

# COURT OF COMMON PLEAS OF MONTGOMERY COUNTY

## DOCKET



Docket Number: CP-46-CR-0007247-2011

## CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

Michael Matthew Smagalski

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### CASE INFORMATION

Judge Assigned: Carluccio, Carolyn T.

Date Filed: 10/11/2011

Initiation Date: 06/14/2011

OTN: L 638590-1

LOTN: L 638590-1

Originating Docket No: MJ-38128-CR-0000286-2011

Initial Issuing Authority: Thomas A. Palladino

Final Issuing Authority: Harold D. Borek

Arresting Agency: Towamencin Twp Police Dept

Arresting Officer: Wert, Gregory G.

Complaint/Incident #:

Case Local Number Type(s)

Case Local Number(s)

Booking Center Location Code

to

### STATUS INFORMATION

<u>Case Status:</u>	<u>Status Date</u>	<u>Processing Status</u>	<u>Arrest Date:</u>
Closed	09/13/2013	Sentenced/Penalty Imposed	06/14/2011
	09/13/2013	Awaiting Sentencing	
	02/24/2012	Awaiting Trial	
	01/25/2012	Awaiting Trial	
	12/02/2011	Awaiting Pre-Trial Conference	
	10/11/2011	Awaiting Filing of Information	
	10/11/2011	Awaiting Formal Arraignment	

Complaint Date: 06/14/2011

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### CALENDAR EVENTS

<u>Case Calendar</u> <u>Event Type</u>	<u>Schedule</u> <u>Start Date</u>	<u>Start</u> <u>Time</u>	<u>Room</u>	<u>Judge Name</u>	<u>Schedule</u> <u>Status</u>
Formal Arraignment	11/02/2011	9:30 am	Video Room #2	Judge William T. Nicholas	Scheduled
Pre-Trial Conference	01/23/2012	9:00 am	Courtroom D	Judge Richard J. Hodgson	Scheduled
Call of the Trial List	02/24/2012	9:00 am	Courtroom D	Judge Richard J. Hodgson	Scheduled
Call of the Trial List	03/15/2012	9:00 am	Courtroom D	Judge Richard J. Hodgson	Scheduled
Call of the Trial List	05/18/2012	9:00 am	Courtroom D	Judge Richard J. Hodgson	Scheduled
Call of the Trial List	06/15/2012	9:00 am	Courtroom C	Judge Richard J. Hodgson	Scheduled
Call of the Trial List	08/09/2012	9:00 am	Courtroom 8	Senior Judge Joseph A. Smyth	Scheduled
Trial	08/15/2012	9:30 am			Scheduled
Call of the Trial List	10/25/2012	9:00 am	Courtroom 8	Senior Judge Joseph A. Smyth	Scheduled
Call of the Trial List	12/13/2012	9:00 am	Courtroom 8	Senior Judge Joseph A. Smyth	Scheduled
Jury Trial	01/23/2013	9:30 am			Scheduled
Call of the Trial List	03/15/2013	9:00 am	Courtroom 8	Senior Judge Joseph A. Smyth	Scheduled
Motion to Increase/Decrease/ Reduce Bail	04/02/2013	9:30 am	Courtroom 6	Senior Judge S. Gerald Corso	Scheduled
Call of the Trial List	06/06/2013	9:00 am	Courtroom 8	Senior Judge Joseph A. Smyth	Scheduled
Call of the Trial List	09/13/2013	9:00 am	Courtroom 8	Senior Judge Joseph A. Smyth	Scheduled

### DEFENDANT INFORMATION

Date Of Birth: 01/09/1984 City/State/Zip: Harleysville, PA 19438

#### Alias Name

Smagalski, Michael  
Smagalski, Michael  
Smagalski, Michael M.  
Smagalski, Michael Matthew

### CASE PARTICIPANTS

<u>Participant Type</u>	<u>Name</u>
Defendant	Smagalski, Michael Matthew

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### BAIL INFORMATION

Smagalski, Michael Matthew

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	06/14/2011	Monetary		\$25,000.00		
Set (bail modification)	06/15/2011	Monetary		\$25,000.00		
Forfeiture - Complete	01/23/2012	Monetary		\$25,000.00		
Reinstate	01/25/2012	Monetary		\$25,000.00		
Bond Terminated	02/19/2013	Monetary		\$0.00		
Set	02/19/2013	Monetary		\$25,000.00	Posted	06/15/2011

