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Docket Number: CP-37-CR-0000209-2010

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Wayne Edward McNutt

CASE INFORMATION

<u>Judge Assigned:</u> <u>Date Filed:</u> 03/03/2010 <u>Initiation Date:</u> 02/22/2010

<u>OTN:</u> K 839558-6 <u>LOTN:</u> <u>Originating Docket No:</u> MJ-53304-CR-0000013-2010

<u>Initial Issuing Authority:</u> Migrated Judge <u>Final Issuing Authority:</u> Migrated Judge <u>Arresting Agency:</u> NEW CASTLE PSP <u>Arresting Officer:</u> Martin, Jeffrey R.

Complaint/Citation No.:Incident Number:1385756County:LawrenceTownship:Volant BoroCase Local Number Type(s)Case Local Number(s)

			STATUS INFORMATION		
Case Status:	Inactive	Status Date	Processing Status	Arrest Date:	02/22/2010
		04/05/2012	Sentenced/Penalty Imposed		
		01/13/2012	Awaiting Sentencing		
		01/13/2012	Awaiting PSI		
		01/12/2012	Awaiting Plea Court		
		12/01/2011	Awaiting Trial		
		10/28/2011	Awaiting Trial		
		02/04/2011	Awaiting Trial		
		01/27/2011	Awaiting Plea Court		
		04/30/2010	Awaiting Trial		
		03/04/2010	Awaiting Formal Arraignment		
		03/03/2010	Awaiting Filing of Information		

Complaint Date: 02/17/2010

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			CALENDAR E	VENTS	
Case Calendar Event Type	Schedule Start Date	<u>Start</u> <u>Time</u>	Room	<u>Judge Name</u>	<u>Schedule</u> <u>Status</u>
Formal Arraignmen	ot 05/04/2010	9:30 am	Courtroom 1	Senior Judge Dominick Motto	Scheduled
Judicial Call of the Trial	07/12/2010	1:30 pm	Courtroom 1	Senior Judge Dominick Motto	Continued
Writ of Habeas Corpus	08/24/2010	11:00 am	Courtroom 1	Senior Judge Dominick Motto	Continued
Judicial Call of the Trial	09/07/2010	1:30 pm	Courtroom 1	Senior Judge Dominick Motto	Moved
Writ of Habeas Corpus	09/10/2010	3:15 pm	Courtroom 1	Senior Judge Dominick Motto	Scheduled
Judicial Call of the Trial	11/01/2010	1:30 pm	Courtroom 1	Senior Judge Dominick Motto	Continued
Judicial Call of the Trial	12/06/2010	1:30 pm	Courtroom 1	Senior Judge Dominick Motto	Moved
Judicial Call of the Trial	01/10/2011	1:30 pm	Courtroom 1	Senior Judge Dominick Motto	Scheduled
Plea Court	01/28/2011	10:00 am	Courtroom 2	President Judge J. Craig Cox	Scheduled
Judicial Call of the Trial	03/07/2011	1:30 pm	Courtroom 1	Senior Judge Dominick Motto	Continued
Judicial Call of the Trial	06/06/2011	1:30 pm	Courtroom 1	Senior Judge Dominick Motto	Scheduled
Judicial Call of the Trial	11/07/2011	1:30 pm	Courtroom 1	Senior Judge Dominick Motto	Cancelled
Trial Status Conference - Criminal	11/17/2011	2:30 pm	Courtroom 1	Senior Judge Dominick Motto	Scheduled
Rescind Bench Warrant	12/01/2011	9:00 am	Courtroom 3	Judge Thomas M. Piccione	Scheduled
Judicial Call of the Trial	01/03/2012	1:30 pm	Courtroom 1	Senior Judge Dominick Motto	Scheduled
Sentencing	04/04/2012	9:30 am	Courtroom 1	Senior Judge Dominick Motto	Scheduled
		(CONFINEMENT INFO	ORMATION	
Confinement	Confinement		<u>Destination</u>	Confinement	Still in
Known As Of	<u>Type</u>		Location	Reason	<u>Custody</u>
11/29/2011	County Correctional I	acility	Lawrence County	Prison	Yes
			DEFENDANT INFOR	RMATION	
Date Of Birth:	10/30/1964	<u>Cit</u>	y/State/Zip: Transfer,	PA 16157	

