

COURT OF COMMON PLEAS OF LANCASTER COUNTY

DOCKET



Docket Number: CP-36-CR-0000146-2017

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

Freddy Burgos Emery

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CASE INFORMATION

Judge Assigned: Cullen, James P. Date Filed: 01/11/2017 Initiation Date: 12/02/2016
OTN: T 867860-0 LOTN: Originating Docket No: MJ-02302-CR-0000587-2016
Initial Issuing Authority: B Denise Commins Final Issuing Authority: B Denise Commins
Arresting Agency: East Lampeter Twp Police Dept Arresting Officer: Edgell, Joseph W.
Complaint/Citation No.: 1607007221 Incident Number:
County: Lancaster Township: E Lampeter Township
Case Local Number Type(s): Case Local Number(s):

STATUS INFORMATION

<u>Case Status:</u>	<u>Status Date</u>	<u>Processing Status</u>	<u>Complaint Date:</u>
Closed	07/07/2017	Sentenced/Penalty Imposed	12/02/2016
	07/07/2017	Awaiting Sentencing	
	07/07/2017	Awaiting Plea Court	
	05/19/2017	Awaiting Trial	
	01/23/2017	Awaiting Pre-Trial Conference	
	01/11/2017	Awaiting Formal Arraignment	
	01/11/2017	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>
Formal Arraignment	01/27/2017	9:00 am	Courtroom A		Cancelled
Status Conference	03/16/2017	9:00 am	Courtroom 1	Senior Judge James P. Cullen	Continued
Status Conference	04/12/2017	9:00 am	Courtroom 1	Senior Judge James P. Cullen	Moved
Status Conference	05/11/2017	9:00 am	Courtroom 1	Senior Judge James P. Cullen	Cancelled
Call of the Criminal Trial List	07/07/2017	9:00 am	Courtroom 1	Senior Judge James P. Cullen	Cancelled
Criminal Trial	07/10/2017	9:00 am	Courtroom 1	Senior Judge James P. Cullen	Cancelled

DEFENDANT INFORMATION

Date Of Birth: 04/08/1998 City/State/Zip: LANCASTER, PA 17601

CASE PARTICIPANTS

<u>Participant Type</u>	<u>Name</u>
Defendant	Emery, Freddy Burgos

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BAIL INFORMATION

Emery, Freddy Burgos

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	12/02/2016	Monetary	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>
Professional Surety	Groff, Adam Vaughn	Posted	12/02/2016	Surety Bonds	\$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>
1	1	F3	18 § 6312 §§ D	Child Pornography	05/01/2016	T 867860-0
2	2	M1	18 § 6301 §§ A1i	Corruption Of Minors	05/01/2016	T 867860-0
3	3	F3	18 § 5903 §§ C1	Diss Explicit Sex Mat'l Minor	05/01/2016	T 867860-0

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	01/04/2017	Not Final
1 / Child Pornography	Waived for Court (Lower Court)	F3 18 § 6312 §§ D
2 / Corruption Of Minors	Waived for Court (Lower Court)	M1 18 § 6301 §§ A1i
3 / Diss Explicit Sex Mat'l Minor	Waived for Court (Lower Court)	F3 18 § 5903 §§ C1

Proceed to Court (Arraignment Waived)

Defendant Was Not Present

Information Filed	01/25/2017	Not Final
1 / Child Pornography	Held for Court	F3 18 § 6312 §§ D
2 / Corruption Of Minors	Held for Court	M1 18 § 6301 §§ A1i
3 / Diss Explicit Sex Mat'l Minor	Held for Court	F3 18 § 5903 §§ C1

Proceed to Court (Amended Information)

Information Filed	02/10/2017	Not Final
1 / Child Pornography	Proceed to Court (Amended Information)	F3 18 § 6312 §§ D
2 / Corruption Of Minors	Proceed to Court (Amended Information)	M1 18 § 6301 §§ A1i
3 / Diss Explicit Sex Mat'l Minor	Proceed to Court (Amended Information)	F3 18 § 5903 §§ C1