### 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	06/14/2011	L 638590-1
2	2	M	35 § 780-113 §§A16	Int Poss Contr Subst By Per Not Reg	06/14/2011	L 638590-1
3	3	M	35 § 780-113 §§A19	Purc/Rec Of Cont Substby Unauth Per	06/14/2011	L 638590-1
4	4	M	35 § 780-113 §§A32	Use/Poss Of Drug Paraph	06/14/2011	L 638590-1
5	5	M	35 § 780-113 §§A32	Use/Poss Of Drug Paraph	06/14/2011	L 638590-1
6	6	S	75 § 3362 §§A3-20	Exceed Max Speed Lim Estb By 20 MPH	06/14/2011	L 638590-1
7	7	S	75 § 1543 §§A	Driv While Oper Priv Susp Or Revoked	06/14/2011	L 638590-1
8	8	F3	18 § 7512 §§A	Criminal Use Of Communication Facility	06/14/2011	L 638590-1
9	9	F3	18 § 7512 §§A	Criminal Use Of Communication Facility	06/14/2011	L 638590-1
10	10	F3	18 § 7512 §§A	Criminal Use Of Communication Facility	06/14/2011	L 638590-1
11	11	F3	18 § 7512 §§A	Criminal Use Of Communication Facility	06/14/2011	L 638590-1
12	12	F3	18 § 7512 §§A	Criminal Use Of Communication Facility	06/14/2011	L 638590-1
13	13	F3	18 § 7512 §§A	Criminal Use Of Communication Facility	06/14/2011	L 638590-1
14	14	F3	18 § 7512 §§A	Criminal Use Of Communication Facility	06/14/2011	L 638590-1
15	15	F3	18 § 7512 §§A	Criminal Use Of Communication Facility	06/14/2011	L 638590-1
16	16	F3	18 § 7512 §§A	Criminal Use Of Communication Facility	06/14/2011	L 638590-1
17	17	F3	18 § 7512 §§A	Criminal Use Of Communication Facility	06/14/2011	L 638590-1
18	18	F3	18 § 7512 §§A	Criminal Use Of Communication Facility	06/14/2011	L 638590-1
19	19	F3	18 § 7512 §§A	Criminal Use Of Communication Facility	06/14/2011	L 638590-1
20	20	F3	18 § 7512 §§A	Criminal Use Of Communication Facility	06/14/2011	L 638590-1

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<u>Seq.</u>	<u>Orig Seq.</u>	<u>Grade</u>	<u>Statute</u>	<u>Statute Description</u>	<u>Offense Dt.</u>	<u>OTN</u>
21	21	F3	<b>18 § 7512 §§A</b>	Criminal Use Of Communication Facility	06/14/2011	L 638590-1
22	22	F3	<b>18 § 7512 §§A</b>	Criminal Use Of Communication Facility	06/14/2011	L 638590-1
23	23	F3	<b>18 § 7512 §§A</b>	Criminal Use Of Communication Facility	06/14/2011	L 638590-1
24	24	F3	<b>18 § 7512 §§A</b>	Criminal Use Of Communication Facility	06/14/2011	L 638590-1
25	25	F3	<b>18 § 7512 §§A</b>	Criminal Use Of Communication Facility	06/14/2011	L 638590-1
26	26	F3	<b>18 § 7512 §§A</b>	Criminal Use Of Communication Facility	06/14/2011	L 638590-1
27	27	F3	<b>18 § 7512 §§A</b>	Criminal Use Of Communication Facility	06/14/2011	L 638590-1