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CASE PARTICIPANTS

Participant Type Name

Defendant Mcnutt, Wayne Edward

BAIL	IN		MO	ATI	
DAIL	ш	ıru	וצואי	AII	OI4

Mcnutt, Wayne Edward Nebbia Status: None

Date **Bail Type Originating Court** Percentage **Bail Action** Amount Set 02/22/2010 Monetary Common Pleas \$10,000.00 Reinstate 02/02/2011 Monetary Common Pleas \$10,000,00 Reinstate 06/30/2011 Monetary Common Pleas \$10,000.00 Set (bail modification) 12/01/2011 Monetary Common Pleas \$25,000.00 Surety Name Posting Status Posting Date Security Type Surety Type Security Amt **Professional Surety** Denome, Louis A. Partial Posting 03/03/2010 Surety Bonds \$10,000.00

CHARGES

Seq. Orig Seq. Grade Statute Statute Description Offense Dt. OTN

1 1 F1 18 § 3125 §§ B Agg. Ind. Assault of Child 01/07/2010 K 839558-6

DISPOSITION SENTENCING/PENALTIES

Disposition

Case EventDisposition DateFinal DispositionSequence/DescriptionOffense DispositionGradeSection

Sentencing Judge Sentence Date Credit For Time Served

<u>Sentence/Diversion Program Type</u> <u>Incarceration/Diversionary Period</u> <u>Start Date</u>

Sentence Conditions

Lower Court Proceeding (generic)

Lower Court Disposition 03/02/2010 Not Final

1 / Agg. Ind. Assault of Child Held for Court (Lower Court) F1 18 § 3125 §§ B

Proceed to Court

Information Filed 04/14/2010 Not Final

1 / Agg. Ind. Assault of Child Held for Court F1 18 § 3125 §§ B

Nolo Contendere

Plea Court 01/13/2012 Final Disposition

1 / Agg. Ind. Assault of Child Nolo Contendere F1 18 § 3125 §§ B

Motto, Dominick 04/04/2012 138 Days

Confinement Min of 5.00 Years

Max of 10.00 Years

Other

Nolle Prossed (Post-Disposition)

Sentencing 04/04/2012 Not Final

1 / Agg. Ind. Assault of Child Nolo Contendere F1 18 § 3125 §§ B

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COMMONWEALTH INFORMATION

Lawrence County District Attorney's

Office

District Attorney

Supreme Court No:

Phone Number(s):

724-656-1915 (Phone)

Address:

Name:

Lawrence County Government Center

430 Court Street New Castle, PA 16101

Name:

Kathleen Fee-Baird

District Attorney
No: 036905

Supreme Court No: Phone Number(s):

724-656-2139 (Phone)

Address:

Lawrence Co Da's Ofc

430 Court St

New Castle, PA 16101

ΛТ:	TORNE	2 N J A T	IONI
AI	IURITE		

Name: Lawrence County Public Defender's

Office

Public Defender

Supreme Court No:

Rep. Status: Active

Phone Number(s):

Address:

430 Court Street New Castle, PA 16101

		LITTRILO	
Sequence Number	CP Filed Date	<u>Document Date</u>	Filed By
1	02/22/2010		Migrated Judge
Bail Set - McNutt, Wayne	e Edward —– —– —– —– —–		
2	03/03/2010		MDJ-53-3-04
Original Papers Received	d from Lower Court		
1	03/05/2010		Denome, Louis A.
Bail Posted -(\$10,000.00	- Denome) McNutt, Wayne Ec	lward	
1	03/08/2010		Falls, Harry O.
Motion to Transcribe Red	cord From Preliminary Hearing		
2	03/08/2010		Piccione, Thomas M.
Order of Court (Prelimina	ary Hrg Held/March 2,2010 to b	pe Transcribed;Costs on County of Lawrer	nce)
1	03/31/2010		Court of Common Pleas - Lawrence
Notes of Tootings and (Duck	inninger Herr 2 2 2010 hafana M	ID I Jameifan Niehelaan hy Ctana I Kanan C	County
— — — — — —	minary mrg 3-2-2010 before M	DJ Jennifer Nicholson by Steno Karen S	

