

COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY

DOCKET

Docket Number: CP-51-CR-0009312-2012

CRIMINAL DOCKET

Court Case



Commonwealth of Pennsylvania

v.

Carlos J F. Figueroa-Fagot

Page 1 of 23

CASE INFORMATION

Cross Court Docket Nos: 1270 EDA 2014, 25 EAP 2016, 90 EAL 2016

Judge Assigned: Bright, Gwendolyn N.

Date Filed: 08/07/2012

Initiation Date: 08/07/2012

OTN: N 814690-2

LOTN:

Originating Docket No: MC-51-CR-0029155-2012

Initial Issuing Authority: James Murray Lynn

Final Issuing Authority: James Murray Lynn

Arresting Agency: Philadelphia Pd

Arresting Officer: LICHTENHAHN JR, EDWARD C.

Complaint/Incident #:

Case Local Number Type(s)

Case Local Number(s)

District Control Number

1203046647

STATUS INFORMATION

COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY

DOCKET

Docket Number: CP-51-CR-0009312-2012

CRIMINAL DOCKET

Court Case



Commonwealth of Pennsylvania

v.

Carlos J F. Figueroa-Fagot

Page 2 of 23

Case Status: Adjudicated

Status Date

Processing Status

Arrest Date:

07/19/2012

04/12/2017

Awaiting PSI

04/12/2017

Awaiting Sentencing

03/08/2017

Awaiting PSI

03/08/2017

Awaiting Sentencing

02/10/2017

Awaiting PSI

02/10/2017

Awaiting Sentencing

11/29/2016

Awaiting PSI

11/29/2016

Awaiting Sentencing

10/28/2016

Awaiting Pre-Trial Conference

10/26/2016

Completed

03/11/2016

Awaiting Appellate Court Decision

12/14/2015

Awaiting Sentencing

12/02/2015

Appeal Decided

04/23/2014

Awaiting Appellate Court Decision

04/04/2014

Sentenced/Penalty Imposed

02/07/2014

Awaiting Sentencing

02/07/2014

Awaiting PSI

12/11/2013

Awaiting Sentencing

12/11/2013

Awaiting PSI

09/12/2013

Awaiting Sentencing

09/12/2013

Awaiting PSI

09/12/2013

Awaiting Status Hearing

09/12/2013

Awaiting Sentencing

09/10/2013

Awaiting Trial

09/09/2013

Awaiting Pre-Trial Conference

02/26/2013

Awaiting Trial

02/26/2013

Awaiting Pre-Trial Conference

11/20/2012

Awaiting Trial

09/13/2012

Awaiting Pre-Trial Conference

08/27/2012

Awaiting Formal Arraignment

08/07/2012

Awaiting Filing of Information

Complaint Date:

07/19/2012

COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY

DOCKET

Docket Number: CP-51-CR-0009312-2012

CRIMINAL DOCKET

Court Case



Commonwealth of Pennsylvania

v.

Carlos J F. Figueroa-Fagot

Page 3 of 23

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	08/28/2012	11:00 am	1104	Trial Commissioner Linda Mariani	Scheduled
Status Listing	09/13/2012	9:00 am	1005	Judge Ellen Ceisler	Scheduled
Pre-Trial Conference	10/02/2012	9:00 am	905	Judge Denis P. Cohen	Scheduled
Pretrial Bring Back	11/06/2012	9:00 am	905	Judge Denis P. Cohen	Scheduled
Scheduling Conference	11/20/2012	9:00 am	1008	Judge Michael Erdos	Scheduled
Add-On/Psychiatric Evaluation	11/29/2012	8:30 am	Mental Health Clinic		Scheduled
Status Listing	12/19/2012	9:00 am	1008	Judge Michael Erdos	Continued
Status Listing	02/06/2013	9:00 am	1008	Judge Alice Dubow	Continued
Status Listing	04/09/2013	9:00 am	1008	Judge Alice Dubow	Continued
Add-On/Psychiatric Evaluation	04/10/2013	8:30 am	Mental Health Clinic		Scheduled
Status Listing	04/12/2013	9:00 am	1008	Judge Alice Dubow	Continued
Status Listing	06/12/2013	9:00 am	1008	Judge Alice Dubow	Continued
Status Listing	06/19/2013	9:00 am	1008	Judge Alice Dubow	Scheduled
Motions Hearing	07/31/2013	9:00 am	1008	Judge Alice Dubow	Continued
Motions Hearing	08/05/2013	9:00 am	1008	Judge Alice Dubow	Continued
Motions Hearing	08/06/2013	9:00 am	1008	Judge Alice Dubow	Continued
Motions Hearing	08/07/2013	9:00 am	1008	Judge Alice Dubow	Continued
Motions Hearing	08/08/2013	9:00 am	1008	Judge Alice Dubow	Scheduled
Pre-Trial Conference	09/03/2013	9:00 am	1008	Judge Michael Erdos	Moved
Pre-Trial Conference	09/03/2013	9:00 am	1008	Judge Alice Dubow	Scheduled
Trial	09/04/2013	9:00 am	1008	Judge Alice Dubow	Continued
Trial	09/05/2013	9:00 am	1008	Judge Michael Erdos	Moved
Trial	09/06/2013	9:00 am	1008	Judge Alice Dubow	Moved
Trial	09/09/2013	9:00 am	1008	Judge Alice Dubow	Continued
Trial	09/10/2013	9:00 am	1008	Judge Alice Dubow	Continued
Trial	09/11/2013	9:00 am	1008	Judge Alice Dubow	Continued
Trial	09/12/2013	9:00 am	1002	Senior Judge Earl W. Trent	Moved
Trial	09/12/2013	9:00 am	1008	Judge Alice Dubow	Scheduled
Status	09/24/2013	9:00 am	1008	Judge Alice Dubow	Scheduled
Sentencing	12/11/2013	9:00 am	1008	Judge Alice Dubow	Continued

COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY

DOCKET

Docket Number: CP-51-CR-0009312-2012

CRIMINAL DOCKET

Court Case



Commonwealth of Pennsylvania

v.

