

# COURT OF COMMON PLEAS OF CLARION COUNTY

## DOCKET



Docket Number: CP-16-CR-000068-2007

## CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

David Wayne Smith

Page 1 of 8

### CASE INFORMATION

<u>Judge Assigned:</u>	<u>Date Filed:</u> 02/07/2007	<u>Initiation Date:</u> 11/29/2006
<u>OTN:</u> K 578931-3	<u>LOTN:</u>	<u>Originating Docket No:</u> MJ-18303-CR-0000127-2006
<u>Initial Issuing Authority:</u> Amy L. Long Turk	<u>Final Issuing Authority:</u> Amy L. Long Turk	
<u>Arresting Agency:</u> Knox Boro, Police Dept	<u>Arresting Officer:</u> Allio, Mark Andrew	
<u>Complaint/Citation No.:</u> 060916	<u>Incident Number:</u>	
<u>County:</u> Clarion	<u>Township:</u> Knox Boro	
<u>Case Local Number Type(s)</u>	<u>Case Local Number(s)</u>	

### STATUS INFORMATION

<u>Case Status:</u> Closed	<u>Status Date</u>	<u>Processing Status</u>	<u>Complaint Date:</u> 11/29/2006
	07/16/2007	Sentenced/Penalty Imposed	
	05/24/2007	Awaiting Sentencing	
	05/24/2007	Awaiting PSI	
	04/13/2007	Awaiting Plea Court	
	04/12/2007	Awaiting Pre-Trial Conference	
	03/15/2007	Awaiting Criminal Conference II	
	02/21/2007	Awaiting Formal Arraignment	
	02/07/2007	Awaiting Filing of Information	

### 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>
Criminal Conference I	03/14/2007	8:30 am	Judge's Chambers Third Floor		Scheduled
Criminal Conference II	04/11/2007	8:30 am	Judge's Chambers Third Floor		Scheduled
Plea Court	05/23/2007	9:00 am	Courtroom 1	Senior Judge James G. Arner	Scheduled
Sentencing	06/27/2007	9:00 am	Courtroom 1	Senior Judge James G. Arner	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>
02/11/2025	County Correctional Facility	Clarion County Prison		Yes

### DEFENDANT INFORMATION

<u>Date Of Birth:</u>	01/14/1960	<u>City/State/Zip:</u>	Shippensburg, PA 16254
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David Wayne Smith

Page 2 of 8

### CASE PARTICIPANTS

<u>Participant Type</u>	<u>Name</u>
Defendant	Smith, David Wayne

### BAIL INFORMATION

Smith, David Wayne

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	02/06/2007	Unsecured	Common Pleas		\$1,000.00

  

<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, David Wayne	Posted	02/06/2007	Unsecured	\$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>
8	8	M1	75 § 3802 §§ C****	DUI: Highest Rte of Alc (BAC .16+) 4th Off & Sub	10/26/2006	K 578931-3

### 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)

Lower Court Disposition	02/06/2007	Not Final
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#### Guilty Plea

Plea Court	05/23/2007	Final Disposition
8 / DUI: Highest Rte of Alc (BAC .16+) 4th Off & Sub	Guilty Plea	M1    75 § 3802 §§ C****
Amer, James G.	06/27/2007	
Confinement	Min of 12.00 Months	
	Max of 60.00 Months	
	Other	

Def. shall pay restitution and costs of prosecution.

The def. shall not consume any alcoholic beverages or illegal drugs.

Shall perform community service

shall complete 4 to 9 month outpatient drug & alcohol treatment program

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Docket Number: CP-16-CR-000068-2007

## CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

David Wayne Smith

Page 3 of 8

### COMMONWEALTH INFORMATION

Name: Clarion County District Attorney's  
Office  
District Attorney

Supreme Court No:

Address:

Name: Mark Aaron, Esq.  
District Attorney

Supreme Court No: 072738

Phone Number(s):

814-226-4423 (Phone)  
814-226-8455 (Office)  
814-849-2828 (Office)

Address:

502 Liberty Street  
Clarion, PA 16214-1113

### ATTORNEY INFORMATION

Name: Ralph L.s. Montana, Esq.  
Private

Supreme Court No: 018084

Rep. Status: Active

Phone Number(s):

814-226-5282 (Phone)

Address:

