

COURT OF COMMON PLEAS OF MONTGOMERY COUNTY

DOCKET

Docket Number: CP-46-CR-0003124-2014

CRIMINAL DOCKET

Court Case



Commonwealth of Pennsylvania

v.

Dwight Smith

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CASE INFORMATION

<u>Judge Assigned:</u> O'Neill, Steven T.	<u>Date Filed:</u> 05/02/2014	<u>Initiation Date:</u> 12/27/2013
<u>OTN:</u> T 414490-6	<u>LOTN:</u>	<u>Originating Docket No:</u> MJ-38109-CR-0000580-2013
<u>Initial Issuing Authority:</u> William I. Maruszczak	<u>Final Issuing Authority:</u> William I. Maruszczak	
<u>Arresting Agency:</u> Upper Merion Twp Police Dept	<u>Arresting Officer:</u> Rathfon, Andrew J.	
<u>Complaint/Citation No.:</u> 1327753	<u>Incident Number:</u>	
<u>County:</u> Montgomery	<u>Township:</u> Upper Merion Township	
<u>Case Local Number Type(s)</u>	<u>Case Local Number(s)</u>	
Booking Center Location Code	UME	

STATUS INFORMATION

<u>Case Status:</u> Closed	<u>Status Date</u>	<u>Processing Status</u>	<u>Arrest Date:</u> 12/27/2013
	03/16/2015	Completed	
	11/17/2014	Sentenced/Penalty Imposed	
	11/17/2014	Awaiting Sentencing	
	10/22/2014	Awaiting Trial	
	06/11/2014	Awaiting Pre-Trial Conference	
	05/02/2014	Awaiting Formal Arraignment	
	05/02/2014	Awaiting Filing of Information	
	05/02/2014	Awaiting Formal Arraignment	

Complaint Date: 12/27/2013

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	06/18/2014	9:30 am	Video Room #1	Senior Judge S. Gerald Corso	Scheduled
Pre-Trial Conference	08/18/2014	9:00 am	Courtroom 8	Judge Steven T. O'Neill	Scheduled
Pre-Trial Conference	10/22/2014	9:00 am	Courtroom 8	Judge Steven T. O'Neill	Scheduled
Call of the Trial List	11/17/2014	9:00 am	Courtroom 8	Judge Steven T. O'Neill	Scheduled

CONFINEMENT INFORMATION

<u>Confinement</u>	<u>Confinement</u>	<u>Destination</u>	<u>Confinement</u>	<u>Still in</u>
<u>Known As Of</u>	<u>Type</u>	<u>Location</u>	<u>Reason</u>	<u>Custody</u>
04/28/2026	State Correctional Institution	SCI Houtzdale		Yes

DEFENDANT INFORMATION

Date Of Birth: 06/12/1974 City/State/Zip: Dickson City, PA 18519

CASE PARTICIPANTS

<u>Participant Type</u>	<u>Name</u>
Defendant	Smith, Dwight

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BAIL INFORMATION

Smith, Dwight

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	02/04/2014	Unsecured	Magisterial District Court		\$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>
Self	Smith, Dwight	Posted	02/04/2014	Unsecured	\$10,000.00

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	5	M1	18 § 903	Conspiracy - Theft By Decep-False Impression	12/14/2013	T 414490-6

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	04/28/2014	Not Final	
2 / Conspiracy - Theft By Decep-False Impression	Waived for Court (Lower Court)	M1	18 § 903

Proceed to Court

Defendant Was Not Present

Information Filed	07/22/2014	Not Final	
2 / Conspiracy - Theft By Decep-False Impression	Held for Court	M1	18 § 903

Guilty Plea

Call of the Trial List	11/17/2014	Final Disposition	
2 / Conspiracy - Theft By Decep-False Impression	Guilty Plea	M1	18 § 903

O'Neill, Steven T.	11/17/2014		
Confinement	Min of 3.00 Months		12/18/2014
	Max of 23.00 Months		
	Other		
Restitution to remain open for 30 days.			
Probation	Min of 3.00 Years		
	Max of 3.00 Years		
	Other		

LINKED SENTENCES:

Link 1

- CP-46-CR-0003124-2014 - Seq. No. 2 (18§ 3922 §§ A1) - Probation is Consecutive to
- CP-46-CR-0003124-2014 - Seq. No. 2 (18§ 3922 §§ A1) - Confinement