Carlos J F. Figueroa-Fagot

Page 4 of 23

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>
Sentencing	02/07/2014	9:00 am	505	Judge Alice Dubow	Continued
Sentencing	04/04/2014	9:00 am	304	Judge Alice Dubow	Scheduled
Pre-Trial Conference	11/29/2016	9:00 am	1102	Judge Gwendolyn N. Bright	Scheduled
Sentencing	02/10/2017	9:00 am	1102	Judge Gwendolyn N. Bright	Continued
Sentencing	03/08/2017	9:00 am	1102	Judge Gwendolyn N. Bright	Continued
Sentencing	04/12/2017	9:00 am	1102	Judge Gwendolyn N. Bright	Continued
Sentencing	07/06/2017	9:00 am	1102	Judge Gwendolyn N. Bright	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>
08/14/2014	DOC Confined	SCI Graterford		Yes

DEFENDANT INFORMATION

Date Of Birth: 10/14/1978 City/State/Zip: Philadelphia, PA 19133

Alias Name

Figueroa, Carlos
Figueroa-Fagot, Carlos J.

CASE PARTICIPANTS

<u>Participant Type</u>	<u>Name</u>
Defendant	Figueroa-Fagot, Carlos J F.

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	F1	18 § 901 §§A	Criminal Attempt - Kidnapping For Ransom	07/17/2012	N 814690-2
2	3	F3	18 § 6318 §§A1	Unlawful Contact With Minor - Sexual Offenses	07/17/2012	N 814690-2
3	4	F2	18 § 2902 §§A1	Unlawful Restraint/ Serious Bodily Injury	07/17/2012	N 814690-2
4	5	F2	18 § 2904 §§A	Interference W/Custody Of Children	07/17/2012	N 814690-2
5	6	F2	18 § 2903 §§A	False Imprisonment	07/17/2012	N 814690-2
6	7	M1	18 § 6301 §§A1i	Corruption Of Minors	07/17/2012	N 814690-2
7	8	M1	18 § 3126 §§A2	Indecent Assault Forcible Compulsion	07/17/2012	N 814690-2
8	9	M1	18 § 2701 §§A	Simple Assault	07/17/2012	N 814690-2
99999	2	F1	18 § 3125 §§A1	Agg. Ind. Assault W/O Consent	07/17/2012	N 814690-2

COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY

DOCKET

Docket Number: CP-51-CR-0009312-2012

CRIMINAL DOCKET

Court Case



Commonwealth of Pennsylvania

v.

Carlos J F. Figueroa-Fagot

Page 5 of 23

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)

Preliminary Hearing	08/07/2012	Not Final	
1 / Criminal Attempt - Kidnapping For Ransom	Held for Court	F1	18 § 901 §§ A
2 / Unlawful Contact With Minor - Sexual Offenses	Held for Court	F3	18 § 6318 §§ A1
3 / Unlawful Restraint/ Serious Bodily Injury	Held for Court	F2	18 § 2902 §§ A1
4 / Interference W/Custody Of Children	Held for Court	F2	18 § 2904 §§ A
5 / False Imprisonment	Held for Court	F2	18 § 2903 §§ A
6 / Corruption Of Minors	Held for Court	M1	18 § 6301 §§ A1i
7 / Indecent Assault Forcible Compulsion	Held for Court	M1	18 § 3126 §§ A2
8 / Simple Assault	Held for Court	M1	18 § 2701 §§ A
99,999 / Agg. Ind. Assault W/O Consent	Withdrawn	F1	18 § 3125 §§ A1

Proceed to Court

Information Filed	08/27/2012	Not Final	
1 / Criminal Attempt - Kidnapping For Ransom	Held for Court	F1	18 § 901 §§ A
2 / Unlawful Contact With Minor - Sexual Offenses	Held for Court	F3	18 § 6318 §§ A1
3 / Unlawful Restraint/ Serious Bodily Injury	Held for Court	F2	18 § 2902 §§ A1
4 / Interference W/Custody Of Children	Held for Court	F2	18 § 2904 §§ A
5 / False Imprisonment	Held for Court	F2	18 § 2903 §§ A
6 / Corruption Of Minors	Held for Court	M1	18 § 6301 §§ A1i
7 / Indecent Assault Forcible Compulsion	Held for Court	M1	18 § 3126 §§ A2
8 / Simple Assault	Held for Court	M1	18 § 2701 §§ A
99,999 / Agg. Ind. Assault W/O Consent	Disposed at Lower Court	F1	18 § 3125 §§ A1

Guilty

Defendant Was Present

Trial	09/12/2013	Final Disposition	
1 / Criminal Attempt - Kidnapping For Ransom	Guilty	F1	18 § 901 §§ A

Dubow, Alice 04/04/2014
 Confinement 10 to 20 years 04/04/2014

The Judge Orders that the defendant be credited for time served.

Upon/if released, the defendant is Ordered to register with Megan's Law & to fully comply with all Megan's Law Requirements and laws and must do so within and not later than 48 hours after release. The District Attorney advised the defendant on the record of his legal obligations under SORNA.

Defendant sentenced to serve a total of 17 to 34 years incarceration.

COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY

DOCKET

Docket Number: CP-51-CR-0009312-2012

CRIMINAL DOCKET

Court Case



Commonwealth of Pennsylvania

v.

Carlos J F. Figueroa-Fagot

Page 6 of 23

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>			
2 / Unlawful Contact With Minor - Sexual Offenses Dubow, Alice Confinement	Guilty 04/04/2014 Min of 3.00 Years 6.00 Months Max of 7.00 Years 3 1/2 to 7 years	F3	18 § 6318 §§ A1
3 / Unlawful Restraint/ Serious Bodily Injury Dubow, Alice	Nolle Prossed 04/04/2014	F2	18 § 2902 §§ A1
4 / Interference W/Custody Of Children Dubow, Alice Confinement	Guilty 04/04/2014 Min of 3.00 Years 6.00 Months Max of 7.00 Years 3 1/2 to 7 years	F2	18 § 2904 §§ A
5 / False Imprisonment Dubow, Alice	Nolle Prossed 04/04/2014	F2	18 § 2903 §§ A
6 / Corruption Of Minors Dubow, Alice Confinement	Guilty 04/04/2014 Min of 2.00 Years 6.00 Months Max of 5.00 Years 2 1/2 - 5 years	M1	18 § 6301 §§ A1i
7 / Indecent Assault Forcible Compulsion Dubow, Alice Confinement	Guilty 04/04/2014 Min of 2.00 Years 6.00 Months Max of 5.00 Years 2 1/2 - 5 years	M1	18 § 3126 §§ A2
8 / Simple Assault Dubow, Alice Confinement	Guilty 04/04/2014 Min of 2.00 Years 6.00 Months Max of 5.00 Years 2 1/2 - 5 years	M1	18 § 2701 §§ A
99,999 / Agg. Ind. Assault W/O Consent Dubow, Alice	Disposed at Lower Court 04/04/2014	F1	18 § 3125 §§ A1

COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY

DOCKET

Docket Number: CP-51-CR-0009312-2012

CRIMINAL DOCKET

Court Case



Commonwealth of Pennsylvania

v.

Carlos J F. Figueroa-Fagot

Page 7 of 23

LINKED SENTENCES:

Link 1

CP-51-CR-0009312-2012 - Seq. No. 4 (18§ 2904 §§ A) - Confinement is Consecutive to
CP-51-CR-0009312-2012 - Seq. No. 2 (18§ 6318 §§ A1) - Confinement is Consecutive to
CP-51-CR-0009312-2012 - Seq. No. 1 (18§ 2901 §§ A1) - Confinement

Link 2

CP-51-CR-0009312-2012 - Seq. No. 6 (18§ 6301 §§ A1i) - Confinement is Concurrent with
CP-51-CR-0009312-2012 - Seq. No. 7 (18§ 3126 §§ A2) - Confinement is Concurrent with
CP-51-CR-0009312-2012 - Seq. No. 8 (18§ 2701 §§ A) - Confinement is Concurrent with
CP-51-CR-0009312-2012 - Seq. No. 1 (18§ 2901 §§ A1) - Confinement

COMMONWEALTH INFORMATION

Name: Philadelphia County District Attorney's
Office
Prosecutor

Supreme Court No:

Phone Number(s):
215-686-8000 (Phone)

Address:
3 South Penn Square
Philadelphia, PA 19107

ATTORNEY INFORMATION

Name: Defender Association of
Philadelphia
Public Defender

Supreme Court No:

Rep. Status: Active

Phone Number(s):
Address:
Packard Building
1441 Samson Street
Philadelphia, PA 19102

ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	08/07/2012		Court of Common Pleas - Philadelphia County
Held for Court			
3	08/07/2012		Ford, Stephanie
Transferred from Municipal Court			
1	08/27/2012		Commonwealth of Pennsylvania
Information Filed			
1	08/28/2012		Court of Common Pleas - Philadelphia County
Hearing Notice			
4	09/13/2012		Court of Common Pleas - Philadelphia County
Hearing Notice			

COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY

DOCKET

Docket Number: CP-51-CR-0009312-2012

CRIMINAL DOCKET

Court Case



Commonwealth of Pennsylvania

v.

Carlos J F. Figueroa-Fagot

Page 8 of 23

ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
5	09/13/2012		Ceisler, Ellen
Motion for Continuance			
All discovery has been passed except for:			
List for Pre-Trial Conference			
Date given is earliest possible date.			
Ncd :10/2/12 rm 905			
ADA: J McGlynn, PD G Kilroy, DRT: S Albergotti, Clerk: L Gordon			

D1/1	09/21/2012		Defender Association of Philadelphia
Motion for Modification of Bail			

2	10/02/2012		Cohen, Denis P.
Order Granting Motion for Continuance			
Defense request bring back			
Motion at next listing			
Time ruled excludable			
Next court date: 11-6-2012 room 905			
ADA: Stackow			
PD: Kilroy			
Steno: Morrison			
Clerk: Della Valla			

3	11/06/2012		Cohen, Denis P.
Order Granting Motion for Continuance			
ADA: M. Stackow PD: J. Kilgore Steno: A. Morrison			
Defense request for continuance for mental health evaluation to determine competency. Offer pending and will remain open. Discovery complete. Listed for status of competency and scheduling conference.			
(Custody - Philadelphia Industrial Correctional Facility)			
NCD: 11/20/12 Rm: 1008			
CTurcks/Court Clerk			

COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY

DOCKET

Docket Number: CP-51-CR-0009312-2012

CRIMINAL DOCKET

Court Case



Commonwealth of Pennsylvania

v.