### DISPOSITION SENTENCING/PENALTIES

Disposition

Case Event

Sequence/Description

Sentencing Judge

Sentence/Diversion Program Type

Sentence Conditions

Disposition Date

Offense Disposition

Sentence Date

Incarceration/Diversionary Period

Final Disposition

Grade Section

Credit For Time Served

Start Date

**Lower Court Proceeding (generic)**

<u>Lower Court Disposition</u>	<u>Disposition Date</u>	<u>Final Disposition</u>	<u>Grade Section</u>
Lower Court Disposition	09/20/2011	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 / Purc/Rec Of Cont Substby Unauth Per	Waived for Court (Lower Court)	M	35 § 780-113 §§ A19
4 / Use/Poss Of Drug Paraph	Waived for Court (Lower Court)	M	35 § 780-113 §§ A32
5 / Use/Poss Of Drug Paraph	Waived for Court (Lower Court)	M	35 § 780-113 §§ A32
6 / Exceed Max Speed Lim Estb By 20 MPH	Waived for Court (Lower Court)	S	75 § 3362 §§ A3-20
7 / Driv While Oper Priv Susp Or Revoked	Waived for Court (Lower Court)	S	75 § 1543 §§ A
8 / Criminal Use Of Communication Facility	Waived for Court (Lower Court)	F3	18 § 7512 §§ A
9 / Criminal Use Of Communication Facility	Waived for Court (Lower Court)	F3	18 § 7512 §§ A
10 / Criminal Use Of Communication Facility	Waived for Court (Lower Court)	F3	18 § 7512 §§ A
11 / Criminal Use Of Communication Facility	Waived for Court (Lower Court)	F3	18 § 7512 §§ A
12 / Criminal Use Of Communication Facility	Waived for Court (Lower Court)	F3	18 § 7512 §§ A
13 / Criminal Use Of Communication Facility	Waived for Court (Lower Court)	F3	18 § 7512 §§ A
14 / Criminal Use Of Communication Facility	Waived for Court (Lower Court)	F3	18 § 7512 §§ A
15 / Criminal Use Of Communication Facility	Waived for Court (Lower Court)	F3	18 § 7512 §§ A
16 / Criminal Use Of Communication Facility	Waived for Court (Lower Court)	F3	18 § 7512 §§ A
17 / Criminal Use Of Communication Facility	Waived for Court (Lower Court)	F3	18 § 7512 §§ A
18 / Criminal Use Of Communication Facility	Waived for Court (Lower Court)	F3	18 § 7512 §§ A
19 / Criminal Use Of Communication Facility	Waived for Court (Lower Court)	F3	18 § 7512 §§ A
20 / Criminal Use Of Communication Facility	Waived for Court (Lower Court)	F3	18 § 7512 §§ A

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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>			
21 / Criminal Use Of Communication Facility	Waived for Court (Lower Court)	F3	18 § 7512 §§ A
22 / Criminal Use Of Communication Facility	Waived for Court (Lower Court)	F3	18 § 7512 §§ A
23 / Criminal Use Of Communication Facility	Waived for Court (Lower Court)	F3	18 § 7512 §§ A
24 / Criminal Use Of Communication Facility	Waived for Court (Lower Court)	F3	18 § 7512 §§ A
25 / Criminal Use Of Communication Facility	Waived for Court (Lower Court)	F3	18 § 7512 §§ A
26 / Criminal Use Of Communication Facility	Waived for Court (Lower Court)	F3	18 § 7512 §§ A
27 / Criminal Use Of Communication Facility	Waived for Court (Lower Court)	F3	18 § 7512 §§ A

**Proceed to Court**

<u>Information Filed</u>	<u>Disposition Date</u>	<u>Final Disposition</u>	
Information Filed	11/29/2011	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 / Purc/Rec Of Cont Substby Unauth Per	Held for Court	M	35 § 780-113 §§ A19
4 / Use/Poss Of Drug Paraph	Held for Court	M	35 § 780-113 §§ A32
5 / Use/Poss Of Drug Paraph	Held for Court	M	35 § 780-113 §§ A32
6 / Exceed Max Speed Lim Estb By 20 MPH	Held for Court	S	75 § 3362 §§ A3-20
7 / Driv While Oper Priv Susp Or Revoked	Held for Court	S	75 § 1543 §§ A
8 / Criminal Use Of Communication Facility	Held for Court	F3	18 § 7512 §§ A
9 / Criminal Use Of Communication Facility	Held for Court	F3	18 § 7512 §§ A
10 / Criminal Use Of Communication Facility	Held for Court	F3	18 § 7512 §§ A
11 / Criminal Use Of Communication Facility	Held for Court	F3	18 § 7512 §§ A
12 / Criminal Use Of Communication Facility	Held for Court	F3	18 § 7512 §§ A
13 / Criminal Use Of Communication Facility	Held for Court	F3	18 § 7512 §§ A
14 / Criminal Use Of Communication Facility	Held for Court	F3	18 § 7512 §§ A
15 / Criminal Use Of Communication Facility	Held for Court	F3	18 § 7512 §§ A
16 / Criminal Use Of Communication Facility	Held for Court	F3	18 § 7512 §§ A
17 / Criminal Use Of Communication Facility	Held for Court	F3	18 § 7512 §§ A
18 / Criminal Use Of Communication Facility	Held for Court	F3	18 § 7512 §§ A
19 / Criminal Use Of Communication Facility	Held for Court	F3	18 § 7512 §§ A
20 / Criminal Use Of Communication Facility	Held for Court	F3	18 § 7512 §§ A
21 / Criminal Use Of Communication Facility	Held for Court	F3	18 § 7512 §§ A
22 / Criminal Use Of Communication Facility	Held for Court	F3	18 § 7512 §§ A