Guilty Plea - Negotiated

Guilty Plea	07/07/2017	Final Disposition
1 / Child Pornography	Guilty Plea - Negotiated	F3 18 § 6312 §§ D

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DISPOSITION SENTENCING/PENALTIES

Disposition

Case Event

Disposition Date

Final Disposition

Sequence/Description

Offense Disposition

Grade Section

Sentencing Judge

Sentence Date

Credit For Time Served

Sentence/Diversion Program Type

Incarceration/Diversionary Period

Start Date

Sentence Conditions

Cullen, James P.
Confinement

07/07/2017
Min of 1.00 Years
Max of 2.00 Years
1 year to 2 years

07/07/2017

Defendant to pay court costs.

To pay a fine of \$100.

Pay restitution in equal monthly installments. To be paid in full within the period of supervision.

DNA Sampling & pay costs.

Megan's Law Applies.

Defendant to comply with Sex Offender Conditions 1-30

Eligible for Educational/Vocational Program

Defendant is eligible for any and all programs at SCI

2 / Corruption Of Minors

Guilty Plea - Negotiated

M1

18 § 6301 §§ A1i

Cullen, James P.
Probation

07/07/2017
Min of 2.00 Years
Max of 2.00 Years
2 years

07/07/2017

Defendant to pay court costs.

3 / Diss Explicit Sex Mat'l Minor

Guilty Plea - Negotiated

F3

18 § 5903 §§ C1

Cullen, James P.
Confinement

07/07/2017
Min of 1.00 Years
Max of 2.00 Years
1 year to 2 years

07/07/2017

Defendant to pay court costs.

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LINKED SENTENCES:

Link 1

CP-36-CR-0000146-2017 - Seq. No. 2 (18§ 6301 §§ A1i) - Probation is Consecutive to
CP-36-CR-0000146-2017 - Seq. No. 1 (18§ 6312 §§ D) - Confinement

Link 2

CP-36-CR-0000146-2017 - Seq. No. 1 (18§ 6312 §§ D) - Confinement is Concurrent with
CP-36-CR-0000146-2017 - Seq. No. 2 (18§ 6301 §§ A1i) - Probation is Concurrent with
CP-36-CR-0000146-2017 - Seq. No. 3 (18§ 5903 §§ C1) - Confinement is Concurrent with
CP-36-CR-0000394-2017 - Seq. No. 1 (18§ 3122.1 §§ A1) - Confinement is Concurrent with
CP-36-CR-0000394-2017 - Seq. No. 2 (18§ 3125 §§ A8) - Confinement is Concurrent with
CP-36-CR-0000394-2017 - Seq. No. 2 (18§ 3125 §§ A8) - Probation is Concurrent with
CP-36-CR-0000394-2017 - Seq. No. 3 (18§ 6318 §§ A1) - Confinement is Concurrent with
CP-36-CR-0000394-2017 - Seq. No. 3 (18§ 6318 §§ A1) - Probation is Concurrent with
CP-36-CR-0000394-2017 - Seq. No. 4 (18§ 6318 §§ A1) - Confinement is Concurrent with
CP-36-CR-0000394-2017 - Seq. No. 4 (18§ 6318 §§ A1) - Probation is Concurrent with
CP-36-CR-0000394-2017 - Seq. No. 5 (18§ 6301 §§ A1ii) - Confinement

COMMONWEALTH INFORMATION

Name: Janie Ann Swinehart
Assistant District Attorney
Supreme Court No: 205142
Phone Number(s):
717-299-8100 (Phone)
Address:
Lancaster Co Da's Office
50 N Duke St
Lancaster, PA 17608

ATTORNEY INFORMATION

Name: Daniel Evan Kaye
Public Defender
Supreme Court No: 081521
Rep. Status: Active
Phone Number(s):
717-299-8131 (Phone)
Address:
Lancaster Co Public Defender
150 N Queen St Ste 210
Lancaster, PA 17603-3562
Representing: Emery, Freddy Burgos