Carlos J F. Figueroa-Fagot

Page 9 of 23

ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	11/20/2012		Erdos, Michael
Order Granting Motion for Continuance			
COMMONWEALTH READY. CONVEYED OFFER TO DEFENSE AND TO REMAIN OPEN DEFENSE NOT READY. RE-ORDER OF MENTAL HEALTH COMPETENCY EVALUATION AND SCHEDULING OF JURY TRIAL DATE.			
STATUS OF COMPETENCY 12/19/12 ROOM 1008 PRE-TRIAL CONFERENCE DATE 9/3/13 ROOM 1008 JURY TRIAL DATE (4 DAYS) 9/5/13 ROOM 1008 ALL DATES ARE EARLIEST POSSIBLE DATE CONSISTENT WITH ALL COUNSEL AND COURT CALENDAR.			
ADA: JOE McGLYNN PD: GEOFFREY KILROY STENO: STEPHANIE GOFFREDO CLERK: KIM FORD			
6	11/20/2012		Court of Common Pleas - Philadelphia County
Hearing Notice			
9	11/20/2012		Court of Common Pleas - Philadelphia County
Hearing Notice			
1	12/19/2012		Erdos, Michael
Status Listing			
Hon. Michael Erdos			
ADA: McGlynn/ PD: Kilroy/ Steno: S. Goffredo/ Clk: C. Mitchell			
The defendant was found to be incompetent, but may have been malingering. The defendant is to be committed to the Forensic Unit of the Detention Center 304 via 402B for 30 days. NCD: 2/6/13 Room: 1008			
1	02/06/2013		Dubow, Alice
Status Listing			
Hon. Alice Dubow			
ADA: McGlynn (not present)/ PD: Kilroy/ Steno: K. Robins/ Clk: C. Mitchell			
The defendant is competent. Re-commit to the Forensic Unit of the Detention Center for 60 days. List for status 4/9/13. Trial date of 9/3/13 to remain, room 1008.			

COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY

DOCKET

Docket Number: CP-51-CR-0009312-2012
CRIMINAL DOCKET

Court Case



Commonwealth of Pennsylvania
v.
Carlos J F. Figueroa-Fagot

Page 10 of 23

ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
4	02/26/2013		Court of Common Pleas - Philadelphia County
Hearing Notice			
7	02/26/2013		Court of Common Pleas - Philadelphia County
Hearing Notice			
3	04/09/2013		Dubow, Alice
Status Listing			
Defense states the defendant is incompetent. ADA requests Forthwith Psych.			
J. Dubow; ADA: J. McGlynn; PD: J. Killroy; Steno: B. Todd; Clerk: J. Misunas			
4	04/09/2013		Dubow, Alice
Psychiatric Evaluation Ordered			
Forthwith Psych Evaluation ordered today. Mental Health Office could not accommodate request. Cont'd 4/12/13 for evaluation and report.			
J. Dubow; ADA: J. McGlynn; PD: J. Killroy; Steno: B. Todd; Clerk: J. Misunas			
2	04/12/2013		Dubow, Alice
Order Granting Motion for Continuance			
The Hon Alice Dubow ADA-Joseph McGlynn PD-Geoffrey Kilroy Steno-Bridget Todd CtCk-Anika Ukere Defendant colloquied on offer and rejected offer. Defendant found to be competent but needing treatment. Defendant is recommitted under Section 305 VIA 405 of the Mental health Procedures Act for 90days to the Forensic Unit of the Detention Center. Listed for status. NCD 6/12/13 Room 1008			
3	06/19/2013		Court of Common Pleas - Philadelphia County
Hearing Notice			

COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY

DOCKET

Docket Number: CP-51-CR-0009312-2012

CRIMINAL DOCKET

Court Case



Commonwealth of Pennsylvania

v.

Carlos J F. Figueroa-Fagot

Page 11 of 23

ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
4	06/19/2013		Dubow, Alice
Status Listing			
Hon. Alice Dubow			
ADA: McGlynn/ Atty(PD): Jeff Killroy/ Steno: L. Mena/ Clk: C. Mitchell			
The defendant is re-committed to the Forensic Unit of the Detention Center under section 305 via 405 for 90 days.			
List for 404B Motion 7/31/13, room 1008. Defense attorney is attached.			
5	06/19/2013		Dubow, Alice
Counsel Attached for Trial			
The court orders Jeff Killroy of the Defenders Association attached for a 3 day Jury Trial on 7/31/2013 in Courtroom 1008			
D2/1	07/30/2013		Philadelphia County District Attorney's Office
Motion in Limine			
3	07/31/2013		Court of Common Pleas - Philadelphia County
Hearing Notice			
4	07/31/2013		Dubow, Alice
Order Granting Motion for Continuance			
Hon. Alice Dubow			
ADA: McGlynn/ Atty(PD): Jeff Killroy/ Steno: L. Coffman/ Clk: C. Mitchell			
The defendant is not brought down. NCD: 8/5/13 Room: 1008 (local custody)			
3	08/01/2013		Court of Common Pleas - Philadelphia County
Hearing Notice			
3	08/06/2013		Court of Common Pleas - Philadelphia County
Hearing Notice			

COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY

DOCKET

Docket Number: CP-51-CR-0009312-2012

CRIMINAL DOCKET

Court Case



Commonwealth of Pennsylvania

v.