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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>			
23 / Criminal Use Of Communication Facility	Held for Court	F3	18 § 7512 §§ A
24 / Criminal Use Of Communication Facility	Held for Court	F3	18 § 7512 §§ A
25 / Criminal Use Of Communication Facility	Held for Court	F3	18 § 7512 §§ A
26 / Criminal Use Of Communication Facility	Held for Court	F3	18 § 7512 §§ A
27 / Criminal Use Of Communication Facility	Held for Court	F3	18 § 7512 §§ A
<b>Guilty Plea</b>			
Call of the Trial List	09/13/2013	Final Disposition	
1 / Manufacture, Delivery, or Possession With Intent to Manufacture or Deliver Smyth, Joseph A. Confinement	Guilty Plea	F	35 § 780-113 §§ A30
	09/13/2013	250 Days	09/13/2013
	Min of 4.00 Years Max of 8.00 Years Other		
SCI Chester			
2 / Int Poss Contr Subst By Per Not Reg Smyth, Joseph A.	Nolle Prossed 09/13/2013	M	35 § 780-113 §§ A16
3 / Purc/Rec Of Cont Substby Unauth Per Smyth, Joseph A.	Nolle Prossed 09/13/2013	M	35 § 780-113 §§ A19
4 / Use/Poss Of Drug Paraph Smyth, Joseph A.	Nolle Prossed 09/13/2013	M	35 § 780-113 §§ A32
5 / Use/Poss Of Drug Paraph Smyth, Joseph A.	Nolle Prossed 09/13/2013	M	35 § 780-113 §§ A32
6 / Exceed Max Speed Lim Estb By 20 MPH Smyth, Joseph A.	Nolle Prossed 09/13/2013	S	75 § 3362 §§ A3-20
7 / Driv While Oper Priv Susp Or Revoked Smyth, Joseph A.	Nolle Prossed 09/13/2013	S	75 § 1543 §§ A
8 / Criminal Use Of Communication Facility Smyth, Joseph A.	Nolle Prossed 09/13/2013	F3	18 § 7512 §§ A
9 / Criminal Use Of Communication Facility Smyth, Joseph A.	Nolle Prossed 09/13/2013	F3	18 § 7512 §§ A
10 / Criminal Use Of Communication Facility	Nolle Prossed	F3	18 § 7512 §§ A

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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>			
Smyth, Joseph A.	09/13/2013		
11 / Criminal Use Of Communication Facility Smyth, Joseph A.	Nolle Prossed 09/13/2013	F3	18 § 7512 §§ A
12 / Criminal Use Of Communication Facility Smyth, Joseph A.	Nolle Prossed 09/13/2013	F3	18 § 7512 §§ A
13 / Criminal Use Of Communication Facility Smyth, Joseph A.	Nolle Prossed 09/13/2013	F3	18 § 7512 §§ A
14 / Criminal Use Of Communication Facility Smyth, Joseph A.	Nolle Prossed 09/13/2013	F3	18 § 7512 §§ A
15 / Criminal Use Of Communication Facility Smyth, Joseph A.	Nolle Prossed 09/13/2013	F3	18 § 7512 §§ A
16 / Criminal Use Of Communication Facility Smyth, Joseph A.	Nolle Prossed 09/13/2013	F3	18 § 7512 §§ A
17 / Criminal Use Of Communication Facility Smyth, Joseph A.	Nolle Prossed 09/13/2013	F3	18 § 7512 §§ A
18 / Criminal Use Of Communication Facility Smyth, Joseph A.	Nolle Prossed 09/13/2013	F3	18 § 7512 §§ A
19 / Criminal Use Of Communication Facility Smyth, Joseph A.	Nolle Prossed 09/13/2013	F3	18 § 7512 §§ A
20 / Criminal Use Of Communication Facility Smyth, Joseph A.	Nolle Prossed 09/13/2013	F3	18 § 7512 §§ A
21 / Criminal Use Of Communication Facility Smyth, Joseph A.	Nolle Prossed 09/13/2013	F3	18 § 7512 §§ A
22 / Criminal Use Of Communication Facility Smyth, Joseph A.	Nolle Prossed 09/13/2013	F3	18 § 7512 §§ A
23 / Criminal Use Of Communication Facility Smyth, Joseph A.	Nolle Prossed 09/13/2013	F3	18 § 7512 §§ A
24 / Criminal Use Of Communication Facility Smyth, Joseph A.	Nolle Prossed 09/13/2013	F3	18 § 7512 §§ A

Recent entries made in the court filing offices may not be immediately reflected on these docket sheets. Neither the courts of the Unified Judicial System of the Commonwealth of Pennsylvania nor the Administrative Office of Pennsylvania Courts assume any liability for inaccurate or delayed data, errors or omissions on these reports. Docket Sheet information should not be used in place of a criminal history background check which can only be provided by the Pennsylvania State Police. Moreover an employer who does not comply with the provisions of the Criminal History Record Information Act may be subject to civil liability as set forth in 18 Pa.C.S. Section 9183.