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>
1	12/02/2016		Groff, Adam Vaughn
Bail Posted - Emery, Freddy Burgos Swinehart, Janie Ann			
01/11/2017	eService		Served

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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	12/02/2016		Commins, B Denise
Bail Set - Emery, Freddy Burgos			
Swinehart, Janie Ann			
01/11/2017	eService		Served
1	01/11/2017		Court of Common Pleas - Lancaster County
Original Papers Received from Lower Court			
Swinehart, Janie Ann			
01/11/2017	eService		Served
1	01/23/2017		Kaye, Daniel Evan
Waiver of Arraignment			
Kaye, Daniel Evan			
01/23/2017	eService		Served
Swinehart, Janie Ann			
01/23/2017	eService		Served
1	01/25/2017		Commonwealth of Pennsylvania
Information Filed (Arraignment Waived)			
Kaye, Daniel Evan			
01/25/2017	eService		Served
Swinehart, Janie Ann			
01/25/2017	eService		Served
2	01/25/2017		Court of Common Pleas - Lancaster County
Criminal Information Electronically Filed			
Kaye, Daniel Evan			
01/25/2017	eService		Served
Swinehart, Janie Ann			
01/25/2017	eService		Served
1	02/10/2017		Swinehart, Janie Ann
Amended Information Filed (A)			Commonwealth of Pennsylvania
Kaye, Daniel Evan			
02/15/2017	eService		Served

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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>
Swinehart, Janie Ann 02/15/2017	eService		Served
1 Conference Order Kaye, Daniel Evan 03/22/2017	eService		Served
Swinehart, Janie Ann 03/22/2017	eService		Served
1 Conference Order Kaye, Daniel Evan 04/19/2017	eService		Served
Swinehart, Janie Ann 04/19/2017	eService		Served
1 Conference Order Kaye, Daniel Evan 05/24/2017	eService		Served
Swinehart, Janie Ann 05/24/2017	eService		Served
1 Conference Order Kaye, Daniel Evan 05/23/2017	eService		Served
Swinehart, Janie Ann 05/23/2017	eService		Served
1 Notification of Registration Requirements Kaye, Daniel Evan 07/27/2017	eService		Served
Swinehart, Janie Ann 07/27/2017	eService		Served

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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>
3	07/07/2017		Cullen, James P.
Guilty Plea - Negotiated			
Kaye, Daniel Evan			
07/27/2017	eService		Served
Swinehart, Janie Ann			
07/27/2017	eService		Served

4	07/07/2017		Cullen, James P.
Order - Sentence/Penalty Imposed			
Kaye, Daniel Evan			
07/27/2017	eService		Served
Swinehart, Janie Ann			
07/27/2017	eService		Served

5	07/07/2017		Cullen, James P.
Assessment/Sexual Offender Board/Megan's Law			
Kaye, Daniel Evan			
07/07/2017	eService		Served
Swinehart, Janie Ann			
07/07/2017	eService		Served

2	08/02/2017		Pfursich, Jacquelyn E.
Entry of Civil Judgment			

3	08/02/2017		Pfursich, Jacquelyn E.
DC300B Prepared			

1	10/13/2017		Madenspacher, Joseph C.
Request for Special Probation/Parole Supervision			
Kaye, Daniel Evan			
10/16/2017	eService		Served
Swinehart, Janie Ann			
10/16/2017	eService		Served

