

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

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CASE INFORMATION

Judge Assigned:
OTN: K 578931-3 LOTN:
Initial Issuing Authority: Amy L. Long Turk
Arresting Agency: Knox Boro, Police Dept
Complaint/Citation No.: 060916
County: Clarion
Case Local Number Type(s)

Date Filed: 02/07/2007 Initiation Date: 11/29/2006
Originating Docket No.: MJ-18303-CR-0000127-2006
Final Issuing Authority: Amy L. Long Turk
Arresting Officer: Allio, Mark Andrew
Incident Number:
Township: Knox Boro
Case Local Number(s)

STATUS INFORMATION

<u>Case Status:</u>	<u>Closed</u>	<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

Date Of Birth: 01/14/1960 City/State/Zip: Shippenville, PA 16254

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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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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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<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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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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<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		

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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<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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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>
Costs/Fees					
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
Fines					
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