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COMMONWEALTH INFORMATION

Name: Lisa Shaw Caulfield
District Attorney

Supreme Court No: 076619

Phone Number(s):
610-278-3429 (Phone)

Address:
Montgomery County Da's Office
2 E Airy St
Norristown, PA 19401

Name: Montgomery County District Attorney's
Office
Prosecutor

Supreme Court No:

Phone Number(s):
610-278-3090 (Phone)

Address:
Montgomery County Courthouse
PO Box 311
Norristown, PA 19404

Name: Christopher Evan Daniels
District Attorney

Supreme Court No: 310193

Phone Number(s):
610-613-4888 (Phone)

Address:
Montgomery Co Da's Office
Po Box 311
Norristown, PA 19404-0311

ATTORNEY INFORMATION

Name: Benjamin Eli Witmer
Private

Supreme Court No: 089100

Rep. Status: Active

Phone Number(s):
610-489-0700 (Phone)

Address:
King Laird Pc
360 W Main St
Trappe, PA 19426

Representing: Smith, Dwight

ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	02/04/2014		Smith, Dwight
Bail Posted - SMITH, DWIGHT			
2	02/04/2014		Maruszczak, William I.
Bail Set - SMITH, DWIGHT			
1	05/02/2014		Court of Common Pleas - Montgomery County
Original Papers Received from Lower Court			

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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>
2	05/02/2014		MDJ-38-1-09
Formal Arraignment Scheduled 06/18/2014 9:30AM			
Smith, Dwight			
04/28/2014	Hand Delivered		

1	06/11/2014		Witmer, Benjamin Eli
Entry of Appearance/Arraignment Waived			

1	07/11/2014		Montgomery County Court Administration
Pre-Trial Conference Scheduled 08/18/2014 9:00AM			

2	07/11/2014		Montgomery County Court Administration
Hearing Notice			

1	07/22/2014		Commonwealth of Pennsylvania
Information Filed			

1	08/18/2014		Witmer, Benjamin Eli
Waiver of Pa.R.Crim.P. 600/1013 (Prompt Trial)			

2	08/18/2014	08/18/2014	O'Neill, Steven T.
Order to Relist for Pre-Trial Conference			
Daniels, Christopher Evan			
08/18/2014	Orally in Open Cr Record		
Witmer, Benjamin Eli			
08/18/2014	Orally in Open Cr Record		

1	09/05/2014		Montgomery County Court Administration
Pre-Trial Conference Scheduled 10/22/2014 9:00AM			

1	09/19/2014		Montgomery County Court Administration
Hearing Notice			

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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>
1	10/22/2014	10/22/2014	O'Neill, Steven T.
Order to be Scheduled for Call of the Trial List			
Daniels, Christopher Evan			
10/22/2014	Orally in Open Crt Record		
Witmer, Benjamin Eli			
10/22/2014	Orally in Open Crt Record		

1	10/23/2014		Montgomery County Court Administration
Call of the Trial List Scheduled 11/17/2014 9:00AM			

1	10/27/2014		Montgomery County Court Administration
Hearing Notice			

1	11/12/2014		Montgomery County District Attorney's Office
ARD Denied by D.A.			

1	11/17/2014		O'Neill, Steven T.
Guilty Plea			

2	11/17/2014		O'Neill, Steven T.
Order - Sentence/Penalty Imposed			

1	11/18/2014	11/17/2014	O'Neill, Steven T.
Call of the Trial List Order - Resolved by Negotiated Plea			
Daniels, Christopher Evan			
11/17/2014	Orally in Open Crt Record		
Witmer, Benjamin Eli			
11/17/2014	Orally in Open Crt Record		

