

# COURT OF COMMON PLEAS OF CLARION COUNTY

## DOCKET



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

## CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

David Wayne Smith

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### CASE INFORMATION

Judge Assigned:

Date Filed: 02/07/2007

Initiation Date: 11/29/2006

OTN: K 578931-3

LOTN:

Originating Docket No: MJ-18303-CR-0000127-2006

Initial Issuing Authority: Amy L. Long Turk

Final Issuing Authority: Amy L. Long Turk

Arresting Agency: Knox Boro, Police Dept

Arresting Officer: Allio, Mark Andrew

Complaint/Citation No.: 060916

Incident Number:

County: Clarion

Township: Knox Boro

Case Local Number Type(s)

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>	<u>11/29/2006</u>
		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 Date</u>	<u>Start Time</u>	<u>Room</u>	<u>Judge Name</u>	<u>Schedule Status</u>
<u>Event Type</u>	<u>Start Date</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 Known As Of</u>	<u>Confinement Type</u>	<u>Destination Location</u>	<u>Confinement Reason</u>	<u>Still in Custody</u>
02/11/2025	County Correctional Facility	Clarion County Prison		Yes

### DEFENDANT INFORMATION

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

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### CASE PARTICIPANTS

Participant Type Name

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

##### Case Event

Sequence/Description

Sentencing Judge

Sentence/Diversion Program Type

Sentence Conditions

##### Disposition Date

Offense Disposition

##### Final Disposition

Grade Section

Sentence Date Credit For Time Served

Incarceration/Diversionary Period

Start Date

#### Lower Court Proceeding (generic)

Lower Court Disposition 02/06/2007 Not Final

#### 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\*\*\*\*

Arner, 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

Sequence Number	CP Filed Date	Document Date	Filed By
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>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		
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>
<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