

COURT OF COMMON PLEAS OF NORTHAMPTON COUNTY

DOCKET



Docket Number: CP-48-CR-0003933-2013

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

Carl F. Kemmerer II

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CASE INFORMATION

<u>Judge Assigned:</u>	<u>Date Filed:</u> 11/27/2013	<u>Initiation Date:</u> 09/24/2013
<u>OTN:</u> T 378833-0	<u>LOTN:</u>	<u>Originating Docket No:</u> MJ-03203-CR-0000549-2013
<u>Initial Issuing Authority:</u> Joseph K. Barner	<u>Final Issuing Authority:</u> Joseph K. Barner	
<u>Arresting Agency:</u> Freemansburg Police Dept	<u>Arresting Officer:</u> Itterly, Jonathan F.	
<u>Complaint/Citation No.:</u> 131878	<u>Incident Number:</u>	
<u>County:</u> Northampton	<u>Township:</u> Freemansburg Boro	
<u>Case Local Number Type(s)</u>	<u>Case Local Number(s)</u>	

RELATED CASES

<u>Related Docket No</u>	<u>Related Case Caption</u>	<u>Related Court</u>	<u>Association Reason</u>
Related Misc. Bail Cases			
CP-48-MD-0002115-2014	In Re: Hanni, Robin Ann	CP-03-48-Crim	Bail Forfeited

STATUS INFORMATION

<u>Case Status:</u>	<u>Status Date</u>	<u>Processing Status</u>	<u>Complaint Date:</u>
Closed	10/16/2015	Sentenced/Penalty Imposed	09/24/2013
	10/16/2015	Awaiting PSI	
	10/16/2015	Awaiting Sentencing	
	10/08/2015	Awaiting PSI	
	10/08/2015	Awaiting Sentencing	
	09/28/2015	Awaiting Sentencing	
	12/29/2014	Awaiting Trial	
	11/21/2014	Awaiting Formal Arraignment	
	11/27/2013	Awaiting Formal Arraignment	
	11/27/2013	Awaiting Filing of Information	

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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	01/09/2014	9:00 am	Courtroom 1		Moved
Criminal Court	03/03/2014	9:00 am	Courtroom 1		Cancelled
Formal Arraignment	12/29/2014	9:00 am	Courtroom 1		Scheduled
Criminal Court	03/02/2015	9:00 am	Courtroom 1		Continued
Criminal Court	06/01/2015	9:00 am	Courtroom 1		Moved
Criminal Court	08/03/2015	9:00 am	Courtroom 1		Moved
Criminal Court	09/28/2015	9:00 am	Courtroom 1		Scheduled
Sentencing	10/30/2015	9:00 am	Courtroom 3	Judge Paula A. Roscioli	Cancelled
Criminal Court	11/02/2015	9:00 am	Courtroom 1		Moved
Gagnon I Hearing	06/02/2016	1:00 pm	Courtroom 4		Scheduled

DEFENDANT INFORMATION

Date Of Birth: 12/03/1968 City/State/Zip: Bethlehem, PA 18015

CASE PARTICIPANTS

<u>Participant Type</u>	<u>Name</u>
Defendant	Kemmerer, Carl F. II

BAIL INFORMATION

Kemmerer, Carl F. II

Nebbia Status: None

<u>Bail Action</u>	<u>Date</u>	<u>Bail Type</u>	<u>Originating Court</u>	<u>Percentage</u>	<u>Amount</u>
Set	11/22/2013	Monetary	Magisterial District Court	10.00%	\$10,000.00
Change Non-Monetary	11/25/2013	Monetary	Magisterial District Court	10.00%	\$10,000.00
Conditions					
Revoke and Forfeit	01/09/2014	Monetary	Common Pleas	10.00%	\$10,000.00
Set	11/21/2014	Monetary	Common Pleas		\$25,000.00
Revoke	08/03/2015	Monetary	Common Pleas		\$25,000.00
Revoke and Forfeit	08/11/2015	Monetary	Common Pleas		\$25,000.00
Set	08/26/2015	Monetary	Common Pleas		\$50,000.00
Set	03/24/2020	Monetary	Common Pleas	10.00%	\$10,000.00
<u>Surety Type</u>	<u>Surety Name</u>	<u>Posting Status</u>	<u>Posting Date</u>	<u>Security Type</u>	<u>Security Amt</u>
Third Party	Hanni, Robin Ann	Posted	11/25/2013	Cash	\$1,000.00
Self	Kemmerer, Carl F. II	Posted	11/21/2014	Realty - Pennsylvania	\$25,000.00
Third Party	Hanni, Robin Ann	Posted	03/27/2020	Cash	\$1,000.00