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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>			
25 / Criminal Use Of Communication Facility Smyth, Joseph A.	Nolle Prossed 09/13/2013	F3	18 § 7512 §§ A
26 / Criminal Use Of Communication Facility Smyth, Joseph A.	Nolle Prossed 09/13/2013	F3	18 § 7512 §§ A
27 / Criminal Use Of Communication Facility Smyth, Joseph A.	Nolle Prossed 09/13/2013	F3	18 § 7512 §§ A

#### COMMONWEALTH INFORMATION

Name: Colleen McIntyre  
District Attorney

Supreme Court No: 306413

Phone Number(s):  
215-740-7818 (Phone)

Address:  
Montgomery CO Da's Office  
Swede & Airy Sts Fl 4  
Norristown, PA 19404

Name: Rebecca Wintz Strubel  
District Attorney

Supreme Court No: 206503

Address:  
PO Box 311  
Norristown, PA 19404-0311

#### ATTORNEY INFORMATION

Name: Francis John Genovese \*  
Private

Supreme Court No: 082308

Rep. Status: Lower Court

Phone Number(s):  
610-584-4416 (Phone)

Address:  
3881 Skippack Pk PO Box 1368  
Skippack, PA 19474

Representing: Smagalski, Michael Matthew  
\* *Entry of Appearance Not Filed*

#### ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	06/14/2011		Borek, Harold D.
Bail Set - Smagalski, Michael Matthew			
1	06/15/2011		Borek, Harold D.
Bail Set - Smagalski, Michael Matthew			
2	06/15/2011		Krawczyk, Robert J.
Bail Posted - Smagalski, Michael Matthew			



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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	10/11/2011		MDJ-38-1-28
Formal Arraignment Scheduled Nov 2 2011 9:30AM			
11/02/2011 serviced on 09/20/2011			
Smagalski, Michael Matthew			
09/20/2011	Hand Delivered		
-----			
2	10/11/2011		Court of Common Pleas - Montgomery County
Original Papers Received from Lower Court			
-----			
1	10/17/2011		Genovese, Francis John
Waiver of Habeas Corpus Hearing			
-----			
1	11/29/2011		Commonwealth of Pennsylvania
Information Filed			
-----			
1	12/02/2011		Court of Common Pleas - Montgomery County
Pre-Trial Conference Scheduled 1/23/2012 9:00AM			
-----			
1	12/29/2011		Montgomery County Court Administration
Hearing Notice			
Pre-Trial Conferences Scheduled			
President Judge Hodgson - Courtroom D			
January 23 to January 25, 2012 at 9:00 a.m.			
Notices Sent First Class Mail			
DA/PA Sent Inter-office Mail			
-----			
1	01/23/2012	01/23/2012	Hodgson, Richard J.
Pre-Trial Conference Order - Bench Warrant Issued			
Genovese, Francis John			
01/23/2012	Orally in Open Cr Record		
McIntyre, Colleen			
01/23/2012	Orally in Open Cr Record		
-----			
2	01/23/2012		Hodgson, Richard J.
Complete Bail Forfeiture - Smagalski, Michael Matthew			

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<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	01/25/2012	01/25/2012	Hodgson, Richard J.
Order to be Scheduled for Trial McIntyre, Colleen 02/21/2012 Interoffice Smagalski, Michael Matthew 02/21/2012 First Class			
2	01/25/2012		Hodgson, Richard J.
Order Granting Motion to Re-Instate Previously Set Bail - Smagalski, Michael Matthew			
1	01/27/2012		Court of Common Pleas - Montgomery County
Call of the Trial List Scheduled 2/24/2012 9:00AM			
1	01/30/2012		Montgomery County Court Administration
Hearing Notice Call of the Trial List Scheduled Judge Hodgson - Courtroom D February 24, 2012 at 9:00 a.m. Notices Sent First Class Mail DA/PD Sent Inter-office Mail			
1	02/24/2012	02/24/2012	Hodgson, Richard J.
Trial Continued to Trial List Genovese, Francis John 02/24/2012 Orally in Open Crt Record McIntyre, Colleen 02/24/2012 Orally in Open Crt Record			
2	02/24/2012		Court of Common Pleas - Montgomery County
Call of the Trial List Scheduled 3/15/2012 9:00AM			

# COURT OF COMMON PLEAS OF MONTGOMERY COUNTY

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Docket Number: CP-46-CR-0007247-2011

