

# COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY

## DOCKET



Docket Number: CP-51-CR-0532921-1989

## CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

Rudolph R Sutton

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### CASE INFORMATION

Cross Court Docket Nos: 2930 EDA 2012

Judge Assigned: Hill, Glynnis

Date Filed: 05/24/1989

Initiation Date: 05/24/1989

OTN: M 394486-1

LOTN:

Originating Docket No: MC-51-CR-0430851-1989

Initial Issuing Authority:

Final Issuing Authority:

Arresting Agency: Philadelphia Pd

Arresting Officer: Affiant

Complaint/Incident #:

Case Local Number Type(s)

Case Local Number(s)

District Control Number

8817004421

Police Incident Number

8817004421

PSI Microfilm Number

904784

Legacy Microfilm Number

93000426

Legacy Docket Number

C8905329211

### RELATED CASES

<u>Related Docket No</u>	<u>Related Case Caption</u>	<u>Related Court</u>	<u>Association Reason</u>
<b>Joined Codefendant Cases</b>			
CP-51-CR-0304301-1988	Comm. v. Dennis, Paul	CP-01-51-Crim	Joined Codefendant Cases
CP-51-CR-0623451-1989	Comm. v. Peterson, Warren	CP-01-51-Crim	Joined Codefendant Cases
CP-51-CR-0304302-1988	Comm. v. Wilson, Chris	CP-01-51-Crim	Joined Codefendant Cases
CP-51-CR-0623452-1989	Comm. v. Howard, Leon	CP-01-51-Crim	Joined Codefendant Cases

### STATUS INFORMATION

<u>Case Status:</u>	<u>Status Date</u>	<u>Processing Status</u>	<u>Arrest Date:</u>
Closed	03/08/2013	Completed	04/27/1989
	01/18/2013	Appeal Decided	
	10/05/2012	Awaiting Appellate Court Decision	
	10/04/2012	Awaiting PCRA Decision	
	08/10/2012	Completed	
	11/06/2007	Awaiting PCRA Decision	
	09/10/1991	Completed	
	05/24/1989	Migrated Case (Active)	

Complaint Date: 05/24/1989

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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>
PCRA	09/03/2008	9:00 am	1004	Judge Glynnis Hill	Continued
PCRA	11/07/2008	9:00 am	1004	Judge Glynnis Hill	Continued
PCRA	01/08/2009	9:00 am	1004	Judge Glynnis Hill	Continued
PCRA	04/09/2009	9:00 am	1004	Judge Glynnis Hill	Continued
PCRA	04/23/2009	9:00 am	1004	Judge Glynnis Hill	Continued
PCRA	05/22/2009	9:00 am	1004	Judge Glynnis Hill	Continued
PCRA	06/26/2009	9:00 am	1004	Judge Glynnis Hill	Continued
PCRA	09/03/2009	8:00 am	1004	Judge Glynnis Hill	Continued
PCRA	11/06/2009	8:00 am	1004	Judge Glynnis Hill	Continued
PCRA	01/07/2010	9:00 am	1004	Judge Glynnis Hill	Continued
PCRA	02/05/2010	9:00 am	1004	Judge Glynnis Hill	Continued
PCRA	03/05/2010	9:00 am	1004	Judge Glynnis Hill	Continued
PCRA	05/14/2010	9:00 am	1004	Judge Glynnis Hill	Continued
PCRA	05/20/2010	9:00 am	1004	Judge Glynnis Hill	Continued
PCRA	05/27/2010	9:00 am	1004	Judge Glynnis Hill	Continued
PCRA	07/02/2010	9:00 am	1004	Judge Glynnis Hill	Continued
PCRA	07/30/2010	9:00 am	1004	Judge Glynnis Hill	Continued
PCRA	09/24/2010	9:00 am	1004	Judge Glynnis Hill	Continued
PCRA	10/01/2010	9:00 am	1004	Judge Glynnis Hill	Continued
PCRA	10/22/2010	9:00 am	1004	Judge Glynnis Hill	Continued
PCRA	12/02/2010	9:00 am	908	Judge Glynnis Hill	Continued
PCRA	12/03/2010	9:00 am	908	Judge Glynnis Hill	Continued
PCRA	12/20/2010	9:00 am	908	Judge Glynnis Hill	Continued
PCRA	01/21/2011	9:00 am	908	Judge Glynnis Hill	Continued
PCRA	02/11/2011	9:00 am	304	Judge Glynnis Hill	Scheduled
Status Listing	02/28/2011	9:00 am	908	Judge Glynnis Hill	Continued
Status Listing	04/21/2011	9:00 am	908	Judge Glynnis Hill	Continued
Status Listing	04/26/2011	9:00 am	908	Judge Glynnis Hill	Continued
Status Listing	06/23/2011	9:30 am	908	Judge Glynnis Hill	Scheduled
Status Listing	06/24/2011	9:00 am	908	Judge Glynnis Hill	Continued
Status Listing	06/27/2011	9:00 am	908	Judge Glynnis Hill	Continued
Status Listing	08/03/2011	9:30 am	908	Judge Glynnis Hill	Continued
Status Listing	08/11/2011	9:00 am	908	Judge Glynnis Hill	Continued
Status Listing	09/09/2011	9:00 am	908	Judge Glynnis Hill	Scheduled
PCRA	03/02/2012	9:00 am	602	Judge Glynnis Hill	Continued
PCRA	04/19/2012	9:00 am	602	Judge Glynnis Hill	Continued