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>
2	2	M1	75 § 3802 §§ C**	DUI: Highest Rte of Alc (BAC .16+) 2nd Off	09/03/2013	T 378833-0

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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>		
Waived for Court (Lower Court)	Defendant Was Present	
Lower Court Disposition	11/22/2013	Not Final
2 / DUI: Highest Rte of Alc (BAC .16+) 2nd Off	Waived for Court (Lower Court)	M1 75 § 3802 §§ C**
Proceed to Court	Defendant Was Not Present	
Information Filed	12/27/2013	Not Final
2 / DUI: Highest Rte of Alc (BAC .16+) 2nd Off	Held for Court	M1 75 § 3802 §§ C**
Guilty Plea - Negotiated		
Criminal Court	09/28/2015	Final Disposition
2 / DUI: Highest Rte of Alc (BAC .16+) 2nd Off	Guilty Plea	M1 75 § 3802 §§ C**
Roscioli, Paula A.	10/16/2015	
Confinement	Min of 90.00 Days	10/16/2015
	Max of 60.00 Months	
	Other	
Fine \$1500.00		
Costs		
Immediate Work Release.		
Defendant is to receive credit for any/all time served in custody on this case.		
To complete the Alcohol Highway Safety Program.		
Deft to undergo outpatient counseling program.		
No alcohol consumption.		
18 month PennDOT license suspension.		

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COMMONWEALTH INFORMATION

Name: Richard H. Pepper
District Attorney
Supreme Court No: 019893
Address:
Northampton County District Attorney
669 Washington Street
Easton, PA 18042

ATTORNEY INFORMATION

Name: Paul Joseph Bender
Private
Supreme Court No: 206585
Rep. Status: Active
Phone Number(s):
610-258-4003 (Phone)
Address:
44 N Second St
P O Box 468
Easton, PA 18042

Representing: Kemmerer, Carl F. II

ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	11/22/2013		Barner, Joseph K.
Bail Set - Kemmerer, Carl F.			
1	11/25/2013		Hanni, Robin Ann
Bail Posted - Kemmerer, Carl F.			
2	11/25/2013		Barner, Joseph K.
Order Granting Motion for Modification of Bail - Kemmerer, Carl F.			
1	11/27/2013		Fulmer, Joshua Douglas
Entry of Appearance			
2	11/27/2013		Court of Common Pleas - Northampton County
Original Papers Received from Lower Court			
3	11/27/2013		Criminal Division - Northampton
Formal Arraignment Scheduled 01/09/2014 9:00AM			
1	12/05/2013		Northampton County District Attorney's Office
Criminal Court Scheduled 03/03/2014 9:00AM			
1	12/27/2013		Commonwealth of Pennsylvania
Information Filed			

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1	01/09/2014		Zito, Leonard N.
Order Granting Motion to Revoke/Release and Forfeit Bail - Kemmerer, Carl F. II			
2	01/16/2014		Northampton County Clerk of Courts
Criminal Court Cancelled			
2	01/21/2014		Fisher, Leigh Ann
Notice of Bail Forfeiture			
1	02/11/2014		Zito, Leonard N.
Order Granting Motion for Forfeiture and Condemnation			
Northampton County Pre-Trial Services			
02/11/2014 E-Mail			
Solicitor Office			
02/11/2014 E-Mail			
1	11/12/2014		Asteak, Gary Neil
Entry of Appearance			
2	11/12/2014		Asteak, Gary Neil
Informal Request for Pre-Trial Discovery and Inspection			
2	11/21/2014		Court of Common Pleas - Northampton County
Bail Refund			
3	11/21/2014		Roscioli, Paula A.
Bail Set - Kemmerer, Carl F. II			
4	11/21/2014		Kemmerer, Carl F. II
Bail Posted - Kemmerer, Carl F. II			
5	11/21/2014		Roscioli, Paula A.
Bench Warrant/Bail Hearing Held			
6	11/21/2014		Northampton County District Attorney's Office
Formal Arraignment Scheduled 12/29/2014 9:00AM			