## CRIMINAL DOCKET

Court Case



Commonwealth of Pennsylvania

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### ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
3	02/24/2012		Montgomery County Court Administration
Hearing Notice Call of the Trial List Scheduled Judge Hodgson - Courtroom D March 15, 2012 at 9:00 a.m. Notices Sent First Class Mail DA/PA Sent Inter-office Mail			
1	03/15/2012	03/15/2012	Hodgson, Richard J.
Order to Relist for Trial May Genovese, Francis John 03/15/2012 Orally in Open Cr Record McIntyre, Colleen 03/15/2012 Orally in Open Cr Record			
1	03/21/2012		Court of Common Pleas - Montgomery County
Call of the Trial List Scheduled 5/18/2012 9:00AM			
1	04/20/2012		Montgomery County Court Administration
Hearing Notice Call of the Trial List Scheduled Judge Hodgson - Courtroom D May 18, 2012 at 9:00 a.m. Notices Sent First Class Mail DA/PA Sent Inter-office Mail			
1	05/18/2012	05/18/2012	Carpenter, William R.
Order to Relist for Trial Genovese, Francis John 05/18/2012 Orally in Open Cr Record McIntyre, Colleen 05/18/2012 Orally in Open Cr Record			
1	05/22/2012		Court of Common Pleas - Montgomery County
Call of the Trial List Scheduled 6/15/2012 9:00AM			

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2	05/22/2012		Montgomery County Court Administration
Hearing Notice Call of the Trial List Scheduled Judge Hodgson - Courtroom C June 15, 2012 at 9:00 a.m. Notices Sent First Class Mail DA/PA Sent Inter-office Mail			
1	06/15/2012	06/15/2012	Carpenter, William R.
Order to Reassign Case Genovese, Francis John 06/15/2012 Orally in Open Crt Record McIntyre, Colleen 06/15/2012 Orally in Open Crt Record			
1	06/27/2012		Court of Common Pleas - Montgomery County
Call of the Trial List Scheduled 8/9/2012 9:00AM Reassigned and rescheduled from Judge Hodgson's May/June Call of the Trial Lists per instructions			
1	07/09/2012		Montgomery County Court Administration
Hearing Notice Call of the Trial List Scheduled Judge Smyth - Courtroom 8 August 9, 2012 at 9:00 a.m. Notices Sent First Class Mail DA/PA Sent Inter-office Mail			
1	08/09/2012		Genovese, Francis John
Motion for Suppression			
1	08/10/2012		Court of Common Pleas - Montgomery County
Trial Scheduled 8/15/2012 9:30AM			
1	08/15/2012	08/09/2012	Smyth, Joseph A.
Call of the Trial List Order Pass to 08/15/12 Genovese, Francis John			

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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>
08/15/2012	Orally in Open Crt Record		
McIntyre, Colleen			
08/15/2012	Orally in Open Crt Record		
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2	08/15/2012	08/15/2012	Smyth, Joseph A.
Order Denying Motion to Dismiss			
Genovese, Francis John			
08/15/2012	Hand Delivered		
Krawczyk, Robert J.			
08/15/2012	Hand Delivered		
McIntyre, Colleen			
08/15/2012	Hand Delivered		
-----			
3	08/15/2012	08/09/2012	Smyth, Joseph A.
Call of the Trial List Order			
Suppression Hearing 08/15/12 at 9:30 a.m. Courtroom "8"			
Genovese, Francis John			
08/09/2012	Orally in Open Crt Record		
McIntyre, Colleen			
08/09/2012	Orally in Open Crt Record		
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1	08/20/2012		Court of Common Pleas - Montgomery County
Call of the Trial List Scheduled 10/25/2012 9:00AM			
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1	09/18/2012		Montgomery County Court Administration
Hearing Notice			
Call of the Trial List Scheduled			
Judge Smyth - Courtroom 8			
October 25, 2012 at 9:00 a.m.			
Notices Sent First Class Mail			
DA/PD Sent Inter-office Mail			
-----			
1	10/04/2012		Court of Common Pleas - Montgomery County
Notes of Testimony			
Suppression Hrg 08/15/2012 before J Smyth			