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CASE FINANCIAL INFORMATION

Last Payment Date: 07/29/2020

Total of Last Payment: -\$6.12

Emery, Freddy Burgos Defendant	<u>Assessment</u>	<u>Payments</u>	<u>Adjustments</u>	<u>Non Monetary Payments</u>	<u>Balance</u>
Costs/Fees					
ATJ	\$4.00	(\$4.00)	\$0.00	\$0.00	\$0.00
CJES	\$2.25	(\$2.25)	\$0.00	\$0.00	\$0.00
Clerk Cost (Non-Jury/Guilty Plea)-6411AB1211 (Lan)	\$132.00	(\$132.00)	\$0.00	\$0.00	\$0.00
Clerk of Court Auto Fee-Costs 6593AAB1211 (Lan)	\$5.00	(\$5.00)	\$0.00	\$0.00	\$0.00
Commonwealth Cost - HB627 (Act 167 of 1992)	\$20.65	(\$6.71)	\$0.00	\$0.00	\$13.94
Costs of Prosecution - CJEA	\$50.00	(\$16.24)	\$0.00	\$0.00	\$33.76
County Court Cost (Act 204 of 1976)	\$30.10	(\$9.78)	\$0.00	\$0.00	\$20.32
Crime Victims Compensation (Act 96 of 1984)	\$35.00	(\$35.00)	\$0.00	\$0.00	\$0.00
DA Administration Fee - 6421AB130019021 (Lan)	\$25.00	(\$25.00)	\$0.00	\$0.00	\$0.00
DA Cost - Felony- 6411AB1211 (Lancaster)	\$18.00	(\$18.00)	\$0.00	\$0.00	\$0.00
Domestic Violence Compensation (Act 44 of 1988)	\$10.00	(\$3.27)	\$0.00	\$0.00	\$6.73
Firearm Education and Training Fund	\$5.00	(\$1.64)	\$0.00	\$0.00	\$3.36
JCPS	\$21.25	(\$21.25)	\$0.00	\$0.00	\$0.00
Judicial Computer Project	\$8.00	(\$8.00)	\$0.00	\$0.00	\$0.00
Sheriff Cost - Felony - 6411AB1211 (Lancaster)	\$4.00	(\$4.00)	\$0.00	\$0.00	\$0.00
State Court Costs (Act 204 of 1976)	\$13.75	(\$4.48)	\$0.00	\$0.00	\$9.27
Victim Witness Service (Act 111 of 1998)	\$25.00	(\$25.00)	\$0.00	\$0.00	\$0.00
Prosecution Cost - 6411AB1211 (Lancaster)	\$6.40	(\$6.40)	\$0.00	\$0.00	\$0.00
Constable Education Training Act	\$5.00	(\$1.50)	\$0.00	\$0.00	\$3.50
Constable/Postage - 6411AB1211 (Lancaster)	\$191.50	(\$191.50)	\$0.00	\$0.00	\$0.00
Constable/Postage - 6411AB1211 (Lancaster)	\$30.10	(\$30.10)	\$0.00	\$0.00	\$0.00
Booking Center Fee - A6475A1114 (Lancaster)	\$300.00	(\$300.00)	\$0.00	\$0.00	\$0.00
Judgment Satisfaction/Filing Fee 6436AB1511 (Lanc)	\$34.50	(\$34.50)	\$0.00	\$0.00	\$0.00

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Emery, Freddy Burgos Defendant	<u>Assessment</u>	<u>Payments</u>	<u>Adjustments</u>	<u>Non Monetary Payments</u>	<u>Balance</u>
Prothonotary Automation Fee 6545AAB1511(Lancaster)	\$5.00	(\$5.00)	\$0.00	\$0.00	\$0.00
Prothonotary State Tax 6534WB1511 (Lancaster)	\$0.50	(\$0.50)	\$0.00	\$0.00	\$0.00
Costs/Fees Totals:	\$982.00	(\$891.12)	\$0.00	\$0.00	\$90.88
Fines					
Crimes Code, etc.	\$100.00	(\$32.45)	\$0.00	\$0.00	\$67.55
Fines Totals:	\$100.00	(\$32.45)	\$0.00	\$0.00	\$67.55
Grand Totals:	\$1,082.00	(\$923.57)	\$0.00	\$0.00	\$158.43

** - Indicates assessment is subrogated