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PCRA	05/24/2012	9:00 am	602	Judge Glynnis Hill	Continued
PCRA	06/14/2012	9:00 am	602	Judge Glynnis Hill	Continued
PCRA	08/10/2012	9:00 am	602	Judge Glynnis Hill	Continued
PCRA	10/12/2012	9:00 am	602	Judge Glynnis Hill	Scheduled

### DEFENDANT INFORMATION

Date Of Birth: 10/28/1952      City/State/Zip: PHILA., PA 19146

Alias Name

Sutton, Reginald  
Sutton, Rudolph Rufus

### CASE PARTICIPANTS

<u>Participant Type</u>	<u>Name</u>
Defendant	Sutton, Rudolph R.

### 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		18 § 2502	MURDER-1ST DEGREE	01/29/1988	M 394486-1
5	5		18 § 903	CRIMINAL CONSPIRACY	01/29/1988	M 394486-1

### DISPOSITION SENTENCING/PENALTIES

Disposition

<u>Case Event</u> <u>Sequence/Description</u> <u>Sentencing Judge</u> <u>Sentence/Diversion Program Type</u> <u>Sentence Conditions</u>	<u>Disposition Date</u> <u>Offense Disposition</u> <u>Sentence Date</u> <u>Incarceration/Diversionary Period</u>	<u>Final Disposition</u> <u>Grade</u> <u>Section</u> <u>Credit For Time Served</u> <u>Start Date</u>
Migrated Dispositional Event	09/10/1991	Final Disposition
1 / MURDER-1ST DEGREE	Guilty	18 § 2502
Clarke, Eugene Jr.	09/10/1991	
Confinement	LIFE	
5 / CRIMINAL CONSPIRACY	Guilty	18 § 903
Clarke, Eugene Jr.	09/10/1991	
Confinement	Min of 60.00 Months Max of 10.00 Years	

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### 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: Kenneth Alan Young  
Private

Supreme Court No: 077705

Rep. Status: Active

Phone Number(s):  
215-751-1060 (Phone)

Address:

1500 Walnut St Ste 2000  
Philadelphia, PA 19102-3510

Representing: Sutton, Rudolph R.

### ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	05/24/1989		Unknown Filer
Held for Court			
1	09/10/1991		Migrated, Filer
Migrated Automatic Registry Entry (Disposition) Text			
2	09/10/1991		Migrated, Filer
Disposition Filed			
3	09/10/1991		Migrated, Filer
Migrated Sentence			
D27/1	11/06/2007		Martin, Kathleen E.
Post-Conviction Relief Act Petition Filed			
1	09/03/2008		Hill, Glynnis
Post-Conviction Relief Act Petition Filed			
1	11/07/2008		Hill, Glynnis
PCRA Hearing Continued			
D28/1	04/07/2009		Commonwealth of Pennsylvania
Commonwealth Letter Brief			
1	11/06/2009		Hogeland, Warren
PCRA CONTINUED 1/7/10-ROOM 1004 DEFENSE REQUEST FOR FURTHER PREP - CT. CLK.M. COLEMAN			

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<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
D29/1	01/07/2010		Sutton, Rudolph R.
AFFIDAVIT OF PETITIONER RUDOLPH SUTTON			
4	01/07/2010		Hill, Glynnis
PCRA - Continued for amendment to petition. NCD 2/5/10 Rm1004			
D30/1	05/14/2010		Martin, Kathleen E.
Petitioner's Reply to Commonwealth's Response			
4	05/14/2010		Hill, Glynnis
NEW COUNSEL ENTERED - CONTINUE FOR STATUS OF COUNSEL & COURTS DECISION 5/20/10-ROOM 1004			
1	07/02/2010		Hill, Glynnis
PCRA CONTINUED FOR DEFENSE WRITTEN DOCUMENTATION OF DECISION 7/30/10-ROOM 1004 - CT. CLK. M. COLEMAN			
3	07/30/2010		Hill, Glynnis
PCRA Hearing Continued			
1	09/24/2010		Hill, Glynnis
Order Granting Motion for Continuance			
1	10/01/2010		Hill, Glynnis
Order Granting Motion for Continuance			
1	12/20/2010		Hill, Glynnis
Order Granting Motion for Continuance			
D31/1	01/20/2011		Hill, Glynnis
Order Granting Petition for Writ of Habeas Corpus			
1	01/21/2011		Hill, Glynnis
Order Granting Motion for Continuance			
1	02/11/2011		Hill, Glynnis
Order Granting Motion for Continuance			
1	02/28/2011		Hill, Glynnis
Order Granting Motion for Continuance			