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1	10/25/2012	10/25/2012	Smyth, Joseph A.
Order to Place Case Back on Next Trial List			
Genovese, Francis John			
10/25/2012	Orally in Open Crt Record		
McIntyre, Colleen			
10/25/2012	Orally in Open Crt Record		
1	10/26/2012		Court of Common Pleas - Montgomery County
Call of the Trial List Scheduled 12/13/2012 9:00AM			
1	10/31/2012		Montgomery County Court Administration
Hearing Notice			
Call of the Trial List Scheduled			
Judge Smyth - Courtroom 8			
December 13, 2012 at 9:00 a.m.			
Notices Sent First Class Mail			
DA/PD Sent Inter-office Mail			
1	12/13/2012	12/13/2012	Smyth, Joseph A.
Call of the Trial List Order			
Jury Trial 01/23/13 at 9:30 a.m. Courtroom "8"			
Genovese, Francis John			
12/13/2012	Orally in Open Crt Record		
McIntyre, Colleen			
12/13/2012	Orally in Open Crt Record		
1	12/17/2012	12/17/2012	Smyth, Joseph A.
Order Scheduling Jury Trial			
January 23, 2013 at 9:30 a.m. Courtroom "8"			
Genovese, Francis John			
12/17/2012	First Class		
McIntyre, Colleen			
12/17/2012	First Class		
1	01/23/2013	01/17/2013	Smyth, Joseph A.
Order Scheduling Jury Trial			
January 23, 2013 at 9:30 a.m. Courtroom "8"			

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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>
Genovese, Francis John 01/17/2013	First Class		
McIntyre, Colleen 01/17/2013	First Class		
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2	01/23/2013		Smagalski, Michael Matthew
Waiver of Pa.R.Crim.P. 600/1013 (Prompt Trial)			
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3	01/23/2013	01/23/2013	Smyth, Joseph A.
Trial Continued			
Genovese, Francis John 01/23/2013	Orally in Open Crt Record		
McIntyre, Colleen 01/23/2013	Orally in Open Crt Record		
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1	01/24/2013		Court of Common Pleas - Montgomery County
Call of the Trial List Scheduled 3/15/2013 9:00AM			
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1	02/19/2013		Bondsman
Application for Bail Piece			
-----			
2	02/19/2013		Nicholas, William T.
Order Granting Motion for Bail Piece			
-----			
3	02/19/2013		Nicholas, William T.
Bail Set - Smagalski, Michael Matthew			
-----			
1	02/22/2013		Montgomery County Court Administration
Hearing Notice			
Call of the Trial List Scheduled			
Judge Smyth - Courtroom 8			
March 15, 2013 at 9:00 a.m. and 1:00 p.m.			
Notices Sent First Class Mail			
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1	03/07/2013		Strubel, Rebecca Wintz
Motion to Revoke and/or Increase Bail			

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<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	03/11/2013		Kehs, Michael R.
Order Scheduling Hearing Motion to Revoke/Increase Bail April 2, 2013 at 9:30 a.m. Courtroom "6"			
McIntyre, Colleen 03/11/2013 Interoffice			
Smagalski, Michael Matthew 03/11/2013 First Class			
1	03/15/2013	03/15/2013	Smyth, Joseph A.
Order to be Rescheduled for Call of the Trial List 60 Days			
Genovese, Francis John 03/15/2013 Orally in Open Crt Record			
McIntyre, Colleen 03/15/2013 Orally in Open Crt Record			
2	03/15/2013		Smagalski, Michael Matthew
Waiver of Pa.R.Crim.P. 600/1013 (Prompt Trial)			
1	04/02/2013	04/02/2013	Corso, S. Gerald
Order Dismissing Motion to Increase/Decrease/Reduce Bail Dismissed as Moot			
Genovese, Francis John 04/02/2013 Hand Delivered			
Genovese, Francis John 04/02/2013 Orally in Open Crt Record			
McIntyre, Colleen 04/02/2013 Hand Delivered			
McIntyre, Colleen 04/02/2013 Orally in Open Crt Record			
1	04/22/2013		Montgomery County Court Administration
Call of the Trial List Scheduled 06/06/2013 9:00AM			



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1	05/10/2013		Montgomery County Court Administration
Hearing Notice Call of the Trial List Scheduled Judge Smyth - Courtroom 8 June 6, 2013 at 9:00 a.m. Notices Sent First Class Mail DA/PD Sent Inter-office Mail			
1	06/06/2013	06/06/2013	Smyth, Joseph A.
Order to be Rescheduled for Call of the Trial List Genovese, Francis John 06/06/2013 Orally in Open Crt Record McIntyre, Colleen 06/06/2013 Orally in Open Crt Record			
1	08/15/2013		Montgomery County Court Administration
Call of the Trial List Scheduled 09/13/2013 9:00AM			
2	08/15/2013		Montgomery County Court Administration
Hearing Notice Call of the Trial List Scheduled Judge Smyth - Courtroom 8 September 13, 2013 at 9 am and 1 pm Notices Sent First Class Mail DA/PD Sent Inter-office Mail			
1	09/04/2013		O'Neill, Steven T.
Drug Court Application - Denial Order McIntyre, Colleen 09/06/2013 Interoffice Smagalski, Michael Matthew 09/06/2013 First Class			
1	09/13/2013		Smagalski, Michael Matthew
Guilty Plea Questionnaire			
2	09/13/2013		Smyth, Joseph A.
Guilty Plea			