Carlos J F. Figueroa-Fagot

Page 12 of 23

ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
4	08/06/2013		Dubow, Alice
Order Granting Motion for Continuance Hon. Alice Dubow ADA: McGlynn/ PD: Kilroy/ Steno: L. Coffman/ Clk: C. Mitchell The defendant is not brought down. NCD: 8/7/13 Room: 1008 (custody - PICC)			
3	08/07/2013		Court of Common Pleas - Philadelphia County
Hearing Notice			
4	08/07/2013		Dubow, Alice
Order Granting Motion for Continuance Hon. Alice Dubow ADA: McGlynn/ PD: Kilroy/ Steno: L. Coffman/ Clk: C. Mitchell Defense Motion for Line up is Held Under Advisement. Commonwealth 404B (Prior Acts) Motion is Held Under Advisement. NCD: 8/8/13 room: 1008/ The defendant is to be brought down. PICC			
D3/D4/1	08/08/2013		Dubow, Alice
Trial Date to Remain Defendant not brought down from custody. Defendant's presence is waived by defense counsel. Commonwealth 404b motion (introduction of prior acts) is Granted. Defense motion for physical lineup is Denied. Pre-Trial Conference: 9/3/13 Room 1008 Trial Date to Remain: 9/6/13 Room 1008 Judge Alice Dubow : ADA Joseph McGlynn : PD Geoff Kilroy : Steno Lori Coffman : Clerk Adrian Baule Custody - PICC			

COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY

DOCKET

Docket Number: CP-51-CR-0009312-2012
CRIMINAL DOCKET



Court Case

Commonwealth of Pennsylvania
v.
Carlos J F. Figueroa-Fagot

Page 13 of 23

ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	08/09/2013		Dubow, Alice
Pre-Trial Order of Court			
AND NOW, TO WIT, THIS 9TH DAY OF AUG. 2013, IT IS HEREBY ORDERED AND DECREED THAT:			
1. FOR GOOD CAUSE SHOWN, IT IS ORDERED THAT ALEXIS ESENWEIN BE RELEASED TO THE CUSTODY OF PHILA. D.A. ATTY DET.'S ON 9/10/13 FROM FRANKLIN TOWNE CHARTER SCHOOL. MS. ESENWEIN IS TO ESCORTED TO THE PHILA. CJC LOCATED AT 1301 FILBERT COURTRM. 1008 WHERE SHE IS TO TESTIFY IN THE ABOVE CAPTIONED MATTER.			
2. MS. ESENWEIN WILL BE RETURNED TO FRANKLIN TOWNE CHARTER SCHOOL BY PHILA. D.A.'S DET.'S UPON COMPLETION OF HER TESTIMONY.			
IT IS SO ORDERED.			
3	09/03/2013		Court of Common Pleas - Philadelphia County
Hearing Notice			
4	09/03/2013		Dubow, Alice
Pre-Trial Conference Held			
Case to be listed for Jury Trial (Jury Selection).			
Spanish Interpreter needed.			
Next court date: 9/4/13 Room 1008			
Judge Alice Dubow : ADA Joseph McGlynn : PD Geoff Kilroy : Steno Lori Coffman : Clerk Adrian Baule Custody - PICC			
3	09/04/2013		Court of Common Pleas - Philadelphia County
Hearing Notice			
4	09/04/2013		Dubow, Alice
Jury Selection			
Jury panel sworn; jury selection begins: 10:27 a.m.			
Jury selection to continue; 11 jurors selected (3:14 p.m.)			
Next court date: 9/9/13 Room 1008			
Judge Alice Dubow : ADA Joseph McGlynn : PD Geoffrey Kilroy : Steno Lori Coffman : Clerk Adrian Baule (Custody - PICC)			

COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY

DOCKET

Docket Number: CP-51-CR-0009312-2012
CRIMINAL DOCKET

Court Case



Commonwealth of Pennsylvania
v.
Carlos J F. Figueroa-Fagot

Page 14 of 23

ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	09/09/2013		Dubow, Alice
Jury Selection Continued Jury panel sworn; Jury Selection Continues (9:58 a.m.) Judge Alice Dubow : ADA Joseph McGlynn : PD Geoff Kilroy : Steno Lori Coffman : Clerk Adrian Baule (Custody - PICC)			
2	09/09/2013		Dubow, Alice
Jury Selection Completed Jury selection completed with 2 alternates (10:37 a.m.)			
5	09/09/2013		Court of Common Pleas - Philadelphia County
Hearing Notice			
6	09/09/2013		Dubow, Alice
Jury Sworn Jurors are sworn (11:01 a.m.)			
7	09/09/2013		Dubow, Alice
Arraigned Defendant is arraigned on charges of Attempted Kidnapping, Unlawful Contact with a Minor, Interference with the Custody of Children, Corruption of Minors, Indecent Assault, and Simple Assault.			
8	09/09/2013		Dubow, Alice
Not Guilty Plea Defendant enters plea of Not Guilty.			
9	09/09/2013		Dubow, Alice
Proposed Preliminary Instructions Jury given preliminary instructions (11:03 a.m.)			
10	09/09/2013		Dubow, Alice
Opening Statements Commonwealth makes opening statement (11:15 a.m. - 11:37 a.m.) Defense makes opening statement (11:37 a.m. - 11:43 a.m.)			

COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY

DOCKET

Docket Number: CP-51-CR-0009312-2012

CRIMINAL DOCKET

Court Case



Commonwealth of Pennsylvania

v.