ENTRIES

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Sequence Number	CP Filed Data	ENTRIES Document Date	Filed By
<u>requence muniber</u>	<u>CP Filed Date</u> 04/14/2010	Document Date	<u>Filed By</u> Commonwealth of Pennsylvania
Information Filed	04/14/2010		Commonwealth of Fermsylvania
			— — — — — — — — — — — Falls, Harry O.
Waiver of Arraignmer	nt and Informal Discovery Re	quest	rans, many G.
	04/30/2010		PUBLIC DEFENDER, LAWRENCE CTY
Entry of Appearance			
3	07/16/2010		PUBLIC DEFENDER, LAWRENCE
Petition for Writ of Ha	beas Corpus		CTY
4	07/16/2010		Motto, Dominick
Order of Court (Mtn C	Granted;Habeas Corpus Hrg	Set for August 24,2010 @11:00 Ar	m in Ctrm #1)
5	07/16/2010		Motto, Dominick
Order of Court (Case	Stricken From July 2010 Tri — — — — —	al List;Rescheduled for September	- 2010 Trial Term)
2 Motion for Continuan	08/25/2010		Commonwealth of Pennsylvania
3	08/25/2010	- Usanina sahad fan Cant 10, 2010	Motto, Dominick
— — — — —	•	s Hearing sched for Sept 10, 2010	@ 3:15 pm ct rm 1
1	09/13/2010	ofte memorandum shall be filed 20	Motto, Dominick
— — — — Habe	as Corpus Hrg: Crt Orders d — — — — — — —	efts memorandum shall be filed 20 — — — — — — —	тауs OrdenOft) — — — — — — — — — — — — — —
2	09/17/2010	- ,	Cox, J. Craig
Order of Court/Trial C	Cont (November, 2010 Trial T — — — — — — —	erm) - — — — — — — — -	
1	10/01/2010		PUBLIC DEFENDER, LAWRENCE CTY
•			CTA
Petition for Extension	of Time to File Deft's Memo	randum	G.1.
Petition for Extension ————————————————————————————————————	of Time to File Deft's Memo	randum — — — — — — — — -	

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1	10/21/2010		PUBLIC DEFENDER, LAWRENCE CTY
Memorandum of Law			
1	10/28/2010		Court of Common Pleas - Lawrence County
Commonwealth's Mem	o of Law in Opposition to Deft's Pet	tition for Writ of Habeas Corpus	
1	11/01/2010		Motto, Dominick
Order of Court (Defts P	tn for Writ of Habeas Corpus-Denie	ed) — — — — — — — — —	
1	11/12/2010		PUBLIC DEFENDER, LAWRENCE CTY
Motion for Continuance	: - — — — — — — — —		
2	11/12/2010		Piccione, Thomas M.
Order Granting Motion — — — — —	for Continuance (Trial Cont to Dec.	. 2010 Trial Term) — — — — — — — — — —	
1	01/20/2011		Lawrence County Public Defender's Office
Office of Public Defend	er/Change of Address: 27 Wall Stre	eet Transfer Pa 16157	
2	01/28/2011		Cox, J. Craig
Order of Court/Bench V	Varrant/Forfeiture Notice Given in a 	amt of \$10,000.00 w/Senenca Insuranc — — — — — — — — — —	e
1	02/01/2011		Lawrence County Public Defender's Office
Change of Address For	rm/Office of Public Defender: 27 Wa	all Street Transfer Pa 16154	
1	02/02/2011		PUBLIC DEFENDER, LAWRENCE CTY
Petition to Rescind Ber	nch Warrant		
3	02/02/2011		Piccione, Thomas M.
Order of Court (Bond R	Reinstated) - — — — — — — —		
1	03/14/2011		Commonwealth of Pennsylvania
Comth's Notice to Deft	of Intention to Offer Out of Court St	tmt by victim/Tender Years Exception	
1	03/15/2011		District Attorney
Petition for Transport C	raer		