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7	11/21/2014		Northampton County District Attorney's Office
Criminal Court Scheduled 03/02/2015 9:00AM			
1	11/24/2014		Kemmerer, Carl F. II
Waiver of PA.R.Crim.P.600 & Application for Continuance			
1	12/29/2014		Court of Common Pleas - Northampton County
Arraigned			
1	12/31/2014		Northampton County District Attorney's Office
Criminal Court Continued			
2	12/31/2014		Northampton County District Attorney's Office
Criminal Court Scheduled 06/01/2015 9:00AM			
3	12/31/2014		Kemmerer, Carl F. II
Waiver of PA.R.Crim.P.600 & Application for Continuance			
1	05/08/2015		Court of Common Pleas - Northampton County
Hearing Notice for June 1, 2015			
1	05/29/2015		Kemmerer, Carl F. II
Waiver of PA.R.Crim.P.600 & Application for Continuance			
1	05/30/2015		Northampton County Clerk of Courts
Criminal Court Scheduled 11/02/2015 9:00AM			
1	07/08/2015		Northampton County Clerk of Courts
Criminal Court Scheduled 08/03/2015 9:00AM			
1	07/13/2015		Court of Common Pleas - Northampton County
Hearing Notice 8/3/2015			
1	07/22/2015		Asteak, Gary Neil
Motion to Withdraw as Counsel			

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2	07/22/2015		Koury, Michael J. Jr.
Order Granting Motion to Withdraw Counsel			
Asteak, Gary Neil			
07/22/2015	Hand Delivered		
Commonwealth of Pennsylvania			
07/22/2015	Interoffice		
3	07/22/2015		Asteak, Gary Neil
Withdraw of Appearance			
1	08/03/2015		Zito, Leonard N.
Order Granting Motion to Revoke/Release and Forfeit Bail - Kemmerer, Carl F. II			
2	08/11/2015		Zito, Leonard N.
Order Granting Motion to Revoke/Release and Forfeit Bail - Kemmerer, Carl F. II			
1	08/12/2015		Fisher, Leigh Ann
Notice of Bail Forfeiture			
Kemmerer, Carl F. II			
08/12/2015	First Class/Certified	09/15/2015	Returned - Unclaimed
1	08/26/2015		Dally, Craig A.
Bail Set - Kemmerer, Carl F. II			
2	08/26/2015		Dally, Craig A.
Bench Warrant/Bail Hearing Held			
1	09/09/2015		Bender, Paul Joseph
Entry of Appearance			
2	09/09/2015		Bender, Paul Joseph
Motion for Discovery			
1	09/15/2015		Northampton County Clerk of Courts
Criminal Court Scheduled 09/28/2015 9:00AM			
2	09/15/2015		Court of Common Pleas - Northampton County
Hearing Notice 9/28/2015			

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3	09/15/2015		Zito, Leonard N.
Order Granting Motion for Forfeiture and Condemnation Kemmerer, Carl F. II			
09/15/2015	First Class		
Northampton County Pre-Trial Services			
09/15/2015	E-Mail		
Solicitor Office			
09/15/2015	E-Mail		
1	09/24/2015		Pepper, Richard H.
Proof of Service			
1	09/28/2015		Roscioli, Paula A.
Guilty Plea - Negotiated			
2	09/28/2015		Kemmerer, Carl F. II
Written Guilty Plea Colloquy			
1	10/07/2015		Fisher, Leigh Ann
DL-21 to be Prepared			
1	10/08/2015		Northampton County Clerk of Courts
Sentencing Scheduled 10/30/2015 9:00AM			
1	10/16/2015		Roscioli, Paula A.
Sentencing Held 10/16/15			
2	10/16/2015		Roscioli, Paula A.
Order - Sentence/Penalty Imposed			
3	10/16/2015		Kemmerer, Carl F. II
Written Post-Sentence Colloquy			
1	10/21/2015		Northampton Co Court Reporter
Transcript of Guilty Plea (9-28-15)			
1	10/22/2015		Northampton County Clerk of Courts
Sentencing Cancelled			