Carlos J F. Figueroa-Fagot

Page 15 of 23

ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
11	09/09/2013		Dubow, Alice
Testimony Begins Commonwealth Testimony Begins: 11:44 a.m. Court adjourns at 4:11 p.m. Trial continued to 9/10/13 Room 1008			
3	09/10/2013		Court of Common Pleas - Philadelphia County
Hearing Notice			
4	09/10/2013		Dubow, Alice
Testimony Resumes Commonwealth Testimony Resumes (10:42 a.m.) Judge Alice Dubow : ADA Joseph McGlynn : PD Geoffrey Kilroy : Steno Lori Coffman : Clerk Adrian Baule (Custody - PICC)			
5	09/10/2013		Dubow, Alice
Prosecution Rests Commonwealth rests Case in Chief but reserves the right to call rebuttal witnesses (2:42 p.m.) Commonwealth moves Exhibits C:1-24, 29, 31 - 35 into evidence. Defense Motion for Judgment of Acquittal on charges of Unlawful Contact with Minor-Sexual Offenses (6318A1), Corruption of Minors (6301A1i), and Indecent Assault Forcible Compulsion (3126A2) is Held Under Advisement. Trial continued to 9/11/13 Room 1008 Judge Alice Dubow : ADA Joseph McGlynn : PD Geoffrey Kilroy : Steno Lori Coffman : Clerk Adrian Baule Custody - PICC			
1	09/11/2013		Dubow, Alice
Order Denying Motion for Judgment of Acquittal Defense Motion for Judgment of Acquittal on charges of Unlawful Contact with a Minor, Corruption of Minors, and Indecent Assault is DENIED. Defendant collouquied on decision to not testify on his own behalf. Judge Alice Dubow : ADA Joseph McGlynn : PD Geoffrey Kilroy : Steno Lori Coffman : Clerk Adrian Baule Custody - PICC			

COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY

DOCKET

Docket Number: CP-51-CR-0009312-2012

CRIMINAL DOCKET

Court Case



Commonwealth of Pennsylvania

v.

Carlos J F. Figueroa-Fagot

Page 16 of 23

ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
2	09/11/2013		Dubow, Alice
Defense Rests			
Defense rests Case in Chief (10:00 a.m.)			
Defense exhibits D1-D5 are moved into evidence (no objection from the Commonwealth).			
3	09/11/2013		Dubow, Alice
Closing Arguments			
Defense makes closing arguments (10:02 a.m. - 10:46 a.m.)			
Commonwealth makes closing arguments (10:46 a.m. - 11:22 a.m.)			
4	09/11/2013		Dubow, Alice
Jury Charged			
Jury is charged (11:38 a.m. - 12:07 p.m.)			
5	09/11/2013		Dubow, Alice
Jury Retires for Deliberation			
2 alternate jurors are excused (12:08 p.m.)			
8	09/11/2013		Court of Common Pleas - Philadelphia County
Hearing Notice			
9	09/11/2013		Dubow, Alice
Question from Jury			
4 requests received from the Jury today.			
Defense Motion for Mistrial is DENIED (3:09 p.m.)			
Jury deliberations to continue (4:00 p.m.)			
Next court date: 9/12/13 Room 1008			
Judge Alice Dubow : ADA Joseph McGlynn : PD Geoffrey Kilroy : Steno Lori Coffman : Clerk Adrian Baule			
Custody - PICC			
3	09/12/2013		Court of Common Pleas - Philadelphia County
Hearing Notice			

COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY

DOCKET

Docket Number: CP-51-CR-0009312-2012

CRIMINAL DOCKET

Court Case



Commonwealth of Pennsylvania

v.

Carlos J F. Figueroa-Fagot

Page 17 of 23

ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
4	09/12/2013		Dubow, Alice
Due Deliberations Jury deliberation resumes (9:45 a.m.) Judge Alice Dubow : ADA Joseph McGlynn : PD Geoffrey Kilroy : Steno Lori Coffman : Clerk Adrian Baule Custody - PICC			
5	09/12/2013		Dubow, Alice
Question from Jury 2 requests received from the jury.			
6	09/12/2013		Dubow, Alice
Jury Returns with Verdict Jury returns with verdict on all charges except one (12:30 p.m.) Spencer charge given (2:14 p.m.) Jury returns with verdict on all charges (3:00 p.m.)			
7	09/12/2013		Dubow, Alice
Guilty Defendant found Guilty by way of Jury Trial. Commonwealth Motion to Revoke Defendant's Bail is Granted. Sentence deferred for Pre-Sentence Investigation, Mental Health Evaluation, and Sexual Offender Assessment (Megan's Law) to 12/11/13 Room 1008. Case listed for status of post-verdict motions: 9/24/13 Judge Alice Dubow : ADA Joseph McGlynn : PD Geoffrey Kilroy : Steno Lori Coffman : Clerk Adrian Baule Custody - PICC			
10	09/12/2013		Court of Common Pleas - Philadelphia County
Hearing Notice			
13	09/12/2013		Court of Common Pleas - Philadelphia County
Hearing Notice			

COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY

DOCKET

Docket Number: CP-51-CR-0009312-2012

CRIMINAL DOCKET

Court Case



Commonwealth of Pennsylvania

v.

Carlos J F. Figueroa-Fagot

Page 18 of 23

ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	09/24/2013		Dubow, Alice
Status Listing			
Defense has no post-verdict motions.			
Sentencing date of 12/11/13 Room 1008 to remain.			
Judge Alice Dubow : ADA Branwen McNabb : PD Geoffrey Kilroy : Steno Lori Coffman : Clerk Adrian Baule (Custody - PICC)			

D6/1	12/11/2013		Dubow, Alice
Order Granting all Documents be Turned Over to			
AND NOW, THIS 11TH DAY OF DEC., 2013, IT IS HEREBY ORDERED THAT THE SOAB SHALL F/W PROVIDE THE FOLLOWING MATERIALS TO JEROME MALLON, ESQ., DEF. ASSOC. OF PHILA., 1441 SANSOM ST., PHILA., PA. 19102: ANY AND ALL REPORTS, MEMORANDA, RECORDS, OR DOCUMENTS PREPARED OR RECEIVED IN CONNECTION W/THE MOST RECENT ASSESSMENT, AND ANY PREVIOUS ASSESSMENTS, OF MR. FIGUERA-FAGOT; ANY AND ALL STANDARDS, GUIDELINES, POLICIES, INSTRUCTIONS, OR CRITERIA, ESTABLISHED EITHER FORMALLY OR INFORMALLY BY THE ASSESSMENT BOARD FOR EVALUATIONS OF FOR EVALUATORS.			