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2	03/15/2011	03/14/2011	Cox, J. Craig
Transportation Order	of Court (From Butler Co Ja	il to LCJ for Hrg/3/16/11;Rtn to Butler	Co Jail)
1	03/18/2011		Lawrence County Sheriff's Office
Sheriff Return (3/16/1	1 Dft transported from Butle	r Cnty Jail to LCJ by Dep Shff Runyo	n & Hamilton)
1	03/23/2011		PUBLIC DEFENDER, LAWRENCE
M :: 6 0 ::			CTY
Motion for Continuand	ce — — — — — — —		
2	03/23/2011	03/22/2011	Cox, J. Craig
Order Granting Motio	n for Continuance (Trial Cor	nt to 6-13-11 Term of Trials)	
1	03/28/2011		PUBLIC DEFENDER, LAWRENCE
			СТУ
Motion for Funding to	Hire Expert Witness		
2	03/28/2011	03/28/2011	Motto, Dominick
Order of Court Deft G	Granted Leave to Retain Exp	et Witness w/Respect to DNA;Costs o	on Law County)
1	04/12/2011		PUBLIC DEFENDER, LAWRENCE
			СТУ
Petition for Approval o	of Expert Rate — — — — — — —		
1	04/15/2011	04/11/2011	Motto, Dominick
Order of Crt(Rate of \$	\$180.00 per Hour For Defts	Expert is Approved for Experts Initial I	Report Only
	 06/17/2011		Piccione, Thomas M.
Order of Court/Bench	Warrant Issued/Forfeiture I	Notice Given in amt of \$10,000.00 w/S	
			Cox, J. Craig
		et Bail - Mcnutt, Wayne Edward	Oox, o. Orang
			. — — — — — — — — — — — — — — — — — — —
3	06/30/2011		PUBLIC DEFENDER, LAWRENCE CTY
Petition to Rescind Be	ench Warrant		
			Motto, Dominick
	orfeited (\$10000.00 Denome	e)	

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1	11/23/2011		Denome, Louis A.
Application for Bail Pi	ece 		
2	11/23/2011	11/22/2011	Motto, Dominick
Order of Court Grantii	ng Motion for Bail Piece (L I	Denome,Seneca Ins Co)	
1	12/01/2011	12/01/2011	Piccione, Thomas M.
Order of Court/Chang	ge of Address		
2	12/01/2011	12/01/2011	Piccione, Thomas M.
Order of Court (Bond	Increased to \$25,000.00 Ca	ash W/Surety)	
3	12/01/2011	12/01/2011	Piccione, Thomas M.
Order of Court (Case	Placed on January 2012 Tr	ial List) — — — — — — — —	
5	12/01/2011		Lawrence County Sheriff's Office
Sheriff Return (11-29-	11 Deft Commited to LCJ a	s per Process by Bail Bondsperson L	ou DeNome)
3	01/13/2012		Lawrence, Court
No Contest Plea Collo	oquy		
Disposition Filed			
5	01/13/2012	01/12/2012	Motto, Dominick
Order of Court/Assess	sment to be Conducted by S	Sex.Offndr.Brd/Megan's Law	
6	01/13/2012	01/13/2012	Motto, Dominick
Order of Court/Senter	ncing Scheduled for 4/4/12	@ 1:30pm in Crt RM #1	
			Court of Common Pleas - Lawrence
<u>-</u>			County
Megan's Law Plea Co — — — — — —	olloquy — — — — — — —		
8	01/13/2012		Fee-Baird, Kathleen
Signature Page of Info	ormation Filed — — — — — —		
1	01/24/2012		Court of Common Pleas - Lawrence
Notes of Testimony (C	Puilty Plac Colleges on 1, 10	2-12 before Judge Motto/Steno C Cus	County
Notes of resumony (C	ounty Fied Colloquy Off 1-12	-12 before Judge Motto/Steffo C Cus	olon)