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3	09/13/2013		Smyth, Joseph A.
Order - Sentence/Penalty Imposed			
4	09/13/2013	09/13/2013	Smyth, Joseph A.
Call of the Trial List Order - Resolved by Negotiated Plea			
Genovese, Francis John			
09/13/2013	Orally in Open Crt Record		
McIntyre, Colleen			
09/13/2013	Orally in Open Crt Record		
Strubel, Rebecca Wintz			
09/13/2013	Orally in Open Crt Record		
1	09/24/2013		Weiss, Ann Thornburg
DL-21D to be Prepared			
2	09/24/2013		Weiss, Ann Thornburg
DL-21 to be Prepared			
1	10/01/2013		Weiss, Ann Thornburg
DL-21D was prepared			
2	10/01/2013		Weiss, Ann Thornburg
DL-21 was prepared			
3	10/01/2013		Court of Common Pleas - Montgomery County
Court Commitment State or County Correctional Institution			
4	10/01/2013		Court of Common Pleas - Montgomery County
Entry of Civil Judgment			
1	10/02/2013		Unknown Filer
DL-21 Sent to PennDOT			
2	10/02/2013		Unknown Filer
DL-21D Sent to PennDOT			

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1	10/18/2013	09/13/2013	Court of Common Pleas - Montgomery County
Notes of Testimony Guilty Plea, Sentencing September 13, 2013 at 11:55 am before J Smyth			
1	02/18/2014		Smagalski, Michael Matthew
Pro Se Correspondence			
1	11/21/2014		Smagalski, Michael Matthew
Pro Se Correspondence			
1	11/28/2014		Smagalski, Michael Matthew
Pro Se Correspondence			
1	12/21/2015		Smagalski, Michael Matthew
Motion to Correct Fines/Costs			
1	06/23/2016	06/23/2016	Carluccio, Carolyn T.
Exoneration from Costs Order Order is vacated.			
Montgomery County District Attorney's Office 06/23/2016 Interoffice Smagalski, Michael Matthew 06/23/2016 First Class			

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### CASE FINANCIAL INFORMATION

Last Payment Date: 04/25/2014

Total of Last Payment: -\$43.56

Smagalski, Michael Matthew 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)	\$1,130.00	\$0.00	-\$1,130.00	\$0.00	\$0.00
ATJ	\$3.00	\$0.00	-\$3.00	\$0.00	\$0.00
Automation Fee (Act 36 of 2000) (Montgomery)	\$5.00	\$0.00	-\$5.00	\$0.00	\$0.00
Booking Center Fee (Montgomery)	\$300.00	\$0.00	-\$300.00	\$0.00	\$0.00
CJES	\$2.25	\$0.00	-\$2.25	\$0.00	\$0.00
COC Processing Fee Misd/Fel (Montgomery)	\$331.50	\$0.00	-\$331.50	\$0.00	\$0.00
Commonwealth Cost - HB627 (Act 167 of 1992)	\$18.90	\$0.00	-\$18.90	\$0.00	\$0.00
County Court Cost (Act 204 of 1976)	\$27.50	\$0.00	-\$27.50	\$0.00	\$0.00
Court Child Care (Act 105 of 2000) (Montgomery)	\$5.00	\$0.00	-\$5.00	\$0.00	\$0.00
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	-\$10.00	\$0.00	\$0.00
Firearm Education and Training Fund	\$5.00	\$0.00	-\$5.00	\$0.00	\$0.00
JCPS	\$10.25	\$0.00	-\$10.25	\$0.00	\$0.00
Judicial Computer Project	\$8.00	\$0.00	-\$8.00	\$0.00	\$0.00
State Court Costs (Act 204 of 1976)	\$12.60	\$0.00	-\$12.60	\$0.00	\$0.00
Substance Abuse Education (Act 198 of 2002)	\$50.00	\$0.00	-\$50.00	\$0.00	\$0.00
Substance Abuse Education (Act 198 of 2002)	\$50.00	\$0.00	-\$50.00	\$0.00	\$0.00
Victim Witness Service (Act 111 of 1998)	\$25.00	-\$25.00	\$0.00	\$0.00	\$0.00
Costs/Fees Totals:	\$2,029.00	-\$60.00	-\$1,969.00	\$0.00	\$0.00
Grand Totals:	\$2,029.00	-\$60.00	-\$1,969.00	\$0.00	\$0.00

\*\* - Indicates assessment is subrogated