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2	10/26/2015		Court of Common Pleas - Northampton County
Entry of Civil Judgment			
1	10/27/2015		Northampton Co Court Reporter
Transcript of Sentencing (10-16-15)			
1	11/16/2015		Roscioli, Paula A.
Petition & Order Granting Motion for Parole			
1	04/13/2016		Northampton County DUI Probation
Petition for Review of Parole			
1	05/19/2016		Court of Common Pleas - Northampton County
Gagnon I Hearing Cancelled			
1	05/26/2016		Court of Common Pleas - Northampton County
Gagnon I Hearing Cancelled			
1	05/27/2016		Northampton County Clerk of Courts
Gagnon I Hearing Scheduled 06/02/2016 1:00PM			
1	06/02/2016		Court of Common Pleas - Northampton County
Gagnon I Hearing Held			
1	04/07/2017		Giordano, Emil A.
Gagnon II Hearing Held			
2	04/07/2017		Kemmerer, Carl F. II
Written Post-Gagnon II Hearing Rights			
1	04/10/2017		Giordano, Emil A.
Petition & Order Granting Motion for Parole			
1	08/23/2019		Northampton County Adult Probation
Petition for Review of Parole			

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1	03/24/2020		Court of Common Pleas - Northampton County
Motion to Set Bail Hearing Held 3/24/2020			
2	03/24/2020		Koury, Michael J. Jr.
Bail Set - Kemmerer, Carl F. II			
1	03/27/2020		Hanni, Robin Ann
Bail Posted - Kemmerer, Carl F. II			
1	07/17/2020		Roscioli, Paula A.
Gagnon II Hearing Held 7/17/20			
1	02/04/2021		Murray, Samuel P.
Gagnon II Hearing Held - 2/4/2021			
2	02/04/2021		Kemmerer, Carl F. II
Written Post-Gagnon II Hearing Rights			
1	02/05/2021		McLain, Erv D.
Assignment of Bail			
1	02/08/2021		Court of Common Pleas - Northampton County
Bail Poundage Fee Assessed			
1	02/12/2021		Northampton County Pre-Trial Services
Pretrial Memo to Assess CAM Monitoring			

