0.00	\$0.00
OSP (Montgomery/State) (Act 35 of 1991)	\$1,680.00	-\$780.13	-\$899.87	\$0.00	\$0.00
State Court Costs (Act 204 of 1976)	\$12.30	-\$9.18	\$0.00	\$0.00	\$3.12
Commonwealth Cost - HB627 (Act 167 of 1992)	\$18.40	-\$13.72	\$0.00	\$0.00	\$4.68
County Court Cost (Act 204 of 1976)	\$26.80	-\$19.94	\$0.00	\$0.00	\$6.86
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	-\$7.47	\$0.00	\$0.00	\$2.53
Victim Witness Service (Act 111 of 1998)	\$25.00	-\$25.00	\$0.00	\$0.00	\$0.00
Firearm Education and Training Fund	\$5.00	-\$3.76	\$0.00	\$0.00	\$1.24
Substance Abuse Education (Act 198 of 2002)	\$50.00	-\$37.20	\$0.00	\$0.00	\$12.80
Substance Abuse Education (Act 198 of 2002)	\$50.00	-\$37.20	\$0.00	\$0.00	\$12.80
Judicial Computer Project	\$8.00	-\$8.00	\$0.00	\$0.00	\$0.00
ATJ	\$2.00	-\$2.00	\$0.00	\$0.00	\$0.00
DNA Detection Fund (Act 185-2004)	\$250.00	-\$185.41	\$0.00	\$0.00	\$64.59
Automation Fee (Act 36 of 2000) (Montgomery)	\$5.00	-\$5.00	\$0.00	\$0.00	\$0.00
COC Processing Fee Misd/Fel (Montgomery)	\$306.00	-\$306.00	\$0.00	\$0.00	\$0.00
Court Child Care (Act 105 of 2000) (Montgomery)	\$5.00	-\$5.00	\$0.00	\$0.00	\$0.00
ARB Collect (Montgomery)	\$164.47	-\$73.10	\$0.00	\$0.00	\$91.37
Costs/Fees Totals:	\$4,792.97	-\$2,793.03	-\$1,799.95	\$0.00	\$199.99
<b>Fines</b>					
Crimes Code, etc.	\$1,000.00	-\$743.13	\$0.00	\$0.00	\$256.87
Fines Totals:	\$1,000.00	-\$743.13	\$0.00	\$0.00	\$256.87

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Grand Totals:

\$5,792.97

-\$3,536.16

-\$1,799.95

\$0.00

\$456.86

\*\* - Indicates assessment is subrogated