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Sequence Number	<u>CP Filed Date</u> <u>Docu</u>	ent Date Filed By				
		Matta Daminiak				
Nolle Prossed (Post-Di		Motto, Dominick				
2 Disposition Filed	04/05/2012	Motto, Dominick				
— — — — —						
3	04/05/2012	Motto, Dominick				
Order -State Sentence	/Penalty Imposed/300 B Comm					
4	04/05/2012	Court of Common Pleas - Lawrence				
		County				
Penalty Assessed						
5	04/05/2012	Court of Common Pleas - Lawrence				
Managala Laur Nation		County				
Megan's Law Notice						
1	04/10/2012	PUBLIC DEFENDER, LAWRENCE				
Petition to Rescind Ber	nch Warrant	CTY				
	_ — — — — — — — — —					
1	05/10/2012	Lawrence County Sheriff's Office				
Sheriff Return (5-2-12	Deft Transp from LCJ-SCI Pgh by Dep S — —— —— —— —— —— ——	ffs R Hinkle/C Smolleck)				
1	07/03/2017	Morgan, Helen I.				
Pro Se Correspondence	ce (Re: Ptn for Redress of Grievance)					
		Mcnutt, Wayne Edward				
Pro Se Correspondence		monat, rajno zamara				
1 Pro Se Correspondence	08/23/2018 be (Re: Ptn for Redress of Grievance)	Klabon-Esoldo, Jodi				
1	09/27/2018	Mcnutt, Wayne Edward				
Case Management Pla	an & Certificate of Service 					
1	10/15/2018	Mcnutt, Wayne Edward				
Motion For Pre-Trial Co	onference/Trial					

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1	10/19/2018	10/19/2018	Klabon-Esoldo, Jodi
Pro Se Correspondence			
2	10/19/2018	10/19/2018	Motto, Dominick
Order of Court (Pro Se C		10/10/2010	moto, Boninion
		. — — — — — -	
1	11/13/2018		Klabon-Esoldo, Jodi
Pro Se Correspondence			
1	11/19/2018	11/19/2018	Motto, Dominick
Order of Court/Case Cor	respondence		
		. — — — — — -	
Pro Se Correspondence			Napon-Esoldo, Jodi
<i></i>		. — — — — — -	
1	01/17/2019		Klabon-Esoldo, Jodi
Pro Se Correspondence			
1	02/04/2019		Mcnutt, Wayne Edward
Motion for a Direct Verdi	ct (Prima Facie) & Certificate o	f Service	·
		. — — — — — -	
Pro Se Correspondence	(Mtn For Direct Verdict - FWD	to PD)	Klabon-Esoldo, Jodi
		· — — — — — -	
1	03/08/2019	03/08/2019	Motto, Dominick
Order Of Court (Pro Se 0	Correspondence)		
1	04/01/2019		Mcnutt, Wayne Edward
Motion for Post Conviction	on Collateral Relief (Copy To C	A)	, ,
		. — — — — — -	
1 Pro Se Correspondence	04/04/2019 (Filed of Record)		Klabon-Esoldo, Jodi
— — — — — —	— — — — — — —		
1	07/25/2019		Klabon-Esoldo, Jodi
	(Re: Ptn for Redress of Grieva	nce/Redemption)	
Lawrence County Adult Pro 07/25/2019	bation eNotice		Notified
Lawrence County District A			
Office	•		
07/25/2019	eService		Served

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Service To Service By

<u>Issue Date</u> Service Type Status Date Service Status

Lawrence County Public Defender's

Office

07/25/2019 eService Served

1 07/29/2019 07/29/2019 Motto, Dominick

Order of Court/Pro Se Correspondence (Forwarded to Public Defender's Office)

Court Administator

07/29/2019 Hand Delivered

Lawrence County Adult Probation

07/29/2019 eNotice Notified

Lawrence County District Attorney's

Office

07/29/2019 eService Served

Lawrence County Public Defender's

Office

07/29/2019 eService Served

1 11/22/2019 Mcnutt, Wayne Edward

Motion for Appeal, New Evidence And Redemption

Court Administator

11/25/2019 Mail Slot Lawrence County Adult Probation

11/25/2019 eNotice Notified

Lawrence County District Attorney's

Office

11/25/2019 eService Served

Lawrence County Public Defender's

Office

11/25/2019 eService Served

1 12/23/2019 Klabon-Esoldo, Jodi

Pro Se Correspondence (Motion)

