

MUNICIPAL COURT OF PHILADELPHIA COUNTY

DOCKET



Docket Number: MC-51-CR-0010052-2013

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

Joseph C. Byrd

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CASE INFORMATION

Judge Assigned:
OTN: N 852013-1 LOTN:
Initial Issuing Authority:
Arresting Agency: Septa Police Dept
Complaint/Incident #: 1306011402-0010052
Case Local Number Type(s)
 Originating Docket Number MC-51-CR-0010052-2013
 District Control Number 1306011402
 Originating Document Number 1306011402-0010052

Date Filed: 03/14/2013 Initiation Date: 03/13/2013
Originating Docket No: 1306011402-0010052
Final Issuing Authority:
Arresting Officer: Affiant

STATUS INFORMATION

<u>Case Status:</u>	<u>Status Date</u>	<u>Processing Status</u>	<u>Arrest Date:</u>
Closed	03/19/2014	Sentenced/Penalty Imposed	03/13/2013
	11/04/2013	Awaiting Sentencing	
	11/04/2013	Awaiting PSI	
	10/30/2013	Awaiting Sentencing	
	04/15/2013	Awaiting Trial	
	03/14/2013	Awaiting Status Hearing	

Complaint Date: 03/13/2013

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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>
Preliminary Arraignment	03/14/2013	12:40 am	B08		Scheduled
Emergency Release Hearing	03/19/2013	12:00 pm	1104		Scheduled
Status	04/15/2013	10:00 am	404	Judge Marsha H. Neifield	Scheduled
Trial	05/01/2013	10:00 am	903	Senior Judge Robert S. Blasi	Scheduled
Status	05/15/2013	9:00 am	1103	Judge Marsha H. Neifield	Scheduled
Status	06/19/2013	9:00 am	1103	Judge Marsha H. Neifield	Continued
Status	07/24/2013	9:00 am	1103	Judge Marsha H. Neifield	Continued
Status	08/28/2013	9:00 am	1103	Judge Marsha H. Neifield	Continued
Status	09/11/2013	9:00 am	1103	Judge Marsha H. Neifield	Continued
Status	10/09/2013	9:00 am	1103	Judge Marsha H. Neifield	Continued
Status	10/30/2013	9:00 am	1103	Judge Marsha H. Neifield	Scheduled
Sentencing	12/04/2013	9:00 am	1103	Judge Marsha H. Neifield	Scheduled
VOP Hearing	01/22/2014	9:00 am	1103	Judge Marsha H. Neifield	Continued
VOP Hearing	01/29/2014	9:00 am	1103	Judge Marsha H. Neifield	Cancelled
VOP Hearing	01/29/2014	9:00 am	1103	Judge Marsha H. Neifield	Scheduled
VOP Hearing	02/26/2014	9:00 am	1103	Judge Marsha H. Neifield	Scheduled
VOP Hearing	03/19/2014	9:00 am	1103	Judge Marsha H. Neifield	Scheduled
Payment Plan Conference	10/08/2014	1:00 pm	1104		Scheduled
Payment Plan Conference	05/04/2016	3:00 pm	1104		Scheduled

DEFENDANT INFORMATION

Date Of Birth: 11/01/1968 City/State/Zip: Philadelphia, PA 19104

Alias Name
Byrd, Joseph

CASE PARTICIPANTS

<u>Participant Type</u>	<u>Name</u>
Defendant	Byrd, Joseph C.
Probation Officer	Alston, Tanyikia

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BAIL INFORMATION

Byrd, Joseph C.

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	03/14/2013	Monetary	10.00%	\$5,000.00	Posted	03/15/2013

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	M1	18 § 2706 §§A1	Terroristic Threats W/ Int To Terrorize Another	03/11/2013	N 852013-1
2	2	M2	18 § 5104	Resist Arrest/Other Law Enforce	03/11/2013	N 852013-1
3	3	M3	18 § 2709 §§A4	Harassment - Comm. Lewd, Threatening, Etc. Language	03/11/2013	N 852013-1
4	4	M3	18 § 3503 §§B1II	Def Tres Posted	03/11/2013	N 852013-1
5	5	S	18 § 5503 §§A4	Disorder Conduct Hazardous/Physi Off	03/11/2013	N 852013-1
6	6	S	18 § 5507 §§A	Obstruction Highways	03/11/2013	N 852013-1