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<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	04/21/2011		Hill, Glynnis
Order Granting Motion for Continuance			
1	04/26/2011		Hill, Glynnis
Order Granting Motion for Continuance			
D32/1	06/22/2011		Hill, Glynnis
Order Granting Petition for Writ of Habeas Corpus			
1	06/23/2011		Hill, Glynnis
Order Granting Motion for Continuance			
2	06/24/2011		Hill, Glynnis
Order Granting Motion for Continuance			
1	06/27/2011		Hill, Glynnis
Order Granting Motion for Continuance			
2	08/03/2011		Hill, Glynnis
STATUS LISTING			
D33/1	08/08/2011		Hill, Glynnis
Order Granting Petition for Writ of Habeas Corpus			
1	08/11/2011		Hill, Glynnis
PCRA HEARING			
1	09/09/2011		Hill, Glynnis
DEFENSE REQUEST DISCOVERY - PCRA CONTINUE UNTIL FURTHER NOTICE			
D34/1	10/11/2011		Commonwealth of Pennsylvania
COMMONWEALTH'S SUPPLEMENTAL MOTION TO DISMISS			
3	03/02/2012		Hill, Glynnis
Order Granting Motion for Continuance			
D35/1	04/18/2012		Commonwealth of Pennsylvania
Commonwealth Motion to Dismiss PCRA Petition			

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<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
D36/3 Letter in Brief	04/19/2012		Young, Kenneth Alan
4 Order Granting Motion for Continuance	04/19/2012		Hill, Glynnis
3 Order Granting Motion for Continuance	05/24/2012		Hill, Glynnis
D37/3 Order Granting Motion for Continuance	06/14/2012		Hill, Glynnis
D37A/3 Order Denying PCRA Petition as Untimely	08/10/2012		Hill, Glynnis
4 PCRA Order	08/10/2012		Hill, Glynnis
D38/1 Motion for Reconsideration	08/20/2012		Young, Kenneth Alan
D39/1 Interlocutory Appeal For Collateral Review Of A Violation Of A Legislative Act-By Adjudication	08/28/2012		Sutton, Rudolph R.
D40/1 Order Denying Motion for Reconsideration	09/10/2012		Hill, Glynnis
D41/1 Pro Se Correspondence	09/13/2012		Sutton, Rudolph R.
D42/1 Motion to Proceed In Forma Pauperis	09/21/2012		Young, Kenneth Alan
D43/1 Order Granting In Forma Pauperis	09/26/2012		Hill, Glynnis
D44/1 Notice of Appeal to the Superior Court Hill, Glynnis 10/04/2012	10/05/2012 First Class		Young, Kenneth Alan

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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>
Philadelphia County District Attorney's Office			
10/04/2012	First Class		
1	10/12/2012		Hill, Glynnis
Case Listed in Error			
1	10/22/2012		Court of Common Pleas - Philadelphia County
Preliminary Docket Entries Prepared			
D45/1	11/30/2012		Hill, Glynnis
Opinion			
D46/1	12/04/2012		Court of Common Pleas - Philadelphia County
Transcript of Proceedings Filed			
2	12/04/2012		Court of Common Pleas - Philadelphia County
Appeal Docket Entries and Served			
3	12/04/2012		Court of Common Pleas - Philadelphia County
Certificate and Transmittal of Record to Appellate Court			
1	12/11/2012		Superior Court of Pennsylvania - Eastern District
Remanded for Appointment of Counsel			
1	01/18/2013		Superior Court of Pennsylvania - Eastern District
Appeal Quashed			
2	01/18/2013		Superior Court of Pennsylvania - Eastern District
Superior Court Opinion			



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<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	03/07/2013		Superior Court of Pennsylvania - Eastern District
Record Returned Date to Appeal Unit			

### CASE FINANCIAL INFORMATION

Last Payment Date: 11/06/2007

Total of Last Payment: -\$12.50

<b>Sutton, Rudolph R.</b> Defendant	<u>Assessment</u>	<u>Payments</u>	<u>Adjustments</u>	<u>Non Monetary Payments</u>	<u>Total</u>
<b>Costs/Fees</b>					
Motion Filing Fee (Philadelphia)	\$12.50	(\$12.50)	\$0.00	\$0.00	\$0.00
Costs/Fees Totals:	\$12.50	(\$12.50)	\$0.00	\$0.00	\$0.00
Grand Totals:	\$12.50	(\$12.50)	\$0.00	\$0.00	\$0.00

\*\* - Indicates assessment is subrogated