2	12/11/2013		Dubow, Alice
Order Granting Motion to Continue Sentencing			
Hon. Alice Dubow			
ADA: McNabb/ PD: Kilroy/ Steno: L. Coffman/ Clk: C. Mitchell			
Sentence further deferred. Doctor to evaluate the defendant for sexual violent predator status. The order is submitted.			
Rule 704 waived. NCD: 2/7/14, room 1008 (rm 200) Custody - PICC			

6	12/11/2013		Court of Common Pleas - Philadelphia County
Hearing Notice			

COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY

DOCKET

Docket Number: CP-51-CR-0009312-2012

CRIMINAL DOCKET

Court Case



Commonwealth of Pennsylvania

v.

Carlos J F. Figueroa-Fagot

Page 19 of 23

ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	02/07/2014		Dubow, Alice
Order Granting Motion for Continuance Defense request-Need notes of testimony. Sentence further deferred. Rule 704 is waived. NCD:4/4/14 Room:200 ADA:B. McNabb Atty:J. Kilroy/J. Malin Steno:M. Vazquez Clerk:Davis Judge:A. Dubow			
5	02/07/2014		Court of Common Pleas - Philadelphia County
Hearing Notice			
D7/1	04/04/2014		Dubow, Alice
Order - Sentence/Penalty Imposed Defendant found guilty on Count 1, 2, 4, 6, 7 & 8. All other charges Nolle Prossed in this matter; defendant sentenced to a total of 17 to 34 years incarceration; Defendant given his requirements to register as a Megan's Law Offender within 48 hours of released (if released) and was also advised of his obligations Under SORNA; credit for time served; Not RRR1 eligible; deemed sexual violent predator. / CT CLK: L. Goffe, Rm 304 CJC			
2	04/04/2014		Court of Common Pleas - Philadelphia County
Court Commitment State or County Correctional Institution			
3	04/04/2014		Court of Common Pleas - Philadelphia County
Penalty Assessed			
D8/1	04/23/2014		Defender Association of Philadelphia
Notice of Appeal to the Superior Court Notice of Appeal to the Superior Court filed on behalf of Figueroa-Fagot, Carlos J F.. JOS J. Dubow file located copy of appeal sent to court reporters			
1	05/05/2014		Court of Common Pleas - Philadelphia County
Preliminary Docket Entries Prepared			

COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY

DOCKET

Docket Number: CP-51-CR-0009312-2012

CRIMINAL DOCKET

Court Case



Commonwealth of Pennsylvania

v.

Carlos J F. Figueroa-Fagot

Page 20 of 23

ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
D9/D9A/1	05/08/2014		Dubow, Alice
Order Issued Pursant to Pa.R.A.P. 1925(b) Defender Association of Philadelphia 05/08/2014 First Class Philadelphia County District Attorney's Office 05/08/2014 First Class			
D10/1	05/23/2014		Defender Association of Philadelphia
Motion for Extension of Time Motion for Extension of Time filed on behalf of Figueroa-Fagot, Carlos J F..			
D11/1	05/29/2014		Defender Association of Philadelphia
Statement of Matters Complained on Appeal Statement of Errors Complained on Appeal filed on behalf of Figueroa-Fagot, Carlos J F..			
D12/2	05/29/2014		Dubow, Alice
Order Granting Motion for Extension of Time Defender Association of Philadelphia 05/29/2014 First Class Philadelphia County District Attorney's Office 05/29/2014 First Class			
D13/1	09/17/2014		Defender Association of Philadelphia
Statement of Matters Complained on Appeal Statement of Errors Complained on Appeal filed on behalf of Figueroa-Fagot, Carlos J F..			
D14/1	10/31/2014		Dubow, Alice
Opinion			
D15/2	10/31/2014		Court of Common Pleas - Philadelphia County
Transcript of Proceedings Filed Motion - 8/7/13, 8/8/13, Voir Dire - 9/4/13, 9/9/13, Jury Trial - 9-9-13 (VOL. 1), 9-10-13 (VOL. 2), 9-11-13 (VOL. 3), 9-12-13 (VOL. 4) & 1- ENV. OF EXH., 7/22/14, sENT. - 4/4/14			
3	10/31/2014		Court of Common Pleas - Philadelphia County
Appeal Docket Entries and Served			

COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY

DOCKET

Docket Number: CP-51-CR-0009312-2012

CRIMINAL DOCKET

Court Case



Commonwealth of Pennsylvania

v.