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>			
Proceed to Court Defendant Was Not Present			
Preliminary Arraignment	03/14/2013	Not Final	
1 / Terroristic Threats W/ Int To Terrorize Another	Proceed to Court	M1	18 § 2706 §§ A1
2 / Resist Arrest/Other Law Enforce	Proceed to Court	M2	18 § 5104
3 / Harassment - Comm. Lewd, Threatening, Etc. Language	Proceed to Court	M3	18 § 2709 §§ A4
4 / Def Tres Posted	Proceed to Court	M3	18 § 3503 §§ B1II
5 / Disorder Conduct Hazardous/Physi Off	Proceed to Court	S	18 § 5503 §§ A4
6 / Obstruction Highways	Proceed to Court	S	18 § 5507 §§ A
Guilty Defendant Was Present			
Status	10/30/2013	Final Disposition	
1 / Terroristic Threats W/ Int To Terrorize Another	Guilty	M1	18 § 2706 §§ A1
Neifield, Marsha H.	03/19/2014		
Probation	Max of 3.00 Years 3 years		03/19/2014

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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>			
. . . . SUPERVISION BY MENTAL HEALTH UNIT OF PROBATION DEPARTMENT STAY AWAY ORDER FROM SEPTA HEAD QUARTERS DEFENDANT TO TAKE ALL REQUIRED MEDICINE			
2 / Resist Arrest/Other Law Enforce Neifield, Marsha H. Probation	Guilty 03/19/2014 Max of 2.00 Years 2 years	M2	18 § 5104 03/19/2014
3 / Harassment - Comm. Lewd, Threatening, Etc. Language Neifield, Marsha H.	Withdrawn 03/19/2014	M3	18 § 2709 §§ A4
4 / Def Tres Posted Neifield, Marsha H. Probation	Guilty 03/19/2014 Max of 12.00 Months 12 months	M3	18 § 3503 §§ B1II 03/19/2014
5 / Disorder Conduct Hazardous/Physi Off Neifield, Marsha H.	Withdrawn 03/19/2014	S	18 § 5503 §§ A4
6 / Obstruction Highways Neifield, Marsha H.	Withdrawn 03/19/2014	S	18 § 5507 §§ A

LINKED SENTENCES:

Link 1

- MC-51-CR-0010052-2013 - Seq. No. 4 (18§ 3503 §§ B1II) - Probation is Concurrent with
- MC-51-CR-0010052-2013 - Seq. No. 2 (18§ 5104 §§) - Probation is Concurrent with
- MC-51-CR-0010052-2013 - Seq. No. 1 (18§ 2706 §§ A1) - Probation

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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: Vincent M. Lorusso
Private

Supreme Court No: 022693

Rep. Status: Active

Phone Number(s):
215-546-2660 (Phone)

Address:

1700 Market St
Ste 1005
Philadelphia, PA 19103

Representing: Byrd, Joseph C.

ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	03/14/2013		Municipal Court - Philadelphia County
PARS Transfer			
2	03/14/2013		Stack, Patrick
Bail Set - Byrd, Joseph C.			
1	03/15/2013		Byrd, Joseph C.
Bail Posted - Byrd, Joseph C.			
1	04/03/2013		Lorusso, Vincent M.
Entry of Appearance			
1	04/15/2013		Philadelphia County Court Administration
Trial Scheduled 05/01/2013 10:00AM			
3	04/15/2013		Neifield, Marsha H.
Order Granting Motion for Continuance Commonwealth has no discovery today. Next Court date 5/1/13, Rm 903			
ATTY: V. Lorusso, Esq / T.C. Floyd / Ct Clk: L. Goffe, Rm 404 CJC			

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3	05/01/2013		Blasi, Robert S.
Order Granting Motion for Continuance			
Defendant not present - Attorney to serve.			
Defense request for mental health court.			
Commonwealth ready on call.			
Discovery to be passed 10 days prior to next listing.			
NCD: 5.15.13 rm#1103			
ADA: Krouse; Attorney: Lorusso; Steno: Geftman; Clerk: Baukus; Judge: Blasi			

3	05/15/2013		Neifield, Marsha H.
Order Granting Motion for Continuance			
CASE LISTED FOR MENTAL HEALTH COURT			
DEFENDANT UNAVAILABLE.			
ATTORNEY ACCEPTS SERVICE			
NEXT COURT DATE: 6/19/13 ROOM 1103			
DATE IS EARLIEST POSSIBLE REQUESTED.			
HONORABLE: MARSHA NEIFIELD			
ADA: DAVID AYERS ATTNY: VINCENT LORUSSO			
STENO: NANCY McNEELY CLERK: KIM FORD			

3	06/19/2013		Neifield, Marsha H.
Order Granting Motion for Continuance			
CASE LISTED AS MENTAL HEALTH COURT			
MENTH HEALTH EVALUATION FORTH WITH ORDERED FOR COMPETENCY			
CONTINUE FOR FURTHER STATUS			
NEXT COURT DATE: 7/24/13 ROOM: 1103			
DATE IS EARLIEST POSSIBLE DATE REQUESTED			
DEFENDANT PRESENT ON BAIL/SIGNED SUBPOENA			
HONORABLE: MARSHA NEIFIELD			
ADA: DAVE AYERS ATTNY: VINCENT LORUSSO			
STENO: GARY PASTOR CLERK: KIM FORD			

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3	07/24/2013		Neifield, Marsha H.