624 S 5th Ave  
PO Box 749  
Clarion, PA 16214

Representing: Smith, David Wayne

### ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	02/06/2007		Long Turk, Amy L.
Bail Set - Smith, David Wayne			
2	02/06/2007		Smith, David Wayne
Bail Posted - Smith, David Wayne			
3	02/06/2007	02/06/2007	Montana, Ralph L.s.
Entry of Appearance by Attny Montana			
1	02/07/2007		Court of Common Pleas - Clarion County
Original Papers Received from Lower Court			
1	02/21/2007		Aaron, Mark
Information Filed			
1	03/15/2007	03/14/2007	Aaron, Mark Montana, Ralph L.s.
Criminal Conference I Held			
1	04/12/2007	04/11/2007	Aaron, Mark Montana, Ralph L.s.
Criminal Conference II Held			

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## DOCKET



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## CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

David Wayne Smith

Page 4 of 8

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<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	05/10/2007	05/10/2007	Court of Common Pleas - Clarion County
Notice of Plea Court Scheduled for 5-23-07 @ 9AM in CRT RM 1			
1	05/16/2007		Court of Common Pleas - Clarion County
Certified/ 5-23-07 AP&S / Signed & SERVED 5-14-07			
2	05/24/2007		Montana, Ralph L.s.
Explanation of Rights when Entering a Guilty Plea			
1	05/25/2007	05/23/2007	Arner, James G.
Written and Oral Guilty Plea Colloquy			
Aaron, Mark			
05/25/2007 Prothy's Box			
Clarion County Adult Probation Unit			
05/25/2007 Prothy's Box			
Montana, Ralph L.s.			
05/25/2007 Prothy's Box			
1	06/18/2007	06/15/2007	Court of Common Pleas - Clarion County
Notice of Sentence Court scheduled for 6-27-07 @ 9AM in CRT RM 1			
1	06/22/2007		Court of Common Pleas - Clarion County
Certified/ 6-27-07 AP&S/ Returned to SENDER			
1	06/27/2007		Arner, James G.
Guilty Plea			
2	06/27/2007		Arner, James G.
Disposition Filed			
3	06/27/2007	06/27/2007	Clarion County Adult Probation Unit
Work Release Request			
1	06/28/2007	06/27/2007	Arner, James G.
Commitment Order 6-27-07			

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## DOCKET

Docket Number: CP-16-CR-0000068-2007

## CRIMINAL DOCKET

Court Case



Commonwealth of Pennsylvania

v.

David Wayne Smith

Page 5 of 8

### ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
2	06/28/2007		Montana, Ralph L.s.
Post Sentence Rights			
1	06/29/2007	06/28/2007	Arner, James G.
Order Granting Request for Work Release			
Aaron, Mark			
06/29/2007	Prothy's Box		
Clarion County Adult Probation Unit			
06/29/2007	Fax		
Clarion County Prison			
06/29/2007	Prothy's Box		
Montana, Ralph L.s.			
06/29/2007	Prothy's Box		
1	07/16/2007	06/27/2007	Arner, James G.
Order - Sentence/Penalty Imposed			
Aaron, Mark			
07/16/2007	Prothy's Box		
Clarion County Adult Probation Unit			
07/16/2007	Prothy's Box		
Clarion County Prison			
07/16/2007	Prothy's Box		
Montana, Ralph L.s.			
07/16/2007	Prothy's Box		
1	07/23/2007	07/23/2007	Clarion County Adult Probation Unit
Guideline Sentence Form			
1	07/24/2007		McCall, Mary Jane
DL-21 to be Prepared			
1	07/25/2007		Court of Common Pleas - Clarion County
Penalty Assessed			
1	12/29/2007	12/29/2007	Arner, James G.
Order Granting Motion for Emergency Furlough on 12-29-07 thru 12-31-07 12PM For Funeral			
Clarion County Prison			
12/29/2007	Fax		
Aaron, Mark			

