

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: Smyth, Joseph A.

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 | Warrant Revoked | |
| | 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 | 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 | Judge Joseph A. Smyth | Scheduled |
| Call of the Trial List | 12/13/2012 | 9:00 am | Courtroom 8 | 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 | 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 | Judge Joseph A. Smyth | Scheduled |
| Call of the Trial List | 09/13/2013 | 9:00 am | Courtroom 8 | Judge Joseph A. Smyth | Scheduled |

CONFINEMENT INFORMATION

| <u>Confinement</u> <u>Known As Of</u> | <u>Confinement</u> <u>Type</u> | <u>Destination</u> <u>Location</u> | <u>Confinement</u> <u>Reason</u> | <u>Still in</u> <u>Custody</u> |
|--|-----------------------------------|---------------------------------------|-------------------------------------|-----------------------------------|
| 10/11/2013 | DOC Confined | SCI Graterford | | Yes |

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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CHARGES

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

| Lower Court Disposition | Disposition Date | Final Disposition | Grade Section |
|--|--------------------------------|-------------------|---------------------|
| 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 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> | | | |
| 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 |
| Guilty Plea | | | |
| 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 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> | | | |
| 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 |

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| <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> | | | |
| 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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ENTRIES

| <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> |
| 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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|--|----------------------|----------------------|--|
| 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/PA 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 | | | |

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|---|----------------------|----------------------|--|
| 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 | | |
| ----- | | | |
| 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 | | |
| ----- | | | |
| 1 | 08/20/2012 | | Court of Common Pleas - Montgomery County |
| Call of the Trial List Scheduled 10/25/2012 9:00AM | | | |
| ----- | | | |
| 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 | | |
| 2 | 01/23/2013 | | Smagalski, Michael Matthew |
| Waiver of Pa.R.Crim.P. 600/1013 (Prompt Trial) | | | |
| 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 | | |
| 1 | 01/24/2013 | | Court of Common Pleas - Montgomery County |
| Call of the Trial List Scheduled 3/15/2013 9:00AM | | | |
| 1 | 02/19/2013 | | Bondsman Krawczyk, Robert J. |
| 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 | | | |
| ----- | | | |
| 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 | | | |

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-P000013845 | Monthly | 02/09/2017 | Yes | \$0.00 |
| Smagalski, Michael Matthew | | | No | \$30.18 |
| Payment Plan History: | | | | |
| | <u>Receipt Date</u> | <u>Payor Name</u> | <u>Participant Role</u> | <u>Amount</u> |
| | 03/27/2014 | Payment | PA DOC (CVC List) | \$16.44 |
| | 04/25/2014 | Payment | PA DOC (CVC List) | \$43.56 |

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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> |
|--|-------------------|-----------------|--------------------|----------------------------------|--------------|
| Costs/Fees | | | | | |
| County Lab Fees (Montgomery) | \$1,130.00 | \$0.00 | \$0.00 | \$0.00 | \$1,130.00 |
| 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 |
| Booking Center Fee (Montgomery) | \$300.00 | \$0.00 | \$0.00 | \$0.00 | \$300.00 |
| 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) | \$18.90 | \$0.00 | \$0.00 | \$0.00 | \$18.90 |
| County Court Cost (Act 204 of 1976) | \$27.50 | \$0.00 | \$0.00 | \$0.00 | \$27.50 |
| 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) | \$12.60 | \$0.00 | \$0.00 | \$0.00 | \$12.60 |
| 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: | \$2,029.00 | -\$60.00 | \$0.00 | \$0.00 | \$1,969.00 |
| Grand Totals: | \$2,029.00 | -\$60.00 | \$0.00 | \$0.00 | \$1,969.00 |

** - Indicates assessment is subrogated