Order Granting Motion for Continuance

CASE LISTED FOR MENTAL HEALTH COURT
DEFENDANT IS COMPETENT
DEFENSE REQUEST FOR CONTINUANCE. FURTHER INVESTIGATION OF COMMONWEALTH OFFER.

NEXT COURT DATE: 8/28/13 ROOM: 1103
TIME RULED EXCLUDABLE
DATE IS EARLIEST POSSIBLE DATE REQUESTED.
DEFENDANT PRESENT ON BAIL/SIGNED SUBPOENA

HONORABLE: MARSHA NEIFIELD
ADA: DAVE AYERS ATTNY: VINCENT LORUSSO
STENO: KRIS VARGAS CLERK: KIM FORD

2	08/28/2013		Neifield, Marsha H.
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Order Granting Motion for Continuance

CASE LISTED FOR MENTAL HEALTH COURT
DEFENSE REQUEST FOR FURTHER INVESTIGATION FOR COMMONWEALTH OFFER
LIST FOR FURTHER STATUS

NEXT COURT DATE: 9/11/13 ROOM: 1103
DATE IS EARLIEST POSSIBLE DATE REQUESTED
DEFENDANT ON BAIL/SIGNED SUBPOENA

HONORABLE: MARSHA NEIFIELD
ADA: DAVE AYERS ATTNY: VINCENT LORUSSO
STENO: ANGELIQUE BUCCARELLI CLERK: KIM FORD

1	09/11/2013		Neifield, Marsha H.
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Order Granting Motion for Continuance

CASE LISTED FOR MENTAL HEALTH COURT
DEFENDANT IS COMPETENT
DEFENSE REQUEST FOR FURTHER INVESTIGATION OF OFFER
CONTINUE FOR FURTHER STATUS

NEXT COURT DATE: 10/9/13 ROOM: 1103
DATE IS EARLIEST POSSIBLE DATE REQUESTED.
DEFENDANT PRESENT ON BAIL/SIGNED SUBPOENA

HONORABLE: MARSHA NEIFIELD
ADA: DAVE AYERS ATTNY: JOSEPH BYRD
STENO: KRIS VARGAS CLERK: KIM FORD

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3	10/09/2013		Neifield, Marsha H.
Order Granting Motion for Continuance CASE LISTED FOR MENTAL HEALTH COURT COMMONWEALTH CONVEYED OFFER DEFENSE REQUEST FOR CONTINUANCE TO REVIEW OFFER CONTINUE FOR POSSIBLE NON-TRIAL DISPOSITION NEXT COURT DATE: 10/30/13 ROOM: 1103 DATE IS EARLIEST POSSIBLE DATE REQUESTED DEFENDANT PRESENT ON BAIL/SIGNED SUBPOENA HONORABLE: MARSHA NEIFIELD ADA: DAVE AYERS ATTNY: VINCENT LORUSSO STENO: KRIS VARGAS CLERK: KIM FORD			
1	10/30/2013		Neifield, Marsha H.
Guilty NEG STIP TRIAL TO COUNTS TERRORISTIC THREATS, RESIST ARREST AND DEF TRESPASS. REMAINING CHARGES ARE WITHDRAWN. NO PSI OR MENTAL HEALTH EVALUATION ORDERED. DEFERRED SENTENCE DATE REQUESTED BY COMMONWEALTH. NEXT COURT DATE: 12/4/13 ROOM 1103			
1	11/04/2013		Philadelphia County Court Administration
Sentencing Scheduled 12/04/2013 9:00AM			
1	12/04/2013		Neifield, Marsha H.
Order Granting Motion for Continuance DEFENDANT FAILED TO APPEAR SENTENCING TO CONTINUE DEFENSE WAIVED RULE 704 FOR SPEEDY SENTENCING ATTORNEY TO ACCEPT SERVICE NEXT COURT DATE 1/22/14 ROOM 1103 DATE IS EARLIEST POSSIBLE DATE REQUESTED. HONORABLE: MARSHA NEIFIELD ADA: DAVE AYERS ATTNY: VINCENT LORUSSO STENO: NANCY McNEELY CLERK: KIM FORD			