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CASE FINANCIAL INFORMATION

Last Payment Date: 02/08/2021

Total of Last Payment: -\$200.00

Kemmerer, Carl F. II Defendant	<u>Assessment</u>	<u>Payments</u>	<u>Adjustments</u>	<u>Non Monetary Payments</u>	<u>Balance</u>
Costs/Fees					
Poundage/Bail Fee (Northampton)	\$200.00	(\$200.00)	\$0.00	\$0.00	\$0.00
Bench Warrant (Clerk Fees) (Northampton)	\$5.00	\$0.00	\$0.00	\$0.00	\$5.00
Bench Warrant (Sheriff Fees) (Northampton)	\$69.00	\$0.00	\$0.00	\$0.00	\$69.00
Bench Warrant (Clerk Fees) (Northampton)	\$5.00	\$0.00	\$0.00	\$0.00	\$5.00
Bench Warrant (Sheriff Fees) (Northampton)	\$80.50	\$0.00	\$0.00	\$0.00	\$80.50
D & A Eval (Northampton)	\$155.00	\$0.00	\$0.00	\$0.00	\$155.00
ATJ	\$3.00	\$0.00	\$0.00	\$0.00	\$3.00
Automation Fee (Northampton)	\$5.00	\$0.00	\$0.00	\$0.00	\$5.00
CAT/MCARE/General Fund	\$100.00	\$0.00	\$0.00	\$0.00	\$100.00
CJES	\$2.25	\$0.00	\$0.00	\$0.00	\$2.25
Charges - Before Trial (Northampton)	\$135.00	\$0.00	\$0.00	\$0.00	\$135.00
Commonwealth Cost - HB627 (Act 167 of 1992)	\$9.90	\$0.00	\$0.00	\$0.00	\$9.90
Costs of Prosecution - CJEA	\$50.00	\$0.00	\$0.00	\$0.00	\$50.00
County Court Cost (Act 204 of 1976)	\$32.10	\$0.00	\$0.00	\$0.00	\$32.10
Crime Victims Compensation (Act 96 of 1984)	\$35.00	(\$35.00)	\$0.00	\$0.00	\$0.00
DUI CRN Fee (Northampton)	\$50.00	\$0.00	\$0.00	\$0.00	\$50.00
Sheriff Fees (Northampton)	\$5.00	\$0.00	\$0.00	\$0.00	\$5.00
District Attorney (Northampton)	\$50.00	\$0.00	\$0.00	\$0.00	\$50.00
Emergency Medical Services (Act 45 of 1985)	\$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
Judgment Fee (Northampton)	\$32.25	\$0.00	\$0.00	\$0.00	\$32.25
Judicial Computer Project	\$8.00	\$0.00	\$0.00	\$0.00	\$8.00
Northampton Cty DUI AHSP (Northampton)	\$225.00	\$0.00	\$0.00	\$0.00	\$225.00
Postage (Northampton)	\$2.00	\$0.00	\$0.00	\$0.00	\$2.00
State Court Costs (Act 204 of 1976)	\$11.50	\$0.00	\$0.00	\$0.00	\$11.50

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Kemmerer, Carl F. II	<u>Assessment</u>	<u>Payments</u>	<u>Adjustments</u>	<u>Non Monetary</u>	<u>Balance</u>
Defendant				<u>Payments</u>	
Substance Abuse Education (Act 198 of 2002)	\$150.00	\$0.00	\$0.00	\$0.00	\$150.00
Substance Abuse Education (Act 198 of 2002)	\$150.00	\$0.00	\$0.00	\$0.00	\$150.00
Victim Witness Service (Act 111 of 1998)	\$25.00	(\$25.00)	\$0.00	\$0.00	\$0.00
Blood Work Fees (Northampton)	\$260.00	\$0.00	\$0.00	\$0.00	\$260.00
Central Booking Fee (Northampton)	\$25.00	\$0.00	\$0.00	\$0.00	\$25.00
DUI Supervision Fees (Northampton)	\$855.00	\$0.00	\$0.00	\$0.00	\$855.00
DUI Supervision Fees (Northampton)	\$855.00	\$0.00	\$0.00	\$0.00	\$855.00
Bench Warrant (Clerk Fees) (Northampton)	\$5.00	\$0.00	\$0.00	\$0.00	\$5.00
Bench Warrant (Sheriff Fees) (Northampton)	\$69.00	\$0.00	\$0.00	\$0.00	\$69.00
Poundage/Bail Fee (Northampton)	\$200.00	(\$200.00)	\$0.00	\$0.00	\$0.00
Alcohol Monitoring Device Fee - Adult Prob (Northampton)	\$3,140.00	\$0.00	\$0.00	\$0.00	\$3,140.00
Costs/Fees Totals:	\$7,029.75	(\$460.00)	\$0.00	\$0.00	\$6,569.75
Fines					
Title 75, DUI (Motor License Fund)	\$750.00	\$0.00	\$0.00	\$0.00	\$750.00
Title 75, DUI (Motor License Fund)	\$750.00	\$0.00	\$0.00	\$0.00	\$750.00
Fines Totals:	\$1,500.00	\$0.00	\$0.00	\$0.00	\$1,500.00
Grand Totals:	\$8,529.75	(\$460.00)	\$0.00	\$0.00	\$8,069.75

** - Indicates assessment is subrogated