Lawrence County Adult Probation

12/23/2019 eNotice Notified

Lawrence County District Attorney's

Office

12/23/2019 eService Served

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Service To Service By

<u>Issue Date</u> <u>Service Type</u> <u>Status Date</u> <u>Service Status</u>

Lawrence County Public Defender's

Office

12/23/2019 eService Served

1 05/15/2020 State Probation & Parole

Order to Release On Parole/Reparole

Lawrence County Adult Probation

05/28/2020 eNotice Notified

Lawrence County District Attorney's

Office

05/28/2020 eService Served

Lawrence County Public Defender's

Office

05/28/2020 eService Served

1 08/31/2020 Court of Common Pleas - Lawrence

County

Penalty Satisfied

Lawrence County Adult Probation

08/31/2020 eNotice Notified

Lawrence County District Attorney's

Office

08/31/2020 eService Served

Lawrence County Public Defender's

Office

08/31/2020 eService Served

1 12/09/2021 Lawrence County Adult Probation Unit

Motion for Bench Warrant

Lawrence County Adult Probation

12/09/2021 eNotice Notified

Lawrence County District Attorney's

Office

12/09/2021 eService Served

Lawrence County Public Defender's

Office

12/09/2021 eService Served

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Service To Service By

<u>Issue Date</u> Service Type Status Date Service Status

12/14/2021 Lawrence County Adult Probation

Petition to Revoke Probation Lawrence County District Attorney's

Office

12/14/2021 eService Served

Lawrence County Public Defender's

Office

12/14/2021 eService Served

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Last Payment Date: 08/31/2020			Tota	al of Last Payment: -\$	22.32
Denome, Louis A. Bondsman	<u>Assessment</u>	<u>Payments</u>	<u>Adjustments</u>	Non Monetary Payments	<u>Balance</u>
Costs/Fees					
Bail Piece (Lawrence)	\$7.00	(\$7.00)	\$0.00	\$0.00	\$0.00
Costs/Fees Totals:	\$7.00	(\$7.00)	\$0.00	\$0.00	\$0.00
Mcnutt, Wayne Edward Defendant	<u>Assessment</u>	<u>Payments</u>	<u>Adjustments</u>	Non Monetary Payments	Balance
Costs/Fees					
Bench Warrant Fee (Lawrence)	\$25.00	(\$25.00)	\$0.00	\$0.00	\$0.00
ARD Fee (Lawrence)	\$17.75	(\$17.75)	\$0.00	\$0.00	\$0.00
Sheriff Costs (Lawrence)	\$44.70	(\$44.70)	\$0.00	\$0.00	\$0.00
State Court Costs (Act 204 of 1976)	\$12.30	(\$12.30)	\$0.00	\$0.00	\$0.00
Commonwealth Cost - HB627 (Act 167 of 1992)	\$18.40	(\$18.40)	\$0.00	\$0.00	\$0.00
County Court Cost (Act 204 of 1976)	\$26.80	(\$26.80)	\$0.00	\$0.00	\$0.00
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	(\$10.00)	\$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
DNA Detection Fund (Act 185-2004)	\$250.00	(\$250.00)	\$0.00	\$0.00	\$0.00
Clerk M (Lawrence)	\$164.00	(\$164.00)	\$0.00	\$0.00	\$0.00
Automation Fee (Lawrence)	\$5.00	(\$5.00)	\$0.00	\$0.00	\$0.00
Costs of Prosecution - CJEA	\$50.00	(\$50.00)	\$0.00	\$0.00	\$0.00
Judicial Computer Project	\$8.00	(\$8.00)	\$0.00	\$0.00	\$0.00
ATJ	\$3.00	(\$3.00)	\$0.00	\$0.00	\$0.00
CJES	\$2.25	(\$2.25)	\$0.00	\$0.00	\$0.00
JCPS	\$10.25	(\$10.25)	\$0.00	\$0.00	\$0.00
Sheriff Costs (Lawrence)	\$22.32	(\$22.32)	\$0.00	\$0.00	\$0.00
Bench Warrant Fee (Lawrence)	\$29.50	\$0.00	\$0.00	\$0.00	\$29.50
Costs/Fees Totals:	\$764.27	(\$734.77)	\$0.00	\$0.00	\$29.50
Grand Totals:	\$771.27	(\$741.77)	\$0.00	\$0.00	\$29.50

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