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1	01/29/2014		Neifield, Marsha H.
Order Granting Motion for Continuance			
VIOLATION OF PROBATION SENTENCING TO CONTINUE DEFENDANT UNAWARE OF COURT LISTING (NO SERVICE/SIGNED SUBPOENA DUE TO ADMIN RESCHEDULING FROM SNOW STORM) ATTORNEY UNAVAILABLE (ALSO UNAWRE OF COURT LISTING DUE TO RESCHEDULING)			
SENTENCING TO CONTINUE NEXT COURT DATE: 2/26/14 ROOM: 1103 DATE IS EARLIEST POSSIBLE DATE DEFENSE ATTORNEY TO NOTIFY DEFENDANT OF NEXT LISTING			
HONORABLE: MARSHA NEIFIELD ADA: DAVE AYERS IN FOR NOEL DeSANTIS ATTNY: VINCENT LORUSSO STENO: KRIS VARGAS CLERK: KIM FORD			

1	02/26/2014		Neifield, Marsha H.
VOP Continued To Date Certain			
COMMONWEALTH NOT READY. DISTRICT ATTORNEY UNAVAILABLE SENTENCING TO CONTINUE NEXT COURT DATE: 3/19/14 ROOM: 1103 DATE IS EARLIEST POSSIBLE DATE DEFENDANT PRESENT ON BAIL/SIGNED SUBPOENA			
HONORABLE: MARSHA NEIFIELD ADA: NOEL DeSANTIS (N/A) ATTNY: VINCENT LORUSSO STENO: KRIS VARGAS CLERK: KIM FORD			

1	03/19/2014		Neifield, Marsha H.
Order - Sentence/Penalty Imposed			
SENTENCED ON TERRORISTIC THREATS TO 3 YEARS REPORTING PROBATION, RESIST ARREST 2 YEARS REPORTING PROBATION, DEF. TRESPASS 1 YEAR REPORTING PROBATION. ALL CONCURRENT WITH EACH OTHER. SUPERVISED BY MENTAL HEALTH UNIT OF PROBATION. STAY AWAY ORDER FROM SEPTA HEADQUARTERS. FINES/COSTS REMAINS.			
HONORABLE: MARSHA NEIFIELD ADA: NOEL DeSANTIS ATTNY: VINCENT LORUSSO STENO; KRIS VARGAS CLERK: KIM FORD			

2	03/19/2014		Byrd, Joseph C.
Payment Plan/Financial Information Submitted			

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1	05/04/2016		Byrd, Joseph C.
Payment Plan/Financial Information Submitted			

CASE FINANCIAL INFORMATION

Last Payment Date: 05/05/2016

Total of Last Payment: -\$600.00

Byrd, Joseph C. Defendant	<u>Assessment</u>	<u>Payments</u>	<u>Adjustments</u>	<u>Non Monetary Payments</u>	<u>Total</u>
Costs/Fees					
Bail Bond (Philadelphia)	\$10.00	-\$10.00	\$0.00	\$0.00	\$0.00
ATJ	\$3.00	-\$3.00	\$0.00	\$0.00	\$0.00
Booking Center Fee (Philadelphia)	\$175.00	-\$175.00	\$0.00	\$0.00	\$0.00
CJES	\$2.25	-\$2.25	\$0.00	\$0.00	\$0.00
CQS Fee Misdemeanor (Philadelphia)	\$50.00	-\$50.00	\$0.00	\$0.00	\$0.00
Commonwealth Cost - HB627 (Act 167 of 1992)	\$9.90	-\$9.90	\$0.00	\$0.00	\$0.00
Costs of Prosecution - CJEA	\$50.00	-\$50.00	\$0.00	\$0.00	\$0.00
County Court Cost (Act 204 of 1976)	\$32.10	-\$32.10	\$0.00	\$0.00	\$0.00
Crime Victims Compensation (Act 96 of 1984)	\$35.00	-\$35.00	\$0.00	\$0.00	\$0.00
Domestic Violence Compensation (Act 44 of 1988)	\$10.00	-\$10.00	\$0.00	\$0.00	\$0.00
Firearm Education and Training Fund	\$5.00	-\$5.00	\$0.00	\$0.00	\$0.00
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)	\$11.50	-\$11.50	\$0.00	\$0.00	\$0.00
Victim Witness Service (Act 111 of 1998)	\$25.00	-\$25.00	\$0.00	\$0.00	\$0.00
OSP (Philadelphia/State) (Act 35 of 1991)	\$450.00	-\$450.00	\$0.00	\$0.00	\$0.00
OSP (Philadelphia/State) (Act 35 of 1991)	\$450.00	-\$450.00	\$0.00	\$0.00	\$0.00
Costs/Fees Totals:	\$1,337.00	-\$1,337.00	\$0.00	\$0.00	\$0.00
Grand Totals:	\$1,337.00	-\$1,337.00	\$0.00	\$0.00	\$0.00

** - Indicates assessment is subrogated