2	11/18/2014		Smith, Dwight
Guilty Plea Questionnaire			

1	12/17/2014		Court of Common Pleas - Montgomery County
Entry of Civil Judgment			

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Sequence Number	CP Filed Date	Document Date	Filed By
1	03/03/2015	02/25/2015	Montgomery County Adult Probation Unit
Motion for Parole			
2	03/03/2015	02/25/2015	O'Neill, Steven T.
Order Granting Motion for Parole			
1	03/16/2015		Court of Common Pleas - Montgomery County
Transferred to CP-45-35-Crim			
1	04/01/2015		Court of Common Pleas - Montgomery County
Payment Plan Introduction Letter			
1	03/06/2017		Court of Common Pleas - Montgomery County
Transferred to CP-45-35-Crim			
1	05/10/2017		Court of Common Pleas - Montgomery County
Delinquency Notice Filed - 744 Days Overdue			
1	05/31/2017		Court of Common Pleas - Montgomery County
Delinquency Notice Filed - 765 Days Overdue			
2	08/01/2018		Court of Common Pleas - Montgomery County
Delinquency Notice Filed - 1192 Days Overdue			
1	08/08/2018		Court of Common Pleas - Montgomery County
Payment Plan Introduction Letter			
Daniels, Christopher Evan			
08/08/2018	eService		Served
Montgomery County District Attorney's Office - Criminal Division			
08/08/2018	eService		Served
Witmer, Benjamin Eli			

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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>
08/08/2018	eService		Served
1	08/24/2018		Smith, Dwight
Change of Address			
1	09/19/2018		Court of Common Pleas - Montgomery County
Delinquency Notice Filed - 35 Days Overdue			
1	10/10/2018		Court of Common Pleas - Montgomery County
Delinquency Notice Filed - 56 Days Overdue			
1	11/07/2018		Court of Common Pleas - Montgomery County
Payment Plan Introduction Letter			
Daniels, Christopher Evan			
11/07/2018	eService		Served
Montgomery County District Attorney's Office - Criminal Division			
11/07/2018	eService		Served
Witmer, Benjamin Eli			
11/07/2018	eService		Served
1	11/16/2018		Smith, Dwight
Change of Address			
1	01/16/2019		Court of Common Pleas - Montgomery County
Delinquency Notice Filed - 32 Days Overdue			
1	02/06/2019		Court of Common Pleas - Montgomery County
Delinquency Notice Filed - 53 Days Overdue			
1	12/27/2019	12/10/2019	Pennsylvania State Parole
Request to Schedule Probation/Parole Hearing			
Daniels, Christopher Evan			

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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>
12/30/2019	eService		Served
Montgomery County District Attorney's Office - Criminal Division			
12/30/2019	eService		Served
Witmer, Benjamin Eli			
12/30/2019	eService		Served

1	01/10/2022		Daniels, Christopher Evan
Change of Prosecutor			
Montgomery County District Attorney's Office - Criminal Division			
01/10/2022	eService		Served
Witmer, Benjamin Eli			
01/10/2022	eService		Served

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>	
	Monthly	12/15/2018	Yes	\$824.50	
Smith, Dwight			No	\$30.00	
Payment Plan History:					
	<u>Receipt Date</u>	<u>Payment</u>	<u>Payor Name</u>	<u>Participant Role</u>	<u>Amount</u>
	08/24/2018	Payment	Smith, Dwight	Defendant	\$30.00
	11/17/2018	Payment	Smith, Dwight	Defendant	\$30.00

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CASE FINANCIAL INFORMATION

Last Payment Date: 11/17/2018

Total of Last Payment: -\$30.00

Smith, Dwight Defendant	<u>Assessment</u>	<u>Payments</u>	<u>Adjustments</u>	<u>Non Monetary Payments</u>	<u>Balance</u>
Costs/Fees					
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)	\$10.05	\$0.00	\$0.00	\$0.00	\$10.05
Costs of Prosecution - CJEA	\$50.00	\$0.00	\$0.00	\$0.00	\$50.00
County Court Cost (Act 204 of 1976)	\$32.70	\$0.00	\$0.00	\$0.00	\$32.70
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)	\$11.75	\$0.00	\$0.00	\$0.00	\$11.75
Variable Amount to be Distributed CVC/VWS (Act 96)	\$28.00	(\$13.00)	\$0.00	\$0.00	\$15.00
Variable Amount to be Distributed CVC/VWS (Act 96)	\$12.00	(\$12.00)	\$0.00	\$0.00	\$0.00
Victim Witness Service (Act 111 of 1998)	\$25.00	\$0.00	\$0.00	\$0.00	\$25.00
ARB Collect (Montgomery)	\$221.13	\$0.00	(\$221.13)	\$0.00	\$0.00
Costs/Fees Totals:	\$1,105.63	(\$60.00)	(\$221.13)	\$0.00	\$824.50
Grand Totals:	\$1,105.63	(\$60.00)	(\$221.13)	\$0.00	\$824.50

** - Indicates assessment is subrogated