Carlos J F. Figueroa-Fagot

Page 21 of 23

ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
4	10/31/2014		Court of Common Pleas - Philadelphia County
Certificate and Transmittal of Record to Appellate Court			
1	08/25/2015		Court of Common Pleas - Philadelphia County
Transcript of Proceedings Filed 1 env. exh (video)			
2	08/25/2015		Court of Common Pleas - Philadelphia County
Certificate and Transmittal of Record to Appellate Court			
1	12/02/2015		Superior Court of Pennsylvania - Eastern District
Superior Court Decision			
2	12/02/2015		Superior Court of Pennsylvania - Eastern District
Superior Court Opinion			
1	12/14/2015		Superior Court of Pennsylvania - Eastern District
Judgment of Sentence Vacated and Remanded for Sentencing Jurisdiction relinquished.			
1	02/11/2016		Figueroa-Fagot, Carlos J F.
Pro Se Correspondence Pro Se Correspondence filed on behalf of *.			
1	03/11/2016		Supreme Court of Pennsylvania - Eastern District
Petition for Allowance of Appeal Filed - Supreme Court			
1	09/29/2016		Court of Common Pleas - Philadelphia County
Entry of Civil Judgment			

COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY

DOCKET

Docket Number: CP-51-CR-0009312-2012
CRIMINAL DOCKET

Court Case



Commonwealth of Pennsylvania
v.
Carlos J F. Figueroa-Fagot

Page 22 of 23

ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
3	10/28/2016		Court of Common Pleas - Philadelphia County
Hearing Notice			
3	11/29/2016		Court of Common Pleas - Philadelphia County
Hearing Notice			
4	11/29/2016		Bright, Gwendolyn N.
Order Granting Motion for Continuance			
Superior Court Vacates Sentence. Case Remanded Back To Judge Gwendolyn N. Bright For Re-Sentencing. Commit And Retain Defendant To County Custody From SCI Greene. Bail Revoked. NCD: 2-10-17 Rm. 1102			
Judge: G. Bright/ ADA: B. Mc Nabb/ PD: J. Kilroy/ Steno: L. Postiglione/ Ct. Clerk: J. King			
4	02/10/2017		Court of Common Pleas - Philadelphia County
Hearing Notice			
5	02/10/2017		Bright, Gwendolyn N.
Defense Request For Continuance For Further Investigation			
Sentencing Further Deferred. Defendant To Remain At SCI Graterford Until Next Listing For Purpose Of Sentencing. Writ Prepared. Timeliness Rule Waived. NCD: 3-8-17 Rm. 1102			
Judge: G. Bright/ ADA: B. Mc Nabb/ PD: J. Kilroy/ Steno: S. Rios/ Ct. Clerk: J. King			
4	03/08/2017		Court of Common Pleas - Philadelphia County
Hearing Notice			
5	03/08/2017		Bright, Gwendolyn N.
Defense Request For Continuance For Further Investigation			
Sentencing Further Deferred. Commonwealth Has No Objection. Timeliness Rule Waived. Writ Prepared. NCD: 4-12-17 Rm. 1102			
Judge: G. Bright/ ADA: B. Mc Nabb/ PD: J. Kilroy/ Steno: S. Rios/ Ct. Clerk: J. King			
4	04/12/2017		Court of Common Pleas - Philadelphia County
Hearing Notice			

COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY

DOCKET

Docket Number: CP-51-CR-0009312-2012
CRIMINAL DOCKET



Court Case

Commonwealth of Pennsylvania
v.
Carlos J F. Figueroa-Fagot

Page 23 of 23

ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
5	04/12/2017		Bright, Gwendolyn N.
Order Granting Motion for Continuance			
Sentencing Further Deferred-Defendant Not Brought Down. Defendant Sent Back To SCI Greene From SCI Graterford. Writ Prepared. NCD: 7-6-17 Rm. 1102			
Judge: G. Bright/ ADA: B. Mc Nabb/ PD: J. Kilroy/ Steno: J. Craighead/ Ct. Clerk: J. King			

CASE FINANCIAL INFORMATION

Last Payment Date: 03/24/2017

Total of Last Payment: -\$10.00

	<u>Assessment</u>	<u>Payments</u>	<u>Adjustments</u>	<u>Non Monetary Payments</u>	<u>Total</u>
Figueroa-Fagot, Carlos J F.					
Defendant					
Costs/Fees					
ATJ	\$3.00	-\$3.00	\$0.00	\$0.00	\$0.00
Amber Alert System (Act 153 of 2004)	\$25.00	\$0.00	\$0.00	\$0.00	\$25.00
Booking Center Fee (Philadelphia)	\$175.00	-\$9.28	\$0.00	\$0.00	\$165.72
CJES	\$2.25	-\$2.25	\$0.00	\$0.00	\$0.00
CQS Fee Felony (Philadelphia)	\$100.00	-\$100.00	\$0.00	\$0.00	\$0.00
Commonwealth Cost - HB627 (Act 167 of 1992)	\$19.20	\$0.00	\$0.00	\$0.00	\$19.20
Costs of Prosecution - CJEA	\$50.00	\$0.00	\$0.00	\$0.00	\$50.00
County Court Cost (Act 204 of 1976)	\$28.00	\$0.00	\$0.00	\$0.00	\$28.00
Crime Victims Compensation (Act 96 of 1984)	\$35.00	-\$35.00	\$0.00	\$0.00	\$0.00
DNA Detection Fund (Act 185-2004)	\$250.00	\$0.00	\$0.00	\$0.00	\$250.00
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	-\$10.25	\$0.00	\$0.00	\$0.00
Judicial Computer Project	\$8.00	-\$8.00	\$0.00	\$0.00	\$0.00
State Court Costs (Act 204 of 1976)	\$12.80	\$0.00	\$0.00	\$0.00	\$12.80
Victim Witness Service (Act 111 of 1998)	\$25.00	-\$25.00	\$0.00	\$0.00	\$0.00
Civil Judgment/Lien (Philadelphia)	\$95.94	\$0.00	\$0.00	\$0.00	\$95.94
Costs/Fees Totals:	\$854.44	-\$192.78	\$0.00	\$0.00	\$661.66
Grand Totals:	\$854.44	-\$192.78	\$0.00	\$0.00	\$661.66

** - Indicates assessment is subrogated