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## DOCKET



Docket Number: CP-16-CR-0000068-2007

## CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

David Wayne Smith

Page 6 of 8

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<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
<u>Service To</u>	<u>Service By</u>		
<u>Issue Date</u>	<u>Service Type</u>	<u>Status Date</u>	<u>Service Status</u>
01/02/2008	Prothy's Box		
Montana, Ralph L.s.			
01/02/2008	Prothy's Box		
-----			
1	12/31/2007	12/31/2007	Arner, James G.
Order Granting Furlough Extension until 1-2-08 @ 3PM			
Clarion County Prison			
12/31/2007	Fax		
Clarion County Sheriff			
12/31/2007	Prothy's Box		
Montana, Ralph L.s.			
12/31/2007	Prothy's Box		
Restricted Participant			
12/31/2007	Prothy's Box		
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1	07/24/2008	07/24/2008	Arner, James G.
DL-21CF to be Prepared			
-----			
1	07/31/2008	07/09/2008	Clarion County Adult Probation Unit
Notice of Fines & Costs Delinquency Hearing			
-----			
1	12/01/2008		Smith, David Wayne
Penalty Satisfied			
-----			
1	12/03/2008	12/02/2008	Himes, Jeffrey A.
Amended DL-21CF to be Prepared			
-----			
1	12/28/2009		Montana, Ralph L.s.
Petition for Early Termination of Parole Status			
-----			
1	01/05/2010	01/04/2010	Himes, Jeffrey A.
Order Granting Petition for Early Termination of Parole			
Clarion County Adult Probation Unit			
01/05/2010	Prothy's Box		
Montana, Ralph L.s.			
01/05/2010	Prothy's Box		
Restricted Participant			

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## DOCKET

Docket Number: CP-16-CR-0000068-2007

## CRIMINAL DOCKET

Court Case



Commonwealth of Pennsylvania

v.

David Wayne Smith

Page 7 of 8

## ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
<u>Service To</u>	<u>Service By</u>		
<u>Issue Date</u>	<u>Service Type</u>	<u>Status Date</u>	<u>Service Status</u>
01/05/2010	Prothy's Box		
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## CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

David Wayne Smith

Page 8 of 8

### CASE FINANCIAL INFORMATION

Last Payment Date: 12/01/2008

Total of Last Payment: -\$2,900.00

Smith, David Wayne Defendant	<u>Assessment</u>	<u>Payments</u>	<u>Adjustments</u>	<u>Non Monetary Payments</u>	<u>Balance</u>
<b>Costs/Fees</b>					
Clarion Hospital (Clarion)	\$76.00	(\$76.00)	\$0.00	\$0.00	\$0.00
OSP (Clarion/State) (Act 35 of 1991)	\$840.00	(\$840.00)	\$0.00	\$0.00	\$0.00
OSP (Clarion/State) (Act 35 of 1991)	\$840.00	(\$840.00)	\$0.00	\$0.00	\$0.00
State Court Costs (Act 204 of 1976)	\$10.00	(\$10.00)	\$0.00	\$0.00	\$0.00
Commonwealth Cost - HB627 (Act 167 of 1992)	\$8.60	(\$8.60)	\$0.00	\$0.00	\$0.00
County Court Cost (Act 204 of 1976)	\$27.90	(\$27.90)	\$0.00	\$0.00	\$0.00
Crime Victims Compensation (Act 96 of 1984)	\$35.00	(\$35.00)	\$0.00	\$0.00	\$0.00
Victim Witness Service (Act 111 of 1998)	\$25.00	(\$25.00)	\$0.00	\$0.00	\$0.00
Firearm Education and Training Fund	\$5.00	(\$5.00)	\$0.00	\$0.00	\$0.00
Emergency Medical Services (Act 45 of 1985)	\$10.00	(\$10.00)	\$0.00	\$0.00	\$0.00
Judicial Computer Project	\$8.00	(\$8.00)	\$0.00	\$0.00	\$0.00
ATJ	\$2.00	(\$2.00)	\$0.00	\$0.00	\$0.00
CAT/MCARE/General Fund	\$300.00	(\$300.00)	\$0.00	\$0.00	\$0.00
Substance Abuse Education (Act 198 of 2002)	\$150.00	(\$150.00)	\$0.00	\$0.00	\$0.00
Substance Abuse Education (Act 198 of 2002)	\$150.00	(\$150.00)	\$0.00	\$0.00	\$0.00
Automation Fee (Clarion)	\$5.00	(\$5.00)	\$0.00	\$0.00	\$0.00
Clerk Fee (Clarion)	\$128.00	(\$128.00)	\$0.00	\$0.00	\$0.00
Postage (Clarion)	\$6.00	(\$6.00)	\$0.00	\$0.00	\$0.00
Costs/Fees Totals:	\$2,626.50	(\$2,626.50)	\$0.00	\$0.00	\$0.00
<b>Fines</b>					
Title 75, DUI (Motor License Fund)	\$1,250.00	(\$1,250.00)	\$0.00	\$0.00	\$0.00
Title 75, DUI (Motor License Fund)	\$1,250.00	(\$1,250.00)	\$0.00	\$0.00	\$0.00
Fines Totals:	\$2,500.00	(\$2,500.00)	\$0.00	\$0.00	\$0.00
Grand Totals:	\$5,126.50	(\$5,126.50)	\$0.00	\$0.00	\$0.00

\*\* - Indicates assessment is subrogated